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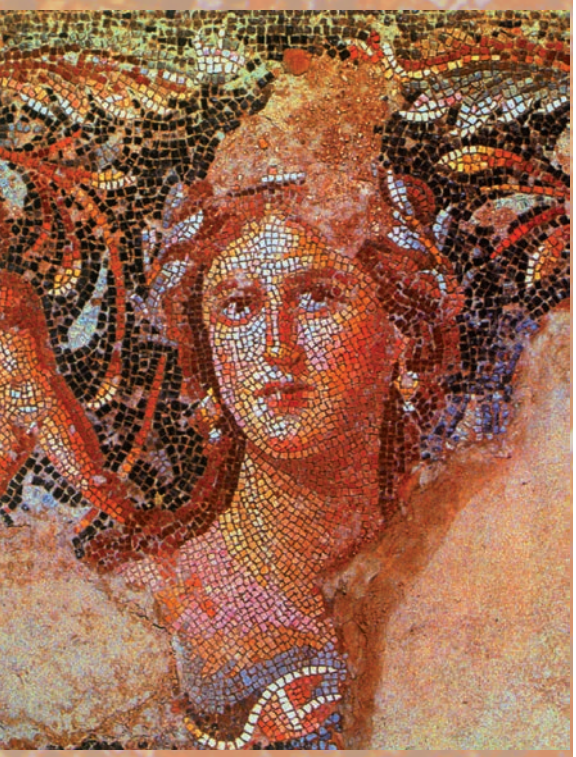
עמותת אדריכלים מאוחדים בישראל

קקל
קרן קיימת לישראל

המועצה לשימור אתרי מורשת בישראל

רשות הטבע והגנים

ISRAEL ANTIQUITIES AUTHORITY
רשות העתיקות



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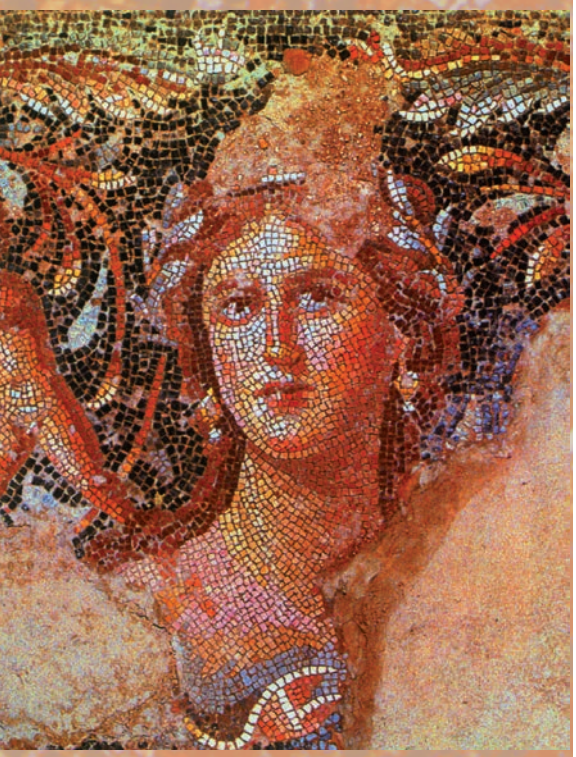

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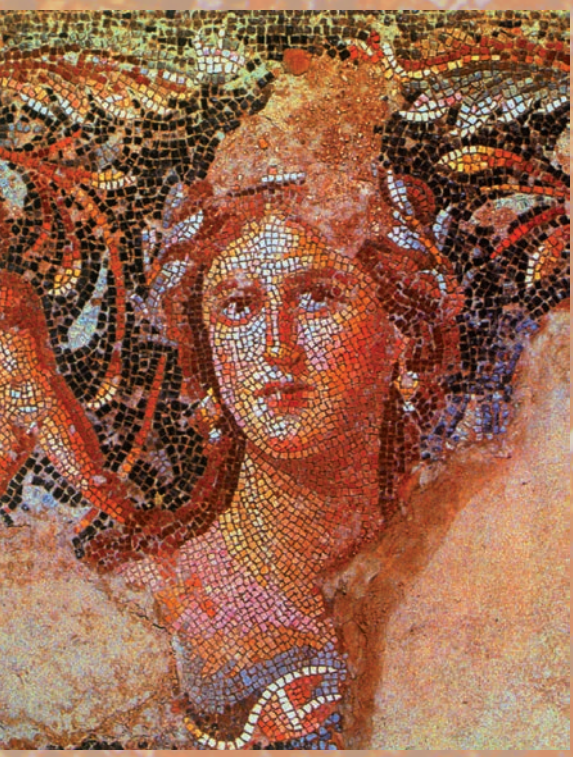

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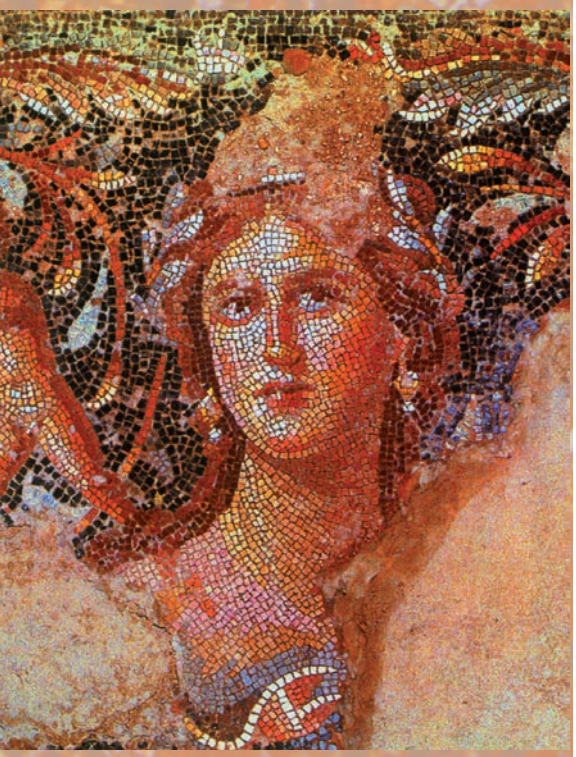

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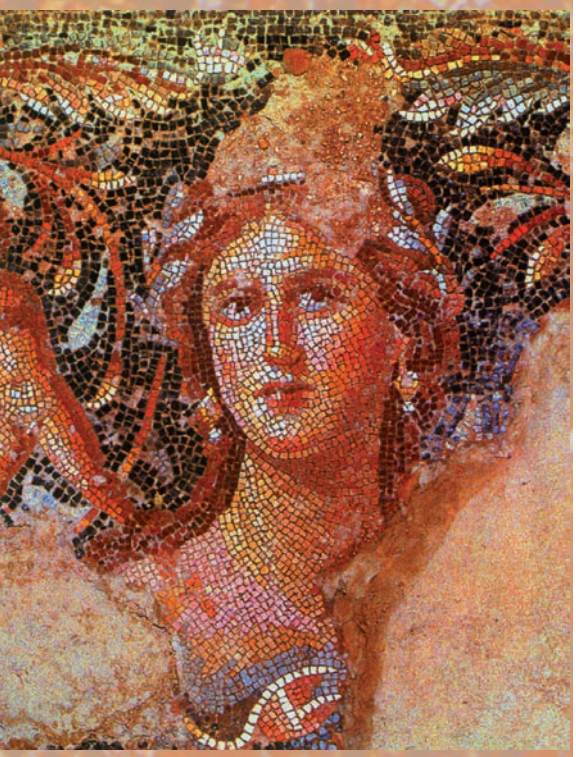

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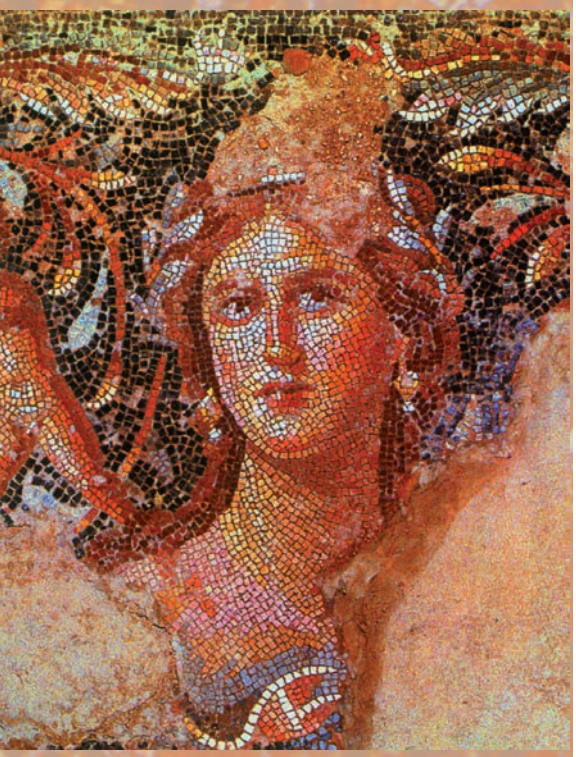

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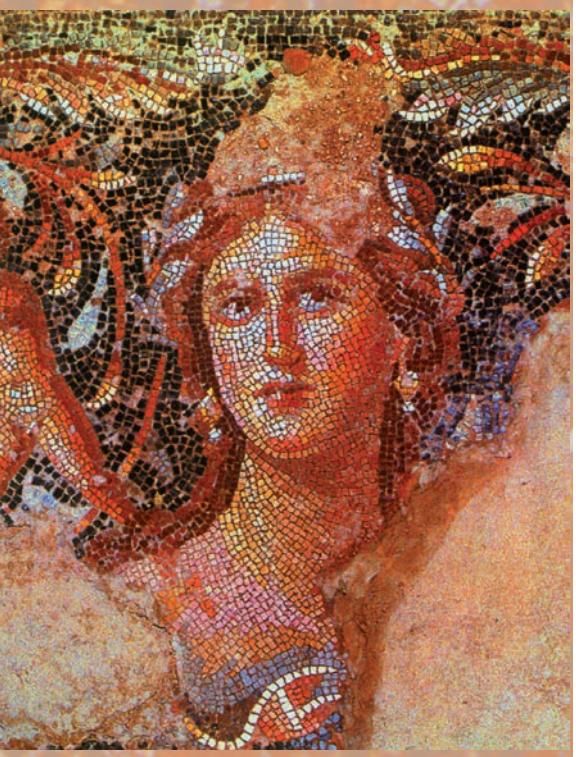

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הקדמה

המקראה שלפניכם היא ניסיון לרכז את האמנות, הצ'רטרים והמלצות העוסקות בשימור לגווניו שאושררו ע"י גופים בינ"ל (אונסקו, איקומוס בינ"ל), אזוריים (מועצת אירופה) וסניפי איקומוס במדינות שונות.

המקראה מיועדת למתכננים, אדריכלים, בעלי תפקידים במוסדות התכנון לפקולטות רלוונטיות במוסדות להשכלה גבוהה בעלי ענין אחרים במהלך עבודתם השוטפת.

המקראה היא יוזמה של הוועד הישראלי לאונסקו לקדם את המודעות לשימור בישראל. המקראה "פתוחה" ומאפשרת למשתמש להוסיף לקטגוריות השונות אמנות, צ'רטרים והמלצות בנושא שימור.

כאן המקום להודות לארגונים העוסקים בשימור המיוצגים בוועדה הישראלית למורשת עולמית על שתוף הפעולה הפורה בשנים האחרונות עם הוועד הישראלי לאונסקו ובמיוחד לאיקומוס ישראל הארגון המייעץ לוועדה בנושאי האמנה למורשת עולמית.

ניתן לעיין במקראה באתר האינטרנט של הוועד הישראלי לאונסקו:
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מעמדן של אמנות, המלצות, וצ'רטרים בינ"ל של אונסקו

אמנות, הצהרות או המלצות מוצעות ע"י;

הוועידה הכללית של אונסקו או ועידה בינ"ל של מדינות שהתכנסה בחסות אונסקו

גופים בינ"ל או אזוריים או סניפים של ארגונים בינ"ל

אמנות (Conventions), הסכמים (Agreements) וחוזים (Treaties)

אלו הם כלים משפטיים שמטרתם להגדיר ולעגן נורמות בינ"ל,שבמידה מסויימת נהוגות ברוב מדינות אונסקו על מנת להתמודד עם בעיות גלובליות הדורשות פתרון והסדר בינ"ל בעל משמעות משפטית.

אמנות מאושרות ונכנסות לתוקף לאחר תהליך הכנה, דיונים ואישור עפ"י חוקת אונסקו (סעיף IV) או הארגון הרלבנטי.

השלבים בתהליך קבלת החלטות באישור אמנה;

בדיקה יסודית של אלמנטיים טכניים / משפטיים במישור הבינ"ל והכנת דו"ח.

הגשת הדו"ח לדיון בוועד המנהל של אונסקו. או הארגון הבינ"ל הספציפי

הצעה לסדר יום של הוועידה הכללית. או של הארגון הבינ"ל הספציפי

הוועידה הכללית או הארגון הבינ"ל הספציפי מחליטיעל אופיו של הכלי המשפטי / אמנה / המלצה / הצהרה.

מוכן מסמך עמדה להתייעצות עם המדינות החברות בארגון.

המדינות מגישות את הערותיהן.

מוגשת הצעת טיוטא של הכלי המשפטי המומלץ להערות המדינות החברות.

ההצעה מוגשת לעיון של הוועדה לכלים משפטיים ולאחר מכן, לאישור הוועידה הכללית. או הוועד הנמהל של ארגון ספציפי

הוועידה הכללית או הוועד הנמהל של ארגון ספציפי דנים ומאשרים את ההצעה.

האמנות מחייבות את המדינות המצטרפות אליהן

על **המדינה להגיש לגופי השלטון שלה בקשה לאשרור האמנה בתוך שנה מיום החלטת הוועידה הכללית**, (חוקת אונסקו (סעיף IV).

האמנה נכנסת לתוקף לאחר שאושררה ע"י מספר מדינות שנקבע מראש.

על המדינה המצטרפת לאמנה להקים מנגנון ליישום האמנה והקדיש את המשאבים הכרוכים בכך.

המלצות (Recommendations)

המלצות הן מכשירים משפטיים שבעזרתם מגבשים עקרונות ונורמות לנהלים/תקנות בינ"ל על נושאים ספציפיים בעלי קונצנסוס רחב בקרב מדינות

המדינות מוזמנות **ליישם את ההמלצות, אף אם הן אינן מחייבות אותן**.

מטרת ההמלצות להשפיע על החקיקה והתקנות במדינות

תהליך קבלת החלטות דומה לתהליך אישור אמנות

הצהרות (Declarations)

הצהרות הן כלי ייחודי המיועד להגדיר נורמות אוניברסליות, במטרה להביא לתמיכה רחבה בהן (כגון: הצהרת זכויות האדם).

הצהרות **אינן מחייבות** את המדינות החברות **אך יש להן משמעות מוסרית**.

הצהרות עשויות להפוך לנוהל במדינות חברות ובכך להפוך למחייבות.

צ'רטרים (Charters)

מסמך משפטי המתקבל ע"י האסיפות הכלליות של ארגונים בינ"ל. הצ'רטרים, אינם מחייבים את המדינה אך הם בעלי תוקף מוסרי.

Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage

16 November 1972

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris, at its seventeenth session, from 17 October to 21 November 1972,

Considering that, in a society where living conditions are changing at an accelerated pace, it is essential for man's equilibrium and development to preserve for him a fitting setting in which to live, where he will remain in contact with nature and the evidences of civilization bequeathed by past generations, and that, to this end, it is appropriate to give the cultural and natural heritage an active function in community life and to integrate into an overall policy the achievements of our time, the values of the past and the beauty of nature,

Considering that such integration into social and economic life must be one of the fundamental aspects of regional development and national planning at every level,

Considering that particularly serious dangers engendered by new phenomena peculiar to our times are threatening the cultural and natural heritage, which constitute an essential feature of mankind's heritage and a source of enrichment and harmonious development for present and future civilization,

Considering that each item of the cultural and natural heritage is unique and . that the disappearance of any one item constitutes a definite loss and an irreversible impoverishment of that heritage.

Considering that every country in whose territory there are components of the cultural and natural heritage has an obligation to safeguard this part of mankind's heritage and to ensure that it is handed down to future generations,

Considering that the study, knowledge and protection of the cultural and natural heritage in the various countries of the world are conducive to mutual understanding among the peoples,

Considering that the cultural and natural heritage forms an harmonious whole, the components of which are indissociable,

Considering that a policy for the protection of the cultural and natural heritage, thought out and formulated in common, is likely to bring about a continuing interaction among Member States and to have a decisive effect on the activities of the United Nations Educational, Scientific and Cultural Organization in this field,

Noting that the General Conference has already adopted international instruments for the protection of the cultural and natural heritage, such as the Recommendation on International Principles Applicable to Archaeological Excavations (1956), the Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites (1962) and the Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private Works (1968),

Desiring to supplement and extend the application of the standards and principles laid down in such recommendations,

Having before it proposals concerning the protection of the cultural' and natural heritage, which question appears on the agenda of the session as item 23,

Having decided, at its sixteenth session, that this question should be made the subject of international regulations, to take the form of a recommendation to Member States,

Adopts this sixteenth day of November 1972, this Recommendation.

I. Definitions of the cultural and the natural heritage

1. For the purposes of this Recommendation, the following shall be considered as `cultural heritage':

monuments: architectural works, works of monumental sculpture and painting, including cave dwellings and inscriptions, and elements, groups of elements or structures of special value from the point of view of archaeology, 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 special value from the point of view of history, art or science;

sites : topographical afeas, the combined works of man and of nature, which are of

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special value by reason of their beauty or their interest from the archaeological, historical, ethnological or anthropological points of view.

2. For the purposes of this Recommendation, the following shall be considered as `natural heritage' :

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

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

natural sites or precisely delineated natural areas of special value- from the point of view of science, conservation or natural beauty, or in their relation to the combined works of man and of nature.

II. National policy

3. In conformity with their jurisdictional and legislative requirements, each State should formulate, develop and apply as far as possible a policy whose principal aim should be to co-ordinate and make use of all scientific, technical, cultural and other resources available to secure the effective protection, conservation and presentation of the cultural and natural heritage.

III. General principles

4. The cultural and natural heritage represents wealth, the protection, conservation and presentation of which impose responsibilities on the States in whose territory it is situated, both vis-a-vis their own nationals and vis-a-vis the international community as a whole; Member States should take such action as may be necessary to meet these responsibilites.

5. The cultural or natural heritage should be considered in its entirety as a homogeneous whole, comprising not only works of great intrinsic value, but also more modest items that have, with the passage of time, acquired cultural or natural value.

6. None of these works and none of these items should, as a general rule, be dissociated from its environment.

7. As the ultimate purpose of protecting, conserving and presenting the cultural and natural heritage is the development of man, Member States should, as far as possible, direct their work in this field-in such a way that the cultural and natural heritage may no longer-be regarded as a check on national development but as a determining factor in such development.

8. The protection, conservation and effective presentation of the cultural and natural heritage should be considered as one of the essential aspects of regional development plans, and planning in general, at the national, regional or local level.

9. An active policy for the conservation of the cultural and natural heritage and for giving it a place in community life should be developed. Member States should arrange for concerted action by all the public and private services concerned, with a view to drawing up and applying such a policy. Preventive and corrective measures relating to the cultural and natural heritage should be supplemented by others, designed to give each of the components of this heritage a function which will make it a part of the nation's social, economic, scientific and cultural life for the present and future, compatible with the cultural or natural character of the item in question. Action for the protection of the cultural and natural heritage should take advantage of scientific and technical advances in all branches of study involved in the protection, conservation and presentation of the cultural or natural heritage.

10. Increasingly significant financial resources should, as far as possible, be made available by the public authorities for the safeguarding and presentation of the cultural and natural heritage.

11. The general public of the area should be associated with the measures to be taken for protection and conservation and should be called on for suggestions and help, with particular reference to regard for and surveillance of the cultural and natural heritage. Consideration might also be given to the possibility of financial support from the private sector.

IV. Organization of services

12. Although their diversity makes it impossible for all Member States to adopt a standard form of organization, certain common criteria should nevertheless be observed.

Specialized public services

13. With due regard for the conditions appropriate to each country, Member States should set up in their territory, wherever they do not already exist, one or more specialized public services to be responsible for the efficient discharge of the following functions :

(a) developing and putting into effect measures of all kinds designed for the protection, conservation and presentation of the country's cultural and natural heritage and for making it an active factor in the life of the community; and primarily, compiling an inventory of the cultural and natural heritage and establishing appropriate documentation services;

(b) training and recruiting scientific, technical and administrative staff as required, to be responsible for working out identification, protection, conservation and integration programmes and directing their execution;

(c) organizing close co-operation among specialists of various disciplines to study the technical conservation problems of the cultural and natural heritage;

(d) using or creating laboratories for the study of all the scientific problems arising

in connexion with the conservation of the cultural and natural heritage;

(e) ensuring that owners or tenants carry out the necessary restoration work and provide for the upkeep of the buildings in the best artistic and technical conditions.

Advisory bodies

14. The specialized services should work with bodies of experts responsible for giving advice on the preparation of measures relating to the cultural and natural heritage. Such bodies should include experts, representatives of the major preservation societies, and representatives of the administrations concerned.

Co-operation among the various bodies

15. The specialized services dealing with the protection, conservation and presentation of the cultural and natural heritage should carry out their work in liaison and on an equal footing with other public services, more particularly those responsible for regional development planning, major public works, the environment, and economic and social planning. Tourist development programmes involving the cultural and natural heritage should be carefully drawn up so as not to impair the intrinsic character and importance of that heritage, and steps should be taken to establish appropriate liaison between the authorities concerned.

16. Continuing co-operation at all levels should be organized among the specialized services whenever large-scale projects are involved, and appropriate co-ordinating arrangements made so that decisions may, be taken in concert, taking account of the various interests involved. Provision should be made for joint planning from the start of the studies and machinery developed for the settlement of conflicts.

Competence of central, federal, regional and local bodies

17. Considering the fact that the problems involved in the protection, conservation and presentation of the cultural and natural heritage are difficult to deal with, calling for special knowledge and sometimes entailing hard choices, and that there are not enough specialized staff available in this field, responsibilities in all matters concerning the devising and execution of protective measures in general should be divided among central or federal and regional or local authorities on the basis of a judicious balance adapted to the situation that exists in each State.

V. Protective measures

18. Member States should, as far as possible, take all necessary scientific, technical and administrative, legal and financial measures, to ensure the protection of the cultural and natural heritage in their territories. Such measures should be determined in accordance with the legislation and organization of the State.

Scientific and technical measures

19. Member States should arrange for careful and constant maintenance of their cultural and natural heritage in order to avoid having to undertake the costly operations necessitated by its deterioration; for this purpose, they should provide for regular surveillance of the components of their heritage by means of periodic inspections. They should also draw up carefully planned programmes of conservation and presentation work, gradually taking in all the cultural and natural heritage, depending upon the scientific, technical and financial means at their disposal.

20. Any work required should be preceded and accompanied by such thorough studies as its importance may necessitate. Such studies should be carried out in co-operation with or by specialists in all related fields.

21. Member States should investigate effective methods of affording added protection to those components of the cultural and natural heritage that are threatened by unusually serious dangers. Such methods should take account of the interrelated scientific, technical and artistic problems involved and make it possible to determine the treatment to be applied.

22. These components of the cultural and natural heritage should, in addition, be restored, wherever appropriate, to their former use or given a new and more suitable function, provided that their cultural value is not thereby diminished.

23. Any work done on the cultural heritage should aim at preserving its traditional appearance, and protecting it from any new construction or remodelling which might impair the relations of mass or colour between it and its surroundings.

24. The harmony established by time and man between a monument and its surroundings is of the greatest importance and should not, as a general rule, be disturbed or destroyed. The isolation of a monument by demolishing its surroundings should not, as a general rule, be authorized; nor should the moving of a monument be contemplated save as an exceptional means of dealing with a problem, justified by pressing considerations.

25. Member States should take measures to protect their cultural and natural heritage against the possible harmful effects of the technological developments characteristic of modern civilization. Such measures should be designed to counter the effects of shocks and vibrations caused by machines and vehicles. Measures should also be taken to prevent pollution and guard against natural disasters and calamities, and to provide for the repair of damage to the cultural and natural heritage.

26. Since the circumstances governing the rehabilitation of groups of buildings are not everywhere identical, Member States should provide for a social science inquiry in appropriate cases, in order to ascertain precisely what are the social and cultural needs of the community in which the group of buildings concerned is situated. Any rehabilitation operation should pay special attention to enabling man to work, to develop and to achieve fulfillment in the restored setting.

27. Member States should undertake studies and research on the geology and ecology of items of the natural heritage, such as park, wildlife, refuge or recreation areas, or other equivalent reserves, in order to appreciate their scientific value, to

determine the impact of visitor use and to monitor interrelationships so as to avoid serious damage to the heritage and to provide adequate background for the management of the fauna and flora.

28. Member States should keep abreast of advances in transportation, communication, audio-visual techniques, automatic data-processing and other appropriate technology, and of cultural and recreational trends, so that the best possible facilities and services can be provided for scientific study and the enjoyment of the public, appropriate to the purpose of each area, without deterioration of the natural resources.

Administrative measures

29. Each Member State should draw up, as soon as possible, an inventory for the protection of its cultural and natural heritage, including items which, without being of outstanding importance, are inseparable from their environment and contribute to its character.

30. The information obtained by such surveys of the cultural and natural heritage should be collected in a suitable form and regularly brought up to date.

31. To ensure that the cultural and natural heritage is effectively recognized at all levels of planning, Member States should prepare maps and the fullest possible documentation covering the cultural and natural property in question.

32. Member States should give thought to finding suitable uses for groups of historic buildings no longer serving their original purpose.

33. A plan should be prepared for the protection, conservation, presentation and rehabilitation of groups of buildings of historic and artistic interest. It should include peripheral protection belts, lay down the conditions for land use, and specify the buildings to be preserved and the conditions for their preservation. This plan should be incorporated into the overall ° town and country planning policy for the areas concerned.

34. Rehabilitation plans should specify the uses to which historic buildings are to be put, and the links there are to be between the rehabilitation area and the surrounding urban development. When the designation of a rehabilitation area is under consideration, the local authorities and representatives of the residents of the area should be consulted.

35. Any work that might result in changing the existing state of the buildings in a protected area should be subject to prior authorization by the town and country planning authorities, on the advice of the specialized services responsible for the' protection of the cultural and natural heritage.

36. Internal alterations to groups of buildings and the installation of modern conveniences should be allowed if they are needed for the well-being of their occupants and provided they do not drastically alter the real characteristic features of ancient dwellings.

37. Member States should develop short- and long-range plans, based on inventories of their natural heritage, to achieve a system of conservation to meet the needs of their countries.

38. Member States should provide an advisory service to guide non-governmental organizations and owners of land on national conservation policies consistent with the productive use of the land.

39. Member States should develop policies and programmes for restoration of natural areas made derelict by industry, or otherwise despoiled by man's activities.

Legal measures

40. Depending upon their importance, the components of the cultural and natural heritage should be protected, individually or collectively, by legislation or regulations in conformity with the competence and the legal procedures of each country.

41. Measures for protection should be supplemented to the extent necessary by new provisions to promote the conservation of the cultural or natural heritage and to facilitate the presentation of its components. To that end, enforcement of protective measures should apply to individual owners and to public authorities when they are the owners of components of the cultural and natural heritage.

42. No new building should be erected, and no demolition, transformation, modification or deforestation carried out, on any property situated on or in the vicinity of a protected site, if it is likely to affect its appearance, without authorization by the specialized services.

43. Planning legislation to permit industrial development, or public and private works should take into account existing legislation on conservation, The authorities responsible for the protection of the cultural and natural heritage might take steps to expedite the necessary conservation work, either by making financial assistance available to the owner, or by acting in the owner's place and exercising their powers to have the work done, with the possibility of their obtaining reimbursement of that share of the costs which the owner would normally have paid.

44. Where required for the preservation of the property, the public authorities might be empowered to expropriate a protected building or natural site subject to the terms and conditions of domestic legislation.

45. Member States should establish regulations to control bill-posting, neon signs and other kinds of advertisement, commercial signs, camping, the erection of poles, pylons and electricity or telephone cables, the placing of television aerials, all types of vehicular traffic and parking, the placing of indicator panels, street furniture, etc., and, in general, everything connected with the equipment or occupation of property forming part of the cultural and natural heritage.

46. The effects of the measures taken to protect any element of the cultural or natural heritage should continue regardless of changes of ownership. If a protected

building or natural site is sold, the purchaser should be informed that it is under protection.

47. Penalties or administrative sanctions should be applicable, in accordance with the laws and constitutional competence of each State, to anyone who willfully destroys, mutilates or defaces a protected monument, group of buildings or site, or one which is of archaeological, historical or artistic interest. In addition, equipment used in illicit excavation might be subject to confiscation.

48. Penalties or administrative sanctions should be imposed upon those responsible for any other action detrimental to the protection, conservation or presentation of a protected component of the cultural or natural heritage, and should include provision for the restoration of an affected site to its original state in accordance with established scientific and technical standards.

Financial measures

49. Central and local authorities should, as far as possible, appropriate, in their budgets, a certain percentage of funds, proportionate to the importance of the protected property forming part of their cultural or natural heritage, for the purposes of maintaining, conserving and presenting protected property of which they are the owners, and of contributing financially to such work carried out on other protected property by the owners, whether public bodies or private persons.

50. The expenditure incurred in protecting, conserving and presenting items of the privately owned cultural and natural heritage should, so far as possible, be borne by their owners or users.

51. Tax concessions on such expenditures, or grants or loans on favourable terms, could be granted to private owners of protected properties, on condition that they carry out work for the protection, conservation, presentation and rehabilitation of their properties 'in accordance with approved standards.

52. Consideration should be given to indemnifying, if necessary, owners of protected cultural and natural areas for losses they might suffer as a consequence of protective programmes.

53. The financial advantages accorded to private owners should, where appropriate, be dependent on their observance of certain conditions laid down for the benefit of the public, such as their allowing access to parks, gardens and sites, tours through all of parts of natural sites, monuments or groups of buildings, the taking of photographs, etc.

54. Special funds should be set aside in the budgets of public authorities for the protection of the cultural and natural heritage endangered by large-scale public or private works.

55. To increase the financial resources available to them, Member States may set up one or more `Cultural and Natural Heritage Funds', as legally established public agencies, entitled to receive private gifts, donations and bequests, particularly from industrial and commercial firms.

56. Tax concessions could also be granted to those making gifts, donations or bequests for the acquisition, restoration or maintenance of specific components of the cultural and natural heritage.

57. In order to facilitate operations for rehabilitation of the natural and cultural heritage, Member States might make special arrangements, particularly by way of loans for renovation and restoration work, and might also make the necessary regulations to avoid price rises caused by real-estate speculation in the areas under consideration.

58. To avoid hardship to the poorer inhabitants consequent on their having to move from rehabilitated buildings or groups of buildings, compensation for rises in rent might be contemplated so as to enable them to keep their accommodation. Such compensation should be temporary and determined on the basis of the income of the parties concerned, so as to enable them to meet the increased costs occasioned by the work carried out.

59. Member States might facilitate the financing of work of any description for the benefit of the cultural and natural heritage, by instituting `Loan Funds', supported by public institutions and private credit establishments, which would be responsible for granting loans to owners at low interest rates and with repayment spread out over a long period.

VI. Educational and cultural action

60. Universities, educational establishments at all levels and life-long education establishments should organize regular courses, lectures, seminars, etc., on the history of art, architecture, the environment and town planning.

61. Member States should undertake educational campaigns to arouse widespread public interest in, and respect for, the cultural and natural heritage. Continuing efforts should be made to inform the public about what is being and can be done to protect the cultural or natural heritage and to inculcate appreciation and respect for the values it enshrines. For this purpose, all media of information should be employed as required.

62. Without overlooking the great economic and social value of the cultural and natural heritage, measures should be taken to promote and reinforce the eminent cultural and educational value of that heritage, furnishing as it does the fundamental motive for protecting, conserving and presenting it.

63. All efforts on behalf of components of the cultural and natural heritage should take account of the cultural and educational value inherent in them as representative of an environment, a form of architecture or urban design commensurate with man and on his scale.

64. Voluntary organizations should be set up to encourage national and local authorities to make full use of their powers with regard to protection, to afford

them support and, if necessary, to obtain funds for them; these bodies should keep in touch with local historical societies, amenity improvement societies, local development committees and agencies concerned with tourism, etc., and might also organize visits to, and guided tours of, different items of the cultural and natural heritage for their members.

65. Information centers, museums or exhibitions might be set up to explain the work being carried out on components of the cultural and natural heritage scheduled for rehabilitation.

VII. International co-operation

66. Member States should co-operate with regard to the protection, conservation and presentation of the cultural and natural heritage, seeking aid, if it seems desirable, from international organizations, both intergovernmental and non-governmental. Such multilateral or bilateral co-operation should be carefully co-ordinated and should take the form of measures such as the following :

(a) exchange of information and of scientific and technical publications;

(b) organization of seminars and working parties on particular subjects;

(c) provision of study and travel fellowships, and of scientific, technical and administrative staff, and equipment;

(d) provision of facilities for scientific and technical training abroad, by allowing young research workers and technicians to take part in architectural projects, archaeological excavations and the conservation of natural sites;

(e) co-ordination, within a group of Member States, of large-scale projects involving conservation, excavations, restoration and rehabilitation work, with the object of making the experience gained generally available.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its seventeenth session, which was held in Paris and declared closed the twenty-first day of November 1972.

IN FAITH WHEREOF we have appended our signatures this twenty-third day of November 1972.

The President of the General Conference
The Director-General

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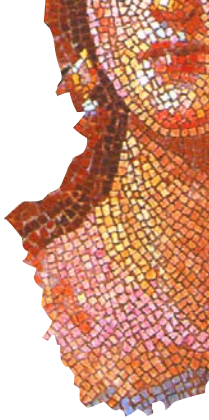

ICOMOS

אגודת אתרי תרבות

הנחיות לצ'רטר בורה - אתרי תרבות 1999

הנחיות אלו לביסוס משמעות וחשיבות תרבותית אומצו בידי הוועדה האוסטרלית הלאומית למועצה הבין-לאומית למונומנטים ואתרים (ICOMOS אוסטרליה) ב-14 באפריל 1984, ותוקנו ב-23 באפריל 1988. יש לקרוא אותן לצד צ'רטר בורה.

תורגם על-ידי הוועד הישראלי לאונסקו

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להנחיות 5 פרקים:

א. משמעות וחשיבות תרבותית

ב. מדיניות שימור

ג. הליכים לביצוע מחקרים ודוחות

ד. תקנון אתי לדו-קיום בשימור מקומות בעלי משמעות וחשיבות

ה. הערות לשינויים שבוצעו בצ'רטר בורה

א. משמעות וחשיבות תרבותית

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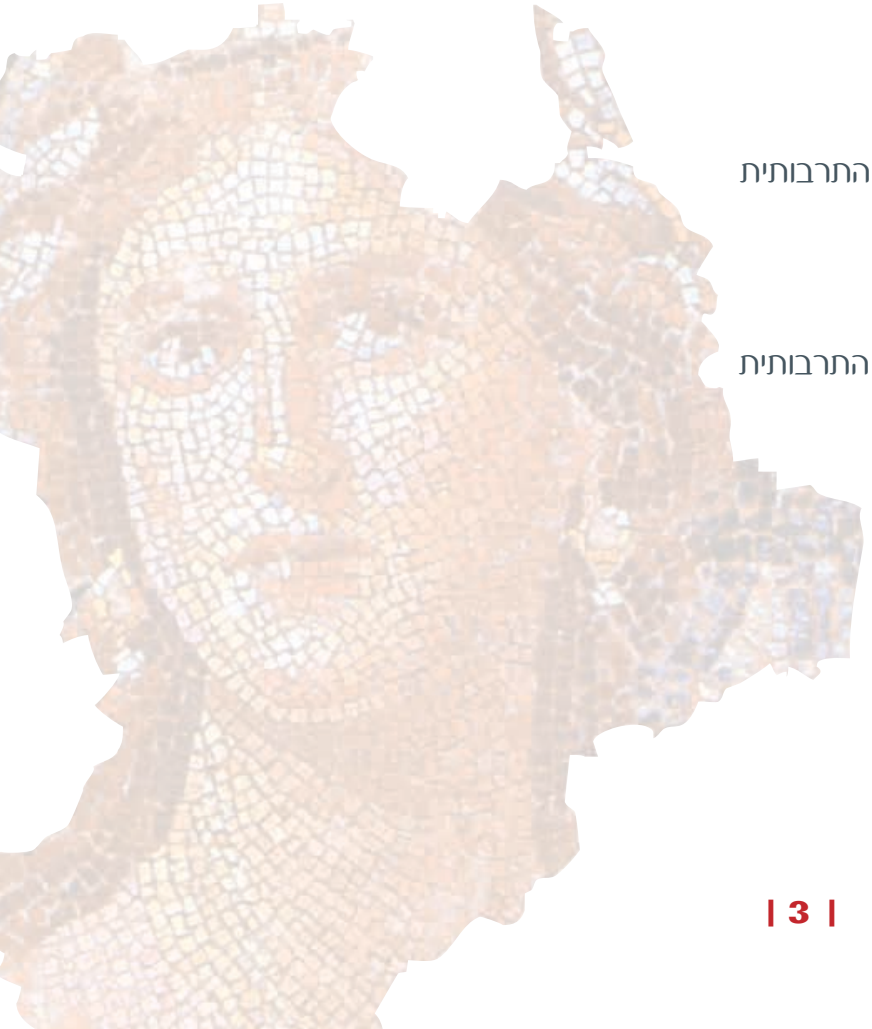


1. מבוא

1.1 כוונת ההנחיות

הנחיות אלה נועדו להבהיר את טיב העבודה המקצועית עפ"י צ'רטר בורה. הן ממליצות על נוהל שיטתי להערכת המשמעות והחשיבות התרבותית של מקום, להכנת הצהרת משמעות וחשיבות תרבותית ולפרסום מידע כזה בציבור.

1.2 תחולה

ההנחיות חלות על כל מקום שעשוי להיות בעל חשיבות ומשמעות תרבותית, אם בסוגו ואם בגודלו.

1.3 הצורך בביסוס חשיבות ומשמעות תרבותית

הערכת החשיבות והמשמעות התרבותית והכנת הצהרת משמעות וחשיבות תרבותית, כפי שהן מופיעות בדוח בחלק 4, הן תנאים מקדימים לקבלת החלטות בעניין עתידו של מקום מסוים.

1.4 הכישורים הדרושים

לפי סעיף 4 בצ'רטר בורה, לצורך חקר המקום צריך להשתמש בכל תחומי הידע הרלוונטיים. הכישורים המקצועיים הנדרשים לביצוע חקר כזה אינם שכיחים. אין להניח שכל איש מקצוע יהיה בעל מלוא הכישורים הדרושים להערכת המשמעות והחשיבות התרבותית ולהכנת הצהרה. לעתים, במהלך ביצוע המשימה יתעורר צורך לערב אנשי מקצוע נוספים בעלי מומחיות מיוחדת.

1.5 סוגיות שאינן נשקלות

הערכת המשמעות והחשיבות התרבותית והכנת ההצהרה אינן כוללות ואינן מביאות בחשבון סוגיות כגון הנחיצות שבפעולת שימור, אילוצים משפטיים, שימושים אפשריים, יציבות המבנה או עלויות והכנסות. בסוגיות אלו יש לעסוק במסגרת ההנחיות לפיתוח מדיניות השימור.

2. מושג המשמעות והחשיבות התרבותית

2.1 הקדמה

* בצ'רטר בורה, משמעות וחשיבות תרבותית פירושה "ערך אסתטי, היסטורי, מדעי או חברתי לדורות העבר, ההווה או העתיד".
* משמעות וחשיבות תרבותית היא מושג שעוזר לאמוד את ערכם של מקומות. המקומות שעשויה להיות להם חשיבות ומשמעות הם המקומות העוזרים לשפוך אור על העבר או המעשירים את ההווה ושיהיה להם ערך לדורות הבאים.
* אף כי ישנן מילות תואר רבות המשמשות להגדרת החשיבות והמשמעות התרבותית באוסטרליה, מילות תואר כגון 'אסתטי', 'היסטורי', 'מדעי' ו'חברתי', המובאות על פי סדר אלפביתי [באנגלית] בצ'רטר בורה, יכולות להכיל את כל הערכים האחרים.
* משמעות המונחים הללו בהקשר של משמעות וחשיבות תרבותית תידון להלן. יש לציין שהם אינם מוציאים זה את זה; לדוגמה, לסגנון ארכיטקטוני יש היבטים היסטוריים ואסתטיים כאחד.

2.2 ערך אסתטי

* ערך אסתטי כולל היבטים של תפיסה חושית שאפשר ורצוי לקבוע בעבורם קריטריונים. קריטריונים כאלה עשויים לכלול שיקולים של צורה, גודל, צבע, מרקם וחומר המארג; ריחות וצלילים הקשורים במקום ובשימושיו.

2.3 ערך היסטורי

* ערך היסטורי כולל את ההיסטוריה של האסתטיקה, המדע והחברה, ולפיכך במידה מרובה הוא קיים בבסיס כל המונחים המובאים בחלק זה. למקום יכול להיות ערך היסטורי משום שהשפיע על דמות היסטורית, אירוע, שלב או פעילות – או הושפע מהם. ייתכן שיש לו גם ערך היסטורי בתור אתר של אירוע משמעותי וחשוב.
* משמעותו וחשיבותו של מקום מסוים רבה יותר אם עדיין קיימות עדויות לקשר או לאירוע, או אם האתר נותר בשלמותו, מאשר אם השתנה או שכבר אין עדויות.
* ואולם, אירועים או קשרים מסוימים עשויים להיות משמעותיים וחשובים כל-כך שמשמעות וחשיבות המקום נשמרת בלי קשר לאופן שבו טופל.

2.4 ערך מדעי

הערך המדעי או המחקרי של מקום יהיה תלוי במשמעות וחשיבות הנתונים הרלוונטיים,

בנדירותו, באיכותו או בייצוגיות שלו, וכן במידה שבה המקום עשוי לתרום מידע מהותי נוסף.

2.5 ערך חברתי

הערך החברתי כולל איכויות שבזכותן היה המקום למוקד רוחני, פוליטי, לאומי או תרבותי אחר לקבוצת רוב או לקבוצת מיעוט.

2.6 גישות אחרות

* החלוקה לקטגוריות של ערך אסתטי, היסטורי, מדעי וחברתי היא אחת הגישות להבנת מושג המשמעות והחשיבות התרבותית.
* עם זה, ייתכן שיגובשו קטגוריות מדויקות יותר ככל שהבנת מקום מסוים הולכת ומעמיקה.

3. ביסוס משמעות החשיבות התרבותית

3.1 הקדמה

* בקביעת משמעות וחשיבות תרבותית של מקום, צריך להעריך את כל המידע הרלוונטי להבנת המקום והמרקם שלו.
* משימה זו כוללת דוח המשלב חומרים כתובים וחומרים חזותיים. תוכן הדוח צריך להיות מאורגן באופן שיתאים למקום ולמגבלות המשימה, אולם ככלל הוא יהיה מאורגן בשני חלקים:
* החלק הראשון – הערכת המשמעות והחשיבות התרבותית (ראו 3.2 ו-3.3), והחלק השני – הצהרת המשמעות והחשיבות התרבותית (ראו 3.4).

3.2 איסוף המידע

יש לאסוף את המידע הרלוונטי להערכת המשמעות והחשיבות התרבותית. מידע זה כולל:

1. רצף ההתפתחות של המקום וקשריו למרקם ששרד;
2. קיומו וטיבו של מרקם אבוד או נשכח;
3. נדירות ו/או עניין טכני בכל המקום או בחלק ממנו;
4. התפקודים של המקום ושל חלקיו;
5. קשרי של המקום וחלקיו עם סביבתו;
6. ההשפעות התרבותיות שהשפיעו על הצורה והמרקם במקום;
7. משמעות וחשיבות המקום לאנשים שהשתמשו בו או שעדיין משתמשים בו, או לצאצאיהם של אנשים אלו;
8. התוכן ההיסטורי של המקום בבחינה ספציפית של דרכים שבהן השפע המרקם מהכוחות ההיסטוריים או השפיע בעצמו על מהלך ההיסטוריה;

9. הפוטנציאל המדעי או המחקרי של המקום;
10. הקשרים של המקום עם מקומות אחרים, למשל מבחינת עיצוב, טכנולוגיה, שימוש, מקומיות או מוצא;
11. כל גורם אחר שיש לו רלוונטיות להבנת המקום.

3.3 הערכת המשמעות והחשיבות התרבותית

* הערכת המשמעות והחשיבות התרבותית מתבצעת לאחר איסוף המידע.
* תקפות ההערכה תהיה תלויה בהקפדה על איסוף הנתונים ובהנמקות הנלוות.
* בעת הערכת המשמעות והחשיבות התרבותית, על איש המקצוע לקבוע מסקנות. צריך לזהות היבטים לא-פתורים.
* בלא קשר למה שנחשב לחשיבות העיקרית של המקום, צריך להביא בחשבון את שאר היבטי החשיבות.

3.3.1 היקף התיעוד

* בהערכת עניינים אלו, על איש המקצוע לתעד את המקום תיעוד מספיק ליצירת בסיס לדיון ההכרחי בעובדות.
* במהלך תיעוד זה, חשוב לדווח ללקוח על כל בעיה דחופה וברורה שעלולה לסכן את המקום, כגון יציבות ובטיחות.

3.3.2 התערבות במרקם

* התערבות במרקם או הסרתו בשלב זה תיעשה אך ורק על-פי תנאי צ'רטר בורה.

3.3.3 השערות

* אין להציג השערות, יהיו מלומדות או מיודעות ככל שיהיו, כאילו היו עובדה מוגמרת.
* ראוי להציב השערות אפשריות או סבירות ואת העדויות התומכות בהן והסותרות אותן וכן את ההיגיון שלפיו נקבעו.
* חשוב לתעד כל ניסיון שנעשה לבדוק את ההשערה, כדי להימנע מחזרה על מחקר עקר.

3.4 הצהרת משמעות וחשיבות תרבותית

* איש המקצוע צריך להכין הצהרה תמציתית על המשמעות והחשיבות התרבותית ולהפנות לחומר חזותי מספק או להסתמך עליו לצורך זיהוי המרקם של המשמעות והחשיבות התרבותית.
* חשוב שההצהרה תהיה ברורה וממצה ותפרט בפשטות מדוע יש למקום ערך, בלי לחזור ולהציג את העדויות הפיזיות והתיעודיות.

4. הדוח

4.1 תוכן

* הדוח יהיה מורכב מחומרים כתובים וחזותיים ויציג הערכה של המשמעות והחשיבות התרבותית והצהרה של המשמעות והחשיבות התרבותית.
* כדי להימנע מגודש שאין בו צורך, ייכללו רק חומרים בעלי רלוונטיות ישירה לתהליך הערכת המשמעות והחשיבות התרבותית ולעריכת הצהרת המשמעות והחשיבות התרבותית. (ההנחיות לצ'רטר בורה: נהלים לעריכת מחקרים ודיווחים.)

4.2 חומר כתוב

עריכת הטקסט צריכה להיות ברורה וקלה להבנה. נוסף על ההערכה והצהרת המשמעות והחשיבות התרבותית המפורטות בסעיפים 3.2, 3.3 ו-3.4, יש לכלול את:

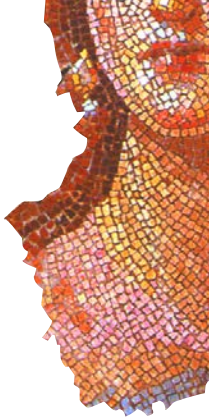
1. שם הלקוח
2. שמות כל אנשי המקצוע שהשתתפו במשימה
3. שם כותב הדוח
4. תאריך
5. תקציר או מתווה לתקציר
6. אילוצים שחלו על המשימה, לדוגמה – זמן, כסף, מומחיות
7. מקורות (סעיף 4.4)

4.3 חומר חזותי

* החומר החזותי עשוי לכלול מפות, תכניות, שרטוטים, דיאגרמות, מתווים, תצלומים וטבלאות, ועליו להיות מופק באיכות מספקת לצורכי פרשנות.
* כל הרכיבים הנדונים בדוח צריכים להיות מזוהים בחומר החזותי. חשוב לזהות רכיבים אלו ולתארם בשיטתיות.
* אפשר שלא יהיה צורך בשרטוטים מפורטים. דיאגרמה עשויה להיות הדרך הטובה ביותר למטרות הדוח.
* אין לכלול חומר חזותי שאינו משרת מטרה ספציפית.

4.4 מקורות

* יש לציין את כל המקורות לדוח בדיוק מספיק שאחרים יוכלו לאתרם.
* יש לכלול ברשימה את כל המקורות שכותבי הדוח נעזרו בהם, גם אם לא ציטטו מהם.
* יש לכלול ברשימה את המקורות העיקריים או האוספים שלא נעזרו בהם, אך מניחים שיש בהם תועלת פוטנציאלית לקביעת המשמעות והחשיבות



התרבותית.

* אשר למקור פרטי, יש למסור את שמו וכתובתו של בעל המקור, אך רק בהסכמתו.

4.5 הצגה ואימוץ

הדוח צריך להיות מוצג ויש לאמץ את ההצהרה לפי הנחיות צ'רטר בורה: נהלים לעריכת מחקרים ודיווחים.

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ב. מדיניות שימור

הנחיות אלה, אשר עוסקות בפיתוח מדיניות שימור ואסטרטגיה ליישום מדיניות זו, אומצו על ידי הוועדה הלאומית האוסטרלית של המועצה הבינלאומית לאנדרטאות ואתרים (ICOMOS אוסטרליה) ביום 25 במאי 1985, ותוקנו ביום 23 באפריל 1988. יש לקרוא אותן בקשר עם בורה צ'רטר.

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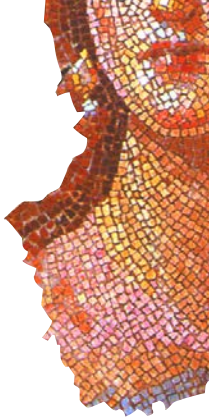

3.3 הערכת מידע

3.4 הצהרת מדיניות שימור

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4. יישום מדיניות השימור

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4.4 חומר גרפי

4.5 מקורות

4.6 תצוגה והתאמה

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עזרה לבנה לאתרי תרבות

1. מבוא

1.1 מטרת ההנחיות

* הנחיות אלה יועדו להבהרת אופי העבודה המקצועית המבוצעת במסגרת תנאי צ'רטר בורה.
* הם ממליצים על תהליך מתודולוגי לפיתוח מדיניות שימור של מקום, להכנת הצהרת מדיניות השימור ולקביעת האסטרטגיה ליישום המדיניות האמורה.

1.2 משמעות וחשיבות תרבותית

קביעת משמעות וחשיבות תרבותית והכנת הצהרת משמעות וחשיבות תרבותית הם תנאים מוקדמים חיוניים לפיתוח מדיניות השימור (ראה הנחיות לצ'רטר בורה: משמעות וחשיבות תרבותית).

1.3 הצורך בפיתוח מדיניות שימור

* פיתוח מדיניות שימור, המגולמת בדוח כפי שהוגדר בפרק 4.0 , הוא תנאי מוקדם חיוני לקבלת החלטות על עתידו של מקום.

1.4 הכישורים הדרושים

* במחקר על מקום יש להשתמש בכל התחומים הנוגעים לעניין, בהתאם לבורה צ'רטר.
* הכישורים המקצועיים הנדרשים למחקר כזה אינם נפוצים.
* לא ניתן להבטיח שאיש מקצוע אחד ישלוט בכל הכישורים הדרושים להערכת המשמעות והחשיבות התרבותית ולהכנת ההצהרה.
* לעתים ייווצר הצורך, במהלך משימה כזאת, להעסיק אנשי מקצוע נוספים בעלי מומחיות מיוחדת.

2. היקף מדיניות השימור

2.1 הקדמה

* מטרת מדיניות השימור היא לקבוע כיצד ניתן להגיע לשימורו של מקום בטווח הארוך והקצר. המדיניות תהיה ספציפית למקום.

* מדיניות השימור תכלול את הנושאים שלהלן.

2.2 מבנה וסביבה

* על מדיניות השימור לזהות את הדרך המתאימה ביותר לטיפול במרקם ובסביבה במקום, אשר נובעים מהצהרת המשמעות והחשיבות ומגבלות אחרות.
* יש לזהות שילוב ספציפי של פעולות שימור שיחייבו או לא שינויים במרקם.

2.3 שימוש

* על מדיניות השימור לזהות שימוש או שילוב של שימושים, או מגבלות על שימוש, אשר תואמים לשמירה על משמעות וחשיבות תרבותית של מקום, והם ברי ביצוע.

2.4 פרשנות

* על מדיניות השימור לזהות דרכים מתאימות להבהרת משמעותו של מקום, בצורה עקבית עם השמירה על משמעות וחשיבות זו.
* ניתן לבצע זאת על ידי שילוב הטיפול במרקם והשימוש במקום ובחומר פרשני מיובא.
* במקרים מסויימים המשמעות והחשיבות התרבותית ומגבלות אחרות עלולים למנוע יבוא שימושים וחומרים כאלה.

2.5 ניהול/ממשק

* על מדיניות השימור לזהות מבנה ניהולי, אשר באמצעותו ניתן ליישם את מדיניות השימור. היא אמורה לזהות גם את הפרטים הבאים:
  (א) האנשים והגופים האחראים להחלטות השימור והניהול ולניהול יום יומי של המקום;
  (ב) המנגנון אשר באמצעותו מקבלים ומתעדים החלטות;
  (ג) האמצעים להבטחת ביטחון ותחזוקה שגרתית למקום.

2.6 פיקוח על התערבות פיסית במרקם

* על מדיניות השימור לכלול הוראות בכל הנוגע לפיקוח על התערבות פיסית לצורך:

(א) הגדרה של התערבות בלתי נמנעת;
(ב) זיהוי ההשלכות האפשריות של כל התערבות על המשמעות והחשיבות התרבותית;
(ג) הגדרה של ההיקף ואופי ההתערבות;
(ד) קביעה של הצעות מחקר;
(ה) הערכה ברורה של הצעות מחקר;
(ו) קביעה של התנאים לשימור מרקם משמעותי והתוכן אשר הוצאו מהמקום;
(ז) קביעה של התנאים לבדיקת החומר;
(ח) קביעה של התנאים להפצת המידע שינבע מכך;
(ט) הגדרה של הטיפול באתר לאחר סיום ההתערבות.

2.7 מגבלות על הבדיקה

* על מדיניות השימור לזהות מגבלות חברתיות, דתיות, משפטיות או תרבותיות אשר עלולות להגביל את הגישה או הבדיקה של המקום.

2.8 פיתוחים עתידי

* על מדיניות השימור לקבוע הנחיות לפיתוח עתידי אשר יוגדרו מצרכים משתנים.

2.9 אימוץ ובדיקה

על מדיניות השימור לכלול תנאים לאימוץ ובדיקה.

3. פיתוח מדיניות שימור

3.1= הקדמה

* כאשר מפתחים מדיניות שימור עבור מקום, יש להעריך את כל המידע הנוגע לטיפול בעתיד במקום ובמרקמים שבו.
* הצהרת המשמעות והחשיבות התרבותית היא מרכזית למשימה זו.
* המשימה כוללת דיווח כפי שנקבע בפרק 5.0. יש לארגן את תוכנו של הדוח כך שיתאים למקום ולמגבלות המשימה, אולם בדרך כלל הוא יכלול שלושה פרקים:

(א) פיתוח מדיניות השימור (סעיפים 3.2 ו-3.3);
(ב) הצהרת מדיניות השימור (סעיפים 3.4 ו-3.5);
(ג) פיתוח אסטרטגיה מתאימה ליישום מדיניות השימור (סעיף 4).

3.2 איסוף מידע

על מנת לפתח את מדיניות השימור יש לאסוף מידע מספיק הנוגע לסעיפים הבאים:

3.2.1 מרקם משמעותי

* יש לקבוע או לאשר את אופיו של מרקם משמעותי, ואת מידת ורמת השלמות שלו, כולל תוכנו (הנחיות לצ'רטר בורה: משמעות וחשיבות תרבותית).

3.2.2 דרישות ומשאבי הלקוח, הבעלים והמשתמש

* יש לבדוק צרכים, שאיפות, הצעות שוטפות, מימון זמין בכל הנוגע למקום.

3.2.3 דרישות ונושאים אחרים

* יש לבדוק דרישות ונושאים אחרים אשר עשויים להשפיע על עתיד המקום והסביבה שלו, כולל:
  (1) צווים פדרליים, לאומיים ומקומיים, ופיקוח על תכנון;
  (2) צרכים וציפיות קהילתיים;
  (ג) הקשר מקומי וחברתי.

3.2.4 מצבו של מרקם

* יש לבדוק את המרקם בצורה מספקת על מנת לקבוע עד כמה מצבו הפיסי ישפיע על אפשרויות לטיפול במרקם.

3.2.5 שימושים

* יש לאסוף מידע מספיק על שימושים על מנת לקבוע האם שימושים אלה תואמים למשמעותו של המקום, או לא, והאם הם ברי ביצוע או לא.

3.2.6 מידע השוואתי

* יש לזהות מידע אשר אינו זמין, ואשר עשוי להיות חיוני לקביעת מדיניות השימור או היישום שלה.

3.3 הערכת מידע

* יש להעריך את המידע שנאסף על פי הסעיפים הנ"ל, יחסית למגבלות הנובעות מהצהרת המשמעות והחשיבות התרבותית, על מנת לפתח את מדיניות השימור.

במהלך ההערכה יתכן וייווצר הצורך לאסוף מידע נוסף.

3.4 הצהרת מדיניות השימור

* על מנהלי המקום להכין הצהרה של מדיניות השימור העוסקת בנושאים המפורטים בסעיף 2., לדוגמה:
  * מרקם וסביבה;
  * שימוש;
  * פרשנות;
  * ניהול;
  * פיקוח על התערבות במבנה;
  * מגבלות על בדיקה;
  * פיתוח עתידי;
  * אימוץ ובדיקה.

* יש לבחון את מדיניות השימור מול חומר תיעודי וגרפי מספיק על מנת להסביר את הנושאים שנבדקו.

3.5 תוצאות מדיניות השימור

על מנהלי המקום לקבוע את הדרך אשר בה מדיניות השימור תבצע או לא את הדברים הבאים:

(א) תשנה את המקום, כולל את הסביבה שלו;
(ב) תשפיע על המשמעות והחשיבות שלו;
(ג) תשפיע על המיקום והנלווים לו;
(ד) תשפיע על הלקוח, הבעלים והמשתמש;
(ה) תשפיע על אחרים המעורבים בו.

4. יישום מדיניות השימור

* בהמשך להכנת מדיניות השימור יש להכין אסטרטגיה ליישומה עם הלקוח. על האסטרטגיה להתייחס למידע כלהלן:
  (א) המשאבים הפיננסיים;
  (ב) כוח אדם טכני;
  (ג) רצף האירועים;
  (ד) תזמון האירועים;
  (ה) מבנה הניהול והממשק.
* על האסטרטגיה לאפשר יישום של מדיניות השימור בהתאם לנסיבות המשתנות.

4.1 הדוח

4.2 הקדמה

* הדוח הוא אמצעי לביטוי מדיניות השימור שעליו מתבססת פעולת השימור. (הנחיות לצ'רטר בורה: הליכים לביצוע מחקרים ודוחות.)

4.3 חומר כתוב

* חומר כתוב יכלול:
  (א) הצהרת המשמעות והחשיבות התרבותית;
  (ב) פילוח מדיניות השימור;
  (ג) הצהרת מדיניות השימור;
  (ד) האסטרטגיה ליישום מדיניות השימור;

* והוא צריך לכלול גם:
  (א) שם הלקוח;
  (ב) שמות כל אנשי המקצוע העוסקים במשימה, העבודה שבצעו, ודוחות נפרדים שהוכנו על ידם;
  (ג) כותב הדוח;
  (ד) תאריך;
  (ה) תקציר או תמצית;

(ו) מגבלות על המשימה, לדוגמה, מגבלות זמן, כסף, מומחיות.
(ז) מקורות (סעיף 4.5).

4.4 חומר גרפי

* חומר גרפי יכלול מפות, תוכניות, שרטוטים, דיאגרמות, תרשימים, צילומים וטבלות, בצורה ברורה.
* אין לכלול חומר שאינו משרת מטרה מסויימת.

4.5 מקורות

* יש לצטט באופן מדויק את כל המקורות ששימשו את הכנת הדוח.
* יש לפרט את כל מקורות המידע, ממסמכים או מקורות בעל פה, אשר נעשה בהם שימוש במהלך השימוש, בין אם הוכחו כיעילים או לא.
* יש לציין את שמו של הבעלים במקרה של מקור פרטי, אולם אך ורק בהסכמתו של הבעלים.

4.6 תצוגה ואימוץ

* יש להציג את הדוח ויש לאמץ את הצהרת מדיניות השימור עפ"י הנחיות צ'רטר בורה: הליכים לביצוע מחקרים ודוחות.

ג. הליכים לביצוע מחקרים ודוחות

הנחיות אלה להכנת מחקרים ודוחות מקצועיים אומצו על ידי הועדה הלאומית האוסטרלית של המועצה הבינלאומית לאנדרטאות ואתרים (ICOMOS אוסטרליה) ביום 23 באפריל 1988. יש להתייחס אליהן בהקשר לצ'רטר בורה.

תוכן העניינים

1. מבוא
2. הסכמים בין הלקוח ואיש המקצוע.
3. אחריות לתוכן הדוח
4. טיוטת דוח
5. פעולת חירום
6. עבודה נוספת
7. המלצות לבדיקה נוספת
8. תצוגה והערות
9. אימוץ ובדיקה של דוח
10. עדות נוספת
11. נגישות למידע

1. מבוא

* הנחיות אלה מציגות המלצות לפעילות המקצועית בהכנת המחקרים והדוחות במסגרת תנאי צ'רטר בורה.
* יש להתייחס למרכיבים הנוגעים לאתיקה, הליכים ועניינים משפטיים, הניתנים בהערות המעשיות אשר הוצאו על ידי כמה גופים מקצועיים.

2. הסכמים בין הלקוח ואיש המקצוע

* לפני ביצוע מחקר או הוצאת דוח, על הלקוח ואיש המקצוע להסכים על הנושאים הבאים:

(א) היקף המשימה, לדוגמה, עד להכנת הצהרת המשמעות, עד להכנת הצהרת מדיניות השימור, או עד להכנת האסטרטגיה ליישום;

(ב) גבולות המקום;

(ג) היבטים אשר דורשים בדיקה מעמיקה;

(ד) התאריכים להתחלת המשימה, מסירת טיוטת הדוח, ומסירת הדוח הסופי;

(ה) השכר והבסיס על פיו יש לשלם את השכר והתשלומים השונים;

(ו) שימוש ביועץ שותף, יועץ משנה או איש מקצוע אחר בעל מומחיות מיוחדת;

(ז) הבסיס לבדיקה נוספת אשר עשויה להידרש, לדוגמה, במסגרת תנאי סעיף 7.0 להלן, או סעיף 3.3 להנחיות לצ'רטר בורה: מדיניות שימור;

(ח) נציג הלקוח אשר מנהל את האתר יהיה אחראי כלפיו במהלך המשימה:

(ט) משאבים, חומרים או שירותים שעל הלקוח לספק, כולל מחקרים או דוחות קודמים;

(י) דרישות הנוגעות לצורת או הפקת הדוח;

(יא) מספר עותקי הדוח שיש לספק בכל שלב;

(יב) זכויות יוצרים וסודיות;

(יג) כללי ציטוט נאותים;

(יד) התנאים שהלקוח, מנהל האתר או אחרים יוכלו לפרסם או להפיץ את הדוח;

(טו) הליך הצגת הדוח;

(טז) הבסיס למתן הערות לדוח ותיקונים שינבעו מכך;

(יז) האחריות לביצוע אחסון בארכיון בהתאם לסעיף 28 ו- 32 לצ'רטר בורה (1999).

3. אחריות לתוכן הדוח

* תוכן הדוח מצוי באחריותו של מנהל האתר. אין לתקן את הדוח ללא הסכמת איש המקצוע.

4. טיוטת דוח

* עדיף להציג את הדוח ללקוח כטיוטה, על מנת להבטיח שהוא מובן, ועל מנת לאפשר הערות של הלקוח.

5. פעולת חירום

* אם מנהל האתר חושב שיתכן ויהיה צורך בפעולת חירום על מנת למנוע איום למרקם, הכרוך, לדוגמה ביציבות או בטחון, עליו לייעץ מיד ללקוח לפנות לעצת מומחה.

6. עבודה נוספת

* כאשר מתברר שהיבט מסויים של העבודה ידרוש בדיקה נוספת או מומחיות רבה יותר מכפי שהתאפשר במסגרת התקציב או תנאי ההסכם, על מנהל האתר להודיע על כך מיד ללקוח.

7. המלצות לבדיקות בעתיד

* בכל הנוגע להיבטים של המשמעות והחשיבות התרבותית שלא טופלו, מדיניות השימור או אסטרטגיות ליישום מדיניות השימור, יש להציג המלצות לבדיקות נוספות, כאשר:

(א) הלקוח קיבל מידע על הצורך בבדיקה נוספת, בשלב המתאים, ולא ניתן היה לבצע אותה בשל מגבלות התקציב והזמן של המשימה;

(ב) קיים צפי למידע נוסף כתוצאה מהתערבות במרקם, אשר אינו מתאים בשלב זה, אולם ייעשה מתאים בעתיד.

* על המלצות אלה לציין מהן התועלות שתצמחנה מהיבטים מהמשמעות

והחשיבות התרבותית, מדיניות השימור או היישום של בדיקה נוספת.

8. תצוגה והערות

* יש להציג דוח של כל פרויקט בעל עניין ציבורי על מנת שגופים בעלי עניין והציבור יוכלו להעיר עליו.
* יש לאפשר זמן מספיק לקבלה ולבדיקת ההערות.
* כאשר הדוח אינו מפורסם לציבור, יש לבקש הערות מאישים, מומחים, ארגונים ומומחים הנוגעים לדבר.

9. אימוץ ובדיקת הדוח

* יש להציג המלצות לאימוץ רשמי של הדוח ולבדיקה בעתיד.

10. עדות נוספת

* אם אחרי השלמת הדוח מתגלה עדות נוספת, לדוגמה, על ידי התערבות במבנה או מידע ממקורות אחרים.
* רצוי להפנות עדות נוספת זו אל מנהל האתר, על מנת שיוכל לתקן את הדוח אם יש צורך בכך.

11. נגישות למידע

* יש לאפשר גישה חופשית לכל החומר הנוגע למשמעות והחשיבות התרבותית של מקום, על מנת להגדיל את מאגר הידע. יש לעודד פרסום על ידי הלקוח ו/או מנהל האתר.

ד. תקנון אתי לדו-קיום בשימור מקומות בעלי משמעות וחשיבות*

מבוא

תקנון זה הוכן בקונטקסט של כמה הסכמים ותקנונים לאומיים ובינלאומיים, כגון:

* אמנת ICOMOS אוסטרליה לשימור מקומות בעלי משמעות וחשיבות תרבותיים (צ'רטר בורה 1981, שעודכנה בשנת 1988);
* התקנון האתי של האגודה הארכאולוגית האוסטרלית, 1991;
* צו האפליה הגזעית 1975 (אוסטרליה);
* צו ועדת המורשת האוסטרלית 1975;
* הצהרת אונסקו על עקרונות שיתוף הפעולה התרבותי הבינלאומי 1996; ו –
* עשור האו"ם לפיתוח תרבותי (1988 – 1997).

הנחות

התקנון מניח ש:

א. ניהול בריא של הבדלים תרבותיים הוא אחריותה של החברה ככלל;

ב. בחברה פלורליסטית, קיימים הבדלי ערכים והם מכילים את הפוטנציאל לעימות; ו –

ג. יש צורך בנוהל אתי על מנת להבטיח ניהול צודק ויעיל של מקומות בעלי משמעות וחשיבות תרבותית מגוונת.

הגדרות (סעיף 1)

למטרות תקנון זה:

סעיף 1.

1.1 ערכים - משמעותם אותן אמונות אשר יש להן משמעות וחשיבות בעיני קבוצה תרבותית

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* אומץ על ידי ICOMOS אוסטרליה בשנת 1998

– ואלה כוללות לעתים קרובות, אולם אינן מוגבלות לאמונה פוליטית, דתית ורוחנית, ומוסרית;

1.2 קבוצה תרבותית – משמעותה קבוצת אנשים אשר דוגלים בערכים משותפים, אשר מבוטאים על ידי שותפות באמונות, מסורות, מנהגים ו/או נהלים;

1.3 נכס לאומי – משמעותו "אותם מקומות באוסטרליה אשר יש בהם ערך מיוחד אסתטי, היסטורי, מדעי, חברתי או אחר עבור הקהילה בהווה ועבור הדורות בעתיד" **

1.4 משמעות וחשיבות תרבותית – משמעותה "ערך אסתטי, היסטורי, מדעי או חברתי עבור דורות העבר, הדור בהווה או דורות בעתיד" ***

1.5 עימות – משמעו קשר אשר "לדעת שני צדדים או יותר אינו תואם את הערכים או הצרכים שלהם" ****

1.6 מחלוקת - משמעה קשר אשר לדעת שני צדדים או יותר אינו תואם את יעדיהם, האינטרסים, או הצרכים שלהם, ואשר בו כל אחד מנסה להגשים מקסימום יעדים, אינטרסים וצרכים שלו; ו-

1.7 יישוב עימות, כמונח כללי, כולל ניהול עימות באמצעות יישוב מחלוקת בתיווך וקבלת ערך הדו – קיום.

עקרונות אתיים (סעיפים 2-7)

סעיף 2.

* דו קיום של תרבויות שונות דורש הכרה בערכיה של כל קבוצה.

סעיף 3.

* שימור נכס לאומי דורש הכרה ורגישות לערכי כל קבוצות התרבות הקשורות בו.

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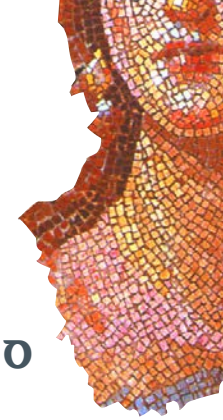
* על בסיס צו ועדת המורשת האוסטרלית 1975, פיסקה 4

*** ICOMOS אוסטרליה, אמנת ICOMOS אוסטרליה לשימור מקומות בעלי משמעות תרבותית (אמנת בורה סעיף 1.2).

**** ג. טלרט, "יישוב עימות", 1991



סעיף 4.

* לכל קבוצה תרבותית יש זכות בסיסית לזיהוי מקומות בעלי משמעות וחשיבות תרבותית עבורה, וזכות זה עשויה לכלול הסתרת מידע מסוים.

סעיף 5.

* לכל קבוצה תרבותית יש הזכות לגישה למידע חשוב ולכל תהליך קבלת החלטות אשר משפיע על מקומות שהיא מזהה כמשמעותיים.

ICOMOS

סעיף 6.

* בעת זיהוי מקומות בעלי משמעות, קבוצה תרבותית לוקחת אחריות כלפי מקומות אלה.

סעיף 7.

* בכל הנוגע לילדים, ועמים אחרים, הזכות לזיהוי מקומות בעלי משמעות וחשיבות עשויה לחול גם על זכות לאחזקה מלאה שלהם.

נוהל אתי (סעיפים 8-11)

* בעת הערכת או ניהול מקום בעל משמעות וחשיבות לקבוצות תרבותיות שונות, על המנהלים:

סעיף 8.

* לאמץ גישה מתואמת רב – תחומית על מנת להבטיח גישה פתוחה למגוון תרבותי, וזמינות של כל הכישורים המקצועיים הנחוצים.

סעיף 9.

* לזהות ולהכיר כל קבוצה תרבותית הקשורה למקום ובערכיה, תוך קבלת הזכות התרבותית של קבוצות להסתיר מידע מסויים.

סעיף 10.

* לאפשר לכל קבוצה תרבותית גישה למידע חשוב ולהקל על חלופי מידע בין קבוצות.

סעיף 11.

* לאפשר לכל קבוצה תרבותית גישה והשתתפות בתהליכי קבלת החלטות המשפיעות על המקום.

ישום (סעיפים 12-15)

סעיף 12.

* ליישם תהליך קבלת החלטות אשר מתאים לעקרונות תקנון זה.

תהליך זה יכלול:

* אחריות משותפת של קבוצות תרבותיות להערכה וניהול של המשמעות והחשיבות התרבותית של המקום;
* קבלת נהלים ליישוב עימותים בכל שלב אשר בו יידרשו; ו –
* מתן זמן מספיק להתייעצות עם כל הצדדים, כולל הקבוצות בעלות הייצוג המועט ביותר, ואם יש צורך בכך, תיקון ההליכים הקיימים בשיטות השימור.

סעיף 13.

* במהלך הניסיון לזהות נושאים וקבוצות תרבותיות הקשורות, יש לקבל נושאים וקבוצות חדשים בהתאם להופעתם, ולהתייחס לעמדות וערכים מתפתחים.

סעיף 14.

* בהתאם לצורך יש לדאוג לדו-קיום של תפיסות שונות של משמעות וחשיבות תרבותית במקום החלטות; ו-

סעיף 15.

* יש לקבל פיצוי כמרכיב אפשרי בניהול הבדלים תרבותיים שלא ניתן ליישב ביניהם.

ה. הערות לשינויים שבוצעו בשנת 1999 בצ'רטר בורה

* הערות אלה נוגעות לשינויים שבוצעו בצ'רטר בורה בשנת 1999, והן נועדו לאותם הקוראים המכירים את הגרסאות הקודמות. הן אינן מהוות חלק מהצ'רטר.

שינויים מהותיים

1. מרקם, שימוש, הקשרים ומהויות

* השנויים מרחיבים את הבנת המשמעות והחשיבות התרבותית, על ידי ההכרה שמשמעות וחשיבות תרבותית יכולה להימצא ביותר מאשר רק מרקם במקום.
* ולכן, משמעות "מגולמת במקום עצמו, סביבתו, השימוש בו, ההקשרים שלו, המהויות, המסמכים, מקומות הקשורים בו וחפצים הקשורים בו" (סעיף 1.2).
* ניתנת הגדרה של שימוש, הקשרים, ומהויות (סעיפים 1.10, 1.15, 1.16), וניתן להסבר לצורך לשמור על שימוש בעלי משמעות, הקשרים ומהויות (סעיפים 7.1, 23 ו-24).
* מקומות קשורים וחפצים קשורים מוגדרים בסעיפים 1.13 ו-1.14, והצורך לשמור על תרומתם למשמעות ולחשיבות מוסבר בסעיף 11.

2. הסברת תהליך התכנון

* סעיף 6 ותרשים הזרימה מספקים הסבר ברור לרצף ההחלטות והפעולות בתהליך תכנון השימור, כלומר:
* הבנת המשמעות;
* פיתוח מדיניות;
* ניהול בהתאם למדיניות.

3. התאמת האמנה לאנשים

* הדרך בה הצ'רטר מטפל בערכים חברתיים שופרה (באמצעות ההכרה שהמשמעות והחשיבות יכולה להתגלם בשימוש, הקשרים ומהויות);

נכלל ערך רוחני (סעיף 1.2); והצורך להתייעץ ולערב אנשים הובהר (סעיפים 12 ו-26.3).

4. דו-קיום של ערכים

* האמנת מעודדת דו-קיום של ערכים תרבותיים, בעיקר במקרה של עימות ביניהם (סעיף 13).

5. פרשנות

* השינויים מכירים בחשיבות הפרשנות, וגם ששיקום ושחזור הם פעולות של פרשנות (סעיפים 17 ו-25).

6. מבוא להסבר

* המבוא הורחב על מנת להקל על הגישה למסמך, והוא כולל פרקים על "עבור מי האמנה", "שימוש באמנה", "על איזה מקומות חלה האמנה".

7. מדוע לשמר

* ההצהרה הקצרה במבוא מסבירה מדוע יש לשמר מקומות בעלי משמעות וחשיבות תרבותית.

8. שפה

* במסגרת המגבלות של שמירה על "המראה והתחושה" של המסמך הקודם, השינויים מאריכים את הצ'רטר, אולם קל יותר להבין אותו.

9. יש לשמר על מקומות בעלי מורשת

* שינויים בסעיף 2 קובעים התחייבות שימור, וחשוב עוד יותר, מכירים בכך שהשימור הוא חלק בלתי נפרד של ניהול טוב.

10. הכותרת

* שינויים בכותרת משקפים את השימוש הנפוץ שבה, ומאפשרים יישום הצ'רטר בכל המקומות בעלי המשמעות והחשיבות התרבותית, ולא רק במקומות שנשמרים בצורה פעילה.

דברים שלא השתנו

* התפיסות היסודיות של צ'רטר בורה לא השתנו. השינויים משנת 1999 בוצעו על מנת לעדכן את הצ'רטר, לא לשנות את המסר המהותי שלו.
* השינויים משנת 1999 שומרים על מבנה הגרסאות הקודמות.
* אחרי המבוא ניתנים שלושה חלקים עיקריים: עקרונות שימור, תהליכי שימור ושיטות שימור.
* בחלקים אלה קיימת היררכיה, כאשר העקרונות בחלק הראשון, מורחבים בחלק השני והשלישי: * לדוגמה, עקרון הסדר הקובע בסעיף 12 (השתתפות) מורחב עוד יותר ביחס לשיטה בסעיף 26.3; סעיף 5.1 (ערכים) מורחב עוד יותר בסעיף 15.4; סעיף 6.1 (תהליך) מורחב עוד יותר בסעיף 26.1, 26.2 ו-26.3; וסעיף 10 (תוכן) מורחב עוד יותר בסעיף 33.

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اللجنة الإسرائيلية لليونيسكو

טבלת סימוכין: צ׳רטר בורה (1999) והגירסה הקודמת (1988)

טבלה זו מייחסת מספרי סעיפים נושאים בגירסה הנוכחית (1999) של האמנת, לגירסה הקודמת (1988). הטבלה אינה מהווה חלק מהאמנה.

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1.2	משמעות וחשיבות תרבותית	1.2
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1.6	קיום	1.6
1.7	שחזור	1.7
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1.17	פרשנות	--
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2	שימור וניהול	
3	גישה זהירה	3
4	ידע, כישורים וטכניקות	4
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9	מיקום	9
10	תכנים	10
11	מקומות וחפצים קשורים	--

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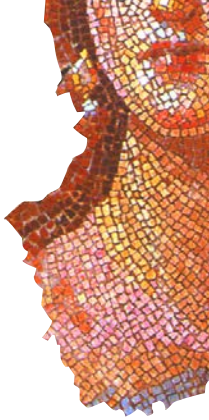

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צ'רטר בורה למורשת טבעית סטנדרטים ועקרונות לשימור אתרי מורשת טבעית (1999)

צ'רטר בורה לאתרי טבע סטנדרטים ועקרונות לשימור אתרי מורשת טבעית (1999)

* תורגם על ידי הוועד הישראלי לאונסקו (2003)

BACK

לוריין ב. קיירנס (יועצת לפרויקט)

פרויקט זה מומן על ידי ועדת המורשת האוסטרלית

© הוועדה האוסטרלית של האיגוד הבינלאומי לשמירת טבע ומשאבים טבעיים (IUCN 1999)
מעניקה בזאת רשות להעתיק חלק או את כל הפרסום, למטרות שאינן מסחריות, בכפוף לציון המקור. זכויות היוצרים על עיצוב פרסום זה הן רכושה של ועדת המורשת האוסטרלית.

הוצאה ראשונה 1996, 1997

הופק על ידי ועדת המורשת האוסטרלית בשיתוף Australian Committee for IUCN

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Sydney NSW 2001

Australia

נתוני קיטלוג של הספריה הלאומית האוסטרלית:

צ'רטר המורשת הטבעית של אוסטרליה לשימור אתרי מורשת טבעית: סטנדרטים ועקרונות.

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1. שימור משאבים טבעיים – אוסטרליה. 2 – שימור הטבע – אוסטרליה. 3 – שימור המגוון הביולוגי – אוסטרליה. I. ועדת המורשת האוסטרלית.

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כתובת לקבלת עותקים ולהערות

מבוא

צ'רטר המורשת הטבעית האוסטרלית אומץ בדצמבר 1996, אחרי תקופה בת שנתיים של התייעצות ציבורית נרחבת. במועד זה קיבלה הוועדה האוסטרלית של האיגוד הבינלאומי לשימור הטבע והמשאבים הטבעיים (IUCN) את האחריות לקידום, ההפצה, הניהול והבדיקה לעתיד של הצ'רטר. הצ'רטר נועד לשימוש של כל הארגונים והאנשים באוסטרליה.

> האיחוד הבינלאומי לשמירת טבע ומשאבים טבעיים (IUCN) מוכר היום תחת השם איגוד השימור העולמי.

מטרה

מטרת צ'רטר זה היא לסייע לכל מי שמגלה עניין במשמעות ובשימור המורשת הטבעית, בקבלת החלטות מבוססות לשימור מורשת זו. הוא נועד לגבש גישה אחידה לשימור מקומות בעלי משמעות טבעית באוסטרליה, אשר ניתן יהיה ליישם במקומות בבעלות ציבורית ופרטית, באזורי יבשה, ים או מאגרי מים מתוקים, ובאזורים מוגנים ולא מוגנים.

> הצ'רטר לא נועד לקביעת תהליך מפורט לתאור מקומות, על מנת לרשום אותם במרשם המורשת.

אתוס הצ'רטר

צ'רטר זה מהווה פרשנות נרחבת של המורשת הטבעית, והוא מבוסס על כבוד למורשת. הוא מכיר בעקרונות הצדק הבין – דורי, ערך הקיום, אי – וודאות וזהירות.

צדק בין – דורי: על הדור בהווה להבטיח את שמירת או קידום הבריאות, המגוון והיצירתיות של הסביבה לטובת הדורות בעתיד.

עקרון הקיום: יתכן שלאורגניזמים חיים, תהליכי כדור הארץ ומערכות אקולוגיות יש ערך מעבר לערכים חברתיים, כלכליים או תרבותיים שבני האדם דוגלים בהם.

עקרון אי – הוודאות: מסכים שהידע שלנו במורשת הטבעית ובהליכים אשר משפיעים עליה אינו מושלם, ושהמשמעות הפוטנציאלית המלאה או ערכה של המורשת הטבעית נותרים בלתי ידועים בשל אי הוודאות של הידע במצב זה.

עקרון הזהירות: במקום שבו קיימים איומים או איומים פוטנציאליים לנזק חמור או

בלתי הפיך לסביבה, אין להשתמש בהעדר ודאות מדעית מלאה, כתרוץ לדחיית צעדים למניעת התדרדרות הסביבה.

מורשת טבעית משלבת קשת של ערכים, אשר נעה מערך הקיום מצד אחד אל ערכים חברתיים מצד שני. התפיסה היסודית של המורשת הטבעית, אשר מבחינה אותה בצורה הברורה ביותר מהמורשת התרבותית, היא התהליכים האקולוגיים הדינמיים, התפתחות טבעית מתמדת, ויכולת מערכות אקולוגיות להנציח את עצמן. בקצה התרבותי של הקשת, הפרדה ברורה בין הערך התרבותי והטבעי עשויה להיות קשה, ויתכן שיותר משכבת ערכים אחת תחול באותו המקום.

> תפיסת המורשת הטבעית אשר נעשה בה שימוש כאן מכירה בתפקיד שמילאו העמים הילידים בנוף האוסטרלי במשך 50,000 שנה לפחות, ויתכן שאפילו יותר.

כיצד להשתמש בצ'רטר המורשת הטבעית האוסטרלית

ההגדרות, עקרונות השימור ותהליכי השימור המתוארים בחלקים א', ב' ו-ג' של הצ'רטר מספקים בסיס להחלטות הנוגעות לשימוש. חלק ד' משלב מרכיבים אלה ומתאר את **נוהלי** השימור.

השג ולמד עדויות על המקום מ:

* מסמכים ומחקרים

* ידע מקומי ונסיון מקומי

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יישם את תוכנית השימור

אילו פעולות נדרשות על ידי תוכנית השימור? סעיפים 30, 31, 32, 33, 34

בקר את התוצאות ובחן מידע חדש

האם הצלחנו לממש את היעדים שלנו?

האם נוכל לבצע שינויים על מנת לשפר את התוצאות?

האם חלו שינויים בסביבה החיצונית או בניהול או בשימוש במקום, אשר מצביעים על צורך לבחון מחדש את תוכנית השימור? סעיף 34

חשוב

- יש לנקוט בצעדים בסדר זה.
- כל צעד הוא שלב נפרד.
- בקרה היא מרכיב יסודי בנוהל השימור

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צ'ק ליסט בדרך לאתרי מורשת עולמית ומקומות מורשת טבעית (1999)

א. הגדרות

סימוכין להגדרות

בצ'רטר זה למושגים הבאים ניתנה הגדרה באותיות מוטות.

מגוון ביולוגי	1.3	*הביטאט*	1.13
קהילה	1.14	*זן מקומי*	1.10
שונות קהילתית	1.4	*זן מיובא*	1.11
שימור	1.22	*תחזוקה*	1.30
צעדים לניהול שימור	1.31	*שינוי*	1.28
התדרדרות	1.20	*בקרה*	1.32
הפרעה	1.21	*שלמות טבעית*	1.9
תהליכי כדור הארץ	1.17	*משמעות טבעית*	1.2
תהליכים אקולוגיים	1.16	*אורגניזם*	1.12
מערכות אקולוגיות	1.15	*מקום*	1.1
מגוון מערכות אקולוגיות	1.5	*קיום*	1.27
קידום	1.25	*הגנה*	1.29
תהליכים התפתחותיים	1.18	*התחדשות*	1.23
שונות גנטית	1.7	*קימום*	1.26
מגוון גאולוגי	1.8	*שיקום*	1.24
		מגוון זנים	1.6
		רצף	1.19

סעיף 1. למטרות הצ'רטר יחולו ההגדרות הבאות.

כללי

1.1 ***מקום*** משמעותו אתר או אזור עם *מערכות אקולוגיות* הקשורות בו, ואשר מהוות סיכום *המגוון הגאולוגי* שלו, *הגיוון והשונות הביולוגית* שלו ותהליכים טבעיים.

ערכים

1.2 ***משמעות טבעית*** – חשיבות *המערכות האקולוגיות, הגיוון הביולוגי והגיוון הגאולוגי* לערך הקיומי שלהן, או לדורות בהווה או בעתיד, במונחי הערך המדעי, החברתי, והאסתטי ותומך החיים שלהן.

1.2.1 ***מגוון ביולוגי*** – מגוון צורות החיים: הצמחים, בעלי החיים והמיקרו – אורגניזמים השונים, הגנים שהם מכילים, *והמערכות האקולוגיות* שהם מהווים. היא נבדקת בדרך כלל בארבע רמות: *שונות גנטית, מגוון זנים, מגוון מערכות אקולוגיות ושונות קהילתית.*

1.2.2 ***שונות קהילתית*** – מגוון *הקהילות* באזור.

1.2.3 ***מגוון מערכות אקולוגיות*** – מגוון המערכות האקולוגיות באזור.

1.2.4 ***מגוון זנים*** – סוגי הזנים והשפע היחסי שלהם באזור.

> 1.3 הגדרה זו זהה במהותה להגדרתה ב"אסטרטגיה הלאומית לשימור השונות הביולוגית של אוסטרליה", אשר כל ממשלות אוסטרליה תמו עליה

1.7 ***שונות גנטית*** – מגוון המידע הגנטי המצוי בסך כל הגנים של הצמחים הבודדים, בעלי החיים והמיקרו – אורגניזמים באזור.

1.8 ***מגוון גאולוגי*** – מגוון המאפיינים של כדור הארץ, כולל מאפיינים גאולוגיים, גאומורפולוגיים, פלאונטולוגיים, מאפייני הקרקע ומאפיינים הידרולוגיים ואקלימיים, מערכות *ותהליכי כדור הארץ.*

1.9 ***שלמות טבעית*** – הרמה אשר בה *מערכת טבעית* שומרת על מצבה, ושעור השינוי הטבעי במונחי גודל, *מגוון ביולוגי, מגוון גאולוגי והביטאט.*

1.10 ***זן מקומי*** – זן אשר מופיע *במקום* בטווח הטבעי שלו, המוכר מבחינה היסטורית, ואשר מהווה חלק *מהמגוון ביולוגי הטבעי של מקום*.

> 1.10 סוגים מיוחדים של **זן מקומי**, אשר מוגדרים לעתים קרובות במונחים כגון זן באיום הכחדה, זן פגיע, או בסכנת הכחדה לא הוגדרו בצ'רטר זה.

1.11 ***זן מיובא*** – זן שהועבר ממקומו או זן זר אשר הופיע *במקום* שנמצא מחוץ לטווח הטבעי שלו, המוכר מבחינה היסטורית, כתוצאה מהפצה מכוונת או מקרית בשל פעילות אדם.

> 1.11 זן מיובא כולל את אותם הזנים אשר הועברו ממקום אחר באוסטרליה למקום חדש, ואלה אשר שונו מבחינה גנטית.

1.12 ***אורגניזמים*** – כל יצור חי.

1.13 ***בית גידול*** – סביבות מבניות אשר בהן חי *אורגניזם* כל חייו או חלק מהם.

1.14 ***קהילה*** – כל המרכיבים החיים *במערכת אקולוגית*.

1.15 ***מערכת אקולוגית*** – יחסי גומלין דינמיים בין מערכת *אורגניזמים* אשר מהווים *קהילה* והסביבה הלא חיה שלהם, ובינם לבין עצמם.

1.16 ***תהליכים אקולוגיים*** – כל אותם תהליכים אשר מתרחשים בין *אורגניזמים*, ובתוך ובין אוכלוסיות *וקהילות*, כולל יחסי גומלין עם סביבה לא חיה, אשר יוצרים *מערכות אקולוגיות* וגורמים לשינויים *במערכות אקולוגיות* במהלך הזמן.

1.17 ***תהליכי כדורי הארץ*** – יחסי גומלין, שינויים והתפתחות אבולוציונית של *מגוון גאולוגי* במהלך הזמן.

1.18 ***תהליכים אבולוציוניים*** – תהליכים גנטיים אשר משנים ומפתחים צורות חיים במהלך דורות.

1.19 ***רצף*** – שינויים טבעיים המתרחשים במשך זמן, ואשר במהלכם *קהילה* אחת מוחלפת על ידי אחרת.

התדרדרות והפרעה

1.20 ***התדרדרות*** – כל הפחתה באיכות המשאבים הטבעיים וחיוניות *המערכת האקולוגיות*, אשר נגרמת ישירות או בעקיפין על ידי פעילות האדם.

> 1.20 ***מערכת אקולוגית*** שהתדרדרה זקוקה בדרך כלל להתערבות האדם על מנת להתאושש

1.21 ***הפרעה*** – שינוי מואץ אשר נגרם על ידי פעילות האדם, או בשל ארועי טבע קיצוניים.

1.21 הכללת תפיסת *ההפרעה* הטבעית בעייתית, אולם היא נחוצה משום שלעתים תכופות יש צורך בהחלטות *שימור* אחרי "אסונות" קיצוניים. שינוי הסביבה הטבעית על ידי האדם תורם לעתים קרובות להשפעות "קטסטרופליות".

השימוש הנאות בתהליכים אלה מתואר בפרק ג'. בצ'רטר זה, לא נעשה שימוש במונח "שיקום" (rehabilitation)

משום שתחומים אחרים העוסקים בניהול קרקע משתמשים בו בהרחבה, והם אינם קשורים בהכרח בשימור מורשת טבעית.

תהליכי שימור

1.22 ***שימור*** – כל התהליכים והפעולות המבוצעים לצורך השגחה על מקום, על מנת לשמור על *המשמעות הטבעית* שלו, והם כוללים תמיד *הגנה, תחזוקה ובקרה*.

1.22 בהתאם לנסיבות, *שימור* עשוי לכלול *צעדים לניהול השימור, התחדשות, קידום, קימום, שמירה או שינוי*, או שילוב של יותר מתהליך אחד מאלה.

1.23 ***התחדשות*** – שיקום *השלמות הטבעית*, בעקבות *הפרעה* או *התדרדרות*.

1.23 ניתן להצדיק סיוע *להתחדשות*, במקומות בהם קיים סיוע באמצעות התערבות האדם על מנת להאיץ בתהליך ההתאוששות, לדוגמה, הפסקת תהליכים מאיימים, על פי העקרונות המצדיקים את *השיקום*

1.24 ***שחזור*** – החזרת *הביטאט* קיים למצבו הידוע מהעבר, או למצב טבעי קרוב, על ידי תיקון *התדרדרות*, על ידי סילוק *זנים מיובאים*, או על ידי *קימום*.

1.25 ***קידום*** – הכנסה לתוך *מקום* פריט נוסף, אחד או יותר של זן, *אורגניזם* או מרכיבי *הביטאט* או *מגוון גאולוגי*, אשר כבר קיימים במקום האמור.

1.24 ו-12.6 – לא צוינה מסגרת הזמן אשר תחול על המצב בעבר, כסימוכין *לשיקום וקימום*. יש לקבוע אותה לכל מצב לגופו באמצעות מדיניות *השימור*

1.26 ***קימום*** – הבאה *למקום* של פריטי זן או מרכיב, אחד או יותר, של *הביטאט* או *מגוון גאולוגי* אשר ידוע שהיו קיימים בעבר *במקום* זה, אולם לא ניתן למצוא אותם שם יותר.

1.27 ***קיום*** – קיום *המגוון הביולוגי* ו/או *מערכת אקולוגית במקום*, בשלב מסויים של *הרצף*, או שמירה על *גיוון גאולוגי* קיים.

1.28 ***שינוי*** – שינוי *מקום* על מנת שיתאים לשימושים המוצעים, התואמים *למשמעות הטבעית* של *המקום*.

פעולות

1.29 ***הגנה*** – טיפול *במקום* באמצעות *תחזוקה* וניהול השפעות, על מנת להבטיח קיום ושמירה על *המשמעות הטבעית*.

1.30 ***תחזוקה*** – טיפול הגנתי מתמיד *במגוון הביולוגי ובמגוון הגאולוגי* של *מקום*, ויש להבחין בינה לבין תיקון. התיקון כרוך *בשיקום* ו*בקימום*.

1.3.1 ***משאבי ניהול ושימור*** – טכניקות להשגת *שימור המגוון הביולוגי והמגוון הגאולוגי*, והם עשויים לכלול התערבות פיסית, הסכמים משפטיים מחייבים, אמצעי תכנון, רכישת קרקעות וכדומה.

1.3.2 ***בקרה*** – משמעו בחינה מתמדת, הערכה ואומדן על מנת לגלות שינוים במצב *השלמות הטבעית* של *מקום*, תוך התייחסות לתנאים הבסיסיים.

> 1.32 הבקרה מאפשרת בחינה של החלטות, תוך הסתמכות על היכרות עם השפעות תהליכי ופעולות *השימור*

ב. עקרונות השימור

בסיס השימור

סעיף 2. מטרת השימור היא לקיים את *המשמעות הטבעית* של *מקום*.

סעיף 3. *שימור* מבוסס על כבוד *למערכות האקולוגיות, למגוון הביולוגי ולמגוון הגאולוגי*, ויש לכרוך בו מעורבות פיסית מועטה ככל האפשר *בתהליכים אקולוגיים, בתהליכים אבולוציוניים ובתהליכי כדור הארץ*.

> **סעיף 3.** *השימור* הטוב ביותר כרוך לעתים תכופות בעבודה מועטה ביותר, ויש לבצע *שימור* אך ורק אם קיימים המשאבים אשר יבטיחו *שהמקום* לא יושאר במצב הפרעה או במצב פגיע.

סעיף 4. *על השימור* להשתמש בכל הדיסיפלינות והניסיון אשר יוכלו לתרום למחקר ולהגנה *על מקום*. יש להבטיח בסיס מדעי מוצק לטכניקות שיעשה בהן שימוש, או שיש לתמוך בהן בעזרת ניסיון מתאים.

סעיף 5. *על שימור* של *מקום* לקחת בחשבון את כל היבטי *המשמעות הטבעית* שלו, ללא הדגשה לא מוצדקת של היבט אחד, על חשבון האחרים.

סעיף 5. *שימור* של זן נדיר, בסכנת הכחדה או פגיע, או הצהרה על אזור מוגן למטרות מסויימות, עלול לסתור שימורם של היבטים אחרים של *המגוון הביולוגי* או *המגוון הגאולוגי*, ויש לקבל החלטות בהתאם למדיניות *השימור*, על בסיס *המשמעות הטבעית* של *המקום*. ראה גם סעיף 10.

מדיניות שימור

סעיף 6. יש לקבוע מדיניות *שימור* המתאימה *למקום* על ידי הבנת *המשמעות הטבעית* שלו, ועליה להצהיר על המצב העתידי הרצוי של *המקום*.

סעיף 7. הצהרת *המשמעות הטבעית* היא לב מדיניות *השימור* ואסטרטגית *השימור* הנוגעות *למקום*.

סעיף 8. על מדיניות *השימור* לקבוע שימושים התואמים *לגבולות המוצהרים* של *המקום*.

סעיף 9. על מדיניות *השימור* לכלול התייחסות *לתהליכים אקולוגיים*, אשר מגיעים אל מעבר לגבולות המוצהרים של *המקום*.

סילוק מרכיבים

סעיף 10. אין לסלק *ממקום רכיבי מגוון גאולוגי*, מרכיבי *הביטאט*, *אורגניזמים* וזנים, אשר תורמים למשמעות הטבעית של *המקום והמערכות האקולוגיות* שלו, אלא אם זו הדרך היחידה להבטיח את הישרדותם, את בטחונם ואת *שימורם*, והדבר עקבי עם מדיניות *השימור*.

> **סעיף 10.** יש להקפיד על הוראות הנוגעות לאיסוף מדעי כאשר הן קיימות, ויש לשלב הנחיות לאיסוף מדעי בתוכנית *השימור*, בהתאם לצורך. ראה גם בסעיפים 26 ו-30.

סעיף 11. הרס מרכיבים *בהביטאט* או *מהמגוון הגאולוגי*, אשר מהווים חלק *מהמשמעות הטבעית* של *מקום*, אסור, אלא אם זהו האמצעי היחיד להבטחת בטחונה של *מערכת אקולוגית* רחבה יותר.

> **סעיף 11.** לדוגמה, הרעלת גוף מים או ניקוז גוף מים על מנת לחסל *זן מיובא* של דג, כאשר ההרעלה או הניקוז עלולים לסכן אזורים במורד הזרם, או את שלמות *התהליכים האבולוציוניים* של *המערכת האקולוגית*.

ג. תהליכי שימור

התחדשות

סעיף 12. *חידוש* אינו כולל התערבות פיסית, אלא *פיקוח*, והוא עשוי לכלול *צעדים* בעלי אופי לא פיסי *לניהול* שימור.

סעיף 12.
1) ראה גם הערה לסעיף 1.23, הנוגעת לסיוע *להתחדשות*.
2) *"צעדים לניהול שימור בעלי אופי לא פיסי"* עשויים לכלול פעולות כגון הוצאת התחייבות בגין זכות לקרקע, שמירת *המקום* כשמורת טבע או הצבת שלטי הסבר *במקום*, המבהירים את *המשמעות הטבעית* שלו.

שחזור

סעיף 13. *שיחזור* מתאים אך ורק כאשר קיימת עדות מספקת למצב קודם, אשר על פיה ניתן לבצע תהליך *שימור*, וכאשר החזרת *המערכת האקולוגית* למצב זה מגלה את *המשמעות הטבעית* של *המקום*.

סעיף 13 ו-17. כאשר שוקלים *שיחזור* *וקימום*, משך הזמן אשר חלף מאז קיומו של "המצב הקודם" ישפיע על החלטות הנוגעות למדיניות *השימור* ולתהליכי *השימור*, והן נתונות לשיפוטו של המבצע בכל מקום.

קידום

סעיף 14. *קידום* מתאים רק כאשר קיימת הוכחה שהכנסת מרכיבי *בית גידול* נוספים או פריטים נוספים מתוך זן, אשר קיימים *במקום*, נחוצים או תורמים *לשימור המשמעות הטבעית* של *המקום*.

סעיף 14. דוגמאות *לקידום* כוללות:
* העלאת מספר הזנים הנחוצים *לקהילה* חיונית המנציחה עצמה.
* החזרת מרכיב *מבית הגידול* אשר הופחת בצורה חמורה, לדוגמה, הוספת חצץ על מנת להרחיב שטחי מים רדודים ומחסומים במעינות שהועמקו או נחפרו.

סעיף 15. כאשר מכניסים *אורגניזמים למקום*, למטרת *קידום*, אסור שהפריטים שהוכנסו *למקום* ישנו את *מגוון הזנים* או את *המגוון הגנטי* של *המקום*, אם הדבר עלול להפחית את *המשמעות הטבעית* שלו.

סעיף 15. משמעות הדבר שאין להכניס סוגים גנטיים השונים מהסוגים הגנטיים המקומיים *במקום*, אלא אם הדבר הכרחי לצורך *שיקום* או *שמירה* על *המשמעות הטבעית*.

סעיף 16. יש להגביל *קידום* לחלק מזערי של *המגוון הביולוגי* או *המגוון הגאולוגי* של *מקום* ואסור לו להוות חלק עיקרי *מהמערכת האקולוגית*, או *הביטאט* או מאפייני כדור הארץ *במקום*.

סעיף 16. סעיף זה מתייחס למערכת טבעית קיימת, ואין הוא מהווה טיעון נגד יצירת *הביטאט* חדש בעקבות כריה וכ"ו.

קימום

סעיף 17. *קימום* מתאים אך ורק כאשר קיימת עדות שזן או מרכיבי *הביטאט* או מאפייני כדור הארץ אשר יוכנסו *למקום*, היו קיימים שם בצורה טבעית בעבר, ואם יוחזרו *למקום* יתרמו *לשיקום המשמעות הטבעית* שלו, בתנאי שתהליכים המאיימים על קיומם *במקום* חוסלו.

סעיף 17. *קימום* דומה בתפיסה לשחזור מקום תרבותי, אולם אינו זהה לו.

קיום

סעיף 18. *קיום* מתאים כאשר *המשמעות הטבעית* של *מקום* מצויה בשלב *הרצף* הטבעי שלה, או במצב הקיים של *המגוון הגאולוגי* שלה.

סעיף 18. יתכנו מבקרים בהם אסטרטגית *השימור* להגנת *המשמעות הטבעית היא תחזוקת המערכת* האקולוגית של *המקום* בנקודה מסויימת *ברצף* שלו, לדוגמה, *קיום* עשוי להיות תהליך *שימור* מתאים לאתר עצי האורן, וולמי בניו סאות' וולס, אשר נחשב שריד ששרד מסביבה אקלימית קודמת.

סעיף 19. יש להגביל התערבות *בקיום* למינימום, או לשינוי פעולות *התחזוקה* אשר נחוצות על מנת להשעות את *תהליכי כדור הארץ* הטבעיים או תהליכי *הרצף* הטבעיים, וכאשר ההתערבות או השינוי לא ישפיעו בצורה שלילית על *המערכות האקולוגיות הסובבות*.

שינוי

סעיף 20. *שינוי* מקובל כאשר לא ניתן להגיע בדרך אחרת *לשימור מקום*, וכאשר *השינוי* אינו פוגע *במשמעות הטבעית*, וכאשר *השינוי* לא ישפיע בצורה שלילית על *המערכות האקולוגיות* הסובבות.

סעיף 21. יש להגביל *שינוי* לפעולות חיוניות על מנת להבטיח שימוש ב*מקום*, בתנאי שהשימוש האמור נקבע בהתאם למדיניות *השימור*.

סעיף 21. ראה סעיפים 6-9.

סעיף 22. יש לנהל תיעוד של אותם היבטים של *המשמעות הטבעית*, אשר ניזוקו מחוסר ברירה, אבדו או הוסטו ממקומם בתהליך *השינוי* של *מקום*, על מנת לאפשר *קימום* שלהם בעתיד, או על מנת להגיע *לשיקום* בעתיד.

תחזוקה

סעיף 23. על *תחזוקה* להיות עקבית עם תהליך(כי) *השימור*, *אשר אומצו עבור מקום*, ואסור להם לפגוע ב*משמעות הטבעית* של *המקום*

ד. שיטות שימור

השגת מידע על מקום

סעיף 24. לפני ביצוע עבודה או פעולת *שימור* אחרת או תהליכים ב*מקום*, יש לבצע מחקר ולבחון את העדות הפיסית, בע"פ, התיעודית והאחרת הקיימת על *המגוון הביולוגי* הקיים, *המגוון הגאולוגי* הקיים ו*המערכות האקולוגיות*, כולל עדות מילידי המקום.

סעיף 24.

1) המידע המינימלי הדרוש לפני התחלת עבודה או פעולת *שימור* או הליכים אחרים ב*מקום* הוא זיהוי *המשמעות הטבעית שלו*.
2) חשוב שמחקרים יהיו באיכות גבוהה ככל האפשר, ויערכו וייבחנו על ידי אנשים בעלי הנסיון המתאים, הידע או המיומנות המקצועית.

סעיף 25. יש לתעד עדות על קיומם של *מגוון ביולוגי*, *מגוון גאולוגי* וכל מאפיין משמעותי אחר ב*מקום* (כגון מורשת תרבותית), לפני כל ביצוע התערבות ב*מקום*.

סעיף 25. אם נראה ש*למקום* יש מאפיינים בעלי משמעות של מורשת תרבותית, ניתן להתייחס גם לצ'רטר ICOMOS של אוסטרליה לשימור מקומות בעלי משמעות של מורשת תרבותית ("צ'רטר בוררה" -Burra Charter)

סעיף 26. מחקר של *מקום* עשוי לדרוש התערבות כלשהי, על מנת לספק נתונים החיוניים לקבלת החלטה על המדיניות והאסטרטגיה הנוגעות *למשמעות הטבעית* של *מקום* ו*השימור* שלו. במקרים כאלה יש לבצע את ההתערבות תוך גרימת השפעה מינימלית על *המגוון הביולוגי והמגוון הגאולוגי* של *המקום*, ויש לתעד את פעולות ההתערבות.

סעיף 26. יש לתכנן את המחקר כך שיספק את הנתונים המתאימים.

סעיף 27. התערבות מוצדקת כאשר היא נחוצה על מנת לאבטח עדויות אשר עלולות ללכת לאיבוד, או אשר הגישה אליהן תאבד, בשל *שימור* הכרחי או פעולה אחרת בלתי נמנעת.

סעיף 28. מותר לבצע בדיקה אשר דורשת הפרעה פיסית *למקום*, אם היא תיצור גוף ידע או תוסיף לו בצורה משמעותית, ובתנאי שהבדיקה עקבית עם מדיניות *השימור* של *המקום*.

מדיניות שימור

סעיף 29. יש להכין הצהרה כתובה של מדיניות *השימור*, אשר תקבע את *המשמעות הטבעית* ואת תהליך *השימור* המוצע, בצרוף עדות תומכת להצדקה.

סעיף 29. ראה גם בסעיפים 6-9. הצהרת מדיניות *השימור* חייבת להיות באיכות גבוהה ככל האפשר, והיא תוכן ותיבדק על ידי אדם בעל הנסיון המתאים, הידע והמיומנות המקצועית.

תוכנית שימור

סעיף 30. יש להכין תוכנית *שימור*, אשר תבטא את מדיניות *השימור*, תבהיר את תהליך(כי) *השימור* ליישום, תציין את הארגונים ו/או הפרטים האחראים להחלטות המדיניות, תבהיר את תוצאות *השימור* אשר תוכנית *השימור* אמורה לממש, ותתאר את תוכנית *הבקרה* על *השימור*.

סעיף 30. תוכנית *השימור* יכולה להיות מרכיב מתוכנית ניהול נרחבת יותר לטווח שימושים בקרקעות *במקום*, לדוגמה, תוכנית לחווה, תוכנית לניהול מאגר או קרקע או תוכנית לשיקום צמחיה.

סעיף 31. יש להקפיד על הדרכה ובקרה נאותים על ידי מומחים בכל שלבי העבודה, יש לנהל יומן על עדויות חדשות, ויש לתעד החלטות נוספות כשינויים לתוכנית *השימור*.

התייעצות

סעיף 32. התייעצות עם פרטים או ארגונים בעלי עניין ב*משמעות טבעית* או בשימוש עתידי ב*מקום*, היא תמיד מרכיב רצוי בשיטת *השימור*.

> **סעיף 32.** התועלת שבהתייעצות כוללת תרומה של ידע או נסיון נוספים הנוגעים *למקום*.

תיעוד

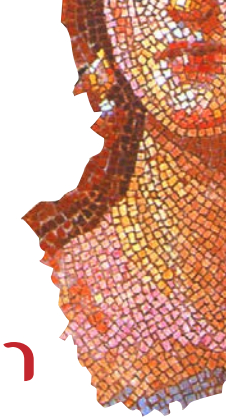
סעיף 33. יש להחזיק את המסמכים הנדרשים על ידי הסעיפים בחלק זה ועל ידי סעיף 22, בארכיון קבוע, ויש להעמידם לרשות הציבור, אלא אם קיימת הוראה המבטלת הוראה זו, בנימוק שהדבר עלול להוות איום פוטנציאלי *למשמעות הטבעית* של *המקום*.

> **סעיף 33.** ידע ציבורי על *המשמעות הטבעית* של *מקום* עלול לגרום *להתדרדרות* בשל גידול במספר המבקרים או הרחקה לא חוקית או בלתי נאותה של פריטים אשר תורמים *למשמעות הטבעית*.

בקרה

סעיף 34. *בקרה*, אשר מאפשרת בחינה של יעילות תוכניות *השימור*, ובדיקה חוזרת של נאותות ההחלטות, היא מרכיב יסודי בנוהל *השימור*.

> **סעיף 34.** יש לתכנן ולבצע פיקוח כך שיזהה שינויים הנוגעים לתוכנית *השימור*.



רקע

פיתוח הצ'רטר

צ'רטר זה פותח במהלך שנתיים, תוך התייעצות עם אנשי מפתח וארגוני מפתח בקהילה לשימור הטבע בכל רחבי אוסטרליה. סיבוב ראשון של התייעצות במהלך שנת 1995 הניב את צ'רטר הביניים על המורשת הטבעית של אוסטרליה (ינואר 1996). סיבוב שני של התייעצות לאומית במהלך 1996 הגדיר עוד את צ'רטר הביניים. צ'רטר המורשת הלאומית האוסטרלית אומץ בדצמבר 1996.

הצ'רטר פותח ומומן על ידי ועדת המורשת האוסטרלית. ועדת היגוי לאומית סיפקה את נקודות המבט לוועדה הלאומית של איגוד השימור העולמי (IUCN), לועדת המורשת האוסטרלית ולממשלות המקומיות, לסוכנות האוסטרלית לשמירת הטבע, ולמכון הסביבתי של אוסטרליה והעמים הילידים. חברי ועדת ההיגוי היו פאם אייזר, ג'והן הית', תיאו הויי, מרי לו מוריס, מג סוויצר, ג'והן פריצ'רד וליסה פלוריאן. יועצת הפרויקט אשר פיתחה את הצ'רטר היתה לוריין קיירנס מחברת הייעוץ פאת'ום, סידני.

במבנהו הכללי ובהגיון שבו, הצ'רטר קרוב מאד לצ'רטר ICOMOS האוסטרלי העוסק בשימור מקומות ומשמעות תרבותית (צ'רטר בורה – Burra Charter) – וניתן להשתמש בו יחד עם צ'רטר בורה עבור מקומות בעלי ערך טבעי ותרבותי מעורב.

מטרת הצ'רטר

מטרת הצ'רטר היא לעזור לכל מי שיש לו ענין במשמעות ובשימור המורשת הטבעית במערכות אקולוגיות יבשתיות וימיות. ניתן ליישם אותו במקומות בבעלות ציבורית ופרטית, באדמתם של בעלים ילידים מסורתיים, באזורים גדולים מאד וקטנים מאד, בפרקים לאומיים ואזורים בלתי מוגנים, באזורים בעלי חשיבות בינלאומית, לאומית או מקומית, ובחוות ומכרות בחכירה. היא נועדה לארגונים לא ממשלתיים וממשלתיים, לבעלי אדמות, למנהלי קרקעות, למקבלי החלטות, לקבוצות מתנדבים, לאנשי מקצוע וכל מי שיש לו תפקיד בשימור המורשת הטבעית של אוסטרליה.

ניהול ובדיקה לעתיד

צ'רטר זה מנוהל על ידי הוועדה האוסטרלית של איגוד השימור העולמי, אשר מפרסמת ומפיצה אותו, מפקחת ומאגמת את עמדותיהם של המשתמשים, ואשר תבצע בדיקה ועדכון של הצ'רטר בתקופות שלא יעלו על חמש שנים.

כתובות לקבלת עותקים ומתן הערות

הועדה האוסטרלית של ארגון השימור העולמי

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The Declaration of Amsterdam

The Congress of Amsterdam, the crowning event of European architectural heritage Year 1975, and composed of delegates from all parts of Europe, wholeheartedly welcomes the Charter promulgated by the Committee of Ministers of the Council of Europe, which recognizes that Europe's unique architecture is the common heritage of all her peoples and which declared the intention of the Member States to work with one another and with other European governments for its protection.

The Congress likewise affirms that Europe's architectural heritage is an integral part of the cultural heritage of the whole world and has noted with great satisfaction the mutual undertaking to promote co-operation and exchanges in the field of culture contained in the Final Act of the Congress on Security and Co-operation in Europe adopted at Helsinki in July of this year.

In so doing, the Congress emphasized the following basic considerations:

a. Apart from its priceless cultural value, Europe's architectural heritage gives to her peoples the consciousness of their common history and common future. Its preservation is, therefore, a matter of vital importance.

b. The architectural heritage includes not only individual. buildings of exceptional quality and their surroundings, but also all areas of towns or villages of historic or cultural interest.

c. Since these treasures are the joint possession of all the peoples of Europe, they have a joint responsibility to protect them against the growing dangers with which they are threatened - neglect and decay, deliberate demolition, incongruous new construction and excessive traffic.

d. Architectural conservation must be considered, not as a marginal issue, but as a major objective of town and country planning.

e. Local authorities, which whom most of the important planning decisions rest, have a special responsibility for the protection of the architectural heritage and should assist one another by the exchange of ideas and information.

f. The rehabilitation of old areas should be conceived and carried out in such a way as to ensure that, where possible, this does not necessitate a major change in the social composition of the residents, all sections of society should share in the benefits of restoration financed by public funds.

g. The legislative and administrative measures required should be strengthened and made more effective in all countries,

h. To help meet the cost o restoration, adaptation and maintenance of buildings and areas of architectural or historic interest, adequate financial assistance should be made available to local authorities and financial support and fiscal relief should likewise be made available to private owners.

i. The architectural heritage will survive only if it is appreciated by the public and in

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particular by the younger generation. Educational programmes for all ages should, therefore, give increased attention to this subject.

j. Encouragement should be given to independent organizations - international, national and local - which help to awake public interest.

k. Since the new buildings of today will be the heritage of tomorrow, every effort must be made to ensure that contemporary architecture is of a high quality.

In view of the recognition by the Committee of Ministers in the European Charter of the architectural heritage that it is the duty of the Council of Europe to ensure that the Member States pursue coherent policies in a spirit of solidarity, it is essential that periodic reports should be made on the progress of architectural conservation in all European countries in a way which will promote an exchange of experience.

The Congress calls upon governments, parliaments,spiritual and cultural institutions, professional institutes, commerce, industry, independent associations and all individual citizens to give their full support to the objectives of this Declaration and to do all in their power to secure their implementation.

Only in this way can Europe's irreplaceable architectural heritage be preserved, for the enrichment of the lives of all her peoples now and in the future.

Arising from its deliberations, the Congress submits its conclusions and recommendations, as set out below.

Unless a new policy of protection and integrated conservation is urgently implemented, our society will shortly find itself obliged to give up the heritage of buildings and sites which form its traditional environment. Protection is needed today for historic towns, the old quarters of cities, and towns and villages with a traditional character as well as historic parks and gardens, The conservation of these architectural complexes can only be conceived in a wide perspective, embracing all buildings of cultural value, from the greatest to the humblest - not forgetting those of our own day together with their surroundings. This overall protection will complement the piecemeal protection of individual and isolated monuments and sites.

The significance of the architectural heritage and justification for conserving it are now more clearly perceived. It is known that historical continuity must be preserved in the environment if we are to maintain or create surroundings which enable individuals to find their identity and feel secure despite abrupt social changes. A new type of town-planning is seeking to recover the enclosed spaces, the human dimensions, the inter- penetration of functions and the social and cultural diversity that characterized the urban fabric of old towns. But it is also being realized that the conservation of ancient buildings helps to economise resources and combat waste, one of the major preoccupations of present-day society. It has been proved that historic buildings can be given new functions which correspond to the needs of contemporary life. Furthermore, conservation calls for artists and highly-qualified craftsmen whose talents and know-how have to be kept alive and passed on. Lastly, the rehabilitation of existing housing helps to check encroachments on agricultural land and to obviate, or appreciably diminish, movements of population - a very important advantage of conservation policy.

Although, for all these reasons, there seems a stronger justification than ever today for the conservation of the architectural heritage, it must be placed on firm and lasting

foundations. It must accordingly be made the subject of basis research and a feature of all educational courses **and cultural** development programmes.

The conservation of the architectural heritage : one of the major objectives of urban and regional planning

The conservation of the architectural heritage should become an integral part of urban and regional planning, instead of being treated as a secondary consideration or one requiring action here and there as has so often been the case in the recent past. A permanent dialogue between conservationists and those responsible for planning is thus indispensable.

Planners should recognize that not all areas are the same and that they should therefore be dealt with according to their individual characteristics. The recognition of the claims of the aesthetic and cultural values of the architectural heritage should lead to the adoption of specific aims and planning rules for old architectural complexes.

It is not enough to simply superimpose, although co-ordinating them, ordinary planning regulations and specific rules for protecting historic buildings.

To make the necessary integration possible, an inventory of buildings, architectural complexes and sites demarcating protected zones around them is required. It should be widely circulated, particularly among regional and local authorities and officials in charge of town and country planning, in order to draw their attention to the buildings and areas worthy of protection. Such an inventory will furnish a realistic basis for conservation as a fundamental qualitative factor in the management of space.

Regional planning policy must take account of the conservation of the architectural heritage and contribute to it. In particular it can induce new activities to establish themselves in economically declining areas in order to check depopulation and thereby prevent the deterioration of old buildings. In addition, decisions on the development of peripheral urban areas can be orientated in such a way as to reduce pressure on the older neighbourhoods; here transport and employment policies and a better distribution of the focal points of urban activity may have an important impact on the conservation of the architectural heritage.

The full development of a continuous policy of conservation requires a large measure of decentralization as well as a regard for local cultures. This means that there must be people responsible for conservation at all levels (central, regional and local) at which planning decisions are taken. The conservation of the architectural heritage, however, should not merely be a matter for experts. The support of public opinion is essential. The population, on the basis of full and objective information, should take a real part in every stage of the work, from the drawing up of inventories to the preparation of decisions,

Lastly, the conservation of the architectural heritage should become a feature of a new long-term approach which pays due attention to criteria of quality and just proportions and which should make it possible henceforth to reject options and aims which are too often governed by short-term considerations, narrow view of technology and, in short, an obsolete outlook.

Integrated conservation involves the responsibility of local authorities and calls for citizens' participation.

Local authorities should have specific and extensive responsibilities in the protection of the architectural heritage. In applying the principles of integrated conservation, they

should take account of the continuity of existing social and physical realities in urban and rural communities. The future cannot and should not be built at the expense of the past.

To implement such a policy, which respects the man-made environment intelligently, sensitively and with economy, local authorities should :

- use as a basis the study of the texture of urban and rural areas, notably their structure, their complex functions, and the architectural and volumetric characteristics of their built-up and open spaces;

- afford functions to buildings which, whilst corresponding to the needs of contemporary life, respect their character and ensure their survival;

- be aware that long-term studies on the development of public services (educational, administrative, medical) indicate that excessive size impairs their quality and effectiveness;

- devote an appropriate part of their budget to such a policy. In this context, they should seek from governments the creation of funds specifically earmarked for such purposes. Local authority grants and loans made to private individuals and various associations should be aimed at stimulating their involvement and financial commitment:

- appoint representatives to deal with all matters concerning the architectural heritage and sites;

- set up special agencies to provide direct links between potential users of buildings and their owners;

- facilitate the formation and efficient functioning of voluntary associations for restoration and rehabilitation.

Local authorities should improve their techniques of consultation for ascertaining the opinions of interested parties on conservation plans and should take these opinions into account from the earliest stages of planning. As part of their efforts to inform the public the decisions of local authorities should be taken in the public eye, using a clear and universally understood language, so that the local inhabitants may learn, discuss and assess the grounds for them. Meeting places should be provided, in order to enable members of the public to consult together.

In this respect, methods such as public meetings, exhibitions, opinion polls, the use of the mass media and all other appropriate methods should become common practice.

The education of young people in environmental issues and their involvement with conservation tasks is one of the most important communal requirements.

Proposals or alternatives put forward by groups or individuals should be considered as an important contribution to planning.

Local authorities can benefit greatly from each other's experience. They should therefore establish a continuing exchange of information and ideas through all available channels.

The success of any policy of integrated conservation depends on taking social factors into consideration.

A policy of conservation also means the integration of the architectural heritage into social life.

The conservation effort to be made must be measured not only against the cultural value of the buildings but also against their use-value. The social problems of integrated conservation can be properly posed only by simultaneous reference to both those scales of values.

The rehabilitation of an architectural complex forming part of the heritage is not necessarily more costly than new building on an existing infrastructure or even than building a new complex on a previously undeveloped site. When therefore comparing the cost of these three solutions, whose social consequences are quite different, it is important not to overlook the social costs. These concern not only owners and tenants but also the craftsmen, tradespeople and building contractors on the spot who keep the district alive.

To avoid the laws of the market having free play in restored and rehabilitated districts, resulting in inhabitants who are unable to pay the increased rents being forced out, public authorities should intervene to reduce the effect of economic factors as they always do when it is a case of low-cost housing. Financial interventions should aim to strike a balance between restoration grants to owners, combined with the fixing of maximum rent, and housing allowances to tenants to cover, in part or in whole, the difference between the old and new rents.

In order to enable the population to participate in the drawing up of programmes they must be given the facts necessary to understand the situation, on the one hand through explaining the historic and architectural value of the buildings to be conserved and on the other hand by being given full details about permanent and temporary rehousing.

This participation is all the more important because it is a matter not only of restoring a few privileged buildings but of rehabilitating whole areas.

This practical way of interesting people in culture would be of considerable social benefit.

Integrated conservation necessitates the adaptation of legislative and administrative measures.

Because the concept of the architectural heritage has been gradually extended from the individual historic building to urban and rural architectural complexes, and to the built testimonies of recent periods, far-reaching legislative reform, in conjunction with an increase in administrative resources, is a pre-requisite to effective action.

This reform must be guided by the need to co-ordinate regional planning legislation with legislation on the protection of the architectural heritage.

This latter must give a new definition of the architectural heritage and the aims of integrated conservation.

In addition it must make special provision for special procedures with regard to :

- the designation and delineation of architectural complexes;
- the mapping out of protective peripheral zones and the limitations on use to be imposed therein in the public interest;

- the preparation of integrated conservation schemes and the inclusion of their provisions in regional planning policies;

- the approval of projects and authorization to carry out work.

In addition the necessary legislation should be enacted in order to :

- ensure a balanced allocation of budgetary resources between rehabilitation and redevelopment respectively;

- grant citizens who decide to rehabilitate an old building at least the same financial advantages as those which they enjoy for new construction;

- revise the system of state financial aid in the light of the new policy of integrated conservation.

As far as possible, the application of building codes, regulations and requirements should be relaxed to meet the needs of integrated conservation.

In order to increase the operational capacity of the authorities, it is necessary to review the structure of the administration to ensure that the departments responsible for the cultural heritage are organized at the appropriate levels and that sufficient qualified personnel and essential scientific, technical and financial resources are put at their disposal.

These departments should assist local authorities, co-operate with regional planning offices and keep in constant touch with public and private bodies.

Integrated conservation necessitates appropriate financial means.

It is difficult to define a financial policy applicable to all countries or to evaluate the consequences of the different measures involved in the planning process, because of their mutual repercussions.

Moreover, this process is itself governed by external factors resulting from the present structure of society.

It is accordingly for every state to devise its own financing methods and instruments.

It can be established with certainty however, that there is scarcely any country in Europe where the financial means allocated to conservation are sufficient.

It is further apparent that no European country has yet devised the ideal administrative machinery to meet the economic requirements of an integrated conservation policy. In order to solve the economic problems of integrated conservation, it is important - and this is a decisive factor - to draw up legislation subjecting new building to certain restrictions with regard to their volume and dimensions (height, coefficient of utilization etc.) that will make for harmony with its surroundings.

Planning regulations should discourage increased density and promote rehabilitation rather than redevelopment.

Methods must be devised to assess the extra cost occasioned by the constraints of conservation programmes. Where possible, sufficient funds should be available to help

owners who are obliged to carry out this restoration work to meet the extra cost - no more and no less.

If the criteria of extra cost were accepted, care would need to be taken of course, to see that the benefit was not diminished by taxation.

The same principle should be applied to the rehabilitation of dilapidated complexes of historic or architectural interest. This would tend to restore the social balance.

The financial advantages and tax concessions available for new building should be accorded in the same proportion for the upkeep and conservation of old buildings, less, of course, any compensation for extra cost that may have been paid.

Authorities should set up Revolving Funds, or encourage them to be established, by providing local authorities or non-profit making associations with the necessary capital. This if particularly applicable to areas where such programmes can become self-financing in the short or the long term because of the rise in value accruing from the high demand for such attractive property.

It is vital, however, to encourage all private sources of finance, particularly coming from industry. Numerous private initiatives have shown the viable part that they can play in association with the authorities at either national or local level.

Integrated conservation requires the promotion of methods, techniques and skills for restoration and rehabilitation.

Methods and techniques of the restoration and rehabilitation of historic complexes should be better exploited and their range developed.

Specialized techniques which have been developed for the restoration of important historic complexes should be henceforth applied to the wide range of buildings and complexes of less outstanding artistic merit.

Steps should be taken to ensure that traditional building materials remain available and that traditional crafts and techniques continue to be used.

Permanent maintenance of the architectural heritage, will, in the long run, obviate costly rehabilitation operations.

Every rehabilitation scheme should be studied thoroughly before it is carried out. Comprehensive documentation should be assembled about materials and techniques and an analysis of costs should be made. This documentation should be collected and housed in appropriate centres.

New materials and techniques should be used only after approval by independent scientific institutions.

Research should be undertaken to compile a catalogue of methods and techniques used for conservation and for this purpose scientific institutions should be created and should co-operate closely with each other. This catalogue should be made readily available and distributed to everyone concerned, thus stimulating the reform of restoration and rehabilitation practices.

There is a fundamental need for better training programme to produce qualified

personnel. These programmes should be flexible, multi-disciplinary and should include courses where on-site practical experience can be gained.

International exchange of knowledge, experience and trainees an essential element in the training of all personnel concerned.

This should help to create the required pool of qualified planners, architects, technicians and craftsmen to prepare conservation programmes and help to ensure that particular crafts for restoration work, that are in danger of dying out, will be fostered.

The opportunity for qualifications, conditions of work, salary, employment security and social status should be sufficiently attractive to induce young people to take up and stay in disciplines connected with restoration and rehabilitation work.

Furthermore, the authorities responsible for educational programmes at all levels should endeavour to promote the interest of young people in conservation disciplines.

DECLARATION OF TLAXCALA

The participants attending the third Inter-American Symposium on the Conservation of the Building Heritage devoted to the subject of "The Revitalization of Small Settlements", organized by the Mexican National Committee of ICOMOS and held in Trinidad, Tlaxcala, from 25 to 28 October 1982, wish to express their gratitude to the representatives of Mexico and the organizing committee for the very kind way they have been received and express their satisfaction at the high standard of the proceedings and at the results achieved.

They wish most particularly to thank the government of the state of Tlaxcala for its hospitality and are happy to observe the efforts it is making to preserve the architectural and urban heritage entrusted to its keeping by history, which is of extreme interest to all the peoples of America.

The delegates, after examining the situation now prevailing in America from the point of view of the dangers which threaten the architectural and environmental inheritance of the small settlements, decide to adopt the following conclusions:

1a. They reassert that the small settlements are repositories of ways of living which bear witness to our cultures, retain the scale appropriate to them and at the same time personify the community relations which give inhabitants an identity.

2a. They reaffirm that the conservation and rehabilitation of small settlements is a moral obligation and a responsibility for the government of each state and for the local authorities and that their communities have a right to share in the making of decisions on the conservation of their town or village and to take part directly in the work of carrying them out.

3a. As established by the *Charter of Chapultepec*, and as reflected in the concern expressed at the Morelia Symposium and at other meetings of American practical conservationists, the environmental and architectural heritage of small settlements is a non-renewable resource and their conservation calls for carefully developed procedures which will ensure that they run no risk of being impaired or distorted for reasons of political expediency.

4a. They agree that initiatives for the purpose of securing the well-being of the communities living in small settlements must have their basis in strict respect for the traditions of the places concerned and their specific ways of life. They also agree that the situation of economic crisis at present affecting the continent must not restrict efforts to preserve the identity of the small settlements; on the contrary, if such difficult circumstances are to be overcome, reliance must be placed in the cultural achievements of the past and in the material forms of expression of our collective memory.

5a. They further observe that the introduction of patterns of consumption and behaviour foreign to our traditions, which make their way in via the multiple communications media, assist the destruction of the cultural heritage by encouraging contempt for our own values, especially in the small settlements; they therefore urge governments, institutes of higher education and public or private bodies interested in the Preservation of the heritage to use the media at their disposal for the countering of the effects of this process.

6a. They reassert the importance of regional planning as a means of combating the process of desertion of the small settlements and progressive overpopulation of medium-sized and large towns - a phenomenon which strikes at the very existence of the said settlements. And they point out that any action designed to preserve the urban setting and the architectural qualities of a place must essentially be a fight for the improvement of its population's socio-economic conditions and of the quality of life in its urban centres. They therefore appeal to governments and to competent bodies to provide a suitably integrated infrastructure together with the practical equipment for the arresting of the depopulation of small settlements.

7a. They consider that if the traditional environment of the rural settlements and small towns is to be preserved, and if there is to be continuity of expression in contemporary vernacular architecture, traditional materials and techniques must remain available, and they propose that, where these cannot be found, substitutes be used which do not involve any marked impairment of the visual effects and which meet the requirements both of the local physical and geographical conditions and of the way of life of the population.

Recommendations:

Those attending the Symposium reassert the principles which inspire the work of the International Council on Monuments and Sites, as laid down in miscellaneous international texts, including the recommendations made at the meetings held previously in America, at Quito, Chapultepec and Morelia, concerning the conservation of small settlements, and adopt in their turn the following recommendations for circulation by the ICOMOS Committees in America and by any other specialists and for submission to the authorities, the professional associations, the institutes competent in the field concerned and the universities, schools of architecture and other bodies.

It is recommended:

1. That any initiative with a view to the conservation and revitalization of small settlements must be designed as a part of a programme embracing the historical, anthropological, social and economic aspects of the area and the possibilities for its revitalization, failing which it would be fated to be superficial and ineffectual.

2. That encouragement be given to interdisciplinary participation as an essential prerequisite of any effort in favour of the conservation, restoration and revitalization of small settlements.

3. That the public services administrations concerned with such things as communication, health, education, electrification, etc., should be duly conscious of the fact that their activities undertaken with the best of intentions can on the contrary cause harm to small communities if they are ignorant of, or fail to appreciate, the values of the cultural heritage and the benefits deriving from the conservation of that heritage for the community as a whole.

4. That if better results are to be achieved both in national policies and in specific legislation and in technical progress, the sharing of experience in a variety of areas is essential. Information, whether of an international nature or specifically relating to the American world, is most important. Emphasis is laid once again on the utility of publications designed for the purpose, and it is proposed that American working groups be set up on the various individual subjects involved.

5. That the use of regional materials and the preservation of the local traditional building

techniques are essential to satisfactory conservation of small settlements and do not conflict with the general principle that any new work should bear the mark of our age. It is urgent that an effort be made to recognize and enhance the prestige and value inherent in the use of such materials and techniques where they exist, and to keep them alive with increasing forcefulness in the minds of the communities concerned. It is recommended that encouragement be given to proficiency in the skilled building trades in the form of awards and prizes.

6. That the governments of the Latin American countries consider as in the public interest the granting of funds for the acquisition, maintenance, conservation and restoration of dwellings in small settlements and the lesser towns, as a practical means of keeping alive the building heritage and the housing possibilities it affords. For this purpose there must be amendment of the norms governing the allocation of funds to enable buildings for which vernacular techniques and materials have been used to be eligible for mortgage loans.

7. That schools of architecture should institute and maintain M. A. degrees in restoration and doctorates of restoration and assign due importance in their basic training syllabuses to appreciation of the architectural and town-planning heritage, conservation and restoration problems, and knowledge both of vernacular architecture and of traditional building techniques, to enable their graduates to fit usefully in their professional capacity into the communities requiring their services.

8. That the recognized colleges and societies of architects should set up commissions for the preservation of architectural heritage capable of promoting improved awareness of the responsibility devolving on them for the maintenance of the small settlements, of compiling and circulating information on this problem and of recommending programmes and operations to this end.

9. That the representatives of the countries in the region make every effort to have their governments, if they have not yet done so, approve the Protocol to the UNESCO World Heritage Convention (16 November 1972), so as to be eligible for the support and technical assistance of the international bodies.

The undersigned certify the authenticity of the present text, to be known as the "Declaration of Tlaxcala", which contains the conclusions and recommendations approved at la Trinidad, on 28 October 1982, by the plenary session of the third Inter-American Symposium on the Conservation of the Building Heritage.

HTML Revision: **15 April 1996**

CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES ICOMOS INTERNATIONAL COUNCIL ON MONUMENTS AND SITES

XI'AN DECLARATION
ON THE CONSERVATION OF THE SETTING
OF HERITAGE STRUCTURES, SITES AND AREAS

Adopted in Xi'an, China
by the 15th General Assembly of ICOMOS
on 21 October 2005
Final version - 22.10.2005

Preamble

Meeting in the ancient city of Xi'an (China) on 17-21st October 2005, at the invitation of ICOMOS China on the occasion of 15th General Assembly of ICOMOS and the celebrations marking the 40th anniversary of its longstanding endeavour to ensure the safeguard and conservation of the World's cultural heritage as part of its sustainable and human development;

Benefiting from the broad range of cases and reflections shared during the General Assembly's International Symposium on *Monuments and Sites in their Settings – Conserving Cultural Heritage in Changing Townscapes and Landscapes* and learning from a broad range of experiences from China and world-wide authorities, institutions and specialists in providing adequate care and management of heritage structures, sites and areas such as historic cities, landscapes, seascapes, cultural routes and archaeological sites in the context of accelerated change and development;

Taking note of the international and professional interest for the conservation of the settings of monuments and sites as expressed in the *International Charter for the Conservation and Restoration of Monuments and Sites – the Venice Charter* (1964) – and in the many texts it has inspired, particularly through ICOMOS National and International Committees, as well as the *Nara Document on Authenticity* (1994) and conclusions and recommendations of international meetings like the *Hoi An Declaration on the Conservation of Historic Districts in Asia* (2003), the *Declaration on the Recovery of Bam's Cultural Heritage* (2004), and the *Seoul Declaration on Tourism in Asia's Historic Towns and Areas* (2005);

Noting the references to the concept of setting in UNESCO conventions and recommendations like the *Recommendation concerning the Safeguarding of Beauty and Character of Landscapes and Sites* (1962), the *Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private Works* (1968), the *Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas* (1976), the *Convention for the Safeguarding of the Intangible Cultural Heritage*, (2003) and more specifically the *World Heritage Convention* (1972) and its Operational Guidelines, where setting is listed as an attribute of authenticity and as needing protection through the establishment of buffer zones, and the ongoing opportunity this brings for international and interdisciplinary co-operation between ICOMOS, UNESCO and other partners and for developments on topics like authenticity or the conservation of historic urban landscapes expressed in the *Vienna Memorandum* (2005).

BACK

Stressing the need to address adequately the rapid or incremental transformation of cities, landscapes and heritage routes which result from changes in lifestyles, agriculture, development, tourism or large-scale disasters of natural or human origin, and to recognise, protect and sustain adequately the meaningful presence of heritage structures, sites and areas in their settings as a way to reduce the threat these transformation processes constitute against the cultural heritage in the full richness of its authenticity, meaning, values, integrity and diversity,

Participants of the 15th General Assembly of ICOMOS adopt the following Declaration of principles and recommendations, addressing it to intergovernmental and non-governmental organisations, national and local authorities and all institutions and specialists able to contribute through legislation, policies, planning processes and management to better protect and conserve the world's heritage structures, sites and areas in their settings.

Acknowledge the contribution of setting to the significance of heritage monuments, sites and areas

1. **The setting of a heritage structure, site or area is defined as the immediate and extended environment that is part of, or contributes to, its significance and distinctive character.**

   Beyond the physical and visual aspects, the setting includes interaction with the natural environment; past or present social or spiritual practices, customs, traditional knowledge, use or activities and other forms of intangible cultural heritage aspects that created and form the space as well as the current and dynamic cultural, social and economic context.

2. **Heritage structures, sites or areas of various scales, including individual buildings or designed spaces, historic cities or urban landscapes, landscapes, seascapes, cultural routes and archaeological sites, derive their significance and distinctive character from their perceived social and spiritual, historic, artistic, aesthetic, natural, scientific, or other cultural values. They also derive their significance and distinctive character from their meaningful relationships with their physical, visual, spiritual and other cultural context and settings.**

   These relationships can be the result of a conscious and planned creative act, spiritual belief, historical events, use or a cumulative and organic process over time through cultural traditions.

Understand, document and interpret the settings in diverse contexts

3. **Understanding, documenting and interpreting the setting is essential to defining and appreciating the heritage significance of any structure, site or area.**

   The definition of setting requires an understanding of the history, evolution and character of the surrounds of the heritage resource. Defining the setting is a process of considering multiple factors to include the character of the arrival experience and the heritage resource itself.

4. **Understanding the setting in an inclusive way requires a multi-disciplinary approach and the use of diverse information sources.**

   Sources include formal records and archives, artistic and scientific descriptions, oral history and traditional knowledge, the perspectives of local and associated communities as well as the analysis of views and vistas.

Cultural traditions, rituals, spiritual practices and concepts as well as history, topography, natural environment values, use and other factors contribute to create the full range of a setting's tangible and intangible values and dimensions. The definition of settings should carefully articulate the character and values of the setting and its relationship to the heritage resource.

Develop planning tools and practices to conserve and manage settings

5. **The implementation of effective planning and legislative tools, policies, strategies and practices to sustainably manage settings requires consistency and continuity in application, whilst reflecting the local or cultural contexts in which they function.**

   Tools to manage settings include specific legislative measures, professional training, development of comprehensive conservation and management plans or systems, and use of adequate heritage impact assessment methods.

6. **Legislation, regulation and guidelines for the protection, conservation and management of heritage structures, sites and areas should provide for the establishment of a protection or buffer zone around them that reflects and conserves the significance and distinctive character of their setting.**

7. **Planning instruments should include provisions to effectively control the impact of incremental or rapid change on settings.**

   Significant skylines, sight lines and adequate distance between any new public or private development and heritage structures, sites and areas are key aspects to assess in the prevention of inappropriate visual and spatial encroachments or land use in significant settings.

8. **Heritage impact assessments should be required for all new development impacting on the significance of heritage structures, sites and areas and on their settings.**

   Development within the setting of heritage structures, sites and areas should positively interpret and contribute to its significance and distinctive character.

Monitor and manage change affecting settings

9. **The rate of change and the individual and cumulative impacts of change and transformation on the settings of heritage structures, sites and areas is an ongoing process which must be monitored and managed.**

   Incremental as well as rapid transformation of the urban or rural landscapes, the ways of life, the economies or the natural environment can substantially or irretrievably affect the authentic contribution that the setting makes to the significance of a heritage structure, site or area.

10. **Change to the setting of heritage structures, sites and areas should be managed to retain cultural significance and distinctive character.**

    Managing change to the setting of heritage structures, sites and areas need not necessarily prevent or obstruct change.

11. **Monitoring should define approaches and actions to appreciate and measure as well as prevent or remedy decay, loss of significance or trivialisation and propose improvement in conservation, management and interpretation practices.**

    Qualitative and quantifiable indicators should be developed to assess the contribution of the setting to the significance of a heritage structure, site or area.

    Indicators for monitoring should cover physical aspects such as intrusion on views, skylines or open spaces, air pollution, sound pollution, as well as economic, social and cultural dimensions.

Work with local, interdisciplinary and international communities for co-operation and awareness in conserving and managing settings

12. **Co-operation and engagement with associated and local communities is essential as part of developing sustainable strategies for the conservation and management of settings.**

    Inter-disciplinary engagement should be encouraged as standard practice in conserving and managing settings. Relevant cultural heritage fields include architecture, urban and regional planning, landscape planning, engineering, anthropology, history, archaeology, ethnology, curation and archives.

    Co-operation with institutions and specialists in the field of natural heritage should also be encouraged as an integral part of good practice for the identification, protection, presentation and interpretation of heritage structures, sites or areas in their setting.

13. **Professional training, interpretation, community education and public awareness should be encouraged to support such co-operation and sharing of knowledge as well as to promote conservation goals, improve the efficiency of the protection tools, management plans and other instruments.**

    The experience, knowledge and tools developed through the conservation of individual heritage structures, sites and areas should be extended to complement the management of their setting.

    Economic resources should be allocated to the research, assessment and strategic planning of the conservation and management of setting of heritage structures, sites and areas.

    Awareness of the significance of the setting in its various dimensions is the shared responsibility of professionals, institutions, associated and local communities, who should take into account the tangible and intangible dimensions of settings when making decisions.

Adopted in Xi'an (China) on the 21st October, 2005.

BACK

CHARTER FOR THE PRESERVATION OF QUEBEC'S HERITAGE
Deschambault Declaration

Adopted by the Conseil des monuments et des sites du Québec,
ICOMOS Canada French-Speaking Committee, April 1982.

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1. WHY THE CHARTER?

The postwar period has witnessed the worldwide spread of various currents of thought that seem to adjust people's way of living to new socio- economic conditions, and to criticize the consequences of industrialization, of urbanization on a massive scale, of progress at all costs, and of the consumer society. Whether extreme or moderate, these ideologies have helped to make people aware of certain human values that merited preservation. These things of value include the architectural, artistic or simply material remains that our predecessors have bequeathed us.

The basic principles of heritage preservation were set forth in the

Venice International Charter of 1964, which was signed by experts from many countries. The aim of this charter was to regulate and promote efforts to safeguard national heritages. Subsequently, at Amsterdam and Nairobi this initial undertaking was further developed by the addition of other basic principles that expressed an increased desire not only to pass on an accumulated heritage, but also to broaden the concept of heritage itself. Henceforth, people wanted to ensure the preservation of all aspects of national heritage.

This movement began to have a noticeable influence on Quebec from 1960 on. The Quebec government's first action in this field was to create a Ministry of Cultural Affairs which made it possible to pass the Cultural Properties Act in 1972. At that moment our heritage acquired value in the eyes of the law. However, even before this Act was passed, the community had organized itself into groups that differed in structure, but shared a common desire to become involved in safeguarding their environment and culture, and to develop strategies that would make the different levels of government aware of the issue.

This individual and collective commitment resulted in significant achievements in the areas of preservation, stimulation of community participation and development. Whether through municipal, provincial or federal programs, large-scale projects or more modest actions, the people of Quebec have shown that they are interested in their heritage and are determined to revive it.

The Conseil des monuments et sites du Québec offers this charter in support of these efforts. The Charter is intended as an orientation guide, a reference tool, a remedy and above all a code of ethics that we should adopt in dealing with our heritage. While this charter draws upon previous experience and on international currents of thought, the principles of preservation and development it contains may be applied by all individuals and organizations that are concerned with the protection of the natural, cultural and historical aspects of the Quebec heritage.

The first aim of this charter, which has been specifically drafted for Quebec, is to try to identify our cultural personality, and thereby define the special nature of our heritage. Secondly, the charter seeks to encourage people to think before they act; and finally, it proposes a framework for action that is positive and objective, that provides incentive, and that takes into account both the particular problems of Quebec and contemporary doctrines of heritage development.

BACK

2. THE QUEBEC CULTURAL CONTEXT

The experience of Quebec is similar to that of other nations in that the specific character of its culture has been determined by its history which has taken place in a particular environment. The main features of this environment are a harsh climate, a vast territory, the relatively recent establishment of a North American civilization that is European in origin, the French fact, Catholicism and a particular pattern of human settlement.

Wrested from the American Indians who were its original inhabitants, Quebec became first a French, then a British colony, and finally a part of the Canadian confederation. Quebec's political history has been marked by the struggle to preserve its French and Catholic roots on a North American continent where the majority of the population is and has been English-speaking.

Nevertheless, a variety of elements has contributed to the development of our social fabric. In the course of time, immigrants from different places have been added to the amalgam of the three peoples who originally fought over the territory of Quebec. Sometimes immigration occurred all at once, as in the case of the Loyalists and the Irish; and sometimes it was spread over time, as happened with the Italians and the Chinese. Little by little, the immigrant phenomenon has altered the physiognomy and mentality of Quebec's population.

Our material heritage has been marked not only by this mixture of cultural traits, but also by certain fashions that have had international currency. Of these, the Victorian influence is certainly the most important, but we also find traces of Art Nouveau, the skyscraper era and many other esthetic or technological vogues.

Economic life, that mainspring of societies, has probably had the greatest impact on the distribution of Quebec's population. From the very beginning, more or less densely populated communities were concentrated in areas that had acquired importance because of the fur trade. Seigniorial estates and English townships provided the framework for the development of agriculture. Many elements of our society were drawn northward by the forest products and mining industries. Finally, the spectacular growth of the United States had repercussions of the utmost importance on our economic model and our way of life: massive urbanization, high rate of consumption, establishment of large industrial centres and development of means of transportation for natural, human and energy resources.

Many other factors have contributed to the shaping of our image. The preponderance of Catholicism prompted the proliferation of churches and convents and gave rise to an art that was centered on the sacred. The rigors of the climate forced people to make adaptations in every aspect of their way of life. As for the distribution of population, it was for the most part determined by the waterways of the St. Lawrence basin.

It would be pointless to offer here an exhaustive list of all the geographic, social, historical and economic factors that have contributed to the development of our cultural fabric. Suffice it to say that this ferment of ideas, habits and customs, taking place as it did in a particular geographic context, has given rise to traditions, a folklore, a mentality, ways of doing things, and architecture, a social structure and, in sum, an art of living that is uniquely Quebecois. Though the elements that make up this culture have not all been integrated to the same degree, nor in the same way, their importance cannot be doubted. They constitute our heritage, which is nourished and strengthened by the past, and continues to flourish in the lives of the present generations. We cannot allow this dynamic growth to be cut off from its roots.

3. THE SITUATION TODAY

We felt the need to publish this charter because all too often our heritage is threatened, when it is not forgotten or destroyed. This problem, of course, is not peculiar to Quebec. Modernization and the

pursuit of new lifestyles have, in fact, relentlessly imperiled national heritages everywhere. Such is the price of progress!

In Quebec, the great distances between population centres and the immensity of the territory have led to a more or less integrated development. All these factors have been unfavorable to the preservation of our national heritage. Consequently, we must show greater vigilance, enhance dialogue and consultation, and do more to mobilize the forces of the community.

The climate is also, at times, a menace to our architectural heritage and to the remains of former times. Frost, especially combined with thawing, has a serious effect on buildings in Quebec. Rapid and technologically competent action is necessary in this area.

Finally, our European and North American cultural heritage is threatened by a danger that is less perceptible but no less real than the others. Because this culture is of recent origin and only extends over a short span of time, it would be inappropriate to rely solely on chronological classification to determine the relative value of its different elements. One should not, for example, attribute greater value to the remains of the 18th century than to those of the 19th. Of course, the older things are, the rarer and more valuable they generally are; however, one must use subtlety in judging these matters.

DEFINITION OF HERITAGE AND PRESERVATION

Heritage is defined as "the combined creations and products of nature and man, in their entirety, that make up the environment in which we live in space and time.

Heritage is a reality, a possession of the community, and a rich inheritance that may be passed on, which invites our recognition and our participation."

(Quebec Association for the Interpretation of the National Heritage, Committee on Terminology, July 1980).

The concept of heritage as defined above is intended to cover much more than buildings erected in a more or less distant past. Neither in the past nor in the future is heritage limited in time. We use the heritage of yesterday to build the heritage of tomorrow, for culture is by its very nature dynamic and is constantly being renewed and enriched.

Heritage, in our view, is a very comprehensive term that includes three major entities: material culture (cultural properties) and the geographic and human environments. People are, of course, most familiar with the concept of cultural properties since these are defined by law. We should remember, however, that in addition to formal and popular architecture, these properties include all other forms of material evidence, such as archaeological and ethnographical objects, iconography, written archives, furniture, art objects and, in sum, the whole of the material environment in which we live. The geographical environment is nature as it manifests itself on the territory of Quebec in coast, mountain and plain. We wish to insist above all on the great importance of our landscapes and our natural sites, which have a unique esthetic and/or panoramic value. And let us note, finally, that the people in their environment, who have their own customs and traditions, whose memory is furnished with a particular folklore, and whose way of living is adapted to this specific setting, are a human and social treasure that also requires protection.

This broad definition of our national heritage includes, then, all the elements of our civilization, as they exist not only individually but also as components of larger historical, cultural and traditional unities or, to put it in simpler terms, as examples of man's adaptation to his environment. This concept of heritage includes the idea of a cultural landscape which may be defined as the result of the interaction of human society and nature.

Preservation of the national heritage may be viewed, in this light, as that combination of study, expertise and physical intervention which aims at conserving every element of this heritage in the best possible condition. This activity involves proper maintenance, consolidation, repair, safeguarding and restoration, to prevent the deterioration and, at worst, the destruction of the national heritage.

Article I

THE CITIZENS OF QUEBEC ARE THE FOREMOST PROTECTORS OF THE NATIONAL HERITAGE

Article I-A
The citizens of Quebec have, in the first place, an individual responsibility to protect their heritage. They must do all they can to appreciate its value, to strive to understand its full significance, and to contribute to its preservation.

Article I-B
This individual responsibility must also find expression in every decision that is made on behalf of the community, whether by elected representatives or by corporate or institutional managers.

Article II

THE NATIONAL HERITAGE IS A TREASURE THAT BELONGS TO THE COMMUNITY. IT IS PRECIOUS AND NON-RENEWABLE

Article II-A
The national heritage must be preserved, safeguarded and developed for the benefit of present and future generations. This treasure does not belong to us; it has been entrusted to us so we may pass it on to others. We must ensure its proper use and conservation.

Article II-B
All the laws and regulations as well as the fiscal, financial and administrative mechanisms in their entirety must further the preservation and development of the national heritage. This action must start at the municipal level, for the municipalities are the primary legal representatives of the community.

Article II-C
The national heritage must remain in the possession of the people of Quebec, and it must be recognized that cultural properties belong in their place of origin.

Article II-D
The greatest possible attention must be paid to authenticity in preserving and developing the national heritage, and in passing it on to future generations. When only certain elements of this heritage remain, these must be treated as integral wholes. Any action taken must be comprehensible and reversible.

Article III

KNOWLEDGE OF THE NATIONAL HERITAGE IS AN ESSENTIAL PREREQUISITE FOR ITS PRESERVATION

Article III-A
All the appropriate means for acquiring this knowledge must be provided. In particular, we must have up-to-date inventories and the specialized expertise that is required before any action can be taken.

Article IV

THE NATIONAL HERITAGE MUST ENJOY PUBLIC AND UNCONDITIONAL RECOGNITION

Article IV-A
Interdisciplinary teams must assess the cultural, historical, natural, social and esthetic importance of our heritage on the national, regional and local levels.

Article IV-B
Respect must be shown for the significant contribution of every historical period.

Article V

THE PRESERVATION OF THE NATIONAL HERITAGE REQUIRES MAINTENANCE, PROTECTION AND DEVELOPMENT

Article V-A
Protection of our national heritage must be ensured, in the first place, by ongoing maintenance.

Article V-B
The development of cultural properties is of essential importance. This development includes all measures that serve to make them accessible and useful, and that, if necessary, make it possible to reintroduce them into the daily life of the people of Quebec.

Article V-C
Every action to preserve the national heritage should be designed to conserve as much as possible of the original, and to avoid reconstruction based on conjecture.

Article V-D
The development of cultural properties should be followed up by the dissemination of that practical knowledge that is required for passing on these properties to future generations and ensuring their permanent protection.

Article VI

THE NATIONAL HERITAGE MUST BE GIVEN PRIORITY IN ALL AREAS

Article VI-A
Legislation affecting the national heritage must take precedence over all other legislation.

Article VI-B
The principles of protection and development of the national heritage must have primacy in all development plans.

Article VI-C
When the importance, for our heritage, of a building or group of buildings or landscapes has been recognized, these must take precedence over the rest of the environment. This consideration must be a decisive factor in any alteration of that environment, and the adaption, integration and respect of the heritage material must be ensured.

Article VI-D
Any contemporary additions, which must be creative works in their own right, have to be integrated and harmonized with the surrounding context in regard to tonality, texture, proportions, pattern of filled and empty spaces, and overall composition.

It must not be forgotten that an archaeological analysis of all ground where new construction is planned is absolutely essential, to uncover the earlier remains of construction and habitation and, where necessary, to examine the possibilities of conservation in site.

Article VII

THE PUBLIC HAS A LEGITIMATE RIGHT TO PARTICIPATE IN ANY DECISION IN REGARD TO ACTIONS TO PRESERVE THE NATIONAL HERITAGE

Article VII-A
At all times, those who may become involved in actions to preserve our heritage have a responsibility to disseminate information on that heritage, to implement procedures ensuring the circulation of ideas, to further community participation, and to promote the preservation of our heritage.

Article VII-B
When the national heritage is affected by a particular action, those responsible for that action must consult with the citizens and inform them of the scope of that action.

Documents relating to such actions must be made available to the public and must be prepared in such a way that non-specialists can understand them.

Furthermore, those involved in furthering these actions must develop adequate consultation procedures in order to take note of the opinions of the public. Such procedures will, in particular, include public hearings, information sessions and exhibitions.

Article VIII

THE REVIVAL OF OUR HERITAGE MUST BE COMPATIBLE WITH THE MAINTENANCE, AND EVEN THE IMPROVEMENT, OF ITS SPECIFIC IDENTITY, INTEGRITY AND CULTURAL VALUES

Article VIII-A
Our heritage must be employed in such a way as to maintain or introduce functions that are useful to society and that are compatible with the structure and nature of the buildings, spaces and sites of which it is made up. In using our heritage, we must show consideration for its integration into the economic and social activities of the surrounding community.

Article VIII-B
We must promote the continuous use of our heritage, without any interruption of occupation.

Article VIII-C
Whenever we decide to make new use of heritage material, we must ensure the preservation of all the important characteristics of that material.

Any changes that are made must, at all times, be reversible.

Article VIII-D

The selection of a new function for heritage material must avoid excessive use and the deterioration that would result from such use.

Article IX

THE PRESERVATION OF THE DYNAMIC AND FUNCTIONAL CHARACTER OF OUR HERITAGE IS ENSURED BY LOCAL RESIDENTS WHO ARE AN INTEGRAL PART OF THAT HERITAGE AND CONTRIBUTE TO ITS PROTECTION AND ITS VITALITY

Article IX-A
In using our heritage, we must preserve or reintroduce everyday life rather than the artificial life of museums and tourist centres. Preference should be given to traditional occupations; and we must, in any case, respect the needs and legitimate aspirations of the inhabitants, even if this requires us to adopt uses that are different from the original uses.

Article IX-B
In other words, it is necessary to encourage respect for the established rights of the local population. The housing function should take precedence over all other uses and be given first priority.

Article X

OUR EDUCATIONAL INSTITUTIONS MUST PROMOTE THE IDEA THAT EVERYONE HAS TO TAKE RESPONSIBILITY FOR PRESERVING THE NATIONAL HERITAGE

Article X-A
Our educational system must disseminate knowledge pertaining to our heritage, to make people aware of its value and of the need to preserve it.

Article X-B
The educational system must ensure that traditions are passed on, and thereby encourage the training of artisans, technicians and professionals who will be able to work to safeguard our heritage.

Article X-C
Other educational authorities (the family, newspapers and magazines, radio and TV, etc.) must also do their part in furthering heritage education. In particular, heritage practitioners and specialists increase awareness through the communication of their knowledge to the general public.

BACK

PIAGAM PELESTARIAN PUSAKA INDONESIA

INDONESIA CHARTER FOR HERITAGE CONSERVATION

Tahun Pusaka Indonesia 2003 dikelola oleh Jaringan Pelestarian Pusaka Indonesia dan International Council on Monuments and Sites (ICOMOS) Indonesia didukung oleh Kementerian Kebudayaan dan Pariwisata RI

Indonesia Heritage Year 2003 organized by Indonesian Network for Heritage Conservation and International Council on Monuments and Sites (ICOMOS) Indonesia supported by Ministry of Culture and Tourism Republic of Indonesia

BACK

PIAGAM PELESTARIAN PUSAKA INDONESIA

Pembukaan

Kami para pelaku dan pemerhati pelestarian pusaka Indonesia bersyukur bahwa Indonesia sebagai negara kepulauan yang terbesar dikaruniai Tuhan keanekaragaman kekayaan alam dan budaya yang istimewa, yang menjadi sumber ilham, daya cipta, dan daya hidup. Kesadaran, perhatian, dan upaya untuk pelestarian pusaka Indonesia sudah mulai tumbuh dan diperlukan penguatan yang berkelanjutan. Dalam rangka Tahun Pusaka Indonesia 2003 disusun piagam untuk meneguhkan upaya pelestarian pusaka Indonesia.

Kesepakatan

Kami bersepakat bahwa:

1. Pusaka Indonesia adalah pusaka alam, pusaka budaya, dan pusaka saujana. Pusaka alam adalah bentukan alam yang istimewa. Pusaka budaya adalah hasil cipta, rasa, karsa, dan karya yang istimewa dari lebih 500 suku bangsa di Tanah Air Indonesia, secara sendiri-sendiri, sebagai kesatuan bangsa Indonesia, dan dalam interaksinya dengan budaya lain sepanjang sejarah keberadaannya. Pusaka saujana adalah gabungan pusaka alam dan pusaka budaya dalam kesatuan ruang dan waktu;
2. Pusaka budaya mencakup pusaka berwujud dan pusaka tidak berwujud;
3. Pusaka yang diterima dari generasi-generasi sebelumnya sangat penting sebagai landasan dan modal awal bagi pembangunan masyarakat Indonesia di masa depan, karena itu harus dilestarikan untuk diteruskan kepada generasi berikutnya dalam keadaan baik, tidak berkurang nilainya, bahkan perlu ditingkatkan untuk membentuk pusaka masa datang;
4. Pelestarian adalah upaya pengelolaan pusaka melalui kegiatan penelitian, perencanaan, perlindungan, pemeliharaan, pemanfaatan, pengawasan, dan/atau pengembangan secara selektif untuk menjaga kesinambungan, keserasian, dan daya dukungnya dalam menjawab dinamika jaman untuk membangun kehidupan bangsa yang lebih berkualitas.

Keprihatinan

Kami prihatin bahwa:

1. Banyak pusaka Indonesia yang tak ternilai telah tercemar, rusak, hancur, hilang, atau terancam kelestariannya akibat ketaktahuan, ketakpedulian, ketakmampuan, dan salah urus demi keuntungan jangka pendek dan kepentingan kelompok tertentu;

INDONESIA CHARTER FOR HERITAGE CONSERVATION

Preamble

We, the advocates and practitioners for the conservation of Indonesian heritage, praise God Almighty that Indonesia, the world's largest archipelago, is endowed with the diversity and abundance of extraordinary nature and cultures that provide divinely inspired creativity, imagination, and vitality. Awareness, concern, and efforts for conservation have begun and need to be strengthened and continued. In the framework of *Indonesia Heritage Year 2003*, we have composed this charter affirming efforts for heritage conservation in Indonesia.

Understanding

We share the understanding that:

1. The heritage of Indonesia is the legacy of nature, culture, and *saujana*, the weave of the two. Natural heritage is the construct of nature. Manmade heritage is the legacy of thought, emotion, intentions, and works that spring from over 500 ethnic groups in *Tanah Air Indonesia*, singularly, and together as one nation, and from the interactions with other cultures throughout its length of history. S*aujana* heritage is the inextricable unity between nature and manmade heritage in space and time.
2. Cultural heritage includes both tangible and intangible legacies;
3. Heritage, bequeathed from the generations that precede us, is the a vital foundation and initial capital for the development of the Indonesian nation in the future, and for these reasons, must be conserved and passed along to the next generation in good condition, without loss of value, and if possible with an enhanced value, to form heritage for the future.
4. Heritage conservation is the management of heritage through research, planning, preservation, maintenance, reuse, protection, and/or selected development, to maintain sustainability, harmony, and the capacity to respond to the dynamics of the age to develop a better quality of life.

Concern

We share concern that:

1. Much irreplaceable Indonesian heritage is degraded, damaged, destroyed, lost, or threatened through neglect, ignorance, incompetence, and mismanagement, for short-term gain, and by special interest groups;
2. Much irreplaceable Indonesian heritage is degraded,

2. Telah terjadi pendangkalan dan pemiskinan budaya serta melemahnya daya cipta, prakarsa, dan rasa percaya diri yang sangat diperlukan dalam menghadapi gejolak perkembangan dunia serta bertindak mandiri dalam menentukan masa depan bangsa;
3. Masih banyak ketidakadilan sosial, politik, ekonomi, alokasi sumber daya, dan kelangkaan tatanan yang jelas. Keadaan ini tidak menguntungkan bagi upaya-upaya pelestarian pusaka Indonesia;
4. Peluang-peluang dalam dinamika lokal, nasional, dan global kurang dikenali dan dimanfaatkan untuk melakukan transformasi sosial dan ekonomi demi kemajuan bangsa dan penguatan pelestarian pusaka Indonesia;
5. Masyarakat tradisional, golongan minoritas, dan kelompok tertentu terpinggirkan akibat kurangnya pemahaman bersama tentang keragaman dan pentingnya merajut keragaman tersebut dalam semangat gotong royong membangun kehidupan yang lebih baik.

Agenda Tindakan

Kami para pelaku dan pemerhati pelestarian bertekad untuk bersama-sama dengan kemitraan yang sehat memperjuangkan pelestarian pusaka Indonesia secara menyeluruh terpadu, sistematik dan berkesinambungan, melalui mekanisme dan proses yang adil, demokratik, serta harmonis didukung oleh landasan hukum yang jelas dan konsisten.

Kami mengajak semua pihak untuk:

1. Berperan aktif melakukan tindakan pelestarian yang dapat berbentuk pengawetan, pemugaran, pembangunan kembali, revitalisasi, alih fungsi, dan/atau pengembangan selektif;
2. Segera mengambil tindakan penyelamatan pusaka yang terancam kerusakan, kehancuran, dan kepunahan;
3. Mematangkan prinsip, proses, dan teknik pelestarian secara sistematik dan komprehensif yang sesuai dengan konteks Indonesia;
4. Meningkatkan kesadaran semua pihak (pemerintah, profesional, sektor swasta, dan masyarakat termasuk generasi muda) tentang pentingnya pelestarian melalui proses pendidikan (formal dan non-formal), pelatihan, kampanye publik, dan tindakan-tindakan persuasif lainnya;
5. Meningkatkan kapasitas kelembagaan, mengembangkan sistem pengelolaan, serta membagi peran dan tanggung jawab secara adil yang melibatkan masyarakat agar upaya pelestarian dapat dilakukan dengan efektif dan sinergis;
6. Memperluas jaringan kerjasama serta mengembangkan sumber daya termasuk membangun sistem pendanaan untuk mendukung

damaged, destroyed, lost, or threatened due to neglect, ignorance, incompetence, and mismanagement, for short-term gain, and by special interest groups;

3. There have been trivialization and impoverishment of culture and the weakening of creativity, initiative, and self-confidence urgently needed to face turbulent global change as well as to independently define the future of the nation;
4. There remain many social, political, economic, and resource allocation imbalances and a lack of clear frameworks. This is not favorable for heritage conservation efforts in Indonesia.
5. Opportunities within local, national, and global dynamics are not well recognized and utilized for social and economic transformations to enhance national development and heritage conservation in Indonesia;
6. Traditional ethnic groups, minorities, and certain communities are marginalized due to lack of understanding and appreciation of diversity, and the importance of weaving the diverse resources into symbiotic interactions of brotherhood.

Action

We, the advocates and practitioners of Indonesian heritage conservation, are determined to work hard together in healthy partnerships for a holistic, systematic, and sustainable heritage conservation through fair, democratic, and harmonious processes and mechanisms supported by clear and consistent laws.

We appeal to all parties to:

1. Take up an active role in heritage conservation through preservation, restoration, reconstruction, revitalization, adaptive reuse, or selected development.
2. Take immediate measures to save endangered heritage from damage, ruin and extinction;
3. Improve the capacity, principles, processes, and techniques of conservation in systematic, comprehensive ways appropriate to the Indonesian context;
4. Raise the awareness of all parties (government, professional, private sector, and community, including youth) on the importance of heritage conservation, through education (both formal and non-formal), training, public campaign, and other pursuasive approaches;
5. Raise institutional capacity, develop management systems, as well as role-sharing and responsibilty that are fair and inclusive of all people, so that conservation efforts can be carried out effectively with synergy.
6. Expand networks of cooperation and develop resources including means of funding to support heritage conservation.
7. Reinforce legal oversight, control, and enforcement

upaya-upaya pelestarian;

7. Menguatkan pengawasan, pengendalian, dan penegakan hukum melalui pengembangan peraturan perundangan, sistem peradilan, mekanisme yang jelas, adil, dan konsisten dengan melibatkan masyarakat;
8. Mengenali dan menghargai hak dan potensi masyarakat yang terpinggirkan serta melakukan upaya pendampingan guna menguatkan kembali keberdayaan mereka dalam melestarikan dan memanfaatkan pusaka untuk kesejahteraan yang berkelanjutan.

Penutup

Demikian piagam ini kami susun dengan mempertimbangkan berbagai pemikiran dari organisasi pelestarian pusaka di berbagai daerah, kalangan perguruan tinggi, pejabat pemerintah, profesional di bidang pelestarian pusaka, dan wakil-wakil masyarakat umum. Piagam akan dilengkapi kemudian dengan penjelasan untuk pelaksanaan.

Kami yakin upaya pelestarian pusaka Indonesia dapat membantu meneguhkan jati diri bangsa dalam masyarakat dunia yang sangat beranekaragam dan dinamik, meningkatkan kesejahteraan masyarakat secara luas, serta memberikan sumbangsih bagi masyarakat dunia. Semoga Tuhan Yang Maha Esa melimpahkan kekuatan, kemampuan, dan kearifan kepada bangsa Indonesia serta pemimpinnya untuk dapat mencapai tujuan tersebut.

Kami yang bertandatangan di bawah ini menyepakati Piagam Pelestarian Pusaka Indonesia dan bertekad untuk bersama-sama melaksanakan Agenda Tindakan dalam Dasa Warsa Pelestarian Pusaka Indonesia 2004 – 2013.

Tonggak Tahun Pusaka Indonesia 2003
Ciloto, 13 Desember 2003

through the development of regulations, the legal system, mechanisms that are clear, fair, consistent, and the strengthening of social control;

8. Understand and recognize the rights and potentials of marginalized people as well as to assist and re-empower the community in the conservation and stewardship of their heritage for sustained prosperity.

Close

This charter is the result of discussions amongst heritage conservation organizations from various regions, universities, bureaucrats, professionals in heritage conservation, and representatives from the community at large. The charter will be completed soon with a clear plan for realization.

We believe that heritage conservation in Indonesia will help to affirm the nation's identity in the world's very diverse and dynamic community, enhancing the quality of life, and to provide valuable contribution to the world community. We pray that our Creator will shower an abundance of strength, ability, and wisdom upon our nation and its leaders so we can achieve these goals.

We, the signatories below, are of one accord on the Indonesian Charter for Heritage Conservation and are determined to carry out together the Action Plan in the Indonesia Heritage Decade 2004-2013.

Indonesia Heritage Year 2003
Ciloto, 13 December 2003

Untuk informasi selanjutnya silahkan hubungi:
Pusat Pelestarian Pusaka Arsitektur (*Center for Heritage Conservation)* Jurusan Arsitektur dan Perencanaan, Fakultas Teknik Universitas Gadjah Mada Jl. Grafika 2, Yogyakarta 55282, INDONESIA. Tel/Fax. 62 274 544910
E-mail: jppi@indonesiapusaka.org; chc-ugm@indonesiapusaka.org Web-site: www.indonesiapusaka.org

BACK

Appleton Charter for the Protection and Enhancement of the Built Environment

Published by ICOMOS Canada under the auspices of the English-Speaking Committee, Ottawa, Canada,
August 1983

A. Preamble

This charter acknowledges The International Charter for the Conservation & Restoration of Monuments & Sites (Venice, 1964), the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (*the Burra Charter* of February 23, 1981), and the Charter for the Preservation of Quebec's Heritage (Declaration of Deschambault), without which it could not exist.

It further recognizes that the sound management of the built environment is an important cultural activity; and that conservation is an essential component of the management process.

B. Framework

Intervention within the built environment may occur at many levels (from preservation to redevelopment), at many scales (from individual building elements to entire sites), and will be characterized by one or more activities, ranging from maintenance to addition.

Though any given project may combine intervention scales, levels and activities, projects should be characterized by a clearly stated goal against which small scale decisions may be

measured.

The appropriate level of intervention can only be chosen after careful consideration of the merits of the following:

- cultural significance,
- condition and integrity of the fabric,
- contextual value,
- appropriate use of available physical, social and economic resources.

Decisions concerning the relative importance of these factors must represent as broadly based a consensus as possible.

Legitimate consensus will involve public participation and must precede initiation of work.

The relationship between scales of intervention levels of intervention and intervention activities is summarized below.

Activity

Levels of Intervention:	**Maintenance**	**Stabilization**	**Removal**	**Addition**
Preservation	x	x		
Period Restoration	x	x	x	x
Rehabilitation	x	x	x	x
Period Reconstruction				x
Redevelopment				x

Scales of intervention

Levels of Intervention:	**Bldg Elements**	**Bldgs**	**Groups of Buildings**	**Bldgs & Settings**	**Sites**
Preservation	x	x	x	x	x
Period					

Restoration					
Rehabilitation	x	x	x	x	x
Period Reconstruction	x	x	x	x	x
Redevelopment	x	x	x	x	x

Levels of intervention:

Preservation:

- retention of the existing form, material and integrity of site.

Period Restoration:

- recovery of an earlier form, material and integrity of a site.

Rehabilitation:

- modification of a resource to contemporary functional standards which may
  involve adaptation for new use.

Period Reconstruction:

- recreation of vanished or irreversibly deteriorated resources.

Redevelopment:

- insertion of contemporary structures or additions sympathetic to the setting.

Activities:

Maintenance:

- continual activity to ensure the longevity of the resource without irreversible

or damaging intervention.

Stabilization:

- a periodic activity to halt deterioration and to put the existing form
  and materials of a site into a state of equilibrium, with minimal change.

Removal:

- a periodic activity: modification which involves the subtraction of surfaces,
  layers, volumes and/or elements.

Addition:

- a periodic activity: modification which involves the introduction of new
  material.

C. Principles

Respect for the existing fabric is fundamental to the activities of protection and enhancement.

The process of protection and enhancement must recognize all interests and have recourse to all fields of expertise which can contribute to the study and safeguarding of a resource.

In intervening at the scales, levels and activities described, measures in support of the protection and enhancement of the built environment will involve adherence to the following principles:

Protection:
Protection may involve stabilization; it must involve a continuing programme of maintenance.

Artifactual value:
Sites of the highest cultural significance are to be considered

primarily as artifacts, demanding protection as fragile and complex historical monuments.

Setting:
Any element of the built environment is inseparable from the history to which it bears witness, and from the setting in which it occurs. Consequently, all interventions must deal with the whole as well as with the parts.

Relocation:
Relocation and dismantling of an existing resource should be employed only as a last resort, if protection cannot be achieved by any other means.

Enhancement:
The activities of removal or addition are characteristic of measures in support of enhancement of the heritage resource.

Use:
A property should be used for its originally intended purpose. If this is not feasible, every reasonable effort shall be made to provide a compatible use which requires minimal alteration. Consideration of new use should begin with respect for existing and original traditional patterns of movement and layout.

Additions:
New volumes, materials and finishes may be required to satisfy new uses or requirements. They should echo contemporary ideas but respect and enhance the spirit of the original.

Environmental Control:
Systems of insulation, environmental control and other servicing should be upgraded in ways which respect the existing and traditional equilibria and do not set in motion processes of deterioration.

D. Practice

Documentation:

The better a resource is understood and interpreted, the better it will be protected and enhanced.

In order to properly understand and interpret a site, there must be a comprehensive investigation of all those qualities which invest a structure with significance.

This activity must precede activity at the site. Work on site must itself be documented and recorded.

Conjecture:

Activities which involve the recovery or recreation of earlier forms must be limited to those forms which can be achieved without conjecture.

Distinguishability:

New work should be identifiable on close inspection or to the trained eye, but should not impair the aesthetic integrity or coherence of the whole.

Materials and techniques:

Materials and techniques should respect traditional practice unless modern substitutes for which a firm scientific basis exists, which have been supported by a body of experience and which provide significant advantage can be identified.

Patina:

Patina forms part of the historic integrity of a resource, and its destruction should be allowed only when essential to the protection of the fabric. Falsification of patina should be avoided.

Reversibility:

The use of reversible processes is always to be preferred to allow the widest options for future development or the

correction of unforeseen problems, or where the integrity of the resource could be affected.

Integrity:

Structural and technological integrity must be respected and will require attention to performance as well as to appearance.

Committees Comités

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The Athens Charter
for the Restoration of Historic Monuments

Adopted at the First International Congress
of Architects and Technicians of Historic Monuments, Athens 1931

At the Congress in Athens the following seven main resolutions were made and called "Carta del Restauro":

1. International organizations for Restoration on operational and advisory levels are to be established.

2. Proposed Restoration projects are to be subjected to knowledgeable criticism to prevent mistakes which will cause loss of character and historical values to the structures.

3. Problems of preservation of historic sites are to be solved by legislation at national level for all countries.

4. Excavated sites which are not subject to immediate restoration should be reburied for protection.

5. Modern techniques and materials may be used in restoration work.

6. Historical sites are to be given strict custodial protection.

7. Attention should be given to the protection of areas surrounding historic sites.

General Conclusions of the Athens Conference

I. -- DOCTRINES. GENERAL PRINCIPLES.

The Conference heard the statement of the general principles and doctrines relating to the protection of monuments.

Whatever may be the variety of concrete cases, each of which are open to a different solution, the Conference noted that there predominates in the different countries represented a general tendency to abandon restorations *in toto* and to avoid the attendant dangers by initiating a system of regular and permanent maintenance calculated to ensure the preservation of the buildings.

When, as the result of decay or destruction, restoration appears to be indispensable, it recommends that the historic and artistic work of the past should be respected, without excluding the style of any given period.

The Conference recommends that the occupation of buildings, which ensures the continuity of their life, should be maintained but that they should be used for a purpose which respects their historic or artistic character.

BACK

II. -- ADMINISTRATIVE AND LEGISLATIVE MEASURES REGARDING HISTORICAL MONUMENTS

The Conference heard the statement of legislative measures devised to protect monuments of artistic, historic or scientific interest and belonging to the different countries.

It unanimously approved the general tendency which, in this connection, recognises a certain right of the community in regard to private ownership.

It noted that the differences existing between these legislative measures were due to the difficulty of reconciling public law with the rights of individuals.

Consequently, while approving the general tendency of these measures, the Conference is of opinion that they should be in keeping with local circumstances and with the trend of public opinion, so that the least possible opposition may be encountered, due allowance being made for the sacrifices which the owners of property may be called upon to make in the general interest.

It recommends that the public authorities in each country be empowered to take conservatory measures in cases of emergency.

It earnestly hopes that the International Museums Office will publish a repertory and a comparative table of the legislative measures in force in the different countries and that this information will be kept up to date.

III. -- AESTHETIC ENHANCEMENT OF ANCIENT MONUMENTS.

The Conference recommends that, in the construction of buildings, the character and external aspect of the cities in which they are to be erected should be respected, especially in the neighbourhood of ancient monuments, where the surroundings should be given special consideration. Even certain groupings and certain particularly picturesque perspective treatment should be preserved.

A study should also be made of the ornamental vegetation most suited to certain monuments or groups of monuments from the point of view of preserving their ancient character. It specially recommends the suppression of all forms of publicity, of the erection of unsightly telegraph poles and the exclusion of all noisy factories and even of tall shafts in the neighbourhood of artistic and historic monuments.

IV. -- RESTORATION OF MONUMENTS.

The experts heard various communications concerning the use of modern materials for the consolidation of ancient monuments. They approved the judicious use of all the resources at the disposal of modern technique and more especially of reinforced concrete.

They specified that this work of consolidation should whenever possible be concealed in order that the aspect and character of the restored monument may be preserved.

They recommended their adoption more particularly in cases where their use makes it possible to avoid the dangers of dismantling and reinstating the portions to be preserved.

V. -- THE DETERIORATION OF ANCIENT MONUMENTS.

The Conference noted that, in the conditions of present day life, monuments throughout the world were being threatened to an ever-increasing degree by atmospheric agents.

Apart from the customary precautions and the methods successfully applied in the preservation of monumental statuary in current practice, it was impossible, in view of the complexity of cases and with the knowledge at present available, to formulate any general rules.

The Conference recommends:

1. That, in each country, the architects and curators of monuments should collaborate with specialists in the physical, chemical, and natural sciences with a view to determining the methods to be adopted in specific cases;

2. That the International Museums Office should keep itself informed of the work being done in each country in this field and that mention should be made thereof in the publications of the Office.

With regard to the preservation of monumental sculpture, the Conference is of opinion that the removal of works of art from the surroundings for which they were designed is, *in principle*, to be discouraged. It recommends, by way of precaution, the preservation of original models whenever these still exist or if this proves impossible, the taking of casts.

VI. -- THE TECHNIQUE of CONSERVATION.

The Conference is gratified to note that the principles and technical considerations set forth in the different detailed communications are inspired by the same idea, namely:

In the case of ruins, scrupulous conservation is necessary, and steps should be taken to reinstate any original fragments that may be recovered (anastylosis), whenever this is possible; the new materials used for this purpose should in all cases be recognisable. When the preservation of ruins brought to light in the course of excavations is found to be impossible, the Conference recommends that they be buried, accurate records being of course taken before filling-in operations are undertaken.

It should be unnecessary to mention that the technical work undertaken in connection with the excavation and preservation of ancient monuments calls for close collaboration between the archaeologist and the architect.

With regard to other monuments, the experts unanimously agreed that, before any consolidation or partial restoration is undertaken, a thorough analysis should be made of the defects and the nature of the decay of these monuments. They recognised that each case needed to be treated individually.

VII. -- THE CONSERVATION OF MONUMENTS AND INTERNATIONAL COLLABORATION.

a) Technical and moral co-operation.

The Conference, convinced that the question of the conservation of the artistic and archaeological property of mankind is one that interests the community of the States, which are wardens of civilisation,

Hopes that the States, acting in the spirit of the Covenant of the League of Nations, will collaborate with each other on an ever-increasing scale and in a more concrete manner with a view to furthering the preservation of artistic and historic monuments;

Considers it highly desirable that qualified institutions and associations should, without in any manner whatsoever prejudicing international public law, be given an opportunity of manifesting their interest in the protection of works of art in which civilisation has been expressed to the highest degree and which would seem to be threatened with destruction;

Expresses the wish that requests to attain this end, submitted to the Intellectual Co-operation Organisation of the League of Nations, be recommended to the earnest attention of the States.

It will be for the International Committee on Intellectual Co-operation, after an enquiry conducted by the International Museums Office and after having collected all relevant information, more particularly from the National Committee on Intellectual Co-operation concerned, to express an opinion on the expediency of the steps to be taken and on the procedure to be followed in each individual case.

The members of the Conference, after having visited in the course of their deliberations and during the study cruise which they were able to make on this occasion, a number of excavation sites and ancient Greek monuments, unanimously paid a tribute to the Greek Government, which, for many years past, has been itself responsible for extensive works and, at the same time, has accepted the collaboration of archaeologists and experts from every country.

The members of the Conference there saw an example of activity which can but contribute to the realisation of the aims of intellectual co-operation, the need for which manifested itself during their work.

b) The role of education in the respect of monuments.

The Conference, firmly convinced that the best guarantee in the matter of the preservation of monuments and works of art derives from the respect and attachment of the peoples themselves;

Considering that these feelings can very largely be promoted by appropriate action on the part of public authorities;

Recommends that educators should urge children and young people to abstain from disfiguring monuments of every description and that they should teach them to take a greater and more general interest in the protection of these concrete testimonies of all ages of civilisation.

c) Value of international documentation.

The Conference expresses the wish that:

1. Each country, or the institutions created or recognised competent for this purpose, publish an inventory of ancient monuments, with photographs and explanatory notes;

2. Each country constitute official records which shall contain all documents relating to its historic monuments;

3. Each country deposit copies of its publications on artistic and historic monuments with the International Museums Office;

4. The Office devote a portion of its publications to articles on the general processes and methods employed in the preservation of historic monuments;

5. The Office study the best means of utilising the information so centralised.

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CHARTER FOR THE CONSERVATION OF HISTORIC TOWNS AND URBAN AREAS
(*Washington Charter - 1987*)

Adopted by ICOMOS General Assembly in Washington D.C., October 1987

PREAMBLE AND DEFINITIONS

All urban communities, whether they have developed gradually over time or have been created deliberately, are an expression of the diversity of societies throughout history.

This charter concerns historic urban areas, large and small, including cities, towns and historic centres or quarters, together with their natural and man-made environments. Beyond their role as historical documents, these areas embody the values of traditional urban cultures. Today many such areas are being threatened, physically degraded, damaged or even destroyed, by the impact of the urban development that follows industrialisation in societies everywhere.

Faced with this dramatic situation, which often leads to irreversible cultural, social and even economic losses, the International Council on Monuments and Sites (ICOMOS) deems it necessary to draw up an international charter for historic towns and urban areas that will complement the "International Charter for the Conservation and Restoration of Monuments and Sites," usually referred to as "The Venice Charter." This new text defines the principles, objectives, and methods necessary for the conservation of historic towns and urban areas. It also seeks to promote the harmony of both private and community life in these areas and to encourage the preservation of those cultural properties, however modest in scale, that constitute the memory of mankind.

As set out in the UNESCO "Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas" (Warsaw - Nairobi, 1976), and also in various other international instruments, "the conservation of historic towns and urban areas" is understood to mean those steps necessary for the protection, conservation and restoration of such towns and areas as well as their development and harmonious adaptation to contemporary life.

PRINCIPLES AND OBJECTIVES

1. In order to be most effective, the conservation of historic towns and other

historic urban areas should be an integral part of coherent policies of economic and social development and of urban and regional planning at every level.

2. Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially:

a) Urban patterns as defined by lots and streets;

b) Relationships between buildings and green and open spaces;

c) The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration;

d) The relationship between the town or urban area and its surrounding setting, both natural and man-made; and

e) The various functions that the town or urban area has acquired over time.

Any threat to these qualities would compromise the authenticity of the historic town or urban area.

3. The participation and the involvement of the residents are essential for the success of the conservation programme and should be encouraged. The conservation of historic towns and urban areas concerns their residents first of all.

4. Conservation in a historic town or urban area demands prudence, a systematic approach and discipline. Rigidity should be avoided since individual cases may present specific problems.

METHODS AND INSTRUMENTS

5. Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies.

Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics.

The principal objectives of the conservation plan should be clearly stated as should the legal, administrative and financial measures necessary to attain them.

The conservation plan should aim at ensuring a harmonious relationship between the historic urban areas and the town as a whole.

The conservation plan should determine which buildings must be preserved, which should be preserved under certain circumstances and which, under quite exceptional circumstances, might be expendable.

Before any intervention, existing conditions in the area should be thoroughly documented.

The conservation plan should be supported by the residents of the historic area.

6. Until a conservation plan has been adopted, any necessary conservation

activity should be carried out in accordance with the principles and the aims of this Charter and the Venice Charter.

7. Continuing maintenance is crucial to the effective conservation of a historic town or urban area.

8. New functions and activities should be compatible with the character of the historic town or urban area.

Adaptation of these areas to contemporary life requires the careful installation or improvement of public service facilities.

9. The improvement of housing should be one of the basic objectives of conservation.

10. When it is necessary to construct new buildings or adapt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size.

The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an area.

11. Knowledge of the history of a historic town or urban area should be expanded through archaeological investigation and appropriate preservation of archaeological findings.

12. Traffic inside a historic town or urban area must be controlled and parking areas must be planned so that they do not damage the historic fabric or its environment.

13. When urban or regional planning provides for the construction of major motorways, they must not penetrate a historic town or urban area, but they should improve access to them.

14. Historic towns should be protected against natural disasters and nuisances such as pollution and vibrations in order to safeguard the heritage and for the security and well-being of the residents.

Whatever the nature of a disaster affecting a historic town or urban area, preventative and repair measures must be adapted to the specific character of the properties concerned.

15. In order to encourage their participation and involvement, a general information programme should be set up for all residents, beginning with children of school age.

16. Specialised training should be provided for all those professions concerned with conservation.

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אמנה בין לאומית לשימור ושיקום מונומנטים ואתרים

הקונגרס הבין לאומי ה II של אדריכלים ומהנדסים של מונומנטים היסטוריים, ונציה, 1964

המונומנטים ההיסטוריים של דורות רבים, נושאים מסר מן העבר והם עדות חיה למסורות קדומות. בני האדם מודעים יותר ויותר לאחדות הערכים האנושיים ורואים במונומנטים מן העבר מורשת משותפת. קיימת הכרה באחריות המשותפת לשימורים למען הדורות הבאים. מחובתנו להורישם במלא עושרם ובמרב האותנטיות שלהם.

חיוני שתהיה הסכמה על בסיס בינלאומי, בכל הנוגע לעקרונות המנחים את השימור והשיקום של המבנים העתיקים, ושכל ארץ תהיה אחראית ליישום תכניות השימור במסגרת התרבות והמסורות שלה.

בבואה להגדיר עקרונות בסיסיים אלה לראשונה, תרמה אמנת אתונה מ – 1931 להתפתחותה של תנועה בינלאומית רחבה שזכתה לביטוי מעשי במסמכים לאומיים, בעבודות איקו״ם ואונסק״ו ובהקמת ה״מרכז הבין לאומי ללימוד השימור והשיקום של נכסי תרבות״ (איקרו״ם י.א.). מודעות גוברת ולימוד ביקורתי העלו וחשפו בעיות שהלכו ונהיו מורכבות ומגונות ויותר; עתה הגיע העת לבחון מחדש את אמנת אתונה, כדי ללמוד ביסודיות את עקרונותיה ולהרחיב את היריעה במסמך חדש.

בהתאם לכך, הקונגרס הבינלאומי הII של הארכיטקטים והטכנאים של אתרים היסטוריים שהתכנס בוונציה בתאריכים 25 – 30 במאי 1964, אישר את המסמך שלהלן.

הגדרות

סעיף 1. המושג מונומנט היסטורי חובק לא רק את היצירה האדריכלית הבודדת, אלא גם את העדות לתרבות ייחודית, התפתחות משמעותית או אירוע היסטורי. הדבר נכון לא רק לעבודות אמנות חשובות אלא אף לעבודות צנועות מן העבר שהפכו לבעלות ערך תרבותי ברבות הימים.

סעיף 2. שימור ושיקום המונומנטים, חייב להיעזר בכל המדעים והטכניקות שיש בכוכם לתרום ללימוד ולאבטחת המורשת האדריכלית.

מטרה

סעיף 3. הכוונה בשימור ושיקום מונומנטים היא לשמר אותם הן כעבודות אמנות והן כעדות היסטורית.

שימור

סעיף 4. לשמור מונומנטים חיוני שיתוחזקו באופן קבוע.

סעיף 5. שימור המונומנטים יהיה תמיד קל יותר אם יעשה בהם שימוש למטרה כלשהי לתועלת הכלל. על כן, שימוש מעין זה רצוי ובלבד שלא יעשה שינוי בתכנית המבנה ובעיטוריו. רק במסגרת מגבלות אלה ניתן להתיר את ביצוע ההתאמות הנדרשות מתוך שינוי היעוד.

סעיף 6. שימור המונומנט פירושו שמירה על הסביבה בלי חריגה מקנה המידה. במידה והסביבה המסורתית קיימת, יש לשמרה. אין להרשות בניה, הריסה או שינויים שיחוללו תמורה ביחסי מסות וצבעים.

סעיף 7. המונומנט הוא חלק בלתי נפרד מן היסטוריה, לה הוא משמש עדות, כמו גם הסביבה בה היא התרחשה. אין לאפשר הזזת המבנה או חלקים ממנו למעט במקרים בהם הדבר מתחייב כדי לאבטיח את שלמותו, או כאשר הדבר מוצדק משיקולים לאומיים או בינלאומיים בעלי חשיבות עליונה.

סעיף 8. פסלים ציורים או עיטורים שהם חלק בלתי נפרד מהמונומנט יוסרו רק במקרה שאין דרך אחרת להבטיח את שימורם.

שיקום

סעיף 9. תהליך השיקום הוא פעולה הדורשת התמחות ברמה גבוהה. מטרתו לשמר ולחשוף את הערכים האסטטיים וההיסטוריים של המונומנט והוא מבוסס על כיבוד החומר המקורי והעדות האותנטית. על תהליך השיקום להפסק בנקודה בה מתחילות ההשערות, ובמקרה כזה, כל עבודה מחייבת, נוספת, תבוצע כך שניתן יהיה להבחין בינה לבין המקור לעליה לשאת את חותם תקופתה. בכל מקרה, את עבודת השיקום יקדים וליווה מחקר ארכיאולוגי והיסטורי של המונומנט.

סעיף 10. כאשר טכניקות מסורתיות אינן מספקות, ניתן להגיע לייצוב מונומנט ע״י שימוש בכל טכניקות שימור ובניה מודרנית, אשר יעילותה הוכחה ע״י נתונים מדעיים וניסיון.

סעיף 11. יש לכבד את תרומתן של כל התקופות לבניית המונומנט, שכן אחידות סגנונית אינה מטרת השימור. כאשר המבנה כולל תוספות מתקופות שונות, חשיפת המצב הקדום יכולה להיות מוצדקת בנסיבות חריגות וכאשר החלקים המוסרים הם בעלי עניין מועט בעוד החומר שנחשף הוא בעל ערך היסטורי, ארכיאולוגי או אסטטי חשוב, ושמצב השתמרותו טוב דיו כדי להצדיק את הפעולה. הערכת חשיבות השרידים וההחלטה מה ניתן להרוס, לא תהיה לשיקולו של האחראי על העבודה בלבד.

סעיף 12. השלמת חלקים חסרים תיעשה כך שישתלבו באופן הרמוני עם המכלול, ועם זאת בצורה שניתן יהיה להבחין בינם לבין המקור, כך שהשיקום לא יסלף את העדות האמנותית וההיסטורית.

סעיף 13. אין להרשות תוספות בניה למעט כאשר הן אינן גורעות מחלקי המבנה המעניינים, אופן מיקומו המסורתי, האיזון בין חלקי הקומפוזיציה ויחסו לסביבה.

אתרים היסטוריים

סעיף 14. האתרים בהם מצוי המונומנט, דורשים התייחסות מיוחדת כדי לשמור על שלמותם וכדי להבטיח את ניקיונם והצגתם באופן מושך. עבודות השימור והשיקום הנעשות באתרים אלה, צריכות לקבל את השראתן מהעקרונות שהובאו לעיל.

חפירות

סעיף 15. חפירות יבוצעו על פי סטנדרטים מדעיים וההמלצות המגדירות עקרונות בינלאומיים ליישום בחפירות ארכיאולוגיות שאומצו על ידי אונסק"ו ב – 1956.

יש לתחזק את השרידים ולנקוט באמצעים הנחוצים לשימור והגנה קבועים על המאפיינים האדריכליים והחפצים שנתגלו בחפירה. יתרה מזאת, יש לנקוט בכל האמצעים שיקלו על הבנת המונומנט וחשיפתו מבלי לטשטש את משמעותו.

יש לשלול מראש כל עבודת שחזור. ניתן להתיר רק אנסטילוזיס, דהיינו, חיבורם מחדש של חלקים קיימים שהתפזרו. החומרים בהם יעשה שימוש לאינטגרציה (השלמות י.א.) חייבים להיות ניתנים לזיהוי והשימוש בהם יהיה מזערי שיבטיח את השימור של המונומנט והקריאות של צורתו.

פרסום

סעיף 16. כל עבודות השימור, השיקום והחפירות יעשו תוך תיעוד מדוקדק בצורת דוחות אנליטיים וביקורתיים, מלווים באיורים ותצלומים.

יש לכלול בדוח כל שלב משלבי העבודה – ניקוי, ייצוב, הסדרה ואינטגרציה, כמו גם נתונים טכניים ופורמאליים שזוהו במהלך העבודה. את הדוח יש להפקיד בארכיון של מוסד ציבורי, באופן שיהיה נגיש לחוקרים. מומלץ שהדוח יפורסם.

תרגום מאנגלית: אדר' גיורא סולר (בתוספת עדכונים קלים ע"י יעל אלף)

ICOMOS NEW ZEALAND

Charter for the Conservation of Places of Cultural Heritage Value

Preamble

New Zealand retains a unique assemblage of places of cultural heritage value relating to its indigenous and its more recent peoples. These areas, landscapes and features, buildings, structures and gardens, archaeological and traditional sites, and sacred places and monuments are treasures of distinctive value. New Zealand shares a general responsibility with the rest of humanity to safeguard its cultural heritage for present and future generations. More specifically, New Zealand peoples have particular ways of perceiving, conserving and relating to their cultural heritage.

Following the spirit of the International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter 1966), this charter sets our principles to guide the conservation of places of cultural heritage value in New Zealand. It is intended as a frame of reference for all those who, as owners, territorial authorities, tradespersons or professionals, are involved in the different aspects of such work. It aims to provide guidelines for community leaders, organisations and individuals concerned with conservation issues. It is a statement of professional practice for members of ICOMOS New Zealand.

Each section of the charter should be read in the light of all the others. Definitions of terms used are provided in section 22.

Accordingly this charter has been adopted by the New Zealand National Committee of the International Council on Monuments and Sites at its Annual General Meeting on 4 October 1992.

1. The Purpose of Conservation
The purpose of conservation is to care for places of cultural heritage value, their structures, materials and cultural meaning. In general, such places:

i. have lasting values and can be appreciated in their own right;
ii. teach us about the past and the culture of those who came before us;
iii. provide the context for community identity whereby people relate to the land and to those who have gone before;
iv. provide variety and contrast in the modern world and a measure against which we can compare the achievements of today; and
v. provide visible evidence of the continuity between past, present and future.

2. Indigenous Cultural Heritage
The indigenous heritage of Maori and Moriori relates to family, local and tribal groups and associations. It is inseparable from identity and well-being and has particular cultural meanings.

The **Treaty of Waitangi** is the historical basis for indigenous guardianship. It recognises the indigenous people as exercising responsibility for their treasures, monuments and sacred places. This interest extends beyond current legal ownership wherever such heritage exists. Particular knowledge of heritage values is entrusted to chosen guardians. The conservation of places of indigenous cultural heritage value

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therefore is conditional on decisions made in the indigenous community, and should proceed only in this context. Indigenous conservation precepts are fluid and take account of the continuity of life and the needs of the present as well as the responsibilities of guardianship and association with those who have gone before. In particular, protocols of access, authority and ritual are handled at a local level. General principles of ethics and social respect affirm that such protocols should be observed.

3. Conservation Practice
Appropriate conservation professionals should be involved in all aspects of conservation work. Indigenous methodologies should be applied as appropriate and may vary from place to place. Conservation results should be in keeping with their cultural content. All necessary consents and permits should be obtained.

Conservation projects should include the following:

i. definition of the cultural heritage value of the place,which requires prior researching of any documentary and oral history, a detailed examination of the place, and the recording of its physical condition;
ii. community consultation, continuing throughout a project as appropriate;
iii. preparation of a plan which meets the conservation principles of this charter;
iv. the implementation of any planned work; and
v. the documentation of any research, recording and conservation work, as it proceeds.

GENERAL PRINCIPLES

4. Conservation Method

Conservation should:

i. make use of all relevant conservation values, knowledge, disciplines, arts and crafts;
ii. show the greatest respect for, and involve the least possible loss of, material of cultural heritage value;
iii. involve the least degree of intervention consistent with long term care and the principles of this charter;
iv. take into account the needs, abilities and resources of the particular communities; and
v. be fully documented and recorded.

5. Respect for existing evidence
The evidence of time and the contributions of all periods should be respected in conservation. The material of a particular period may be obscured or removed if assessment shows that this would not diminish the cultural heritage value of the place. In these circumstances such material should be documented before it is obscured or removed.

6. Setting
The historical setting of a place should be conserved with the place itself. If the historical setting non longer exists, construction of a setting based on physical and documentary evidence should be the aim. The extent of the appropriate setting may be affected by constraints other than heritage value.

7. Risk Mitigation

All places of cultural heritage value should be assessed as to their potential risk from any natural process or event. Where a significant risk is determined, appropriate action to minimise the risk should be undertaken. Where appropriate, a risk mitigation plan should be prepared.

8. Relocation

The site of an historic structure is usually an integral part of its cultural heritage value. Relocation, however, can be a legitimate part of the conservation process where assessment shows that:

i. the site is not of associated value (an exceptional circumstance); or
ii. relocation is the only means of saving the structure; or
iii. relocation provides continuity of cultural heritage value.

A new site should provide a setting compatible with cultural heritage value.

9. Invasive Investigation

Invasive investigation of a place can provide knowledge that is not likely to be gained from any other source. Archaeological or structural investigation can be justified where such evidence is about to be lost, or where knowledge may be significantly extended, or where it is necessary to establish the existence of material of cultural heritage value, or where it is necessary for conservation work. The examination should be carried out according to accepted scientific standards. Such investigation should leave the maximum amount of material undisturbed for study by future generations.

10. Contents

Where the contents of a place contribute to its cultural heritage value, they should be regarded as an integral part of the place and be conserved with it.

11. Works of Art and Special Fabric

Carving, painting, weaving, stained glass and other arts associated with a place should be considered integral with a place. Where it is necessary to carry out maintenance and repair of any such material, specialist conservation advice appropriate to the material should be sought.

12. Records

Records of the research and conservation of places of cultural heritage value should be placed in an appropriate archive. Some knowledge of place of indigenous heritage value is not a matter of public record, but is entrusted to guardians within the indigenous community.

CONSERVATION PROCESSES

13. Degrees of Intervention

Conservation may involve, in increasing extent of intervention: non-intervention, maintenance, stabilisation, repair, restoration, reconstruction or adaptation. Where appropriate, conservation processes may be applied to parts or components of a structure or site.

Re-creation, meaning the conjectural reconstruction of a place, and replication, meaning to make a copy of an existing place, are outside the scope of this charter.

14. Non-intervention

In some circumstances, assessment may show that any intervention is undesirable. In

particular, undisturbed constancy of spiritual association may be more important than the physical aspects of some places of indigenous heritage value.

15. Maintenance
A place of cultural heritage value should be maintained regularly and according to a plan, except in circumstances where it may be appropriate for places to remain without intervention.

16. Stabilisation
Places of cultural heritage value should be protected from processes of decay, except where decay is appropriate to their value. Although deterioration cannot be totally prevented, it should be slowed by providing stabilisation or support.

17. Repair
Repair of material or of a site should be with original or similar materials. Repair of a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and the cultural heritage value is not diminished. New material should be identifiable.

18. Restoration
Restoration should be based on respect for existing material and on the logical interpretation of all available evidence, so that the place is consistent with its earlier form and meaning. It should only be carried out if the cultural heritage value of the place is recovered or revealed by the process.

The restoration process typically involves reassembly and reinstatement and may involve the removal of accretions.

19. Reconstruction
Reconstruction is distinguished from restoration by the introduction of additional materials where loss has occurred. Reconstruction may be appropriate if it is essential to the function or understanding of a place, if sufficient physical and documentary evidence exists to minimise conjecture, and if surviving heritage valued are preserved. Reconstruction should not normally constitute the majority of a place. Generalised representations of typical features or structures should be avoided.

20. Adaptation
The conservation of a place of cultural heritage value is usually facilitated by it serving a socially, culturally or economically useful purpose. In some cases, alterations and additions amy be acceptable where they are essential to continued use, or where they are culturally desirable, or where the conservation of the place cannot otherwise be achieved. Any change, however, should be the minimum necessary and should not detract from the cultural heritage value of the place. Any conditions and alterations should be compatible with original fabric but should be sufficiently distinct that they can be read as new work.

21. Interpretation
Interpretation of a place may be appropriate if enhancement of public understanding is required. Relevant protocol should be complied with. Any interpretation should not compromise the values, appearance, structure or materials of a place, or intrude upon the experience of the place.

22. DEFINITIONS

For the purposes of this charter:

- **adaptation** means modifying a place to suit it to a compatible use, involving the least possible loss of cultural heritage value
- **conservation** means the processes of caring for a place so as to safeguard its cultural heritage value
- **cultural heritage value** means possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social, traditional or other special cultural significance, associated with human activity
- **maintenance** means the protective care of a place
- **material** means physical matter which is the product of human activity or has been modified by human activity
- **place** means any land, including land covered by water, and the airspace forming the spatial context to such land, including any landscape, traditional site or sacred place, and anything fixed to the land including any archaeological site, garden, building or structure, and any body of water, whether fresh or seawater, that forms part of the historical and cultural heritage of New Zealand
- **preservation** means maintaining a place with as little change as possible
- **reassembly** (*anastylosis*) means putting existing but dismembered parts back together
- **reconstruction** means to build again in the original form using old or new material
- **reinstatement** means putting components of earlier material back in position
- **repair** means making good decayed or damaged material
- **restoration** means returning a place as nearly as possible to a known earlier state by reassembly, reinstatement and/or the removal of extraneous additions
- **stabilisation** means the arrest of the processes of decay
- **structure** means any building, equipment, device or other facility made by people and which is fixed to the land.

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Convention for the Protection of the Architectural Heritage of Europe

Granada, 3.X.1985

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community entered into force on 1 December 2009. As a consequence, as from that date, any reference to the European Economic Community shall be read as the European Union.

Explanatory Report
Français

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose, *inter alia,* of safeguarding and realising the ideals and principles which are their common heritage;

Recognising that the architectural heritage constitutes an irreplaceable expression of the richness and diversity of Europe's cultural heritage, bears inestimable witness to our past and is a common heritage of all Europeans;

Having regard to the European Cultural Convention signed in Paris on 19 December 1954 and in particular to Article 1 thereof;

Having regard to the European Charter of the Architectural Heritage adopted by the Committee of Ministers of the Council of Europe on 26 September 1975 and to Resolution (76) 28, adopted on 14 April 1976, concerning the adaptation of laws and regulations to the requirements of integrated conservation of the architectural heritage;

Having regard to Recommendation 880 (1979) of the Parliamentary Assembly of the Council of Europe on the conservation of the European architectural heritage;

Having regard to Recommendation No. R (80) 16 of the Committee of Ministers to member States on the specialised training of architects, town planners, civil engineers and landscape designers, and to Recommendation No. R (81) 13 of the Committee of Ministers, adopted on 1 July 1981, on action in aid of certain declining craft trades in the context of the craft activity;

Recalling the importance of handing down to future generations a system of cultural references, improving the urban and rural environment and thereby fostering the economic, social and cultural development of States and regions;

Acknowledging the importance of reaching agreement on the main thrust of a common policy for the conservation and enhancement of the architectural heritage,

Have agreed as follows:

Definition of the architectural heritage

Article 1

For the purposes of this Convention, the expression "architectural heritage" shall be considered to comprise the following permanent properties:

1. monuments: all buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings;
2. groups of buildings: homogeneous groups of urban or rural buildings conspicuous for their historical, archaeological, artistic, scientific, social or technical interest which are sufficiently coherent to form topographically definable units;
3. sites: the combined works of man and nature, being areas which are partially built upon and sufficiently distinctive and homogeneous to be topographically definable and are of conspicuous historical, archaeological, artistic, scientific, social or technical interest.

Identification of properties to be protected

Article 2

For the purpose of precise identification of the monuments, groups of buildings and sites to be protected, each Party undertakes to maintain inventories and in the event of threats to the properties concerned, to prepare appropriate documentation at the earliest opportunity.

Statutory protection procedures

Article 3

Each Party undertakes:

1. to take statutory measures to protect the architectural heritage;
2. within the framework of such measures and by means specific to each State or region, to make provision for the protection of monuments, groups of buildings and sites.

Article 4

Each Party undertakes:

1. to implement appropriate supervision and authorisation procedures as required by the legal protection of the properties in question;
2. to prevent the disfigurement, dilapidation or demolition of protected properties. To this end, each Party undertakes to introduce, if it has not already done so, legislation which:
    a. requires the submission to a competent authority of any scheme for the demolition or alteration of monuments which are already protected, or in respect of which protection proceedings have been instituted, as well as any scheme affecting their surroundings;
    b. requires the submission to a competent authority of any scheme affecting a group of buildings or a part thereof or a site which involves:
        - demolition of buildings,
        - the erection of new buildings,
        - substantial alterations which impair the character of the buildings or the site;
    c. permits public authorities to require the owner of a protected property to carry out work or to carry out such work itself if the owner fails to do so;
    d. allows compulsory purchase of a protected property.

Article 5

Each Party undertakes to prohibit the removal, in whole or in part, of any protected monument, except where the material safeguarding of such monuments makes removal imperative. In these circumstances the competent authority shall take the necessary precautions for its dismantling, transfer and reinstatement at a suitable location.

Ancillary measures

Article 6

Each Party undertakes:

1. to provide financial support by the public authorities for maintaining and restoring the architectural heritage on its territory, in accordance with the national, regional and local competence and within the limitations of the budgets available;
2. to resort, if necessary, to fiscal measures to facilitate the conservation of this heritage;
3. to encourage private initiatives for maintaining and restoring the architectural heritage.

Article 7

In the surroundings of monuments, within groups of buildings and within sites, each Party undertakes to promote measures for the general enhancement of the environment.

Article 8

With a view to limiting the risks of the physical deterioration of the architectural heritage, each Party undertakes:

1. to support scientific research for identifying and analysing the harmful effects of pollution and for defining ways and means to reduce or eradicate these effects;
2. to take into consideration the special problems of conservation of the architectural heritage in anti-pollution policies.

Sanctions

Article 9

Each Party undertakes to ensure within the power available to it that infringements of the law protecting the architectural heritage are met with a relevant and adequate response by the competent authority. This response may in appropriate circumstances entail an obligation on the offender to demolish a newly erected building which fails to comply with the requirements or to restore a protected property to its former condition.

Conservation policies

Article 10

Each Party undertakes to adopt integrated conservation policies which:

1. include the protection of the architectural heritage as an essential town and country planning objective and ensure that this requirement is taken into account at all stages both in the drawing up of development plans and in the procedures for authorising work;

2. promote programmes for the restoration and maintenance of the architectural heritage;
3. make the conservation, promotion and enhancement of the architectural heritage a major feature of cultural, environmental and planning policies;
4. facilitate whenever possible in the town and country planning process the conservation and use of certain buildings whose intrinsic importance would not warrant protection within the meaning of Article 3, paragraph 1, of this Convention but which are of interest from the point of view of their setting in the urban or rural environment and of the quality of life;
5. foster, as being essential to the future of the architectural heritage, the application and development of traditional skills and materials.

Article 11

Due regard being had to the architectural and historical character of the heritage, each Party undertakes to foster:

- the use of protected properties in the light of the needs of contemporary life;
- the adaptation when appropriate of old buildings for new uses.

Article 12

While recognising the value of permitting public access to protected properties, each Party undertakes to take such action as may be necessary to ensure that the consequences of permitting this access, especially any structural development, do not adversely affect the architectural and historical character of such properties and their surroundings.

Article 13

In order to facilitiate the implementation of these policies, each Party undertakes to foster, within its own political and administrative structure, effective co-operation at all levels between conservation, cultural, environmental and planning activities.

Participation and associations

Article 14

With a view to widening the impact of public authority measures for the identification, protection, restoration, maintenance, management and promotion of the architectural heritage, each Party undertakes:

1. to establish in the various stages of the decision-making process, appropriate machinery for the supply of information, consultation and co-operation between the State, the regional and local authorities, cultural institutions and associations, and the public;
2. to foster the development of sponsorship and of non-profit-making associations working in this field.

Information and training

Article 15

Each Party undertakes:

1. to develop public awareness of the value of conserving the architectural heritage, both as an element of cultural identity and as a source of inspiration and creativity for present and future generations;
2. to this end, to promote policies for disseminating information and fostering

increased awareness, especially by the use of modern communication and promotion techniques, aimed in particular:

a. at awakening or increasing public interest, as from school-age, in the protection of the heritage, the quality of the built environment and architecture;
b. at demonstrating the unity of the cultural heritage and the links that exist between architecture, the arts, popular traditions and ways of life at European, national and regional levels alike.

Article 16

Each Party undertakes to promote training in the various occupations and craft trades involved in the conservation of the architectural heritage.

European co-ordination of conservation policies

Article 17

The Parties undertake to exchange information on their conservation policies concerning such matters as:

1. the methods to be adopted for the survey, protection and conservation of properties having regard to historic developments and to any increase in the number of properties concerned;
2. the ways in which the need to protect the architectural heritage can best be reconciled with the needs of contemporary economic, social and cultural activities;
3. the possibilities afforded by new technologies for identifying and recording the architectural heritage and combating the deterioration of materials as well as in the fields of scientific research, restoration work and methods of managing and promoting the heritage;
4. ways of promoting architectural creation as our age's contribution to the European heritage.

Article 18

The Parties undertake to afford, whenever necessary, mutual technical assistance in the form of exchanges of experience and of experts in the conservation of the architectural heritage.

Article 19

The Parties undertake, within the framework of the relevant national legislation, or the international agreements, to encourage European exchanges of specialists in the conservation of the architectural heritage, including those responsible for further training.

Article 20

For the purposes of this Convention, a Committee of Experts set up by the Committee of Ministers of the Council of Europe pursuant to Article 17 of the Statute of the Council of Europe shall monitor the application of the Convention and in particular:

1. report periodically to the Committee of Ministers of the Council of Europe on the situation of architectural heritage conservation policies in the States Parties to the Convention, on the implementation of the principles embodied in the Convention and on its own activities;
2. propose to the Committee of Ministers of the Council of Europe measures for the implementation of the Convention's provisions, such measures being deemed to

include multilateral activities, revision or amendment of the Convention and public information about the purpose of the Convention;
3. make recommendations to the Committee of Ministers of the Council of Europe regarding invitations to States which are not members of the Council of Europe to accede to this Convention.

Article 21

The provisions of this Convention shall not prejudice the application of such specific more favourable provisions concerning the protection of the properties described in Article 1 as are embodied in:

- the Convention for the Protection of World Cultural and Natural Heritage of 16 November 1972;
- the European Convention on the Protection of the Archaeological Heritage of 6 May 1969.

Final clauses

Article 22

1. This Convention shall be open for signature by the member States of the Council of Europe. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.
2. This Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date on which three member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of the preceding paragraph.
3. In respect of any member State which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 23

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite any State not a member of the Council and the European Economic Community to accede to this Convention by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee.
2. In respect of any acceding State or, should it accede, the European Economic Community, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 24

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.
2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General.
3. Any declaration made under the two preceding paragraphs may, in respect of any

territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of such notification by the Secretary General.

Article 25

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it reserves the right not to comply, in whole or in part, with the provisions of Article 4, paragraphs c and d. No other reservations may be made.
2. Any Contracting State which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall take effect on the date of receipt of such notification by the Secretary General.
3. A Party which has made a reservation in respect of the provisions mentioned in paragraph 1 above may not claim the application of that provision by any other Party; it may, however, if its reservation is partial or conditional, claim the application of that provision in so far as it has itself accepted it.

Article 26

1. Any Party may at any time denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
2. Such denunication shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of such notification by the Secretary General.

Article 27

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, any State which has acceded to this Convention and the European Economic Community if it has acceded, of:

a. any signature;
b. the deposit of any instrument of ratification, acceptance, approval or accession;
c. any date of entry into force of this Convention in accordance with Articles 22, 23 and 24;
d. any other act, notification or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Granada, this 3rd day of October 1985, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe and to any State or to the European Economic Community invited to accede to this Convention.

European Charter of the Architectural Heritage

Adopted by the Council of Europe, October 1975

INTRODUCTION

Thanks to the Council of Europe's initiative in declaring 1975 European Architectural Year, considerable efforts were made in every European country to make the public more aware of the irreplaceable cultural, social and economic values represented by historic monuments, groups of old buildings and interesting sites in both town and country.

It was important to co-ordinate all these efforts at the European level, to work out a joint approach to the subject and, above all, to forge a common language to state the general principles on which concerted action by the authorities responsible and the general public must be based.

It was with this intention that the Council of Europe drafted the Charter which appears below.

It is, of course, not sufficient simply to formulate principles; they must also be applied.

In future, the Council of Europe will devote its efforts to a thorough study of ways and means of applying the principles in each different country, the steady improvement of existing laws and regulations and the development of vocational training in this field.

The European Charter of the Architectural Heritage has been adopted by the Committee of Ministers of the Council of Europe and was solemnly proclaimed at the Congress on the European Architectural Heritage held in Amsterdam from 21 to 25 October 1975.

The Committee of Ministers,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage;

Considering that the member states of the Council of Europe which have adhered to the European Cultural Convention of 19 December 1954 committed themselves, under Article 1 of that convention, to take appropriate measures to safeguard and to encourage the development of their national contributions to the common cultural heritage of Europe;

Recognizing that the architectural heritage, an irreplaceable expression of the wealth and diversity of European culture, is shared by all people and that all the European States must show real solidarity in preserving that heritage;

Considering that the future of the architectural heritage depends largely upon its integration into the context of people's lives and upon the weight given to it in regional and town planning and development schemes;

Having regard to the Recommendation of the European Conference of Ministers responsible for the preservation and rehabilitation of the cultural heritage of monuments and sites held in Brussels in 1969, and to Recommendation 589 (1970) of the Consultative Assembly of the Council of Europe calling for a charter relating to the architectural heritage;

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Asserts its determination to promote a common European policy and concerted action to protect the architectural heritage based on the principles of integrated conservation;

Recommends that the governments of member states should take the necessary legislative, administrative, financial and educational steps to implement a policy of integrated conservation for the architectural heritage, and to arouse public interest in such a policy, taking into account the results of the European Architectural Heritage Year campaign organized in 1975 under the auspices of the Council of Europe;

Adopts and proclaims the principles of the following charter, drawn up by the Council of Europe Committee on Monuments and Sites:

1. *The European architectural heritage consists not only of our most important monuments: it also includes the groups of lesser buildings in our old towns and characteristic villages in their natural or manmade settings*.

For many years, only major monuments were protected and restored and then without reference to their surroundings. More recently it was realized that, if the surroundings are impaired, even those monuments can lose much of their character.

Today it is recognized that entire groups of buildings, even if they do not include any example of outstanding merit, may have an atmosphere that gives them the quality of works of art, welding different periods and styles into a harmonious whole. Such groups should also be preserved.

The architectural heritage is an expression of history and helps us to understand the relevance of the past to contemporary life.

2. *The past as embodied in the architectural heritage provides the sort of environment indispensable to a balanced and complete life.*

In the face of a rapidly changing civilization, in which brilliant successes are accompanied by grave perils, people today have an instinctive feeling for the value of this heritage.

This heritage should be passed on to future generations in its authentic state and in all its variety as an essential part of the memory of the human race. Otherwise, part of man's awareness of his own continuity will be destroyed.

3. *The architectural heritage is a capital of irreplaceable spiritual, cultural, social and economic value.*

Each generation places a different interpretation on the past and derives new inspiration from it. This capital has been built up over the centuries; the destruction of any part of it leaves us poorer since nothing new that we create, however fine, will make good the loss.

Our society now has to husband its resources. Far from being a luxury this heritage is an economic asset which can be used to save community resources.

4. *The structure of historic centres and sites is conducive to a harmonious social balance.*

By offering the right conditions for the development of a wide range of activities our old

towns and villages favoured social integration. They can once again lend themselves to a beneficial spread of activities and to a more satisfactory social mix.

5. *The architectural heritage has an important part to play in education.*

The architectural heritage provides a wealth of material for explaining and comparing forms and styles and their applications. Today when visual appreciation and first-hand experience play a decisive role in education, it is essential to keep alive the evidence of different periods and their achievements.

The survival of this evidence will be assured only if the need to protect it is understood by the greatest number, particularly by the younger generation who will be its future guardians.

6. *This heritage is in danger.*

It is threatened by ignorance, obsolescence, deterioration of every kind and neglect. Urban planning can be destructive when authorities yield too readily to economic pressures and to the demands of motor traffic. Misapplied contemporary technology and ill-considered restoration may be disastrous to old structures. Above all, land and property speculation feeds upon all errors and omissions and brings to nought the most carefully laid plans.

7. *Integrated conservation averts these dangers.*

Integrated conservation is achieved by the application of sensitive restoration techniques and the correct choice of appropriate functions. In the course of history the hearts of towns and sometimes villages have been left to deteriorate and have turned into areas of substandard housing. Their deterioration must be undertaken in a spirit of social justice and should not cause the departure of the poorer inhabitants. Because of this, conservation must be one of the first considerations in all urban and regional planning.

It should be noted that integrated conservation does not rule out the introduction of modern architecture into areas containing old buildings provided that the existing context, proportions, forms, sizes and scale are fully respected and traditional materials are used.

8. *Integrated conservation depends on legal, administrative, financial and technical support.*

Legal

Integrated conservation should make full use of all existing laws and regulations that can contribute to the protection and preservation of the architectural heritage. Where such laws and regulations are insufficient for the purpose they should be supplemented by appropriate legal instruments at national, regional and local levels.

Administrative

In order to carry out a policy of integrated conservation, properly staffed administrative services should be established.

Financial

Where necessary the maintenance and restoration of the architectural heritage and individual parts thereof should be encouraged by suitable forms of financial aid and incentives, including tax measures.

It is essential that the financial resources made available by public authorities for the restoration of historic centres should be at least equal to those allocated for new construction.

Technical

There are today too few architects, technicians of all kinds, specialized firms and skilled craftsmen to respond to all the needs of restoration.

It is necessary to develop training facilities and increase prospects of employment for the relevant managerial, technical and manual skills. The building industry should be urged to adapt itself to these needs. Traditional crafts should be fostered rather than allowed to die out.

9. *Integrated conservation cannot succeed without the cooperation of all.*

Although the architectural heritage belongs to everyone, each of its parts is nevertheless at the mercy of any individual.

The public should be properly informed because citizens are entitled to participate in decisions affecting their environment.

Each generation has only a life interest in this heritage and is responsible for passing it on to future generations.

10. *The european architectural heritage is the common property of our continent.*

Conservation problems are not peculiar to any one country. They are common to the whole of Europe and should be dealt with in a coordinated manner. It lies with the Council of Europe to ensure that member states pursue coherent policies in a spirit of solidarity.

World Heritage 15 GA

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UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

FIFTEENTH GENERAL ASSEMBLY OF STATES PARTIES
TO THE CONVENTION CONCERNING THE PROTECTION
OF THE WORLD CULTURAL AND NATURAL HERITAGE

Paris, UNESCO Headquarters, Room IV
10-11 October 2005

Item 7 of the Provisional Agenda: Adoption of a Declaration on the Conservation of Historic Urban Landscapes

Vienna Memorandum on "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" and Decision 29 COM 5D

SUMMARY

This document contains the Vienna Memorandum adopted by the International Conference "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" held from 12 to 14 May 2005 in Vienna, Austria, under the patronage of UNESCO and welcomed by the 29th session of the World Heritage Committee (Durban, 2005) (Decision **29 COM 5D**, see Point II).

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I. Vienna Memorandum

The following document presents the Memorandum adopted by the International Conference on "World Heritage and Contemporary Architecture – Managing the Historic Urban Landscape" as it was presented to the 29th session of the World Heritage Committee (Durban, 2005) (see Document *WHC-05/29.COM/5)*:

VIENNA MEMORANDUM

on

"World Heritage and Contemporary Architecture – Managing the Historic Urban Landscape"

A. PREAMBLE

1. Recalling that the *Vienna Memorandum* is the result of an international conference on the subject of "World Heritage and Contemporary Architecture", which was requested by the World Heritage Committee at its 27th session (UNESCO, 2003) (Decision **27 COM 7B.108**) and held from 12 to 14 May 2005 in Vienna, Austria, under the patronage of UNESCO and attended by more than 600 experts and professionals from 55 countries;

2. Bearing in mind the scope of UNESCO's Convention concerning the Protection of the World Cultural and Natural Heritage (*World Heritage Convention*, 1972), and recalling its Articles 4 and 5, striving for global collaboration and the need for global discussions on the subject of the strong economic dynamic and recent structural changes in cities inscribed on UNESCO's World Heritage List;

3. Further recalling that sites are inscribed on the World Heritage List on the basis of the Statement of Outstanding Universal Value and that the preservation of this value should be at the centre of any conservation policy and management strategy;

4. Considering in particular the 1964 "International Charter for the Conservation and Restoration of Monuments and Sites" (Venice Charter), the 1968 "UNESCO Recommendation concerning the Preservation of Cultural Property endangered by Public or Private works", the 1976 "UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas", the 1982 ICOMOS-IFLA "International Charter for Historic Gardens" (Florence Charter), the 1987 ICOMOS "Charter for the Conservation of Historic Towns and Urban Areas" (Washington Charter), the 1994 Nara Document on Authenticity, as well as the

HABITAT II Conference and Agenda 21, which was ratified by Member States in Istanbul (Turkey) in June 1996;

5. Desiring that the *Vienna Memorandum* be seen, within the continuum of these afore-mentioned documents and the current debate on the sustainable conservation of monuments and sites, as a key statement for an integrated approach linking contemporary architecture, sustainable urban development and landscape integrity based on existing historic patterns, building stock and context.

B. DEFINITIONS

6. The present Memorandum refers to historic cities already inscribed or proposed for inscription on the UNESCO World Heritage List, as well as to larger cities that have World Heritage monuments and sites within their urban territories.

7. The historic urban landscape, building on the 1976 "UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas", refers to ensembles of any group of buildings, structures and open spaces, in their natural and ecological context, including archaeological and palaeontological sites, constituting human settlements in an urban environment over a relevant period of time, the cohesion and value of which are recognized from the archaeological, architectural, prehistoric, historic, scientific, aesthetic, socio-cultural or ecological point of view. This landscape has shaped modern society and has great value for our understanding of how we live today.

8. The historic urban landscape is embedded with current and past social expressions and developments that are place-based. It is composed of character-defining elements that include land uses and patterns, spatial organization, visual relationships, topography and soils, vegetation, and all elements of the technical infrastructure, including small scale objects and details of construction (curbs, paving, drain gutters, lights, etc.).

9. Contemporary architecture in the given context is understood to refer to all significant planned and designed interventions in the built historic environment, including open spaces, new constructions, additions to or extensions of historic buildings and sites, and conversions.

10. The expanding notion of cultural heritage in particular over the last decade, which includes a broader interpretation leading to recognition of human coexistence with the land and human beings in society, requires new approaches to and methodologies for urban conservation and development in a territorial context. The international charters and recommendations have not yet fully integrated this evolution.

11. The *Vienna Memorandum* focuses on the impact of contemporary development on the overall urban landscape of heritage significance, whereby the notion of

historic urban landscape goes beyond traditional terms of “historic centres”, “ensembles” or “surroundings”, often used in charters and protection laws, to include the broader territorial and landscape context.

12. The historic urban landscape acquires its exceptional and universal significance from a gradual evolutionary, as well as planned territorial development over a relevant period of time through processes of urbanization, incorporating environmental and topographic conditions and expressing economic and socio-cultural values pertaining to societies. As such, protection and conservation of the historic urban landscape comprises the individual monuments to be found in protection registers, as well as ensembles and their significant connections, physical, functional and visual, material and associative, with the historic typologies and morphologies.

C. PRINCIPLES and AIMS

13. Continuous changes in functional use, social structure, political context and economic development that manifest themselves in the form of structural interventions in the inherited historic urban landscape may be acknowledged as part of the city's tradition, and require a vision on the city as a whole with forward-looking action on the part of decision-makers, and a dialogue with the other actors and stakeholders involved.

14. The central challenge of contemporary architecture in the historic urban landscape is to respond to development dynamics in order to facilitate socio-economic changes and growth on the one hand, while simultaneously respecting the inherited townscape and its landscape setting on the other. Living historic cities, especially World Heritage cities, require a policy of city planning and management that takes conservation as one key point for conservation. In this process, the historic city’s authenticity and integrity, which are determined by various factors, must not be compromised.

15. The future of our historic urban landscape calls for mutual understanding between policy makers, urban planners, city developers, architects, conservationists, property owners, investors and concerned citizens, working together to preserve the urban heritage while considering the modernization and development of society in a culturally and historic sensitive manner, strengthening identity and social cohesion.

16. Taking into account the emotional connection between human beings and their environment, their sense of place, it is fundamental to guarantee an urban environmental quality of living to contribute to the economic success of a city and to its social and cultural vitality.

17. A central concern of physical and functional interventions is to enhance quality of life and production efficiency by improving living, working and recreational

conditions and adapting uses without compromising existing values derived from the character and significance of the historic urban fabric and form. This means not only improving technical standards, but also a rehabilitation and contemporary development of the historic environment based upon a proper inventory and assessment of its values, as well as adding high-quality cultural expressions.

D. GUIDELINES for CONSERVATION MANAGEMENT

18. Decision-making for interventions and contemporary architecture in a historic urban landscape demand careful consideration, a culturally and historic sensitive approach, stakeholder consultations and expert know-how. Such a process allows for adequate and proper action for individual cases, examining the spatial context between old and new, while respecting the authenticity and integrity of historic fabric and building stock.

19. A deep understanding of the history, culture and architecture of *place*, as opposed to object buildings only, is crucial to the development of a conservation framework and single architectural commissions should be informed by urbanism and its tools for analyses of typologies and morphologies.

20. An essential factor in the planning process is a timely recognition and formulation of opportunities and risks, in order to guarantee a well-balanced development and design process. The basis for all structural interventions is a comprehensive survey and analysis of the historic urban landscape as a way of expressing values and significance. Investigating the long-term effects and sustainability of the planned interventions is an integral part of the planning process and aims at protecting the historic fabric, building stock and context.

21. Taking into account the basic definition (according to Article 7 of this Memorandum), urban planning, contemporary architecture and preservation of the historic urban landscape should avoid all forms of pseudo-historical design, as they constitute a denial of both the historical and the contemporary alike. One historical view should not supplant others, as history must remain readable, while continuity of culture through quality interventions is the ultimate goal.

E. GUIDELINES FOR URBAN DEVELOPMENT

22. Ethic standards and a demand for high-quality design and execution, sensitive to the cultural-historic context, are prerequisites for the planning process. Architecture of quality in historic areas should give proper consideration to the given scales, particularly with reference to building volumes and heights. It is important for new development to minimize direct impacts on important historic elements, such as significant structures or archaeological deposits.

23. Spatial structures in and around historic cities are to be enhanced through urban design and art as they are key elements of the renaissance of historic cities: urban design and art express their specific historical, social and economic components and transmit them to forthcoming generations.

24. Preservation of World Heritage sites also involves the design of public space: particular attention is to be paid to functionality, scale, materials, lighting, street furniture, advertising, and vegetation, to name a few. Urban planning infrastructure in heritage zones must include all measures to respect the historic fabric, building stock and context, and to mitigate the negative effects of traffic circulation and parking.

25. Townscapes, roofscapes, main visual axes, building plots and types are integral parts of the identity of the historic urban landscape. With regard to renewal, the historic roofscape and the original building plots serve as the basis for planning and design.

26. As a general principle, proportion and design must fit into the particular type of historic pattern and architecture, while removing the core of building stock worthy of protection ("façadism") does not constitute an appropriate mean of structural intervention. Special care should be taken to ensure that the development of contemporary architecture in World Heritage cities is complementary to values of the historic urban landscape and remains within limits in order not to compromise the historic nature of the city.

F. WAYS AND MEANS

27. Management of the dynamic changes and developments in World Heritage historic urban landscapes encompasses precise knowledge of the territory and its elements of heritage significance identified through scientific methods of inventory, the relevant laws, regulations, tools and procedures, which are formalized in a Management Plan, according to the *Operational Guidelines for the Implementation of the World Heritage Convention*.

28. The development and implementation of a Management Plan for historic urban landscapes requires the participation of an interdisciplinary team of experts and professionals, as well as timely initiation of comprehensive public consultation.

29. Quality management of the historic urban landscape aims at permanent preservation and improvement of spatial, functional and design-related values. In this respect, special emphasis is to be placed on the contextualization of contemporary architecture in the historic urban landscape and Cultural or Visual Impact Assessment studies should accompany proposals for contemporary interventions.

30. Economic aspects of urban development should be bound to the goals of long-term heritage preservation.

31. Historic buildings, open spaces and contemporary architecture contribute significantly to the value of the city by branding the city's character. Contemporary architecture can be a strong competitive tool for cities as it attracts residents, tourists, and capital. Historic and contemporary architecture constitute an asset to local communities, which should serve educational purposes, leisure, tourism, and secure market value of properties.

G. RECOMMENDATIONS

32. The following considerations are directed to the World Heritage Committee and UNESCO:

a) With regard to historic urban areas already inscribed on the World Heritage List, the concept of the historic urban landscape and the recommendations expressed in this Memorandum need to be taken into account when reviewing any potential or ascertained impact on the integrity of a World Heritage property. These principles should be enhanced by plans which delineate the specific measures to be taken for the protection of the historic urban landscape.

b) When considering the inscription of new properties and sites of historic urban areas on the World Heritage List, it is recommended that the concept of the historic urban landscape be included in the nomination and evaluation process.

c) UNESCO is invited to study the possibility for formulating a new recommendation to complement and update the existing ones on the subject of historic urban landscapes, with special reference to the contextualization of contemporary architecture which should be submitted, at a future date, to the General Conference of UNESCO.

(20 May 2005)

II. Decision adopted by the 29th session of the World Heritage Committee (Durban, 2005)

Decision 29 COM 5D

The World Heritage Committee,

1. Having examined Annex 2 of Document ***WHC-05/29.COM/5,***
2. Expresses its sincere appreciation to the State Party of Austria, the City of Vienna, the World Heritage Centre, ICOMOS and ICCROM, and to the partner organizations: Organization of World Heritage Cities (OWHC), International federation of Landscape Architects (IFLA), International Union of Architects (IUA) and International Federation for Housing and Planning (IFHP), for their successful collaboration in the organisation of the international conference on "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" (Vienna, 12 -14 May 2005);
3. Takes note of the report and welcomes the Vienna Memorandum adopted at the above-mentioned international conference;
4. Encourages States Parties to integrate the notion of historic urban landscape in nomination proposals and in the elaboration of management plans of properties nominated for inscription on the World Heritage List;
5. Also encourages States Parties to integrate the principles expressed in the Vienna Memorandum into their heritage conservation policies;
6. Requests the Advisory Bodies and the World Heritage Centre to take into account the conservation of the historic urban landscape when reviewing any potential impact on the integrity of an existing World Heritage property, and during the nomination evaluation process of new sites;
7. Recommends that the General Assembly of States Parties to the *Convention* at its 15th session (UNESCO, 2005) adopt, on the basis of the Vienna Memorandum, a Declaration on the Conservation of Historic Urban Landscapes;
8. Also recommends that the General Conference of UNESCO adopt a new recommendation to complement and update the existing ones on the subject of conservation of historic urban landscapes, with special reference to the need to link contemporary architecture to the urban historic context.

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Resolutions of the Symposium on the introduction of contemporary architecture into ancient groups of buildings, at the 3rd ICOMOS General Assembly.

The International Symposium on the introduction of contemporary architecture into ancient groups of buildings, meeting in Budapest on 27th and 28th June 1972, at the time of the Third General Assembly of the International Council on Monuments and Sites,

Expresses its heartiest thanks and congratulations to the Hungarian National Committee of ICOMOS and to the Hungarian Government, by whom it has been so warmly and efficiently received, and

After hearing the contents both of the papers presented during its sessions on questions of doctrine and on certain significant achievements, and of the subsequent discussions,

Recognizing that, at the present state of development of civilization, technological and economic questions unduly divert attention from human and social values, that the increasingly rapid growth of towns renders it urgently necessary for systematic provision to be made for the environment of daily life and for the preservation of historic monuments and groups of buildings, and that such preservation, which thus becomes vital, is feasible only if the latter are made to play an active part in contemporary life,

Considering that groups of buildings of historical interest forma fundamental part of the human environment, that architecture is necessarily the expression of its age, that its development is continuous, and that its past, present and future expression must be treated as a whole, the harmony of which must be constantly preserved, and that any historical monument or complex of buildings possesses an intrinsic value independently of its initial role and significance which enables it to adapt itself to a changing cultural, social, economic and political context while fully retaining its structure and character.

Hereby adopts the following conclusions:

1. The introduction of contemporary architecture into ancient groups of buildings is feasible in so far as the town-planning scheme of which it is a part involves acceptance of the existing fabric as the framework for its own future development.

2. Such contemporary architecture, making deliberate use of present-day techniques and materials, will fit itself into an ancient setting without affecting the structural and aesthetic qualities of the latter only in so far as due allowance is made for the appropriate use of mass, scale, rhythm and appearance.

3. The authenticity of historical monuments or groups of buildings must be taken as a basic criterion and there must be avoidance of any imitations which would affect their artistic and historical value.

4. The revitalization of monuments and groups of buildings by the finding of new uses for them is legitimate and recommendable provided such uses affect, whether externally or internally, neither their structure nor their character as complete entities.

And recommends that there be held regular discussion meetings on the harmonious introduction of contemporary architecture into ancient groups of buildings at which codes of procedure and achievements in this field may be examined in the light of the above conclusions.

Budapest, 30th June 1972.

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CHARTER ON THE BUILT VERNACULAR HERITAGE
(*1999*)

Ratified by the ICOMOS 12th General Assembly, in Mexico, October 1999

INTRODUCTION

The built vernacular heritage occupies a central place in the affection and pride of all peoples. It has been accepted as a characteristic and attractive product of society. It appears informal, but nevertheless orderly. It is utilitarian and at the same time possesses interest and beauty. It is a focus of contemporary life and at the same time a record of the history of society. Although it is the work of man it is also the creation of time. It would be unworthy of the heritage of man if care were not taken to conserve these traditional harmonies which constitute the core of man's own existence.

The built vernacular heritage is important; it is the fundamental expression of the culture of a community, of its relationship with its territory and, at the same time, the expression of the world's cultural diversity.

Vernacular building is the traditional and natural way by which communities house themselves. It is a continuing process including necessary changes and continuous adaptation as a response to social and environmental constraints. The survival of this tradition is threatened world-wide by the forces of economic, cultural and architectural homogenisation. How these forces can be met is a fundamental problem that must be addressed by communities and also by governments, planners, architects, conservationists and by a multidisciplinary group of specialists.

Due to the homogenisation of culture and of global socio-economic transformation, vernacular structures all around the world are extremely vulnerable, facing serious problems of obsolescence, internal equilibrium and integration.

It is necessary, therefore, in addition to the Venice Charter, to establish principles for the care and protection of our built vernacular heritage.

GENERAL ISSUES

1. Examples of the vernacular may be recognised by:

a) A manner of building shared by the community;

b) A recognisable local or regional character responsive to the environment;

c) Coherence of style, form and appearance, or the use of traditionally established building types;

d) Traditional expertise in design and construction which is transmitted informally;

e) An effective response to functional, social and environmental constraints;

f) The effective application of traditional construction systems and crafts.

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2. The appreciation and successful protection of the vernacular heritage depend on the involvement and support of the community, continuing use and maintenance.

3. Governments and responsible authorities must recognise the right of all communities to maintain their living traditions, to protect these through all available legislative, administrative and financial means and to hand them down to future generations.

PRINCIPLES OF CONSERVATION

1. The conservation of the built vernacular heritage must be carried out by multidisciplinary expertise while recognising the inevitability of change and development, and the need to respect the community's established cultural identity.

2. Contemporary work on vernacular buildings, groups and settlements should respect their cultural values and their traditional character.

3. The vernacular is only seldom represented by single structures, and it is best conserved by maintaining and preserving groups and settlements of a representative character, region by region.

4. The built vernacular heritage is an integral part of the cultural landscape and this relationship must be taken into consideration in the development of conservation approaches.

5. The vernacular embraces not only the physical form and fabric of buildings, structures and spaces, but the ways in which they are used and understood, and the traditions and the intangible associations which attach to them.

GUIDELINES IN PRACTICE

1. Research and documentation

Any physical work on a vernacular structure should be cautious and should be preceded by a full analysis of its form and structure. This document should be lodged in a publicly accessible archive.

2. Siting, landscape and groups of buildings

Interventions to vernacular structures should be carried out in a manner which will respect and maintain the integrity of the siting, the relationship to the physical and cultural landscape, and of one structure to another.

3. Traditional building systems

The continuity of traditional building systems and craft skills associated with the vernacular is fundamental for vernacular expression, and essential for the repair and restoration of these structures. Such skills should be retained, recorded and passed on to new generations of craftsmen and builders in education and training.

4. Replacement of materials and parts

Alterations which legitimately respond to the demands of contemporary use should be effected by the introduction of materials which maintain a consistency of expression, appearance, texture and form throughout the structure and a consistency of building materials.

5. Adaptation

Adaptation and reuse of vernacular structures should be carried out in a manner which will respect the integrity of the structure, its character and form while being compatible with acceptable standards of living. Where there is no break in the continuous utilisation of vernacular forms, a code of ethics within the community can serve as a tool of intervention.

6. Changes and period restoration

Changes over time should be appreciated and understood as important aspects of vernacular architecture. Conformity of all parts of a building to a

single period, will not normally be the goal of work on vernacular structures.

7. Training

In order to conserve the cultural values of vernacular expression, governments, responsible authorities, groups and organisations must place emphasis on the following:

a) Education programmes for conservators in the principles of the vernacular;

b) Training programmes to assist communities in maintaining traditional building systems, materials and craft skills;

c) Information programmes which improve public awareness of the vernacular especially amongst the younger generation.

d) Regional networks on vernacular architecture to exchange expertise and experiences.

CIAV:

Madrid, January 30, 1996,

Jerusalem, March 28, 1996

Mikkeli, February 26, 1998.

Santo Domingo, August 26, 1998.

ICOMOS: Stockholm, September 10, 1998.

Recommendation concerning the International Exchange of Cultural Property

26 November 1976

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

Recalling that cultural property constitutes a basic element of civilization and national culture,

Considering that the extension and promotion of cultural exchanges directed towards a fuller mutual knowledge of achievements in various fields of culture, will contribute to the enrichment of the cultures involved, with due appreciation of the distinctive character of each and of the value of the cultures of other nations making up the cultural heritage of all mankind,

Considering that the circulation of cultural property, when regulated by legal, scientific and technical conditions calculated to prevent illicit trading in and damage to such property, is a powerful means of promoting mutual understanding and appreciation among nations,

Considering that the international circulation of cultural property is still largely dependent on the activities of self-seeking parties and so tends to lead to speculation which causes the price of such property to rise, making it inaccessible to poorer countries and institutions while at the same time encouraging the spread of illicit trading,

Considering that, even when the motives behind the international circulation of this property are disinterested, the action taken usually results in unilateral services, such as short-term loans, deposits under medium- or longterm arrangements, or donations,

Considering that such unilateral operations are still limited in number and restricted in range, both because of their cost and because of the variety of complexity of the relevant regulations and practices,

Considering that, while it is highly desirable to encourage such operations, by reducing or removing the obstacles to their extension, it is also vitally important to promote operations based on mutual confidence which would enable all institutions to deal with each other on an equal footing,

Considering that many cultural institutions, whatever their financial resources, possess several identical or similar specimens of cultural objects of indis-putable quality and origin which are amply documented, and that some of these items, which are of only minor or secondary importance for these institutions because of their plurality, would be welcomed as valuable accessions by institutions in other countries,

Considering that a systematic policy of exchanges among cultural institutions, by which each would part with its surplus items in return for objects that it lacked, would not only be enriching to all parties but would also lead to a better use of the international community's cultural heritage which is the sum of all the national heritages,

Recalling that this policy of exchanges has already been recommended in various international agreements concluded as a result of UNESCO's work,

Noting that, on these points, the effects of the above-mentioned instruments have remained limited, and that, generally speaking, the practice of exchanges between disinterested cultural institutions is not widespread, while such operations as do take place are frequently confidential or unpublicized,

Considering that it is consequently necessary to develop simultaneously not only the unilateral operations of loans, deposits or donations but also bio multilateral exchanges,

Having before it proposals concerning the international exchange of cultural property which appears on the agenda of the session as item 26,

Having decided, at its eighteenth session, that this question should take the form of a Recommendation to Member States,

Adopts, this twenty-sixth day of November 1976, the present Recommendation.

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required in conformity with the constitutional system or practice of each State, to give effect

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within their respective territories to the principles formulated in this Recommendation.

The General Conference recommends that Member States should bring this Recommendation to the attention of the appropriate authorities and bodies.

The General Conference recommends that Member States should submit to it, by dates and in the form to be decided upon by the Conference, reports concerning the action taken by them in pursuance of this Recommendation.

I. Definitions

1. For the purposes of this Recommendation:

`cultural institution' shall be taken to mean any permanent establishment administered in the general interest for the purpose of preserving, studying and enhancing cultural property and making it accessible to the public and which is licensed or approved by the competent public authorities of each State;

`cultural property' shall be taken to mean items which are the expression and testimony of human creation and of the evolution of nature which, in the opinion of the competent bodies in individual States, are, or may- be, of historical, artistic, scientific or technical value and interest, including items in the following categories:

(a) zoological, botanical and geological specimens ;
(b) archaeological objects;
(c) objects and documentation of ethnological interest;
(d) works of fine art and of the applied arts;
(e) literary, musical, photographic and cinematographic works ;
(f) archives and documents;

`international exchange' shall be taken to mean any transfer of ownership, use or custody of cultural property between States or cultural institutions in different countries-whether it takes the form of the loan, deposit, sale or donation of such property-carried out under such conditions as may be agreed between the parties concerned.

II. Measures recommended

2. Bearing in mind that all cultural property forms part of the common cultural heritage of mankind and that every State has a responsibility in this respect, not only towards its own nationals but also towards the international community as a whole, Member States should adopt within the sphere of their competence, the following measures to develop the circulation of cultural property among cultural institutions in different countries in co-operation with regional and local authorities as may be required.

3. Member States, in accordance with the legislation and the constitutional system or practice and the particular circumstances of their respective countries, should adapt existing statutes or regulations or adopt new legislation or regulations regarding inheritance, taxation and customs duties and take all other necessary measures in order to make it possible or easier to carry out the following operations solely for the purposes of international exchanges of cultural property between cultural institutions:

(a) definitive or temporary import or export as well as transit of cultural property ;

(b) transfer of ownership or derestriction of cultural property belonging to a public body or a cultural institution.

4. Member States should foster, if they deem it advisable, the establishment either under their direct authority or through cultural institutions of files of requests for and offers of exchanges of cultural property made available for international exchange.

5. Offers of exchange should be entered in the files only when it has been established that the legal status of the items concerned conforms to national law and that the offering institution has legal title for this purpose.

6. Offers of exchanges should include full scientific, technical and, if requested, legal documentation calculated to ensure the most favourable conditions for the cultural utilization, the conservation and, where appropriate, the restoration of the items in question.

7. Exchange agreements should include an indication that the recipient institution is prepared to take all necessary measures of conservation for the proper protection of the cultural property involved.

8. Consideration should be given to the granting of additional financial assistance to cultural institutions, or to the setting aside of part of the existing levels of financial assistance, to facilitate the carrying out of international exchanges.

9. Member States should give special attention to the problem of covering the risks to which cultural property is exposed throughout the duration of loans, including the period spent in transport, and should, in particular, study the possibility of introducing government guarantee and compensation systems for the loan of objects of great value, such as those which already exist in certain countries.

10. Member States, in accordance with their constitutional practice, should examine the possibility of entrusting to appropriate specialized bodies the task of co-ordinating the various operations involved in the international exchange of cultural property.

III. International co-operation

11. With the assistance of all competent organizations, whether regional, national or international, intergovernmental or non-governmental, and in accordance with their constitutional practice, Member States should launch an extensive campaign of information and encouragement aimed at cultural institutions in all countries and at the professional staff of all categories-administrative, academic and scientific-

who are in charge of the national cultural property, at the national or regional level, drawing their attention to the important contribution which can be made to the promotion of a better mutual understanding of all peoples by developing all forms of international circulation of cultural property and encouraging them to participate in such exchanges.

12. This campaign should cover the following points in particular:

(1) cultural institutions having already concluded agreements on the international circulation of cultural property should be invited to publicize all provisions which are of a general nature and could thus serve as a model, but not provisions of a special nature such as the description of the particular items in question, their evaluation or other specific technical details;

(2) the competent specialized organizations, and particularly the International Council of Museums, should produce or enlarge one or more practical handbooks describing every possible form of circulation of cultural property and emphasizing their specific features. These handbooks should include model contracts, including insurance contracts, for every possible type of agreement. With the help of the competent national authorities, the handbooks should be widely distributed to all the professional organizations involved in the various countries ;

(3) in order to facilitate the preparatory studies for the conclusion of exchange agreements, the following should be widely distributed in all countries:

(a) various publications (books, periodicals, museum and exhibition catalogues, photographic documentation) produced in all countries by institutions which are custodians of cultural property;

(b) the files of exchange offers and requests compiled in each country;

(4) the attention of cultural institutions in all countries should be drawn es-pecially to the opportunities for reassembling a presently dismembered work which would be afforded by a system of successive loans, without transfer of ownership, enabling each of the holding institutions to take its turn to display the work in its entirety.

13. Should the parties to an international exchange of cultural property encounter technical difficulties in carrying out such an exchange they may request the opinion of one or more experts nominated by them after consultation with the Director-General of UNESCO.

IV. Federal States

14. In giving effect to the present Recommendation, Member States which have a federal or non-unitary constitutional system might follow the principles set forth in Article 34 of the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted by the General Conference at its seventeenth session.

V. Action against illicit trading in cultural property

15. The development of international exchanges should enable the cultural institutions of the different Member States to enlarge their collections by acquiring cultural property of lawful origin, accompanied by documentation calculated to bring out their full cultural significance. Accordingly, Member States should take all necessary steps, with the help of the international organizations concerned, to ensure that the development of such exchanges goes hand in hand with an extension of the action taken against every possible form of illicit trading in cultural property.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

The President of the General Conference
The Director-General

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UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

Recommendation on International Principles Applicable to Archaeological Excavations

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Preamble

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VII. Bilateral agreements

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting at New Delhi, from 5 November to 5 December 1956, at its ninth session,

Being of the opinion that the surest guarantee for the preservation of monuments and works of the past rests in the respect and affection felt for them by the peoples themselves, and persuaded that such feelings may be greatly strengthened by adequate measures inspired by the wish of Member States to develop science and international relations,

Convinced that the feelings aroused by the contemplation and study of works of the past do much to foster mutual understanding between nations, and that it is therefore highly desirable to secure international co-operation with regard to them and to further, in every possible way, the fulfilment of their social mission,

Considering that, while individual States are more directly concerned with the archaeological discoveries made on their territory, the international community as a whole is nevertheless the richer for such discoveries,

Considering that the history of man implies the knowledge of all different civilizations; and that it is therefore necessary, in the general interest, that all archaeological remains be studied and, where possible, preserved and taken into safe keeping,

Convinced that it is highly desirable that the national authorities responsible for the protection of the archaeological heritage should be guided by certain common principles which have been tested by experience and put into practice by national archaeological services,

Being of the opinion that, though the regulation of excavations is first and foremost for the domestic jurisdiction of each State, this principle should be brought into harmony with that of a liberally understood and freely accepted international co-operation,

Having before it proposals concerning international principles applicable to archaeological excavations, which constitute item 9.4.3 on the agenda of the session,

Having decided at its eighth session, that these proposals should be regulated at the international level by way of a recommendation to Member States, Adopts, this fifth day

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of December 1956, the following Recommendation:

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles and norms formulated in the present Recommendation.

The General Conference recommends that Member States should bring the present Recommendation to the knowledge of authorities and organizations concerned with archaeological excavations and museums.

The General Conference recommends that Member States should report to it, on dates and in a manner to be determined by it, on the action which they have taken to give effect to the present Recommendation.

I. Definitions

Archaeological excavations

1. For the purpose of the present Recommendation, by archaeological excavations is meant any research aimed at the discovery of objects of archaeological character, whether such research involves digging of the ground or systematic exploration of its surface or is carried out on the bed or in the sub-soil of inland or territorial waters of a Member State.

Property protected

2. The provisions of the present Recommendation apply to any remains, whose preservation is in the public interest from the point of view of history or art and architecture, each Member State being free to adopt the most appropriate criterion for assessing the public interest of objects found on its territory. In particular, the provisions of the present Recommendation should apply to any monuments and movable or immovable objects of archaeological interest considered in the widest sense.

3. The criterion adopted for assessing the public interest of archaeological remains might vary according to whether it is a question of the preservation of such property, or of the excavator's or finder's obligation to declare his discoveries.

- (a) In the former case, the criterion based on preserving all objects originating before a certain date should be abandoned, and replaced by one whereby protection is extended to all objects belonging to a given period or of a minimum age fixed by law.
- (b) In the latter case, each Member State should adopt far wider criteria, compelling the excavator or finder to declare any object, of archaeological character, whether movable or immovable, which he may discover.

II. General principles

Protection of the archaeological heritage

4. Each Member State should ensure the protection of its archaeological heritage, taking fully into account problems arising in connexion with excavations, and in conformity with the provisions of the present Recommendation.

5. Each Member State should in particular:

- (a) Make archaeological explorations and excavations subject to prior authorization by the competent authority;
- (b) Oblige any person finding archaeological remains to declare them at the earliest possible date to the competent authority;
- (c) Impose penalties for the infringement of these regulations;
- (d) Make undeclared objects subject to confiscation;
- (e) Define the legal status of the archaeological sub-soil and, where State ownership of the said sub-soil is recognized, specifically mention the fact in its legislation;
- (f) Consider classifying as historical monuments the essential elements of its archaeological heritage.

Protecting body: archaeological excavations

6. Although differences of tradition and unequal financial resources make it impossible for all Member States to adopt a uniform system of organization in the administrative services responsible for excavations, certain common principles should nevertheless apply to all national archaeological services:

- (a) The archaeological service should, so far as possible, be a central State administration--or at any rate an organization provided by law with the necessary means for carrying out any emergency measures that may be required. In addition to the general administration of archaeological work, this service should co-operate with research institutes and universities in the technical training of excavators. This body should also set up a central documentation, including maps, of its movable and immovable monuments and additional documentation for every important museum or ceramic or iconographic collection, etc.
- (b) Steps should be taken to ensure in particular the regular provision of funds: (i) to administer the services in a satisfactory manner; (ii) to carry out a programme of work proportionate to the archaeological resources of the country, including scientific publications; (iii) to exercise control over accidental discoveries; (iv) to provide for the upkeep of excavation sites and monuments.

7. Careful supervision should be exercised by each Member State over the restoration of archaeological remains and objects discovered.

8. Prior approval should be obtained from the competent authority for the removal of any monuments which ought to be preserved in situ.

9. Each Member State should consider maintaining untouched, partially or totally, a certain number of archaeological sites of different periods in order that their excavation may benefit from improved techniques and more advanced archaeological knowledge. On each of the larger sites now being excavated, in so far as the nature of the land permits, well defined 'witness' areas might be left unexcavated in several places in order to allow for eventual verification of the stratigraphy and archaeological composition of the site.

Formation of central and regional collections

10. Inasmuch as archaeology is a comparative science, account should be taken, in the setting up and organizing of museums and reserve collections, of the need for

facilitating the work of comparison as much as possible. For this purpose, central and regional collections might be formed or, in exceptional cases, local collections on particularly important archaeological sites--in preference to small scattered collections, accessible to comparatively few people. These establishments should command, on a permanent basis, the administrative facilities and scientific staff necessary to ensure the preservation of the exhibits.

11. On important archaeological sites, a small exhibit of an educational nature--possibly a museum--should be set up to convey to visitors the interest of the archaeological remains.

Education of the public

12. The competent authority should initiate educational measures in order to arouse and develop respect and affection for the remains of the past by the teaching of history, the participation of students in certain excavations, the publication in the press of archaeological information supplied by recognized specialists, the organization of guided tours, exhibitions and lectures dealing with methods of excavation and results achieved, the clear display of archaeological sites explored and monuments discovered, and the publication of cheap and simply written monographs and guides. In order to encourage the public to visit these sites, Member States should make all necessary arrangements to facilitate access to them.

III. Regulations governing excavations and international collaboration

Authority to excavate granted to foreigners

13. Each Member State on whose territory excavations are to take place should lay down general rules governing the granting of excavation concessions, the conditions to be observed by the excavator, in particular as concerns the supervision exercised by the national authorities, the period of the concession, the reasons which may justify its withdrawal, the suspension of work, or its transfer from the authorized excavator to the national archaeological service.

14. The conditions imposed upon a foreign excavator should be those applicable to nationals. Consequently, the deed of concession should omit special stipulations which are not imperative.

International collaboration

15. In the higher interest of archaeology and of international collaboration, Member States should encourage excavations by a liberal policy. They might allow qualified individuals or learned bodies, irrespective of nationality, to apply on an equal footing for the concession to excavate. Member States should encourage excavations carried out by joint missions of scientists from their own country and of archaeologists representing foreign institutions, or by international missions.

Archaeological excavations

16. When a concession is granted to a foreign mission, the representative of the conceding State--if such be appointed--should, as far as possible, also be an archaeologist capable of helping the mission and collaborating with it.

17. Member States which lack the necessary resources for the organization of

archaeological excavations in foreign countries should be accorded facilities for sending archaeologists to sites being worked by other Member States, with the consent of the director of excavations.

18. A Member State whose technical or other resources are insufficient for the scientific carrying out of an excavation should be able to call on the participation of foreign experts or on a foreign mission to undertake it.

Reciprocal guarantees

19. Authority to carry out excavations should be granted only to institutions represented by qualified archaeologists or to persons offering such unimpeachable scientific, moral and financial guarantees as to ensure that any excavations will be completed in accordance with the terms of the deed of concession and within the period laid down.

20. On the other hand, when authority to carry out excavations is granted to foreign archaeologists, it should guarantee them a period of work long enough, and conditions of security sufficient to facilitate their task and protect them from unjustified cancellation of the concession in the event, for instance, of their being obliged, for reasons recognized as valid, to interrupt their work for a given period of time.

Preservation of archaeological remains

21. The deed of concession should define the obligations of the excavator during and on completion of his work. The deed should, in particular, provide for guarding, maintenance and restoration of the site together with the conservation, during and on completion of his work, of objects and monuments uncovered. The deed should moreover indicate what help if any the excavator might expect from the conceding State in the discharge of his obligations should these prove too onerous.

Access to excavation sites

22. Qualified experts of any nationality should be allowed to visit a site before a report of the work is published and with the consent of the director of excavations, even during the work. This privilege should in no case jeopardize the excavator's scientific rights in his finds.

Assignment of finds

23. (a) Each Member State should clearly define the principles which hold good on its territory in regard to the disposal of finds from excavations.

(b) Finds should be used, in the first place, for building up, in the museums of the country in which excavations are carried out, complete collections fully representative of that country's civilization, history, art and architecture.

(c) With the main object of promoting archaeological studies through the distribution of original material, the conceding authority, after scientific publication, might consider allocating to the approved excavator a number of finds from his excavation, consisting of duplicates or, in a more general sense, of objects or groups of objects which can be released in view of their similarity to other objects from the same excavation. The return to the excavator of objects resulting from excavations should always be subject to the condition that they be allocated within a specified period of time to scientific centres open to the public, with the proviso that if these conditions are not put into effect, or

cease to be carried out, the released objects will be returned to the conceding authority.

(d) Temporary export of finds, excluding objects which are exceptionally fragile or of national importance, should be authorized on requests emanating from a scientific institution of public or private character if the study of these finds in the conceding State is not possible because of lack of bibliographical or scientific facilities, or is impeded by difficulties of access.

(e) Each Member State should consider ceding to, exchanging with, or depositing in foreign museums objects which are not required in the national collections.

Scientific rights; rights and obligations of the excavator

24. (a) The conceding State should guarantee to the excavator scientific rights in his finds for a reasonable period.

(b) The conceding State should require the excavator to publish the results of his work within the period stipulated in the deed, or, failing such stipulations, within a reasonable period. This period should not exceed two years for the preliminary report. For a period of five years following the discovery, the competent archaeological authorities should undertake not to release the complete collection of finds, nor the relative scientific documentation, for detailed study, without the written authority of the excavator. Subject to the same conditions, these authorities should also prevent photographic or other reproduction of archaeological material still unpublished. In order to allow, should it be so desired, for simultaneous publication of the preliminary report in both countries, the excavator should, on demand, submit a copy of his text to these authorities.

(c) Scientific publications dealing with archaeological research and issued in a language which is not widely used should include a summary and, if possible, a list of contents and captions of illustrations translated into some more widely known language.

Documentation on excavations

25. Subject to the provisions set out in paragraph 24, the national archaeological services should, as far as possible, make their documentation and reserve collections of archaeological material readily available for inspection and study to excavators and qualified experts, especially those who have been granted a concession for a particular site or who wish to obtain one.

Regional meetings and scientific discussions

26. In order to facilitate the study of problems of common interest, Member States might, from time to time, convene regional meetings attended by representatives of the archaeological services of interested States. Similarly, each Member State might encourage excavators working on its soil to meet for scientific discussions.

IV. Trade in antiquities

27. In the higher interests of the common archaeological heritage, each Member State should consider the adoption of regulations to govern the trade in antiquities so as to ensure that this trade does not encourage smuggling of archaeological material or affect adversely the protection of sites and the collecting of material for public exhibit.

28. Foreign museums should, in order to fulfil their scientific and educational aims, be

able to acquire objects which have been released from any restrictions due to the laws in force in the country of origin.

V. Repression of clandestine excavations and of the illicit export of archaeological finds

Protection of archaeological sites against clandestine excavations and damage

29. Each Member State should take all necessary measures to prevent clandestine excavations and damage to monuments defined in paragraphs 2 and 3 above, and also to prevent the export of objects thus obtained.

International co-operation in repressive measures

30. All necessary measures should be taken in order that museums to which archaeological objects are offered ascertain that there is no reason to believe that these objects have been procured by clandestine excavation, theft or any other method regarded as illicit by the competent authorities of the country of origin. Any suspicious offer and all details appertaining thereto should be brought to the attention of the services concerned. When archaeological objects have been acquired by museums, adequate details allowing them to be identified and indicating the manner of their acquisition should be published as soon as possible.

Return of objects to their country of origin

31. Excavation services and museums should lend one another assistance in order to ensure or facilitate the recovery of objects derived from clandestine excavations or theft, and of all objects exported in infringement of the legislation of the country of origin. It is desirable that each Member State should take the necessary measures to ensure this recovery. These principles should be applied in the event of temporary exports as mentioned in paragraph 23(c), (d) and (e) above, if the objects are not returned within the stipulated period.

VI. Excavations in occupied territory

32. In the event of armed conflict, any Member State occupying the territory of another State should refrain from carrying out archaeological excavations in the occupied territory. In the event of chance finds being made, particularly during military works, the occupying Power should take all possible measures to protect these finds, which should be handed over, on the termination of hostilities, to the competent authorities of the territory previously occupied, together with all documentation relating thereto.

VII. Bilateral agreements

33. Member States should, whenever necessary or desirable, conclude bilateral agreements to deal with matters of common interest arising out of the application of the present Recommendation.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its Ninth Session, which was held at New Delhi and declared closed the fifth day of December 1956.

IN FAITH WHEREOF we have appended our signatures this fifth day of December 1956.

BACK

INTERNATIONAL COUNCIL ON MONUMENTS AND SITES ICOMOS CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES
DOCUMENTATION CENTRE UNESCO - ICOMOS CENTRE DE DOCUMENTATION

[PDF-151 Kb]

ICOMOS PRINCIPLES FOR THE PRESERVATION AND CONSERVATION/RESTORATION OF WALL PAINTINGS (*2003*)

Ratified by the ICOMOS 14th General Assembly, in Vicoria Falls, Zimbabwe, October 2003

Introduction and Definition

Wall paintings have been cultural expressions of human creation throughout history, from the earliest beginnings, such as rock art, extending up to present day murals. Their deterioration, accidental or intentional destruction constitutes a loss affecting a significant part of the world s cultural heritage.

The Venice Charter (1964) has provided general principles for the conservation-restoration of cultural heritage. The Amsterdam Declaration (1975) introducing the concept of integrated conservation, and the Nara Document on Authenticity (1994) dealing with cultural diversity, have expanded these principles. Taking into account these and additional relevant contributions, such as the ICOM-CC Code of Ethics (1984), Document of Pavia (1997), and E.C.C.O. Professional Guidelines (1997), the aim of this document is to provide more specific principles for the protection, preservation and the conservation-restoration of wall paintings. This document, therefore, reflects basic and universally applicable principles and practices, and does not take into account particular problems of regions or countries, which can be supplemented at regional and national level by providing further recommendations where necessary.

The richness of wall paintings is founded on the variety of cultural expressions, aesthetic achievements, and the diversity of materials and techniques used from ancient until present times. The following articles refer to paintings created on inorganic supports, such as plaster, brick, clay and stone, and do not include paintings executed on organic supports, such as wood, paper and canvas. Composite materials in many historic buildings need special consideration outside the scope of this document. Architectural surfaces and their finishing layers, with their historical, aesthetic and technical values have to be considered as equally important components of historic monuments.

Wall paintings are an integral part of monuments and sites and should be preserved in situ. Many of the problems affecting wall paintings are linked to the poor condition of the building or structure, its improper use, lack of maintenance, frequent repairs and alterations. Also frequent restorations, unnecessary uncovering, and use of inappropriate methods and materials can result in irreparable damage. Substandard and inadequate practices and professional qualifications have led to unfortunate results. It is for this reason that an appropriate document covering the principles of proper conservation-restoration of wall paintings is necessary.

Article 1: Protection Policy

A necessary approach to the protection of wall paintings of every culture and religion is to list and make inventories of monuments and sites including wall paintings, even in cases when they are not presently visible. Laws and regulations for the protection of cultural heritage must prohibit the destruction, the degradation or alteration of wall paintings, including their

surroundings. Legislation should not only provide for the protection of wall paintings, but also make available resources for research, professional treatment and monitoring, and provide for the appreciation of their tangible and intangible values by society.

If interventions are required, these should be carried out with the full knowledge and the consent of the authorities responsible. Legal sanctions should be provided for any violation of such regulations. Legal provisions should also consider new discoveries and their preservation pending formal protection. Regional, urban or architectural development projects, such as the construction of roads, dams, conversion of buildings, etc. affecting wall paintings should not be carried out without an initial impact assessment study and without providing appropriate remedies for their safeguard.

Special efforts must be made through the co-operation of various authorities to accommodate and respect the cult function of religious paintings without compromising their authenticity.

Article 2: Investigation

All conservation projects should begin with substantial scholarly investigations. The aim of such investigations is to find out as much as possible about the fabric of the structure and its superimposed layers with their historical, aesthetic and technical dimensions. This should encompass all material and incorporeal values of the painting, including historic alterations, additions and restorations. This calls for an interdisciplinary approach.

The methods of investigation should be as far as possible non-destructive. Special consideration should be given to wall paintings that may be hidden under whitewash, paint layers, plaster, etc. Prerequisites for any conservation program are the scientific investigation of decay mechanisms on macro and micro scale, the material analysis and the diagnosis of the condition.

Article 3: Documentation

In agreement with the Venice Charter, the conservation-restoration of wall paintings must be accompanied by a precise program of documentation in the form of an analytical and critical report, illustrated with drawings, copies, photographs, mapping, etc. The condition of the paintings, the technical and formal features pertaining to the process of the creation and the history of the object must be recorded. Furthermore, every stage of the conservation-restoration, materials and methodology used should be documented. This report should be placed in the archives of a public institution and made available to the interested public. Copies of such documentation should also be kept in situ, or in the possession of those responsible for the monument. It is also recommended that the results of the work should be published. This documentation should consider definable units of area in terms of such investigations, diagnosis and treatment. Traditional methods of written and graphic documentation can be supplemented by digital methods. However, regardless of the technique, the permanence of the records and the future availability of the documentation is of utmost importance.

Article 4: Preventive Conservation, Maintenance and Site Management

The aim of preventive conservation is to create favourable conditions minimising decay, and to avoid unnecessary remedial treatments, thus prolonging the life span of wall paintings. Appropriate monitoring and the control of the environment are both essential components of preventive conservation. Inappropriate climatic conditions and moisture problems can cause deterioration and biological attacks. Monitoring can detect initial processes of decay of the painting or the supporting structure, thus preventing further damage. Deformation and structural failure leading even to possible collapse of the supporting structure, can be recognised at an early stage. Regular maintenance of the building or the structure is the best guarantee for the safeguard of the wall paintings.

Inappropriate or uncontrolled public uses of monuments and sites with wall paintings can lead to their damage. This may necessitate the limitation of visitors and, in certain cases, involve temporary closure to public access.

However, it is preferable that the public should have the opportunity to experience and appreciate wall paintings as being part of the common cultural heritage. It is, therefore, important to incorporate into the site management careful planning of access and use, preserving, as far as possible, the authentic tangible and intangible values of the monuments and sites.
Due to various sociological, ideological and economical reasons many wall paintings, often situated in isolated locations, become the victims of vandalism and theft. In these cases, the responsible authorities should take special preventive measures.

Article 5: Conservation-Restoration Treatments

Wall paintings are an integral part of the building or structure. Therefore, their conservation should be considered together with the fabric of the architectural entity and surroundings. Any intervention in the monument must take into account the specific characteristics of wall paintings and the terms of their preservation. All interventions, such as consolidation, cleaning and reintegration, should be kept at a necessary minimal level to avoid any reduction of material and pictorial authenticity. Whenever possible, samples of stratigraphic layers testifying to the history of the paintings should be preserved, preferably in situ.

Natural ageing is a testimony to the trace of time and should be respected. Irreversible chemical and physical transformations are to be preserved if their removal is harmful. Previous restorations, additions and over-painting are part of the history of the wall painting. These should be regarded as witnesses of past interpretations and evaluated critically.

All methods and materials used in conservation and restoration of wall paintings should take into account the possibility of future treatments. The use of new materials and methods must be based on comprehensive scientific data and positive results of testing in laboratories as well as on sites. However, it must be kept in mind that the long term effects of new materials and methods on wall paintings are unknown and could be harmful. Therefore, the use of traditional materials, if compatible with the components of the painting and the surrounding structure, should be encouraged.

The aim of restoration is to improve the legibility of form and content of the wall painting, while respecting the original creation and its history. Aesthetic reintegration contributes to minimising the visibility of damage and should primarily be carried out on non-original material. Retouching and reconstructions should be carried out in a way that is discernible from the original. All additions should be easily removable. Over-painting must be avoided.

Uncovering of wall paintings requires the respect of the historic situation and the evaluation of what might be lost. This operation should be executed only after preliminary investigations of their condition, extent and value, and when this is possible without incurring damage. The newly uncovered paintings should not be exposed to unfavourable conditions.

In some cases, reconstruction of decorative wall paintings or coloured architectural surfaces can be a part of a conservation-restoration program. This entails the conservation of the authentic fragments, and may necessitate their complete or partial covering with protective layers. A well-documented and professionally executed reconstruction using traditional materials and techniques can bear witness to the historic appearances of facades and interiors.

Competent direction of conservation-restoration projects should be maintained at all stages and have the approval of the relevant authorities. It would be desirable that independent supervision of the project were insured by competent authorities or institutions without commercial interest in the outcome. Those responsible for management decisions must be named, and the work must be implemented by professionals with appropriate knowledge and skills.

Article 6: Emergency Measures

In urgent cases, immediate emergency treatment is necessary for the safeguard of wall paintings. Materials and techniques employed must permit later treatment. Appropriate conservation measures must follow as soon as possible with the permission of the relevant authorities.

Detachment and transfer are dangerous, drastic and irreversible operations that severely affect the physical composition, material structure and aesthetic characteristics of wall paintings. These operations are, therefore, only justifiable in extreme cases when all options of in situ treatment are not viable. Should such situations occur, decisions involving detachment and transfer should always be taken by a team of professionals, rather than by the individual who is carrying out the conservation work. Detached paintings should be replaced in their original location whenever possible.

Special measures should be taken for the protection and maintenance of detached paintings, and for the prevention of their theft and dispersion.

The application of a covering layer concealing an existing decoration, carried out with the intention of preventing damage or destruction by exposure to an inhospitable environment, should be executed with materials compatible with the wall painting, and in a way that will permit future uncovering.

Article 7: Research and Public Information

The establishment of research projects in the field of conservation-restoration of wall paintings is an essential requisite of sustainable preservation policy. Investigations based on research questions, which have potential to add to the knowledge of degradation processes should be encouraged. Research that will expand our knowledge of the original painting techniques, as well as materials and methods of past restoration practices are essential in the implementation of appropriate conservation projects. This research is also relevant to related disciplines of the arts and sciences. The disturbance of significant fabric for study, or to obtain samples, should be minimised.

Dissemination of knowledge is an important feature of research, and should be done on both the professional and popular levels. Public information can substantially advance awareness of the need for preservation of wall paintings, even if conservation-restoration work may cause temporary inconveniences.

Article 8: Professional Qualifications and Training

Conservation-restoration of wall paintings is a specialised discipline in the field of heritage preservation. As this work requires specific knowledge, skills, experience and responsibility, conservators-restorers of this kind of cultural property should be professionally educated and trained, as recommended by the Code of Ethics of the ICOM-Committee of Conservation (1984) and by associations such as E.C.C.O. (European Confederation of Conservator-Restorers Organisations) and ENCoRE (European Network for Conservation-Restoration Education).

Article 9: Traditions of Renewal

In many regions of the world, the authentic painting practices of artists and craftsmen are continued by repeating historic decorative and iconographic programs using traditional materials and techniques. These traditions, satisfying religio-cultural needs and keeping to the Nara principles, should be sustained. However, as important as it is to preserve this special knowledge, this does not imply that the conservation-restoration treatments of wall paintings are to be carried out by craftsmen or artists.

Article 10: International Co-operation

Sharing the care for common heritage is nationally and internationally an accepted concept. It is therefore necessary to encourage the exchange of knowledge and to disseminate information at every level. In the spirit of interdisciplinary collaboration, conservators-restorers of wall paintings need to liaise with their colleagues in other countries and with relevant institutions and specialists around the world.

This document, in its present form, was drafted in Copenhagen from 28th October 28 to 1 November 2002. It was edited and completed in Thessaloniki from 8 to 9 May 2003. Rapporteur: Isabelle Brajer.

UNESCO Constitution

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Revised Recommendation concerning International Competitions in Architecture and Town Planning

27 November 1978

UNESDOC - (PDF) English - French - Spanish - Russian - Chinese - Arabic

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris at its twentieth session, from 24 October to 28 November 1978,

Recalling that it adopted, at its ninth session (1956), the Recommendation concerning International Competitions .in Architecture and Town Planning, Noting that the international norms and principles defined in that Recommendation are still valid,

Considering, however, that the Standard Regulations annexed to that Recommendation require to be brought up to date in order to meet present needs in respect of international competitions in architecture and town planning more fully and to take into account the experience gained,

Having, at its nineteenth session, considered it advisable to proceed with the revision of that Recommendation, Having before it proposals concerning the revision of that Recommendation,

Adopts, this twenty-seventh day of November 1978, the present revised Recommendation.

The General Conference recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles and norms formulated in the present revised Recommendation. The General Conference recommends that Member States bring the present revised Recommendation to the knowledge of the authorities and organizations concerned with competitions in architecture and town planning, and of national associations of architects and town planners. The General Conference recommends that Member States report to it, on dates and in a manner to be determined by it; on the action they have taken to give effect to the present revised Recommendation

I.DEFINITIONS

1. (a) For the purposes of the present revised Recommendation, the designation "international" shall apply to any competition in which the participation of architects or town planners of more than one country is invited.

(b) International competitions may be either open or restricted:

(i) competitions for which any specialists of two or more countries may enter are termed open;

(ii) competitions which are limited to certain specialists invited by the organizers are termed restricted.

(c) International competitions may consist of one or two stages.

II. ORGANIZATION OF INTERNATIONAL COMPETITIONS

2. The announcement of an international competition should include a definition of the type of competition and a clear statement of the purpose of the competition. It should indicate whether the competition is open or restricted and whether it is in one or two stages.

3. The conditions for an international competition should be drawn up in consultation with the International Union of Architects.

4. The conditions for an international competition should state clearly: the purpose of the competition, the precise nature of the problem, and the practical requirements to be met by the competitors.

5. The requirements and conditions for an international competition should be identical for all competitors, irrespective of nationality

6. The announcement of an open international competition should be made internationally and on an equitable basis.

III. THE JUDGING OF INTERNATIONAL COMPETITIONS

7. The jury should include a majority of qualified specialists.

8. The jury should include, among its members, persons of nationalities other than that of the country organizing the competition.

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RESOURCES

IV. ACTION FOLLOWING INTERNATIONAL COMPETITIONS

9. The amount of prize-money, honoraria and compensation specified in the conditions for an international competition should be proportional to the size of the project, its nature, and the work required of competitors.

10. The winner of an international competition should be given adequate safeguards with regard to his participation in the execution of the project. If the project is not executed, provision should be made for compensation proportional to the size of the project.

11. Suitable steps should be taken to protect the copyright and rights of ownership of all competitors in the designs they submit for an international competition.

12 The results of an international competition should be made public and the designs submitted for the competition should be put on public display.

13. Provision should be made for recourse to the good offices of the International Union of Architects for the settlement of any dispute which may arise in connection with an international competition.

V. STANDARD REGULATIONS

14. Organizers of international competitions should be guided by the provisions of the Standard Regulations attached, as an annex, to the present revised Recommendation.

ANNEX

STANDARD REGULATIONS FOR INTERNATIONAL COMPETITIONS IN ARCHITECTURE AND TOWN PLANNING INTRODUCTION

The purpose of these Standard Regulations is to state the principles upon which international competitions are based and by which promoters should be guided in organizing a competition. They have been drawn up in the interests of both promoters and competitors.

GENERAL PROVISIONS

Article 1

The designation "international" shall apply to any competition in which participation is open to architects, town planners or teams of specialists led by an architect or town planner who are of different nationalities and reside in different countries, as well as to members of other professions working in association with them. Competitions which are open to all architects, town planners and professionals working in association with them are termed "open". These Regulations cover both open competitions and restricted competitions (where some form of restriction is imposed) and sometimes special competitions.

Article 2

International competitions may be classified into "Project" or "Ideas" competitions.

Article 3

International competitions may be organized in one or two stages

Article 4

The regulations and conditions for an international competition shall be identical for all competitors.

Article 5

A copy of the regulations and full set of conditions for any competition shall be filed with the International Union of Architects, hereinafter referred to as the UIA, and sent free of charge at the same time to all the UIA National Sections concerned. The answers to competitors' questions shall also be sent to the UIA and to all UIA National Sections.

Article 6

Any set of conditions which is not published in one of the official languages of the International Union of Architects (English, French, Russian and Spanish) shall be accompanied by a translation into at least one of these languages. Such translations shall be issued at the same time as the original language version. Competitors shall not be required to submit material in more than one UIA language.

Article 7

All competitors' designs shall be submitted and judged anonymously.

Article 8

Notice of an international competition shall be issued by the promoter and/or the UIA Secretariat-General to all National Sections with a request for publication in technical journals or through other media at their disposal, as far as possible simultaneously, to enable those interested to apply for the regulations and full set of conditions in due time. This announcement shall state where and how copies of the conditions may be obtained and specify that the conditions have received UIA approval (see Article 15).

PROFESSIONAL ADVISER

Article 9

The promoter shall appoint a Professional Adviser, preferably an architect (but who could be a town planner in the case of a town-planning competition), to prepare the conditions and supervise the conduct of the competition.

DRAWING UP OF THE CONDITIONS

Article 10

The conditions for international competitions, whether single or two-stage, open or restricted, shall state clearly:

(a) the purpose of the competition and the intentions of the promoter;

(b) the nature of the problem to be solved;

(c) all the practical requirements to be met by competitors.

Article 11

A clear distinction shall be made in the conditions between mandatory requirements of an essential nature and those which permit the competitor freedom of interpretation, which should be as wide as possible. All competition entries shall be submitted in conformity with the regulations.

Article 12

The necessary background information supplied to competitors (social, economic, technical, geographical, topographical, etc.) must be specific and not open to misinterpretation. Supplementary information and instructions approved by the jury may be issued by the promoter to all competitors selected to proceed to the second stage of a two-stage competition.

Article 13

The regulations shall state the number, nature, scale and dimensions of the documents, plans or models required and the terms of acceptance of such documents, plans or models. Where an estimate of cost is required, this must be presented in standard form as set out in the regulations.

Article 14

As a general rule, the promoter of an international competition shall use the metric scale. Where this is not done the metric equivalent shall be annexed to the conditions.

UIA APPROVAL

Article 15

The promoter must obtain the UIA's written approval of the requirements for a competition - including the timetable, registration fee and membership of the jury - before announcing that it is being held under UIA auspices.

REGISTRATION OF COMPETITORS

Article 16

As soon as they have received details of the competition, competitors shall register with the promoter. Registration implies acceptance of the regulations for the competition.

Article 17

The promoter shall issue to competitors all the necessary documentation for preparing their designs. Where the furnishing of such documentation is conditional on payment of a deposit, unless otherwise stated this deposit shall be returned to competitors who submit a bona fide design.

Article 18

The names of those competitors selected to proceed to the second stage of a two-stage competition shall be made public only under exceptional conditions to be agreed on by the jury before the launching of the competition.

PRIZE-MONEY, COMPENSATION AND HONORARIA

Article 19

The regulations for any competition must state the number of prizes and the amount of prizemoney. This must be related to the size of the project, the amount of work involved for competitors and the resulting expenses incurred by them.

Article 20

Town-planning competitions are, by their nature, ideas competitions, since the work is generally carried out by official bodies, frequently on a long-term basis. It is therefore particularly important for the promoter to allot adequate prize-money to recompense competitors for their ideas and the work they have done.

Article 21

The promoter undertakes to accept the decisions of the jury and to pay the prize-money within one month of the announcement of the competition results.

Article 22

Each participant in a competition by invitation shall receive an honorarium in addition to the prizes awarded.

Article 23

In two-stage competitions, a reasonable honorarium shall be paid to each of the competitors selected to take part in the second stage. This sum, which is intended to reimburse them for the additional work carried out in the second stage, shall be stated in the regulations for the competition and shall be in addition to the prizes awarded.

Article 24

The regulations shall state the exact use to which the promoter will put the winning design. Designs may not be put to any other use or altered in any way except by agreement with the author.

Article 25

In project competitions the award of first prize to a design places the promoter under the obligation to entrust the author of the design with the commission for the project. If the winner is unable to satisfy the jury of his ability to carry out the work, the jury may require him to collaborate with another architect or town planner of his choice approved by the jury and the promoter.

Article 26

In project competitions provision shall be made in the regulations for the competition for the first prize winner to receive as compensation a further sum equal to the amount of the first prize if no contract for carrying out the project has been signed within twenty-four months of the announcement of the jury's award. In so compensating the first prize winner the promoter does not acquire the right to carry out the project except with the collaboration of its author. In ideas competitions the promoter, if he intends to make use of all or part of the winning or any other scheme, shall, wherever possible, consider some form of collaboration with its author.

Article 27

The terms of collaboration must be acceptable to the latter.

INSURANCE

Article 28

The promoter shall insure competitors' designs from the time when he assumes responsibility for them and for the duration of his responsibility. The amount of such insurance will be stated in the regulations.

COPYRIGHT AND RIGHT OF OWNERSHIP

Article 29

The author of any design shall retain the copyright of his work; no alterations may be made without his formal consent.

Article 30

The design awarded first prize can only be used by the promoter upon his commissioning the author to carry out the project. No other design, whether it has been awarded a prize or not, may be used wholly or in part by the promoter except by agreement with the author.

Article 31

As a general rule, the promoter's right of ownership on a design covers one execution only. However, the regulations for the competition may provide for repetitive work and specify the terms thereof.

Article 32

In all cases, unless otherwise stated in the regulations, the author of any design shall retain the right of reproduction.

THE JURY

Article 33

The jury shall be set up before the opening of the competition. The names of members and reserve members of the jury shall be listed in the regulations for the competition.

Article 34

As a general rule the members of the jury are appointed by the promoter after approval by the UIA. The UIA shall assist promoters in the selection of jury members.

Article 35

The jury shall be composed of the smallest reasonable number of persons of different nationalities, and in any event should be an odd number and should not exceed seven. The majority of them shall be independent architects, town planners or, in special circumstances, other professionals working in association with them.

Article 36

At least, one member of the jury shall be appointed by the UIA and this should be stated in the regulations for the competition.

Article 37

It is essential that all full - i.e. voting - and reserve - i.e. non-voting - members of the jury be present throughout all meetings of the jury.

Article 38

If a voting jury member misses the first meeting, a non-voting member shall acquire his vote for the whole period of adjudication. If, for any reason, a voting jury member has to absent himself for a brief period of time, a non-voting member shall acquire his vote for that period and any decision taken shall be binding. If a voting jury member is absent for a prolonged period or leaves before the conclusion of the adjudication, his vote shall be acquired by a nonvoting member for the remainder of the period of adjudication.

Article 39

Each member of the jury shall approve the regulations and conditions for the competition before they are made available to competitors.

Article 40

No member of the jury for a competition shall take part, either directly or indirectly, in that competition, or be entrusted either directly or indirectly with a commission connected with the carrying out of the object of the competition.

Article 41

No member of the promoting body, nor any associate or employee, nor any person who has been concerned with the preparation or organization of the competition, shall be eligible to compete or assist a competitor.

Article 42

The decisions of the jury shall be taken by a majority vote, with a separate vote on each design submitted. In the event of a tied vote, the Chairman shall have the casting vote. The list of awards, as well as the jury's report to the promoter, shall be signed by all members of the jury before they disperse and one copy of this document shall be sent to the UIA.

Article 43

In two-stage competitions, the same jury should judge both stages of the competition. In no case may a competition which has received UIA approval as a single-stage competition proceed to a second stage except with UIA approval of the conditions and the arrangements for payment of honoraria to the competitors involved, over and above the prize-money provided for in the original competition. In the event of such a secondary competition taking place, the jury appointed for the original competition must be reappointed by the promoter.

Article 44

Any drawings, photographs, models or other documents not required under the regulations shall be excluded by the jury before it examines a competitor's entry.

Article 45

The jury shall disqualify any design which does not conform to the mandatory requirements, instructions or regulations for the competition.

Article 46

The jury must make awards. The awards shall be final and shall be made public by a date agreed on with UIA and stated in the conditions. The jury, when distributing the awards, shall make full use of the amount set aside for prizes in the competition conditions. In an ideas competition, a first prize shall be awarded.

Article 47

The fees and travel and subsistence expenses of jury members shall be paid by the promoter.

EXHIBITION OF ENTRIES

Article 48

All designs, including those disqualified by the jury, shall be exhibited, as a general rule, for at least two weeks, together with a copy of the signed report of the jury. The exhibition shall be open to the public free of charge.

Article 49

The promoter shall notify registered competitors in good time of the date and place of the public exhibition and of the results of the competition, and send them a copy of the jury's report. He shall similarly inform the UIA and all National Sections. Photographs of the prize-winning designs shall be sent to the UIA with a view to possible publication.

Article 50

In two-stage competitions, designs submitted in the first stage shall be kept secret until the final results are announced.

RETURN OF DESIGNS

Article 51

All drawings and plans, other than those which have received prizes or been purchased and are retained by the promoter, shall be destroyed at the end of the public exhibition, unless provision is made to the contrary in the regulations for the competition. Where models are required, these will be returned to their author at the expense of the promoter within one month of the close of the public exhibition.

Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private works

19 November 1968

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 15 October to 20 November 1968, at its fifteenth session,

Considering that contemporary civilization and its future evolution rest upon, among other elements, the cultural traditions of the peoples of the world, their creative force and their social and economic development,

Considering that cultural property is the product and witness of the different traditions and of the spiritual achievements of the past and thus is an essential element in the personality of the peoples of the world,

Considering that it is indispensable to preserve it as much as possible, according to its historical and artistic importance, so that the significance and message of cultural property become a part of the spirit of peoples who thereby may gain consciousness of their own dignity,

Considering that preserving cultural property and rendering it accessible constitute, in the spirit of the Declaration of the Principles of International Cultural Co-operation adopted on 4 November 1966 in the course of its fourteenth session, means of encouraging mutual understanding among peoples and thereby serve the cause of peace,

Considering also that the well-being of all peoples depends, inter alia, upon the existence of a favourable and stimulating environment and that the preser-vation of cultural property of all periods of history contributes directly to such an environment,

Recognizing, on the other hand, the role that industrialization, towards which world civilization is moving, plays in the development of peoples and their spiritual and national fulfilment,

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 that it is the duty of governments to ensure the protection and the preservation of the cultural heritage of mankind, as much as to promote social and economic development,

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,

Considering equally that adequate preservation and accessibility of cultural property constitute a major contribution to the social and economic development of countries and regions which possess such treasures of mankind by means of promoting national and international tourism,

Considering finally that the surest guarantee for the preservation of cultural property rests in the respect and the attachment felt for it by the people themselves, and persuaded that such feelings may be greatly strengthened by adequate measures carried out by Member States,

Having before it proposals concerning the preservation of cultural property endangered by public or private works, which constitute item 16 on the agenda of the session,

Having decided at its thirteenth session that proposals on this item should be the subject of an international instrument in the form of a recommendation to Member States,

Adopts on this nineteenth day of November 1968 this recommendation.

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect within their respective territories to the norms and principles set forth in this recommendation.

The General Conference recommends that Member States should bring this recommendation to the attention of the authorities or services responsible for public or private works as well as to the bodies responsible for the conservation

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and the protection of monuments and historic, artistic, archaeological and scientific sites. It recommends that authorities and bodies which plan programmes for education and the development of tourism be equally informed.

The General Conference recommends that Member States should report to it, on the dates and in a manner to be determined by it, on the action they have taken to give effect to this recommendation.

I. Definition

1. For the purpose of this recommendation, the term `cultural property' applies to:

(a) Immovables, such as archaeological and historic or scientific sites, structures or other features of historic, scientific, artistic or architectural value, whether religious or secular, including -groups of traditional structures, historic quarters in urban or rural built-up areas and the ethnological structures of previous cultures still extant in valid form. It applies to such immovables constituting ruins existing above the earth as well as to archaeological or historic remains found within the earth. The term cultural property also includes the setting of such property;

(b) Movable property of cultural importance including that existing in or recovered from immovable property and that concealed in the earth, which -may be found' in archaeological or historical sites or elsewhere.

2. The term `cultural property' includes not only the established and scheduled architectural, archaeological and historic sites and structure, but also the unscheduled or unclassified vestiges of the past as well as artistically or historically important recent sites and structures.

II. General principles

3. Measures to preserve cultural property should extend to the whole territory of the State and should not be confined to certain monuments and sites.

4. Protective inventories of important cultural property, whether scheduled or unscheduled, should be maintained. Where such inventories do not exist, priority should be given in their establishment to the thorough survey of cultural property in areas where such property is endangered by public or private works.

5. Due account should be taken of the relative significance of the cultural property concerned when determining measures required for the:

(a) Preservation of an, entire site, structure, or other forms of immovable cultural property from the effects of private or public works;

(b) Salvage or rescue of cultural property if the area in which it is found is to be transformed by public or private works, and the whole or a part of the property in question is to be preserved and removed.

6. Measures should vary according to the character, size and location of the cultural property and the nature of the dangers with which it is threatened.

7. Measures for the preservation or salvage of cultural property should be preventive and corrective.

8. Preventive and corrective measures should be aimed at protecting or saving cultural property
from public or private works likely to damage and destroy it, such as:

(a) Urban expansion and renewal projects, although they may retain scheduled monuments while
sometimes removing less important structures, with the result that historical relations and the
setting of historic quarters are destroyed;

(b) Similar projects in areas where groups of traditional structures having cultural value as a
whole risk being destroyed for the lack of a scheduled individual monument;

(c) Injudicious modifications and repair of individual historic buildings;

(d) The construction or alteration of highways which are a particular danger to sites or to historically important structures or groups of structures;

(e) The construction of dams for irrigation, hydro-electric power or flood control;

(f) The construction of pipelines and of power and transmission lines of electricity;

(g) Farming operations including deep ploughing, drainage and irrigation operations, the clearing
and levelling of land and afforestation;

(h) Works required by the growth of industry and the technological progress of industrialized
societies such as airfields, mining and quarrying operations and dredging and reclamation of
channels and harbours.

9. Member States should give due priority to measures required for the preservation in situ of
cultural property endangered by public or private works in order to preserve historical associations and continuity. When overriding economic or social conditions require that cultural property be transferred, abandoned or destroyed, the salvage or rescue operations should
always include careful study of the cultural property involved and the preparations of detailed
records.

10. The results of studies having scientific or historic value carried out in connexion with salvage operations, particularly when all or much of the immovable cultural

property has been abandoned or destroyed, should be published or otherwise made available for future research.

11. Important structures and other monuments which have been transferred in order to save them
from destruction by public or private works should be placed on a site or in a setting which
resembles their former position and natural, historic or artistic associations.

12. Important movable cultural property, including representative samples of objects recovered from archaeological excavations, obtained from salvage operations should be preserved for study or placed on exhibition in institutions such as museums, including site museums, or universities.

III. Preservation and salvage measures

13. The preservation or salvage of cultural property endangered by public or private works should be ensured through the means mentioned below, the precise measures to be determined by the legislation and organizational system of the State:

(a) Legislation;

(b) Finance;

(c) Administrative measures;

(d) Procedures to preserve and to salvage cultural property;

(e) Penalties;

(f) Repairs;

(g) Awards;

(h) Advice;

(i) Educational programmes.

Legislation

14. Member States should enact or maintain on the national as well as on the local level the legislative measures necessary to ensure the preservation or salvage of cultural property endangered by public or private works in accordance with the norms and principles embodied in this recommendation.

Finance

15. Member States should ensure that adequate budgets are available for the preservation or salvage of cultural property endangered by public or private works, Although differences in legal
systems and traditions as well as disparity in resources preclude the adoption of uniform
measures, the following should be considered:

(a) The national or local authorities responsible for the safeguarding of cultural property should
have adequate budgets to undertake the preservation or salvage of cultural property endangered by public or private works; or

(b) The costs of preserving or salvaging cultural property endangered by public or private works,
including preliminary archaeological research, should form part of the budget of construction
costs; or

(c) The possibility of combining the two methods mentioned in sub-paragraphs (a) and (b) above
should be provided for.

16. In the event of unusual costs due to the size and complexity of the operations required, there
should be possibilities of obtaining additional funds through enabling legislation, special
subventions, a national fund for monuments or other appropriate means. The services responsible
for the safeguarding of cultural property should be empowered to administer or to utilize these extra-budgetary contributions required for the preservation or salvage of cultural property endangered by public or private works.

17. Member States should encourage proprietors of artistically or historically important structures, including structures forming part of a traditional group, or residents in a historic quarter in urban or rural built-up areas to preserve the character and aesthetic qualities of their cultural property which would otherwise be endangered by public or private works, through:

(a) Favourable tax rates ; or

(b) The establishment, through appropriate legislation, of a budget to assist, by grants, loans or other measures, local authorities, institutions and private owners of artistically, architecturally, scientifically or historically important structures including groups of traditional structures to maintain or to adapt them suitably for functions which would meet the needs of contemporary
society; or

(c) The possibility of combining the two methods mentioned in sub-paragraphs (a) and (b) above
should be provided for.

18. If the cultural property is not scheduled or otherwise protected it should be

possible for the
owner to request such assistance from the appropriate authorities.

19. National or local authorities, as well as private owners, when budgeting for the preservation of cultural property endangered by public or private works, should take into account the intrinsic value of cultural property and also the contribution it can make to the economy as a tourist attraction.

Administrative measures

20. Responsibility for the preservation or salvage of cultural property endangered by public or private works should be entrusted to appropriate official bodies. Whenever official bodies or services already exist for the protection of cultural property, these bodies or services should be given responsibility for the preservation of cultural property against the dangers caused by public or private works. If such services do not exist, special bodies or services should be created for the purpose of the preservation of cultural property endangered by public or private works; and although differences of constitutional provisions and traditions preclude the adoption of a uniform system, certain common principles should be adopted.

(a) There should be a co-ordinating or consultative body, composed of representatives of the authorities responsible for the safeguarding of cultural property, for public and private works, for town planning, and of research and educational institutions, which should be competent to advise on the preservation of cultural property endangered by public or private works and, in particular, on conflicts of interest between requirements for public or private works and the preservation or salvage of cultural property.

(b) Provincial, municipal or other forms of local government should also have services responsible for the preservation or salvage of cultural property endangered by public or private works. These services should be able to call upon the assistance of national services or other appropriate bodies in accordance with their capabilities and requirements.

(c) The services responsible for the safeguarding of cultural property should be adequately staffed
with the specialists required for the preservation or salvage of cultural property endangered by public or private works, such as architects, urbanists, archaeologists, historians, inspectors and other specialists and technicians.

(d) Administrative measures should be taken to co-ordinate the work of the different services
responsible for the safeguarding of cultural property with that of other services responsible
for public and private works and that of any other department or service whose responsibilities
touch upon the problem of the preservation or salvage of cultural property endangered by
public or private works.

(e) Administrative measures should be taken to establish an authority or commission in charge
of urban development programmes in all communities having scheduled or unscheduled historic quarters, sites and monuments which need to be preserved against public and private
construction.

21. At the preliminary survey stage of any project involving construction in a locality recognized as being of cultural interest or likely to contain objects of archaeological or historical importance, several variants of the project should be prepared, at regional or municipal level, before a decision is taken. The choice between these variants should be made on the basis of a comprehensive comparative analysis, in order that the most advantageous solution, both economically and from the point of view of preserving or salvaging cultural property, may be adopted.

Procedures to preserve and to salvage cultural property

22. Thorough surveys should be carried out well in advance of any public or private works which
might endanger cultural property to determine:

(a) The measures to be taken to preserve important cultural property in situ;

(b) The amount of salvage operations which would be required such as the selection of archaeological sites to be excavated, structures to be transferred and movable cultural property salvaged, etc.

23. Measures for the preservation or salvage of cultural property should be carried out well in advanceof public or private works. In areas of archaeological or cultural importance, such as historictowns, villages, sites and districts, which should be protected by the legislation of every country, the starting of new work should be made conditional upon the execution of preliminary
archaeological excavations. If necessary, work should be delayed to ensure that adequate measures are taken for the preservation or salvage of the cultural property concerned.

24. Important archaeological sites, and, in particular, prehistoric sites as they are difficult to recognize, historic quarters in urban or rural areas, groups of traditional structures, ethnological structures of previous cultures and other immovable cultural property which would otherwise be endangered by public or private works should be protected by zoning or scheduling:

(a) Archaeological reserves should be zoned or scheduled and, if necessary, immovable property
purchased, to permit thorough excavation or the preservation of the ruins found at the site.

(b) Historic quarters in urban or rural centres and groups of traditional structures should be zoned and appropriate regulations adopted to preserve their setting and

character, such as
the imposition of controls on the degree to which historically or artistically important structures
can be renovated and the type and design of new structures which can be introduced. The preservation of monuments should be an absolute requirement of any well-designed plan for urban redevelopment especially in historic cities or districts. Similar regulations should cover the area surrounding a scheduled monument or site and its setting to preserve its association and character. Due allowance should be made for the modification of ordinary regulations applicable to new construction; these should be placed in abeyance when new structures are introduced into an historical zone. Ordinary types of commercial advertising by means of posters and illuminated announcements should be forbidden, but commercial establishments could be allowed to indicate their presence by means of judiciously presented signs.

25. Member States should make it obligatory for persons finding archaeological remains in the
course of public or private works to declare them at the earliest possible moment to the competent
service. Careful examination should be carried out by the service concerned and, if the site is important, construction should be deferred to permit thorough excavation, due allowance or compensation being made for the delays incurred.

26. Member States should have provisions for the acquisition, through purchase, by national or
local governments and other appropriate bodies of important cultural property endangered
by public or private works. When necessary, it should be possible to effect such acquisition
through expropriation.

27. Member States should take steps to ensure that offences, through intent or negligence, against the preservation or salvage of cultural property endangered by public or private works are
severely punished by their Penal Code, which should provide for fines or imprisonment or
both. In addition, the following measures could be applied:

(a) Whenever possible, restoration of the site or structure at the expense of those responsible
for the damage to it;

(b) In the case of a chance archaeological find, payment of damages to the State when immovable
cultural property has been damaged, destroyed or neglected; confiscation without compensation
when a movable object has been concealed.

Repairs

28. Member States should, when the nature of the property so allows, adopt the necessary measures to ensure the repair, restoration or reconstruction of cultural property damaged by public orprivate works. They should also foresee the possibility of requiring local authorities and private owners of important cultural property to carry out repairs or restorations, with technical and financial assistance if necessary.

Awards

29. Member States should encourage individuals, associations and municipalities to take part in
programmes for the preservation or salvage of cultural property endangered by public or private
works. Measures to that effect could include:

(a) Ex gratia payments to individuals reporting or surrendering hidden archaeological finds;

(b) Awards of certificates, medals or other forms of recognition to individuals, even if they belong to government service, associations, institutions or municipalities which have carried out outstanding projects for the preservation or salvage of cultural property endangered by public
or private works.

Advice

30. Member States should provide individuals, associations or municipalities lacking the required experience or staff with technical advice or supervision to maintain adequate standards for the preservation or salvage of cultural property endangered by public or private works.

Educational programmes

31. In a spirit of international collaboration, Member States should take steps to stimulate and
develop among their nationals interest in, and respect for, the cultural heritage of the past
of their own and other traditions in order to preserve or to salvage cultural property endangered by public or private works.

32. Specialized publications, articles in the press and radio and television broadcasts should publicize the nature of the dangers to cultural property arising from ill-conceived public or private works as well as cases where cultural property has been successfully preserved or salvaged.

33. Educational institutions, historical and cultural associations, public bodies concerned with the tourist industry and associations for popular education should have programmes to publicize the dangers to cultural property arising from short-sighted public or private works, and to underline the fact that projects to preserve cultural property contribute to international understanding.

34. Museums and educational institutions and other interested organizations should prepare special exhibitions on the dangers to cultural property arising from uncontrolled public or private works and on the measures which have been used to preserve or to salvage cultural property
which has been endangered.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its fifteenth session, which was held in Paris and declared closed the twentieth day of November 1968.

IN FAITH WHEREOF we have appended our signatures this twenty-second day of November 1968.

The President of the General Conference
The Director-General

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Recommendation for the Protection of Movable Cultural Property

28 November 1978

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 24 October to 28 November 1978, at its twentieth session,

Noting the great interest in cultural property now finding expression throughout the world in the creation of numerous museums and similar institutions, the growing number of exhibitions, the constantly increasing flow of visitors to collections, monuments and archaeological sites, and the intensification of cultural exchanges,

Considering that this is a very positive development which should be encouraged, in particular by applying the measures advocated in the Recommendation concerning the International Exchange of Cultural Property adopted by the General Conference at its nineteenth session in 1976,

Considering that the growing desire of the public to know and appreciate the wealth of the cultural heritage, of whatever origin, has nevertheless led to an increase in all the dangers to which cultural property is exposed as a result of particularly easy access or inadequate protection, the risks inherent in transport, and the recrudescence, in some countries, of clandestine excavations, thefts, illicit traffic and acts of vandalism,

Noting that because of this aggravation of the risks, but also as a consequence of the increase in the market value of cultural items, the cost of comprehensive insurance in countries where there is no adequate system of governmental guarantees is beyond the means of most museums and is a definite impediment to the organization of international exhibitions and other exchanges between different countries,

Considering that movable cultural property representing the different cultures forms part of the common heritage of mankind and that every State is therefore morally responsible to the international community as a whole for its safeguarding,

Considering that States should accordingly intensify and give general effect to such measures for the prevention and management of risks as will ensure the effective protection of movable cultural property and, at the same time, reduce the cost of covering the risks incurred,

Wishing to supplement and extend the scope of the norms and principles laid down in this respect by the General Conference, in particular in the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), the Recommendation on International Principles Applicable to Archaeological Excavations (1956), the Recommendation on the Most Effective Means of Rendering Museums Accessible to Everyone (1960), the Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property (1964), the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage (1972), the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Recommendation concerning the International Exchange of Cultural Property (1976),

Having before it proposals concerning the protection of movable cultural property,

Having decided, at its nineteenth session, that this question should take the form of a recommendation to Member States,

Adopts, this twenty-eighth day of November 1978, the present Recommendation.

The General Conference recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required, in conformity with the constitutional system or practice of each State, to give effect within their respective territories to the principles and norms formulated in this Recommendation.

The General Conference recommends that Member States bring this Recommendation to the attention of the appropriate authorities and bodies.

The General Conference recommends that Member States submit to it, by dates and in the. form to be decided upon by the Conference, reports concerning the action taken by them in pursuance of this Recommendation.

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I. DEFINITIONS

1. For the purposes of this Recommendation:

(a) "movable cultural property" shall be taken to mean all movable objects which are the expression and testimony of human creation or of the evolution of nature and which are of archaeological, historical, artistic, scientific or technical value and interest, including items in the following categories:

(i) products of archaeological exploration and excavations conducted on land and under water;

(ii) antiquities such as tools, pottery, inscriptions, coins, seals, jewellery, weapons and funerary remains, including mummies;
(iii)items resulting from the dismemberment of historical monuments;

(iv) material of anthropological and ethnological interest;

(v) items relating to history, including the history of science and technology and military and social history, to the life of peoples and national leaders, thinkers, scientists and artists and to events of national importance;

(vi) items of artistic interest, such as: paintings and drawings, produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand); original prints, and posters and photographs, as the media for original creativity; original artistic assemblages and montages in any material; works of statuary art and sculpture in any material; works of applied art in such materials as glass, ceramics, metal, wood, etc.;

(vii) manuscripts and incunabula, codices, books, documents or publications of special interest;

(viii) items of numismatic (medals and coins) and philatelic interest;

(ix) archives, including textual records, maps and other cartographic materials, photographs, cinematographic films, sound recordings and machine-readable records;

(x) items of furniture, tapestries, carpets, dress and musical instruments;

(xi) zoological, botanical and geological specimens;

(b) "protection" shall be taken to mean the prevention and coverage of risks as defined below:

(i) "prevention of risks" means all the measures required, within a comprehensive protection system, to safeguard movable cultural property from every risk to which such property may be exposed, including those resulting from armed conflict, riots or other public disorders;

(ii) "risk coverage" means the guarantee of indemnification in the case of damage to, deterioration, alteration or loss of movable cultural property resulting from any risk whatsoever, including risks incurred as a result of armed conflict, riots or other public disorders whether such coverage is effected through a system of governmental guarantees and indemnities, through the partial assumption of the risks by the State under a deductible or excess loss arrangement, through commercial or national insurance or through mutual insurance arrangements.

2. Each Member State should adopt whatever criteria it deems most suitable for defining the items of movable cultural property within its territory which should be given the protection envisaged in this Recommendation by reason of their archaeological, historical, artistic, scientific or technical value.

II. GENERAL PRINCIPLES

3. The movable cultural property thus defined includes objects belonging either to the State or public bodies or to private bodies or individuals. Since all this property constitutes an important element of the cultural heritage of the nations concerned, the prevention and coverage of the various risks, such as damage, deterioration and loss, should be considered as a whole, even though the solutions adopted may vary from case to case.

4. The growing perils which threaten the movable cultural heritage should incite all those responsible for protecting it, in whatever capacity, to play their part: staff of national and local administrations in charge of safeguarding cultural property, administrators and curators of museums and similar institutions, private owners and those responsible for religious buildings, art and antique dealers, security experts, services responsible for the suppression of crime, customs officials and the other public authorities involved.

5. The co-operation of the public is essential for truly effective protection. The public and private bodies responsible for information and teaching should strive to instil general awareness of the importance of cultural property, the dangers to which it is exposed, and the need to safeguard it.

6. Cultural property is liable to deterioration as a result of poor conditions of storage, exhibition, transport and environment (unfavourable lighting, temperature or humidity, atmospheric pollution), which in the long run may have more serious effects than accidental damage or occasional vandalism. Suitable environmental conditions should consequently be maintained in order to ensure the material security of cultural property. The responsible specialists should include in the inventories data on the physical state of the objects and recommendations concerning the requisite environmental conditions.

7. The prevention of risks also calls for the development of conservation techniques and restoration workshops and the installation of effective protection systems in museums and other institutions possessing collections of movable cultural property. Each Member State should endeavour to ensure that the most suitable measures are taken in accordance with local circumstances.

8. Offences concerning works of art and other cultural property are increasing in some countries, most frequently being linked to fraudulent transfers across frontiers. Thefts and plunder are organized systematically and on a large scale. Acts of vandalism are also increasing. To combat these forms of criminal activity, be they of an organized nature or the action of individuals, strict control measures are necessary. Since fakes can be used for theft or the fraudulent transformation of authentic objects, measures must also be taken to prevent their circulation.

9. Protection and the prevention of risks are much more important than compensation in the event of damage or loss, since the essential purpose is to preserve the cultural heritage, not to replace by sums of money objects which are irreplaceable.

10. Because of the considerable increase in the risks resulting during transport and temporary exhibition, from environmental changes, inept handling, faulty packaging or other unfavourable conditions, adequate coverage against damage or loss is essential. The cost of risk coverage should be reduced through the rational management by museums and similar institutions of insurance contracts or by means of full or partial governmental guarantees.

III. MEASURES RECOMMENDED

11. In accordance with the principles and norms set out above Member States should take all necessary steps, in conformity with their legislation and constitutional system, to protect movable cultural property effectively and, in the case of transport in particular, should ensure the application of the necessary measures of care and conservation and the coverage of the risks incurred.

Measures for the prevention of risks

Museums and other similar institutions

12. Member States should take all necessary steps to ensure adequate protection for cultural property in museums and similar institutions. In particular, they should:

(a) encourage the systematic inventorying and cataloguing of cultural property, with the fullest possible details and in accordance with methods specially developed for the purpose (standardized fiches, photographs - and also, if possible, colour photographs - and, as appropriate, microfilms). Such an inventory is useful when it is desired to determine damage or deterioration to cultural property. With such documentation the necessary information can be given, with all due precautions, to the national and international authorities responsible for combating thefts, illicit trading and the circulation of fakes;

(b) encourage, as appropriate, the standardized identification of movable cultural property using unobtrusive means offered by contemporary technology;

(c) urge the museums and similar institutions to reinforce the prevention of risks by a comprehensive system of practical security measures and technical installations and to ensure that all cultural property is kept, exhibited and transported in such a way as to protect it from all elements likely to damage or destroy it, including in particular heat, light, humidity, pollution, the various chemical and biological agents, vibration and shock;

(d) provide the museums and similar institutions for which they are responsible with the necessary funds for implementing the measures set out in subparagraph (c) above;

(e) take the necessary steps to ensure that all the tasks associated with the conservation of movable cultural property are carried out in accordance with the traditional techniques best suited to the particular cultural property and the most advanced scientific methods and technology; for this purpose, a suitable system for training and the vetting of professional qualifications should be established, in order to ensure that all those involved possess the required level of competence. The facilities for this should be strengthened or, if necessary, established. If appropriate, for the sake of economy, the establishment of regional conservation and restoration centres is recommended;

(f) provide suitable training for supporting staff (including security staff) and draw up guidelines for such staff, laying down standards for the performance of their duties;

(g) encourage regular training for protection, conservation and security staff;

(h) ensure that the staff of museums and similar institutions also receive the necessary training to enable them, in the event of disasters, to co-operate effectively in the rescue operations carried out by the competent public services:

(i) encourage the publication and dissemination to those responsible, if necessary in confidential form, of the latest technical and scientific information on all aspects of the protection, conservation and security of movable cultural property;

(j) issue performance standards for all security equipment for museums and public and private collections and encourage their application.

13. No effort should be spared to avoid giving in to ransom demands, so as to discourage the theft or illegal appropriation of movable cultural property carried out for that purpose. The persons or institutions concerned should consider ways and means of making this policy known.

Private collections

14. Member States should also, in conformity with their legislation and constitutional system, facilitate the protection of collections belonging to private bodies or individuals by:

(a) inviting the owners to make inventories of their collections, to communicate the inventories to the official services responsible for the protection of the cultural heritage and, if the situation requires, to grant access to the competent official

curators and technicians in order to study and advise on safeguarding measures;

(b) if appropriate, providing for incentives to the owners, such as assistance for the conservation of items listed in the inventories or appropriate fiscal measures;

(c) studying the possibility of granting fiscal benefits to those who donate or bequeath cultural property to museums or similar institutions;

(d) entrusting an official body (the department responsible for museums or the police) with the organization of an advisory service for private owners on security installations and other protective measures, including fire protection.

Movable cultural property situated in religious buildings and archaeological sites

15. To ensure that movable cultural property situated in religious buildings and archaeological sites is suitably preserved and protected against theft and plunder, Member States should encourage the construction of installations for storing it and the application of special security measures. Such measures should be in proportion to the value of the property and the extent of the risks to which it is exposed. If appropriate, governments should provide technical and financial assistance for this purpose. In view of the special significance of movable cultural property situated in religious buildings, Member States and the competent authorities should endeavour to provide for the proper protection and presentation of such property where it is located.

International exchanges

16. Since movable cultural property is particularly exposed, during transport and temporary exhibition, to risks of damage which can arise from inept handling, faulty packaging, poor conditions during temporary storage or climatic changes, as well as inadequate reception arrangements, special measures of protection are required. In the case of international exchanges Member States should:

(a) take the necessary measures to ensure that appropriate conditions of protection and care during transport and exhibition as well as adequate coverage of risks are specified and agreed on between the parties concerned. Governments through whose territory the cultural property will transit should provide assistance, if so requested;

(b) encourage the institutions concerned to:

(i) ensure that cultural property is transported, packed and handled in accordance with the highest standards. The measures to be taken to this effect could include the determination by experts of the most appropriate form of packaging, as well as the type and timing of transport; it is recommended that, where appropriate, the responsible curator of the lending museum accompany the property during transport and certify its conditions; the institutions responsible for the shipping and packing of the objects should attach a list describing their physical appearance, and the receiving institutions should check the objects against those lists;

(ii) take appropriate measures to prevent any direct or indirect damage which might arise from the temporary or permanent overcrowding of the exhibition premises;

(iii) agree, where necessary, on the methods to be used for measuring, recording and regulating the degree of humidity in order to maintain the relative humidity within definite limits, and on the measures to be taken to protect light-sensitive objects (exposure to daylight, type of lamp to be used, maximum level of illumination in lux, methods used to measure and control this level);

(c) simplify the administrative formalities relating to the lawful movement of cultural property and arrange for appropriate identification of crates and other forms of packaging containing cultural property;

(d) take steps to protect cultural property in transit or temporarily imported for the purpose of cultural exchanges, and in particular facilitate rapid customs clearance in suitable premises, which should be situated close to, and if possible on, the premises of the institution concerned, and ensure that clearance is effected with all the desirable precautions; and

(e) whenever necessary, give instructions to their diplomatic and consular representatives to enable them to take effective action to accelerate customs procedures and ensure the protection of cultural property during transport.

Education and information

17. To ensure that the population as a whole becomes aware of the value of cultural property and of the need to protect it, particularly with a view to the preservation of their cultural identity, Member States should encourage the competent authorities at national, regional or local level to:

(a) provide children, young people and adults with the means of acquiring knowledge and respect for movable cultural property, using all available educational and information resources for that purpose;

(b) draw the attention of the public at large by every possible means to:

(i) the significance and importance of cultural property, but without stressing the purely commercial value of that property;

(ii) the opportunities available to them for participating in the activities undertaken by the competent authorities in order to protect such property.

Control measures

18. To combat thefts, illegal excavations, vandalism and the use of fakes, Member States should, where the situation demands, establish or strengthen services specifically responsible for the prevention and suppression of these offences.

19. Member States should, where the situation calls for it, take the necessary

measures to:

(a) provide for sanctions or any appropriate measures, whether under the penal or civil code or administrative or other measures, in the case of the theft, pillage, receiving or illegal appropriation of movable cultural property, and of damage intentionally caused to such property; these sanctions or measures should take into account the gravity of the offence;

(b) ensure better co-ordination between all services and sectors working for the prevention of offences concerning movable cultural property and organize a system of rapid dissemination of information on such offences, including information on fakes, among official bodies and the various sectors concerned, such as museum curators and art and antique dealers;

(c) ensure proper conditions for the safeguarding of movable cultural property by taking steps to counter the neglect and abandon to which it is very often exposed and which is conducive to its deterioration.

20. Member States should also encourage private collectors and art and antique dealers to transmit all information concerning fakes to the official bodies mentioned in paragraph 19 (b).

Measures to improve the financing of risk coverage

Governmental guarantees

21. Member States should:

(a) give special attention to the problem of covering adequately the risks to which movable cultural property is exposed during transport and temporary exhibitions;

(b) in particular, consider instituting in any legislative, statutory or other form, a system of governmental guarantees such as those which exist in certain countries, or a system of partial assumption of the risks by the State or any community concerned with a view to covering an insurance franchise deductible or an excess of loss;

(c) within the framework of such systems and in the forms mentioned above, provide for compensation to lenders in the event of damage to, or the deterioration, alteration or loss of cultural objects loaned for the purpose of exhibition in museums or similar institutions. The provisions instituting these systems should specify the conditions and procedures governing the payment of such compensation.

22. The provisions concerning governmental guarantees should not apply to cultural property which is the object of transactions for commercial purposes.
Measures at the level of museums and similar institutions

23. Member States should also urge museums and other similar institutions to apply the principles of risk management, comprising the determination, classification, assessment, control and financing of risks of all kinds.

24. The risk management programme of all institutions which have taken out insurance should include the internal drafting of a procedures manual, periodic surveys on types of risks and the probable maximum loss, analysis of contracts and rates, market studies and a competitive bidding procedure. A person or body should be specifically entrusted with risk management

IV. INTERNATIONAL CO-OPERATION

25. Member States should:

(a) collaborate with intergovernmental and non-governmental organizations competent in regard to the prevention and coverage of risks;

(b) strengthen at international level co-operation between official bodies responsible for the suppression of thefts and illicit trading in cultural property and for the discovery of fakes, and, in particular, urge these bodies to circulate rapidly among themselves, through machinery provided for this purpose, all useful information on illegal activities;

(c) if necessary conclude international agreements for co-operation in regard to legal aid and the prevention of offences;

(d) take part in the organization of international training courses in the conservation and restoration of movable cultural property, and in risk management, and ensure that they are regularly attended by their specialized staff;

(e) establish, in collaboration with the specialized international organizations, ethical and technical standards in the fields covered by the present Recommendation and encourage the exchange of scientific and technical information, particularly on innovations relating to the protection and conservation of movable cultural property.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its twentieth session, which was held in Paris and declared closed the twenty-eighth day of November 1978.

IN FAITH WHEREOF we have appended our signatures.

The President of the General Conference
The Director-General

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The Declaration of Dresden

At the invitation of the ICOMOS National Committee of the German Democratic Republic, participants from 11 countries held a symposium in Dresden from November 15th to 19th, 1982 on the subject of the "Reconstruction of Monuments Destroyed by War".

The meeting:

- has observed once again in Dresden with profound shock, what terrible suffering and losses war causes for people and their cultural property,
- recognized the achievement of the government and people of the German Democratic Republic, in reclaiming a substantial part of their treasures that had been damaged or believed lost, and in particular, architectural monuments,
- against this background gives its full support to the recommendation (No. 308) of the 2nd World Conference of Unesco (Mexico, August 1982), concerning the prevention of wars,
- and agrees also with the resolution concerning the same subject, adopted by the VIth General Assembly of ICOMOS in 1981 in Rome.

The meeting summarizes the results of its discussions in the following basic assessment:

1. The task of social development after the war, the reconstruction of towns and villages, and the resulting task of the protection of monuments constitutes a single entity. The spiritual values of monuments and the desire to acknowledge them both intellectually and politically were the reasons for initiating their reconstruction.

2. The objective and the practical efforts of governments and peoples in the restoration of monuments and the preservation of the character of towns and villages which has evolved over time have been, and will remain to be of great importance for the bond between peoples and their native lands and for their participation in social progress in their country.

3. A great cultural effect has been and will be achieved in such places where protection and meticulous preservation of monuments go hand in hand with efforts to restore their impact and to promote the understanding of them, and where existing monuments have been harmoniously complemented by new works of architecture, respecting and enhancing typical urban ensembles including their natural setting.

4. Since men have been influenced by the wartime destruction and by reconstruction work after the war to regard monuments with increasing interest, in particular as providing evidence of history, fresh emphasis has been placed on the demand to preserve the original substance of the monument. By this is meant that substance which, in all those components which make it worthy of being recognized as a monument, has grown through the ages, and which, by virtue of its authenticity, confirms the origins of the monument and its historical evolution up to the present day.

5. Reconstruction gave fresh impetus to basic studies and to intensive research by means of archaeology, for new modes of documenting results in monument

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protection. Completion of the documentation of individual monuments and of the stock of monuments is also recognized as an urgent task for the protection of monuments from the consequences of armed conflicts and catastrophes.

6. The new interest in the intellectual acknowledgement of monuments has frequently given rise to the wish to restore a monument by reason of its meaning and impact, in addition to mere preservation. The type and scope of restoration have been and continue to be dependent on the significance and specific character of the monument, on the extent of destruction, and of the cultural and political function attached to it.

7. In reconstructing monuments destroyed by war various techniques have been developed. A multiplicity of factors have to be taken into account in each individual case. These range from the conservation of a monument for its symbolic value to the restoration of a townscape condition which cannot be abandoned.

8. In the restoration of monuments destroyed by war special care should be taken that the historic development up to the present time can be traced. This applies to the elements of monuments from different periods as well as other evidence of its fate. This might include modern elements which have been added in a responsible manner. The complete reconstruction of severely damaged monuments must be regarded as an exceptional circumstance which is justified only for special reasons resulting from the destruction of a monument of great significance by war. Such a reconstruction must be based on reliable documentation of its condition before destruction.

9. The need to continue the traditional use of a building has frequently accelerated the restoration of destroyed architectural monuments. Increasing awareness of the spiritual value of monuments has further encouraged this trend. This concerns to a large extent residential houses in towns and villages as well as town-halls, churches, and other historic buildings.

10. The destruction of a monument frequently results in completely new objectives for social use and their understanding after its reconstruction being established. This may range from the efforts to find a use of great public significance to residential use.

11. In the task of reconstructing monuments, a highly meticulous scientific methodology has evolved, as well as skills in technology, artistry and craftsmanship. Arising from the legitimate desire of peoples to restore damaged monuments as completely as possible to their national significance, necessary restoration work, going beyond conservation, has attained a high professional level and thereby a new cultural dimension as well.

12. More and more clearly, peoples combine pride in monuments of their own history with interest in monuments of other countries and with respect for cultural achievements, both past and present, of the peoples represented by these monuments. Worldwide exchange of knowledge and experience on characteristic features, historical evidence, and the beauty of the cultural heritage, especially the monuments of every people and each ethnic and social group, plays a constructive role in assuring equitable, peaceful co-existence between peoples.

Our experience working in the field of monuments protection, in seeing the terrible loss

of human life and the destruction of cultural treasures by wars, our experience in the beautiful and responsible work of restoring and newly understanding these monuments, place an obligation on all of us to make every effort for a more secure peace in the world on the basis of assiduous international cooperation and disarmament.

Dresden, November 18th, 1982

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THE DECLARATION OF SAN ANTONIO

We, the presidents, delegates and members of the ICOMOS National Committees of the Americas, met in San Antonio, Texas, United States of America, from the 27th to the 30th of March, 1996, at the InterAmerican Symposium on Authenticity in the Conservation and Management of the Cultural Heritage to discuss the meaning of authenticity in preservation in the Americas. We did so in response to the call issued by the Secretary General of ICOMOS for regional participation in the international debate on the subject.

A. BACKGROUND

For the past twelve months, members of the ICOMOS National Committees of the Americas have studied, read and discussed the documents produced in 1994 by the meetings of specialists on authenticity in Bergen, Norway, and Nara, Japan, as well as other pertinent documents. In preparation for the assembly in San Antonio, each National Committee prepared and submitted a National Position Paper that summarized the results of its own national or regional findings.

B. CONSIDERATIONS AND ANALYSIS

Having discussed the nature, definition, proofs, and management of authenticity in relation to the architectural, urban, archaeological and cultural landscape heritage of the Americas in an assembly that was open to members of all the ICOMOS National Committees of the Americas and to preservation organizations from the regions, we issue the following summary of our findings and recommendations:

1. AUTHENTICITY AND IDENTITY

   The authenticity of our cultural heritage is directly related to our cultural identity. The cultures and the heritage of the Americas are distinct from those of other continents because of their unique development and influences. Our languages, our societal structures, our economic means, and our spiritual beliefs vary within our continent, and yet, there are strong common threads that unify the Americas. Among these is our autochthonous heritage, which has not been entirely destroyed in spite of the violence of the Conquest Era and a persistent process of acculturation; the heritage from the European colonizers and the African slavery that together have helped build our nations; and finally, the more recent contribution of European and Asian immigrants who came searching for a dream of freedom and helped to consolidate it. All these groups have contributed to the rich and syncretic pluriculturalism that makes up our dynamic continental identity.

   Because cultural identity is at the core of community and national life, it is the foundation of our cultural heritage and its conservation. Within the cultural diversity of the Americas, groups with separate identities co-exist in the same space and time and at times across space and time, sharing cultural manifestations, but often assigning different values to them. No nation in the Americas has a single national identity; our diversity makes up the sum of our national identities.

   The authenticity of our cultural resources lies in the identification,

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evaluation and interpretation of their true values as perceived by our ancestors in the past and by ourselves now as an evolving and diverse community. As such, the Americas must recognize the values of the majorities and the minorities without imposing a hierarchical predominance of any one culture and its values over those of others.

The comprehensive cultural value of our heritage can be understood only through an objective study of history, the material elements inherent in the tangible heritage, and a deep understanding of the intangible traditions associated with the tangible patrimony.

When taking into account the value of heritage sites as related to cultural identity, the Americas face the global problem of cultural homogenization, which tends to dilute and erase local values in favor of those that are being advanced universally, often as stereotyped illusions with commercial ends. This weakens the role of heritage sites. While we accept the importance of traditional values as an instrument in ethnic and national identity, we reject their use to promote exacerbated nationalism and other conflicting attitudes that would lead our continent away from mutual respect and a permanent peace.

2. AUTHENTICITY AND HISTORY
An understanding of the history and significance of a site over time are crucial elements in the identification of its authenticity. The understanding of the authenticity of a heritage site depends on a comprehensive assessment of the significance of the site by those who are associated with it or who claim it as part of their history. For this reason, it is important to understand the origins and evolution of the site as well as the values associated with it. Variations in the meaning and values of a site may at times be in conflict, and while that conflict needs to be mediated, it may, in fact, enrich the value of the heritage site by being the point of convergence of the values of various groups. The history of a site should not be manipulated to enhance the dominant values of certain groups over those of others.

3. AUTHENTICITY AND MATERIALS
The material fabric of a cultural site can be a principal component of its authenticity. As emphasized in Article 9 of the Venice Charter, the presence of ancient and original elements is part of the basic nature of a heritage site. The Charter also indicates that the material elements of our tangible cultural heritage are bearers of important information about our past and our identity. Those messages include information about a site's original creation as well as the layered messages that resulted from the interaction between the resource and new and diverse cultural circumstances. For these reasons, those materials and their setting need to be identified, evaluated and protected. In the case of cultural landscapes, the importance of material fabric must be weighed along with the immaterial distinctive character and components of the site.

Over time, heritage sites have come to possess a testimonial value -- which may be aesthetic, historic or otherwise -- that is readily evident to most of society. In addition to the testimonial value, there are less evident documentary values that require an understanding of the

historic fabric in order to identify their meaning and their message. Since the documentary value responds to evolving questions posed by the community over time, it is important that the material evidence, defined in terms of design, materials, manufacture, location, and context be preserved in order to retain its ability to continue to manifest and convey those concealed values to present and future generations.

The degree to which documented missing elements are replaced as part of restoration treatments varies within the Americas in accordance to the cultural characteristics of each country. Some national policies indicate that what is lost can only be part of our memory and not of our heritage. Elsewhere, policies encourage the replacement of fully documented elements in facsimile form in order to re-establish the site's full significance. Nevertheless, we emphasize that only the historic fabric is authentic, and interpretations achieved through restoration are not; they can only authentically represent the meaning of a site as understood in a given moment. Furthermore, we universally reject the reliance on conjecture or hypotheses for restoration.

Apart from the above, there are important sectors of our patrimony that are built of perishable materials that require periodic replacement in accordance with traditional crafts to ensure continued use. Similarly, there are heritage sites built of durable materials but that are subject to damage caused by periodic natural catastrophes, such as earthquakes, floods and hurricanes. In these cases, we also assert the validity of using traditional techniques for their repair, especially when those techniques are still in use in the region, or when more sophisticated approaches would be economically prohibitive.

We recognize that in certain types of heritage sites, such as cultural landscapes, the conservation of overall character and traditions, such as patterns, forms and spiritual value, may be more important than the conservation of the physical features of the site, and as such, may take precedence. Therefore, authenticity is a concept much larger that material integrity and the two concepts must not be assumed to be equivalent or consubstantial.

4. AUTHENTICITY AND SOCIAL VALUE

Beyond the material evidence, heritage sites can carry a deep spiritual message that sustains communal life, linking it to the ancestral past. This spiritual meaning is manifested through customs and traditions such as settlement patterns, land use practices, and religious beliefs. The role of these intangibles is an inherent part of the cultural heritage, and as such, their link to the meaning of the tangible elements of the sites must be carefully identified, evaluated, protected and interpreted.

The goal of preserving memory and its cultural manifestations must be approached by aiming to enrich human spirituality, beyond the material aspect. Historic research and surveys of the physical fabric are not enough to identify the full significance of a heritage site, since only the concerned communities that have a stake in the site can contribute to the understanding and expression of the deeper values of the site as an anchor to their cultural identity.

In cultural landscapes, including urban areas, the process of identifying and protecting social value is complex because so many separate interest groups may be involved. In some cases, this situation is further complicated because the traditional indigenous groups that once protected and developed the sites are now adopting new and at times conflicting values that spring from the market economy, and from their desire for more social and economic integration in the national life. We recognize that sustainable development may be a necessity for those who inhabit cultural landscapes, and that a process for mediation must be developed to address the dynamic nature of these sites so that all values may be properly taken into account. We also recognize that in some cases, there may be a hierarchy of values that is related to the stake of some groups in a site.

5. AUTHENTICITY IN DYNAMIC AND STATIC SITES

The heritage of the Americas includes dynamic cultural sites that continue to be actively used by society, as well as static sites such as archaeological sites no longer used by the descendants of their builders. These two types of sites have differing natures; and their conservation needs, the determination of their authenticity, and their interpretation vary according to their character.

Dynamic cultural sites, such as historic cities and landscapes, may be considered to be the product of many authors over a long period of time whose process of creation often continues today. This constant adaptation to human need can actively contribute to maintaining the continuum among the past, present and future life of our communities. Through them our traditions are maintained as they evolve to respond to the needs of society. This evolution is normal and forms an intrinsic part of our heritage. Some physical changes associated with maintaining the traditional patterns of communal use of the heritage site do not necessarily diminish it's significance and may actually enhance it. Therefore, such material changes may be acceptable as part of on-going evolution.

Static cultural sites include those valued as the concluded work of a single author or group of authors and whose original or early message has not been transformed. They are appreciated for their aesthetic value, or for their significance in commemorating persons and events important in the history of the community, the nation, or the world. In these sites, which are often recognized as monumental structures, the physical fabric requires the highest level of conservation in order to limit alterations to their character.

Another type of site that may be static is the archaeological site whose active communal and social purpose have faded or even ceased. For a variety of reasons, the descendants of the original creators and traditional inhabitants have lost their direct link to the physical fabric of the site, thereby also weakening their ability to perceive and interpret the site's meaning and value. Because the pre-European cultures of the Americas lacked writing, the most direct link to that past lies in the material evidence of the archaeological sites, with the added complication that the information that they offer is incomplete and at times random. The authenticity of archaeological sites is non-renewable. It resides in its material elements and their context, that is,

the relationship of the structures and objects among themselves and with the physical surroundings. Authenticity can be destroyed when the context of the site is not properly documented, when layers are eliminated to reach deeper ones, when total excavation is undertaken and when the findings are not rigorously and broadly disseminated. For these reasons, witnesses of the original stratigraphy must be maintained so that future generations may analyze them with more sophisticated techniques than those in existence today.

Only through study, publication and research of the physical evidence can these sites and their objects once again manifest their values and re-establish their links to our present cultural identity. However, the interpretation of the sites can authentically reflect only fluctuating interests and values, and in itself, interpretation is not inherently authentic, only honest and objective. For these reasons, the intactness of the physical evidence in its entirety demands the most thorough documentation, protection and conservation so that objectivity of interpretation may respond to new information derived from that fabric.

Regardless of the type of site, contemporary treatments must rescue the character of all cultural resources without transforming their essence and balance. New elements must be harmonious with the character of the whole.

6. AUTHENTICITY AND STEWARDSHIP
The heritage of the Americas is characterized by very heterogeneous patterns of ownership and stewardship. While many sites are properly protected by their stewards, at times some sites are under the jurisdiction of local authorities that lack the ability to determine properly the comprehensive value of the sites or the appropriate treatments for their conservation. Other times, the original inhabitants who created and cared for a cultural site have been replaced by new populations that have little or no cultural affinity for the site and place little or no value in it, leading to its abandonment and decay. This situation urgently demands that the proper national and local authorities and the present owners, stewards and inhabitants be made fully aware of the value that other majority and minority sectors of the population may have for the site. Both the communities and the constituted authorities must be provided the means for the correct knowledge and evaluation of the heritage, its protection and conservation, and the promotion of its artistic and spiritual enjoyment, as well as its educational use.

7. AUTHENTICITY AND ECONOMICS
The authenticity of heritage sites lies intrinsically in their physical fabric, and extrinsically on the values assigned to them by those communities who have a stake in them. Tourists constitute one of those groups that values the site and has an interest in its meaning and conservation.

Since cultural tourism is often a substantial source of revenue for local and national economies, its development is acceptable, as originally formulated in the Norms of Quito. Nevertheless, the limited values that tourists may place on a site and the economic concerns for

tourism revenue cannot be allowed to be the overriding criterion in a site's conservation and interpretation. This is especially true when the authenticity of fabric and its context, and of the site's broader values and message are altered, diminished, or threatened.

In the Americas, the authenticity of many archaeological sites has been compromised through reconstructions. In spite of their educational value, reconstructions aimed to promote tourism reduce the authenticity of such sites by involving new hands, new materials and new criteria, and by altering the appearance of the site.

Furthermore, within the framework of economic development, the problem of permanently poor populations remains a critical factor in the urban cores of many historic cities of the Americas. Bringing about an awareness of the cultural value of the urban heritage on the part of these poor sectors cannot be achieved without a comprehensive approach to solve their marked material and social marginality.

C. RECOMMENDATIONS

Given all of the above considerations, we the Presidents of the ICOMOS National Committees of the Americas hereby offer for discussion at the General Assembly in Sofia the following general recommendations as well as the specific discussion group recommendations that emerged from the extensive discussions held in San Antonio by the participants in the InterAmerican Symposium on Authenticity in the Conservation and Management of the Cultural Heritage. Furthermore, we recognize and commend the Nara Document as a valuable instrument for discussion, but find it incomplete and, therefore, endorse the appended commentaries on the Nara Document based on the needs we have identified relating to the heritage of the Americas:

1. GENERAL RECOMMENDATIONS:
    a. That our appreciation be conveyed to the members of US/ICOMOS, to the Getty Conservation Institute and the San Antonio Conservation Society for organizing and sponsoring the InterAmerican Symposium on Authenticity, and that the authorities of the City of San Antonio, Texas, be recognized for their hospitality during our meeting and for their accomplishments in preserving the heritage of this beautiful historic city.

    b. That a process be established that will help to define and protect authenticity in the material legacies of our diverse cultural heritage, and that will lead to the recognition of a broad range of significant resources through the comprehensive and specific evaluation of cultural value, the administrative context, and the history of the site. The Burra Charter and its operational guidelines may serve as a model for this process. Such a process should include management mechanisms that will ensure the involvement of all concerned groups. Individual experts representative of a broad range of disciplines and interests, all relevant groups in the process and other interested or affected parties must be included in the management process of determination of significance and treatments in a heritage site.

c. That further consideration be given to the proofs of authenticity so that indicators may be identified for such a determination in a way that all significant values in the site may be set forth. The following are some examples of indicators:

   i. **Reflection of the true value.** That is, whether the resource remains in the condition of its creation and reflects all its significant history.
   ii. **Integrity.** That is, whether the site is fragmented; how much is missing, and what are the recent additions.
   iii. **Context.** That is, whether the context and/or the environment correspond to the original or other periods of significance; and whether they enhance or diminish the significance.
   iv. **Identity.** That is, whether the local population identify themselves with the site, and whose identity the site reflects.
   v. **Use and function.** That is, the traditional patterns of use that have characterized the site.

d. That given the comprehensive nature of the cultural heritage, the existing principles contained in all pertinent charters and declarations be consolidated as part of the development of a comprehensive approach and guideline to the practice of heritage conservation. These should include the Venice Charter, the 1965 UNESCO Archaeological Guidelines, the Burra Charter, the Declaration of Oaxaca, the Florence Charter, the Washington Charter, the Nara Document, the Charter of Brasilia, this Declaration of San Antonio, etc.

2. RECOMMENDATIONS OF THE ARCHITECTURE AND URBANISM GROUP

a. That proper recognition be given to the values inherent in the cultural diversity of our historic urban centers.

b. That programs be established to develop a greater awareness among the many cultural groups of their multiplicity of values.

c. That through additional awareness and educational programs, governmental authorities and stewardship groups be made aware of the role of social and cultural values in protecting the authenticity of buildings and sites.

d. That flexible and open processes for consultation and mediation be instituted at the local level in order to identify communal values and other aspects of cultural significance in historic urban districts.

e. Since historic urban districts and towns are a type of cultural landscape, that many of the recommendations issued by the Cultural Landscapes Group also be applied to this sector of the heritage.

3. RECOMMENDATIONS OF THE ARCHAEOLOGICAL SITES GROUP

    a. That more attention be paid to authenticity in archaeological sites on the part of ICOMOS. Perhaps because of the membership composition of ICOMOS, there has not been enough concern for this heritage sector in the Americas.

    b. That more analysis be dedicated to the relationship authenticity might have to such activities as stabilization, consolidation, construction of protective shelters, etc.

    c. That descriptive and accurate documentation be an absolute requirement in all archaeological work. As sites are excavated, they are depleted of information, like books whose pages disappear. Interpretation is not controllable, but the record is. The archaeological record must be truthful and reliable -- in other words, authentic, objective and rigorous.

    d. That all interventions and excavations in archaeological sites always be accompanied by implementation of a conservation and permanent protection plan.

    e. That the authenticity of archaeological evidence be given proper protection when sites are threatened by urban encroachment or by civil works, such as road construction.

    f. That authenticity be protected prior to artificial flooding and the construction of dams through the exhaustive documentation of the area, with appropriate rescue techniques for the archaeological evidence, and followed by the publication of the results.

    g. That if excavated sites are not properly attended to and managed, conservation measures -- such as site re-burial -- must be considered to ensure that some level of authenticity is maintained through the ages.

    h. That a large part of the authenticity of an archaeological site resides in the undisturbed buried archaeological remains of the fill, and as such, should be minimally excavated by archaeologists, only to the extent necessary to determine the significance of the site.

    i. That some archaeological sites are still held to be sacred by the descendants of the creators of the site, and as such, should be minimally disturbed, or not disturbed at all, by archaeologists or development.

4. RECOMMENDATIONS OF THE CULTURAL LANDSCAPES GROUP

    a. That processes of negotiation be established to mediate among the different interests and values of the many groups who own or live in cultural landscapes.

b. Since cultural landscapes are complex and dynamic, that the process of determining and protecting authenticity be sufficiently flexible to incorporate this dynamic quality.

c. That the concept of sustainable development and its relationship to the management of cultural landscapes be defined in order to include economic, social, spiritual and cultural concerns.

d. That the conservation of cultural landscapes seek a balance between the significant natural and cultural resources.

e. That the needs and values of the local communities be taken into consideration when the future of cultural landscapes is being determined.

f. That further work be done on appropriate legislation and governmental planning methodologies to protect the values associated with cultural landscapes.

g. Since in conserving the authenticity of cultural landscapes the overall character and traditions, such as patterns, forms, land use and spiritual value of the site may take precedence over material and design aspects, that a clear relationship between values and the proof of authenticity be established.

h. That expert multi-disciplinary assessments become a requirement for the determination of authenticity in cultural landscapes, and that such expert groups include social scientists who can accurately articulate the values of the local communities.

i. That the authenticity of cultural landscapes be protected prior to major changes in land use and to the construction of large public and private projects, by requiring responsible authorities and financing organizations to undertake environmental impact studies that will lead to the mitigation of negative impacts upon the landscape and the traditional values associated with these sites.

5. RECOMMENDATIONS REGARDING THE NARA DOCUMENT
That the attached commentaries on the Nara Document be considered in all international documents and guidelines as a reflection of the definition, proof and protection of the authenticity of the Cultural Heritage of the Americas.

ATTACHMENT TO THE DECLARATION OF SAN ANTONIO

COMMENTARY ON THE NARA DOCUMENT

Resulting from discussions among the participants in the InterAmerican Symposium on

Authenticity in the Conservation and Management of the Cultural Heritage, organized by US/ICOMOS, The Getty Conservation Institute and the San Antonio Conservation Society: San Antonio, Texas, March 27-30, 1996.

First and foremost, the Symposium participants extend their congratulations to the drafting committee of the Nara Document for this important and timely contribution to the field of cultural heritage protection. We also recognize that this Document was discussed and approved by the participants in the Nara Document and that, as such, it is not subject to change. However, because it has been made available to the global conservation community for study and discussion, it is important that its relevance to the cultural heritage of the Americas be analyzed. It is in that spirit that these comments are offered:

INTRODUCTION

The Preface to the Nara Document states,

> *"The experts considered that an expanded dialogue in different regions of the world and among specialist groups concerned with the diversity of cultural heritage was essential to further refine the concept and application of authenticity as it relates to cultural heritage. Such on-going dialogue will be encouraged by ICOMOS, ICCROM, and the World Heritage Centre, and will be brought to the Committee's attention as appropriate."*

In keeping with this recommendation, US/ICOMOS took on the challenge to organize a meeting of presidents, delegates and members of the ICOMOS committees from the Americas to assemble in San Antonio, Texas, to consider the definitions and applicability of authenticity to the conservation and management of heritage in their regions. One of the tasks taken up by the group was a careful review of the articles of the Nara Document, for the purpose of examining whether the American point of view is fully represented in the document.

It was acknowledged by all present that the Nara Document represents considerable diplomatic and substantive work on the part of the individuals involved in its development. The participants in the San Antonio symposium concur with the Nara group that the subject is central to preservation work around the world, and its closer definition and more thorough understanding is of profound and timely importance to the professional community. It was also believed that while the Nara Document is focused on the needs for implementing the World Heritage Convention, by its very nature, the Document will find a broader application. Therefore, some of our comments may address its broader sense. While the Nara Document will certainly find a place in the interpretation of the World Heritage Convention and to the applications of other guidelines, it was felt by the group in San Antonio that several substantive issues that surfaced could usefully be brought forward to ICOMOS in the forum of the ICOMOS General Assembly in Sofia, Bulgaria, in October 1996 and to the World Heritage Committee.

DISCUSSION OF THE DOCUMENT

In general, the group believes that the Nara Document is a good articulate discussion of complex issues, in spite of the difficulty in closely tracking the English and French versions. In several articles [Articles 6, 12, and 13], the English text appears weak in comparison to the French, and the meaning of the two texts does not correspond exactly, making it difficult to determine which meaning reflects the real intention of the authors. The comments on this point were made with the understanding that the document had been produced under challenging time pressures and that some language revisions are still under way.

More specifically, six of the articles were seen to present opportunities for further discussion within the context of the concerns of the ICOMOS National Committees of the Americas and the nature of our cultural heritage.

ARTICLE 1
The participants at the InterAmerican Symposium believes that in the Americas the concept of participation by the local community and stakeholders needs to be stronger than the text implies in order that they be involved in all processes from the beginning. By identifying the stages for such involvement, the Nara Document excludes the local community, for instance, from the identification process.

ARTICLE 4
The San Antonio group believes that in the Americas, and perhaps elsewhere, the use of the words "nationalism" and "minorities" are inappropriate, for they do not cover the rather common case in this hemisphere where a minority within a nation may be more influential and impose its cultural values over larger, even majority groups, all within a shared national identity.

Also, the concept was advanced that this article omits one important mechanism in the search for cultural identity in the Americas, which is the re-assignation of lost or new values for weakened cultural traditions and heritage, especially those associated with the native American patrimony.

ARTICLE 5
There was discussion in San Antonio as to whether this Article incorporates a very important characteristic of the Americas, which is the close coexistence of vastly differing cultural groups, including, in extreme cases, the close proximity of post-industrial, highly technical societies with nomadic tribes who live in close interaction with the natural environment. It was thought that this coexistence needs to be acknowledged and respected throughout the conservation process.

ARTICLE 8.
Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing its own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural values.

The first sentence in this article,

> *It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all.*

reflects an important idea within the World Heritage context, but the group felt strongly that in a broader context the wording could easily lead to serious misinterpretation. First, the statement *"the cultural heritage of each is the cultural heritage of all"* could be used to support the idea that decisions over the heritage of a nation could rightfully be made by outside authorities. Unless the site or monument is on the World Heritage List, this was seen as an inappropriate possibility that undermined sovereignty. Second, at the other extreme, this statement could also be used to support the abdication of responsibility of a nation to care for its heritage when it should.

While the second sentence would appear to address that point, the current wording of the first sentence weakens its strength:

> *Responsibility for cultural heritage and the management of it belongs, in the first place to the cultural community that has generated it and subsequently, to that which cares for it.*

The San Antonio group believes that where the community that created the heritage is still its steward or holds a stake in its survival, it should be responsible for its care. Where the heritage has passed into the common holding of a nation where it stands, the nation must take responsibility. Here again, the problem may lie in the translation.

The last sentence in Article 8,

> *Balancing their own requirements with those of other cultural communities is for each community highly desirable, provided achieving this balance does not undermine their fundamental cultural values.*

is also problematic in its current wording, because the identification of *"fundamental cultural values"* is not possible or desirable in this context.

ARTICLE 10
It was thought that this text does not fully reflect the concerns of the Americas because it does not directly state that in the understanding of authenticity it is crucial to acknowledge the dynamic nature of cultural values, and that to gain such understanding static and inflexible criteria must be avoided.

ARTICLE 11
The participants believe that this Article lacks needed clarity and emphasis that could have been provided by a reiteration in its last sentence of the definition of what the cultural context constitutes:

> **a) that which created it; b) that to which it currently belongs; and c) the broader cultural context to the extent possible.**

Declaration of Rome

Given:

- the immense variety and the qualitative and quantitative richness of the archaeological, architectural, historical and artistic, environmental and natural, archival and book heritage existing in Italy.
- the lack of available economic and financial resources,
- the extremely tense climate which is characteristic of the present stage of growth and transformation of Italian society,

Taking into consideration the fundamental cultural contributions continuously provided by Italian experts, not only to the knowledge of the history of art but also to theories of conservation and to the practice of restoration,

Noting also, in comparison with other countries, the permanent involvement of the Parliament, the Italian Government and, above all, of the concerned public services in the conservation of the cultural heritage,

Therefore, in the aim of rendering actions for the integrated conservation of the national, cultural heritage more incisive and more precise, the Italian National Committee, under the patronnage of the Ministry of Cultural Property and of the Environment, recalling the work accomplished at the national symposia of Sorrento (1979) and of Naples (1981), discussed the following theme in Rome (9-10 June 1983) on the basis of earlier studies: "Monuments and Sites: conservation action in Italy today".

After hearing and discussing the reports and communications, the symposium noted the serious deficiencies which exist in Italy today in the field of the conservation and the restoration of the cultural heritage. These deficiencies are due, on the one hand, to the insufficiently clear relationship between theory and practice, and on the other hand, to the inherent dangers of the current political and socio-economic situation.

The Assembly noted specifically:

1. A co-ordination which is rare, even non-existent, among the various bodies involved in conservation at all levels : local, regional, national and international. This situation is aggravated by other factors, such as the lack of an organic structure in these institutions; the separation between the University and the government services in charge of cultural property; the absence of coordination among the Ministries and, above all, between Cultural Affairs and Public Works, though the latter provides considerable funding for the architectural heritage.

2. Serious consequences due to the fact that architectural restoration operations are too often awarded to insufficiently qualified professionals of the private and public sector. This situation proves the absolute necessity to employ competent restorers, having received university level training and post-graduate level specialized training.

3. Ulterior consequences due to the unsupervised work of new, unqualified, private contractors on monuments, historic centres and sites. This phenomenon has been accentuated by the poor health of the construction industry which has led certain

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contractors toward restoration work despite their lack of training, under the cover of recent, ambiguous legislation on architecture and town planning. This legislation is itself an expression of the present state of general confusion.

The Assembly, proposing to remedy point by point the aforementioned deficiencies and the errors attached to them,

a. requests of the Parliament, the Government and the competent controlling bodies, a total involvement in the coordination of the administrative, didactic, normative, technical and cultural initiatives taken by national and international organisms, for a careful programming of architectural operations and for the rigourous supervision of the real qualifications of professionals and contractors working in the field of restoration.

b. confirms and adopts the contents and conclusions of the "International Meeting of Co-ordinators for Training in Architectural Conservation" (organized by ICCROM, Rome, December 1982). During that meeting, the Assembly did indeed confirm the utmost importance of: the training of specialized personnel, in the historical and technical fields, in architecture and town planning who should be employed for all restoration work, according to the recognized multidisciplinary, scientific method of conservation work; and the strengthening of the competent international organizations for education and cultural training, such as ICCROM.

By the formulation of these recommendations to competent organisms and to the cultural world, the Assembly confirms the intention of ICOMOS to act and its readiness to co-operate for the most rapid practical application of these recommendations.

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THE STOCKHOLM DECLARATION
(Declaration of ICOMOS marking the 50th anniversary of the Universal Declaration of Human Rights)

(1998)

Meeting in Stockholm, ICOMOS wishes to underline the importance of the Universal Declaration of Human Rights, celebrating its 50th anniversary in 1998, in particular its recognition of the right of everyone to partake freely in the cultural life of the community.

In addition to the importance of specific conventions or legislation relating to cultural heritage and its preservation, ICOMOS affirms that the right to cultural heritage is an integral part of human rights considering the irreplaceable nature of the tangible and intangible legacy it constitutes, and that it is threatened to in a world which is in constant transformation. This right carries duties and responsibilities for individuals and communities as well as for institutions and states. To protect this right today is to preserve the rights of future generations.

> The right to have the authentic testimony of cultural heritage, respected as an expression of one's cultural identity within the human family;
>
> The right to better understand one's heritage and that of others;
>
> The right to wise and appropriate use of heritage;
>
> The right to participate in decisions affecting heritage and the cultural values it embodies;
>
> The right to form associations for the protection and promotion of cultural heritage.
>
> These are rights ICOMOS believes must be respected in order to preserve and enrich World's cultural diversity.

These rights assume the need to recognize, appreciate and maintain heritage, and to improve and respect a framework for action. They assume appropriate development strategies and an equitable partnership between society, the private sector and individuals to harmonize interests affecting cultural heritage, and to reconcile preservation with development. In the spirit that animates such statements, they call for international co-operation in the conventions, legislation and other statutory measures.

These are responsibilities that all -- individually and collectively -- must share just as all share the wealth of the memory, in the search for a sustainable development at the service of Mankind.

Stockholm, September 11th, 1998

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THE NARA DOCUMENT ON AUTHENTICITY
(*1994*)

Preamble

1. We, the experts assembled in Nara (Japan), wish to acknowledge the generous spirit and intellectual courage of the Japanese authorities in providing a timely forum in which we could challenge conventional thinking in the conservation field, and debate ways and means of broadening our horizons to bring greater respect for cultural and heritage diversity to conservation practice.

2. We also wish to acknowledge the value of the framework for discussion provided by the World Heritage Committee's desire to apply the test of authenticity in ways which accord full respect to the social and cultural values of all societies, in examining the outstanding universal value of cultural properties proposed for the World Heritage List.

3. The Nara Document on Authenticity is conceived in the spirit of the Charter of Venice, 1964, and builds on it and extends it in response to the expanding scope of cultural heritage concerns and interests in our contemporary world.

4. In a world that is increasingly subject to the forces of globalization and homogenization, and in a world in which the search for cultural identity is sometimes pursued through aggressive nationalism and the suppression of the cultures of minorities, the essential contribution made by the consideration of authenticity in conservation practice is to clarify and illuminate the collective memory of humanity.

Cultural Diversity and Heritage Diversity

5. The diversity of cultures and heritage in our world is an irreplaceable source of spiritual and intellectual richness for all humankind. The protection and enhancement of cultural and heritage diversity in our world should be actively promoted as an essential aspect of human development.

6. Cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties.

7. All cultures and societies are rooted in the particular forms and means of tangible and intangible expression which constitute their heritage, and these should be respected.

8. It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all. Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing their own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural values.

Values and authenticity

9. Conservation of cultural heritage in all its forms and historical periods is rooted in the values attributed to the heritage. Our ability to understand these values depends, in part, on the degree to which information sources about these values may be understood as credible or truthful. Knowledge and understanding of these sources of information, in relation to original and subsequent characteristics of the cultural heritage, and their meaning, is a requisite basis for assessing all aspects of authenticity.

10. Authenticity, considered in this way and affirmed in the Charter of Venice, appears as

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the essential qualifying factor concerning values. The understanding of authenticity plays a fundamental role in all scientific studies of the cultural heritage, in conservation and restoration planning, as well as within the inscription procedures used for the World Heritage Convention and other cultural heritage inventories.

11. All judgements about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must considered and judged within the cultural contexts to which they belong.

12. Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources.

13. Depending on the nature of the cultural heritage, its cultural context, and its evolution through time, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of the sources may include form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling, and other internal and external factors. The use of these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined.

Appendix 1

Suggestions for follow-up (proposed by H. Stovel)

1. Respect for cultural and heritage diversity requires conscious efforts to avoid imposing mechanistic formulae or standardized procedures in attempting to define or determine authenticity of particular monuments and sites.

2. Efforts to determine authenticity in a manner respectful of cultures and heritage diversity requires approaches which encourage cultures to develop analytical processes and tools specific to their nature and needs. Such approaches may have several aspects in common:

- efforts to ensure assessment of authenticity involve multidisciplinary collaboration and the appropriate utilisation of all available expertise and knowledge;

- efforts to ensure attributed values are truly representative of a culture and the diversity of its interests, in particular monuments and sites;

- efforts to document clearly the particular nature of authenticity for monuments and sites as a practical guide to future treatment and monitoring;

- efforts to update authenticity assessments in light of changing values and circumstances.

3. Particularly important are efforts to ensure that attributed values are respected, and that their determination included efforts to build, ad far as possible, a multidisciplinary and community consensus concerning these values.

4. Approaches should also build on and facilitate international co-operation among all those with an interest in conservation of cultural heritage, in order to improve global respect and understanding for the diverse expressions and values of each culture.

5. Continuation and extension of this dialogue to the various regions and cultures of the world is a prerequisite to increasing the practical value of consideration of authenticity in the conservation of the common heritage of humankind..

6. Increasing awareness within the public of this fundamental dimension of heritage is an absolute necessity in order to arrive at concrete measures for safeguarding the vestiges of the past. This means developing greater understanding of the values represented by the cultural properties themselves, as well as respecting the role such monuments and sites play in contemporary society.

Appendix II

Definitions

Conservation: all efforts designed to understand cultural heritage, know its history and meaning, ensure its material safeguard and, as required, its presentation, restoration and enhancement. (Cultural heritage is understood to include monuments, groups of buildings and sites of cultural value as defined in article one of the World Heritage Convention).

Information sources: all material, written, oral and figurative sources which make it possible to know the nature, specifications, meaning and history of the cultural heritage.

The Nara Document on Authenticity was drafted by the 45 participants at the Nara Conference on Authenticity in Relation to the World Heritage Convention, held at Nara, Japan, from 1-6 November 1994, at the invitation of the Agency for Cultural Affairs (Government of Japan) and the Nara Prefecture. The Agency organized the Nara Conference in cooperation with UNESCO, ICCROM and ICOMOS.

This final version of the Nara Document has been edited by the general rapporteurs of the Nara Conference, Mr. Raymond Lemaire and Mr. Herb Stovel.

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הערכת IUCN של מועמדות אתרי טבע למורשת עולמית:

הנחיה למעריכים בעניין משימות הערכה ודיווחי הערכה טכניים

הוכן על ידי

ג'ים תורסל ורולף הוגן

1999

עדכון: אוגוסט 2006

הארגון העולמי לשימור טבע

הערכת IUCN של מועמדות אתרי טבע למורשת עולמית

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הערכת IUCN של מועמדות אתרי טבע למורשת עולמית:

הנחיה למעריכים בעניין משימות הערכה ודיווחי הערכה טכניים

1. מבוא

1.1 IUCN והאמנה למורשת העולמית

IUCN הוא הארגון הטכני/ מדעי המייעץ בנושאי מורשת טבע לוועדה למורשת העולמית של אונסקו. תפקיד זה מתבטא באמנה (סעיפים 8, 13 ו-14).

מאז 1979 חתם IUCN על הסכמים שנתיים עם הוועדה (באמצעות המרכז למורשת העולמית של אונסקו) כדי לספק שירותי ייעוץ טכניים/ מדעיים כדלקמן:

- ניטור אתרים קיימים;
- השתתפות בסדנאות הכשרה ובסדנאות טכניות;
- ניהול מידע (בשיתוף מרכז ניטור השימור העולמי של UNEP (UNEP-WCMC).
- תקשורת וקידום של האמנה;
- ייעוץ בבקשות לסיוע בין-לאומי;
- הגדרת תקנים לניהול אזור מוגן; ו-
- תרומה לאסטרטגיה עולמית של רשימה מייצגת של מורשת עולמית.

1.2 מטרת מסמך זה

תפקידו של המסמך לשמש 'מדריך' בלתי פורמלי כדי לסייע בהכנת הערכה טכנית של מועמדות אתרים חדשים. ההמלצות שבהמשך נועדו לסייע למומחים במשימות ההערכה ובהכנת דוחות ההערכה שלהם. יש להסתייע במסמך זה בשילוב המהדורה האחרונה של 'הנחיות אופרטיביות ליישום האמנה למורשת עולמית' – המסגרת הרשמית לביצוע האמנה. http://whc.unesco.org/en/guidelines.

2 תהליך ההערכה

2.1 הנוהל

תיקי מועמדים חדשים חייבים להגיע למרכז המורשת העולמית בכל שנה לפני 1 בפברואר. תחילה סוקר אותם המרכז ואחר הארגונים המייעצים (IUCN ו-ICOMOS) כדי לוודא את "שלמותם". לאחר מכן, במארס/ אפריל, מועברות מועמדויות שלמות לאתרים טבעיים ומעורבים ולנופי תרבות לידי IUCN, ובכך מתחיל תהליך ההערכה. תהליך זה (מסוכם בצורה גרפית באיור 1 בעמוד 4) של קביעה אם אתר מוצע למועמדות הוא 'בעל ערך אוניברסלי' יוצא מהכלל עונה על חמישה אלמנטים:

- **איסוף נתונים**. UNEP-WCMC מכינים גיליון נתונים סטנדרטי על האתר ומשתמשים בהצעת המועמדות, במסד הנתונים העולמי על אזורים מוגנים ובמשאבים אחרים. אפשר להסתייע גם באתרים אחרים לצורך השוואה.
- **'הערכת שולחן' חיצונית.** הצעת המועמדות נשלחת למומחים בני-סמכא בכל הקשור לאתר, לאזור או לסוג האתר, ובהם בעיקר חברי הוועדה העולמית לאזורים מוגנים (WCPA) וועדות אחרות של IUCN ורשתות מדעיות, כגון ההתאחדות הבין-לאומית לגאומורפולוגים (IAG). כעשרה מעריכים חיצוניים מבצעים 'בדיקה שולחנית' לגבי כל הצעת מועמדות. את הערותיהם הבלתי תלויות והחסויות הם מגישים ל-IUCN.
- **בדיקת שדה.** במרבית המקרים, משלחת הכוללת מומחה אחד או יותר של IUCN נשלחת להעריך את האתר בשטח ולדון בהצעת המועמדות עם הרשויות הלאומיות והמקומיות הרלוונטיות, קהילות וארגונים מקומיים ובעלי עניין אחרים. בדרך כלל מועדי המשלחת הם יוני עד אוקטובר. באתרים מעורבים (mixed – טבע ותרבות) ובנופי תרבות מסוימים הרכב המשלחת משותף עם ICOMOS. המעריך מכין טיוטת דוח על האתר במתכונת סטנדרטית.

- **פנל מורשת עולמית של IUCN.** פנל של מומחים נפגש **בפעם הראשונה** במטה IUCN (בדצמבר) כדי לדון בכל הצעת מועמדות, ובהן בדוח המעריך בשטח, ב'הערכת השולחן' ובגיליון הנתונים של UNEP-WCMC. אפשר שהפנל יבקש מהמדינות לספק לו הבהרות נוספות.
- **המלצות סופיות.** פנל מורשת עולמית נפגש **בפעם השנייה** (מרץ) כדי לבחון כל מידע חדש שהתווסף ולהכין את המלצותיו הסופיות. הדוח מוכן, כולל מפות, ומוגש למרכז המורשת העולמית (מאי), להפצה בקרב חברי הוועדה והמדינות בעלות העניין שישה שבועות לפני הפגישה השנתית של הוועדה (יוני-יולי).
- **החלטה סופית.** המלצות IUCN מוצגות לוועדה בפני המורשת העולמית בפגישתה השנתית (יוני/ יולי), והן כוללות מצגת של 5 דקות, שקופיות ומפות של האתר. הוועדה דנה ומחליטה אם לאשר, לדחות למועד מאוחר יותר, להפנות או שלא לאשר את מועמדות האתר. **הוועדה רשאית לפעול או שלא לפעול על פי המלצות IUCN.**

חשוב לציין ש-IUCN שואף לדו-שיח עם המדינה משך כל תהליך ההערכה, כדי לאפשר לה כל הזדמנות לספק את המידע הנדרש כולו וכדי להבהיר את כל הסוגיות העשויות להתעורר. לפיכך יש שלוש נסיבות שבהן רשאי IUCN לבקש מידע נוסף על המדינות החברות, ואלו הן:

- **בטרם יציאת המשלחת לשטח** – IUCN ישלח למדינה החברה – בדרך כלל למתאם מטעם הוועד הישראלי לאונסקו – תדרוך על המשלחת, ובמקרים רבים יועלו שאלות ועניינים ספציפיים שיש לדון בהם בעת ביקורה של המשלחת. התדרוך מאפשר למדינה להתכונן כראוי מראש. המעריך מכין את השאלות הספציפיות בעקבות הבדיקה ומעביר אותן ל-IUCN, וזה שולח פנייה רשמית למדינה.
- **מיד לאחר ביקור המשלחת בשטח** – בהסתמך על דיוניה בשטח אפשר ש-IUCN יפנה מכתב רשמי המבקש מידע משלים לפני פגישת פנל מורשת עולמית שלו בדצמבר, כדי להבטיח שלרשות הפנל יעמוד כל המידע הדרוש על מנת להמליץ על האתר. המעריך יכין את השאלות הנדרשות ויעביר אותן ל-IUCN, וזה יפנה מכתב רשמי.
- **לאחר הפגישה הראשונה של פנל המורשת העולמית של IUCN** – אם ימצא הפנל שמספר שאלות עדיין לא נענו או אם יתעוררו עניינים נוספים, יישלח מכתב סופי למדינה ובו בקשה למידע נוסף עד למועד אחרון ספציפי (28 בפברואר, לפי

החלטת הישיבה ה-30 של הוועדה למורשת עולמית). יש להקפיד על מועד אחרון זה כדי לאפשר ל-IUCN להשלים את הערכתו. IUCN אינו יכול להתמודד עם כמויות גדולות של מידע נוסף בסוף תהליך ההערכה, ולכן על השאלות להיות ממוקדות ביותר.

הערה: אם המידע שסיפקה המדינה בעת הגשת המועמדות ובמהלך ביקור המשלחת אינו מספק, IUCN לא יבקש מידע משלים. יש להגיש את המידע המשלים כולו באופן פורמלי למרכז המורשת העולמית של אונסקו כדי להבטיח שיהיה רשום כחלק מתיק הצעת המועמדות. המרכז ישלח עותק ל-IUCN.

על מתאם ביקור המשלחת בשטח להבין שההחלטות אינן מתקבלות במהלך הביקור. אפשר גם שיהיה הבדל ניכר בין התוצאות שתגיע אליהן המשלחת לבין ההמלצות הסופיות, תלוי בשיקולים שיועלו בשלב קבלת ההחלטות על ידי IUCN, ובמיוחד בעמדות 'ההערכה השולחנית' וכל מידע נוסף שתספק המדינה או מקורות רלוונטיים אחרים. משום כך על המעריך להימנע מלהשמיע הערות בעניין המלצותיו ל-IUCN. עליו להסביר רק את תהליך ההערכה.

2.2 משלחת הבדיקה/ ההערכה בשטח

דוח משלחת ההערכה הוא רק חלק מתהליך ההערכה הטכני. דוח הבדיקה בשטח הוא מסמך פנימי, והפצתו תיעשה לפי שיקול דעתו של IUCN. אפשר שהמעריך ירצה להציע שתיים או שלוש אפשרויות להמלצה לשיקולו של פנל המורשת העולמית של IUCN. לוחות הזמנים צפופים, ולכן אין מקום לעיכוב בהגשת הדיווחים.

נקודת מפתח של ההערכה היא עמידה בקריטריונים של המורשת העולמית ל"ערך אוניברסלי יוצא מהכלל", לפי סעיף II.ד (נספח 2) של ההנחיות האופרטיביות (http://whc.unesco.org/en/guidelines). אינדיקציה טובה לפוטנציאל של האתר לעמוד בקריטריונים אפשר למצוא בתוצאות הניתוח ההשוואתי. ניתוח כזה יגלה נקודות ציון משמעותיות אחדות בשאלה אם לאתר חשיבות עולמית או רק לאומית או אזורית.

כדי לקבוע את **החשיבות היחסית** של אתר, יש להתייחס לחמישה **מדדי איכות**:

א) **ייחודיות.** האם האתר כולל מאפייני מינים/ בתי גידול/ מאפיינים פיזיים שאין כדוגמתם במקום אחר? שום מקום לא ישווה למשל לפארק הלאומי אולורו-קטה טיוטה באוסטרליה; לא מדובר באתר מעורב בלבד; כיום זהו גם נוף תרבותי. סוגיה זו תלויה מאוד בתוצאות ניתוח ההשוואה העולמי שעל המעריך להכין עבור האתר שמועמדותו הוצעה (נספח 1).

ב) **שלמות.** האם האתר הוא יחידה עצמאית במידה סבירה? זהו מאפיין מרכזי באזורים בעלי חשיבות ביולוגית.

ג) **טבעיות.** באיזו מידה הושפע האתר או שהוא עדיין מושפע מפעילויות של בני אדם? אין ספק שהפארק הלאומי נאהני בצפון קנדה הוא נוף שהטבע שולט בו ושההשפעה האנושית בו הייתה מזערית.

ד) **תלות.** באיזו מידה האתר חשוב למינים מרכזיים ולמערכת האקולוגית? הפארק הלאומי קומודו באינדונזיה הוא דוגמה לאתר ש-95% מאוכלוסיית דרקוני קומודו בעולם מופיעים בו, אף שיש למקום גם מאפיינים חשובים אחרים.

ה) **מגוון המינים.** מגוון מינים וסוגי בתי הגידול והמאפיינים הטבעיים באתר; אתרים כגון סיאן קאן במקסיקו המשלבים בין בתי גידול ימיים, חופיים ויבשתיים לבין ערכי תרבות מתקבלים בדרך כלל ביתר אהדה מאתרים בעלי מאפיין יחיד.

ברור שהסבירות גבוהה יותר שאזור המקבל ציון גבוה בכמה מהמדדים הנ"ל, כגון טה-ווהיפונם בדרום-מערב ניו-זילנד יהיה ברמה עולמית. המטרה של הערכות IUCN היא להבטיח אפוא שהוועדה תקבל רק את האתרים הטובים ביותר ושלא יחול פיחות באמינות של רשימת המורשת העולמית.

2.2.1: תהליך ההערכה של IUCN

- דוח IUCN לוועדה למורשת עולמית
- פנל המורשת העולמית של IUCN
- בדיקת שדה ו התייעצות עם נציגי ממשלה, מלכ"רים מקומיים, קהילות מקומיות ובעלי עניין אחרים
- סקירה חיצונית
- גיליון נתונים UNEP-WCMC

- מרכז המורשת העולמית של אונסקו
- תכנית IUCN לאזורים מוגנים

אם אתר אינו עומד בקריטריון טבעי אחד או יותר, יש מקום להסתפק בהכרה אחרת על ידי אונסקו (למשל, שמורה ביוספרית, אמנת רמסר, גאו-פארקים). יש מקרים שצריך לדון בדיסקרטיות עם המדינה המגישה את המועמדות למשוך את ההצעה. פתרון כזה יכול לחסוך לכולם הן עבודה והן מבוכה, אך יש לטפל בעניין ברגישות. אם היו מדינות שחלקו על המלצות IUCN, התהליך יכול לחרוג אל מעבר לעניינים הטכניים ולגלוש לשיקולים פוליטיים. העיקרון החשוב הוא ש-IUCN חייב לשמור על אמינותו ולשמור על מסגרת תפקידו בתור ארגון טכני/ מדעי עצמאי המייעץ לאמנה.

2.3 דוח ההערכה הטכני

לדוחות הערכה טכניים של IUCN מתכונת סטנדרטית (2–12 עמודים). לפי מורכבות המועמדות (נספח 1) אל ההערכות יצורפו גיליונות הנתונים של UNEP-WCMC לכל אתר, כדי להזכיר למעריכים שלא לכלול כל מידע תיאורי (פרט לפריט מס' 2 – 'סיכום הערכים הטבעיים'). הוועדה מעדיפה מסמכים תמציתיים ובהם שימוש מינימלי בעגה מדעית והמלצה ברורה ומדויקת בסופם.

כפי שמוסבר בהנחיות האופרטיביות, יש ארבע אופציות להמלצות הוועדה:

- אתרים שהוועדה **ממליצה** להכריז עליהם בלא הסתייגות;
- אתרים **שהוועדה אינה ממליצה** להכריז עליהם;
- אתרים שיש **להשיבם** למדינה החברה לצורך קבלת מידע נוסף, תיעוד או שינויים שאפשר לבצע ולהגיש בתוך שלוש שנים; או
- אתרים שיש **לדחות למועד מאוחר יותר** את בדיקתם מפני שיש צורך בהערכה או במחקר מעמיקים יותר, או שיש צורך בשינויים חשובים באתר המוצע.

משום כך אין מקום ל"אישור על תנאי". ראוי לזכור שההנחיות האופרטיביות מעודדת את IUCN **"לאובייקטיביות, קפדנות ומדעיות בהערכות"**.

גורם מכריע בתהליך ההערכה של IUCN והנבדק באופן הספציפי ביותר בעת ביקור משלחת ההערכה, הוא **מצב היושרה והשלמות, ההגנה והניהול** של האתר המועמד. הערות והמלצות למצב זה חשובות ביותר לחיזוק השימור של אתר, ואפשר שנקודות מרכזיות תיכללנה בהחלטת הטיוטה של הוועדה.

2.4 תפקיד המעריך של IUCN

משלחת שדה מורכבת בדרך כלל ממומחה אחד או משני מומחים, תלוי בעלויות הנסיעה ובמורכבות המועמדות. מומחים נבחרים לפי ההיכרות הכללית שלהם עם האזור, עם אמנת המורשת העולמית ובגין הפרספקטיבה הרחבה שביכולתם להביא לאתר המסוים. השאיפה היא להעסיק מומחים בעלי רקע טכני/ מדעי ולא מנהלים, מאחר שהצעות המועמדות מבוססות על אחד או יותר ממדעי הטבע. גם לכישורי שפה יש משמעות. חברי WCPA, במיוחד חברים מקבוצת היועצים הטכניים למורשת העולמית, מהווים את המאגר הראשי שממנו נלקחים מעריכי האתרים.

משלחת ההערכה היא מרכיב אחד בתהליך ההערכה, אך יש לה תפקיד חשוב, ובדרך כלל פרופיל גבוה, והיא זוכה לתשומת לב תקשורתית ונפגשת עם נציגים רמי דרג. משום כך צריך להכיר את IUCN ואת האמנה ולהיות מסוגלים לנסח בבהירות תיאור בסיסי של כל אחד מהם.

להלן המטרות העיקריות של ההערכה:

א. להכיר את כל היבטי האתר ולוודא שמסמך הצעת המועמדות שלם;

ב. להעריך בתשומת לב סוגיות של שלמות ויושרה, גבולות האתר המוצע ואזור החיץ הצמוד אליו;

ג. להעריך את ממשק הניהול ואת יעילות הניהול;

ד. לבחון איומים אמיתיים פוטנציאליים לאתר;

ה. להיפגש עם רשויות ברמה הלאומית והמקומית, ארגונים, קהילות מקומיות ובעלי עניין אחרים, ולהעריך את תמיכתם ואת מחויבותם לאתר;

ו. לתקן את גיליון הטיוטה UNEP-WCMC ולהשלימו.

ז. לדון באופן כללי בסוגיות המורשת העולמית הרלוונטית למדינה ולדווח עליהן ל-IUCN.

בדרך כלל מצפים ממעריך IUCN להיות מיומן בכישורי מסע בשטח ובבדיקות המחייבות לא אחת שימוש בציוד מיוחד (ציוד צלילה, סוסים, סירות קנו, חקר מערות וטיפוס הרים). הזמן הנדרש להערכת אתר נע בין יומיים לשלושה שבועות. חשוב להציג צילומים (שקופיות 35 מ"מ או תמונות דיגיטליות – כולן מתוארות ומזוהות בבירור) ו'מאפיינים מרכזיים' של האתר וכן תמונות להארת עניינים הקשורים בשלמות ויושרה, גבולות, איומים וניהול.

ראוי שמעריך IUCN יהיה מודע שפעילותו נובעת מתוקף תפקיד של יועץ עצמאי בלבד. החלטות בעניין התאמת האתר לרשימת המורשת העולמית אינן מתקבלות במהלך הביקור בשטח, **דוח המשלחת לשטח הוא דוח פנימי** המוגש ל-IUCN. **אין להתפשר על תפקוד נטול משוא פנים**. מעריך IUCN צריך להיות מודע לשיקולים האתיים והתרבותיים המתאימים שהפרוטוקול מחייב.

לוגיסטיקה

את הסידורים לביקורים בשטח עושה מטה IUCN ישירות מול המתאם בתמיכת הוועד הישראלי לאונסקו. המדינה המארחת תתבקש להכין תכנית ביקור ולהסדיר הסדרי נסיעות מקומיים. פרט למקרים מסוימים שבהם המדינה רשאית להציע לממן עלויות מקומיות באתר, IUCN מממן את ההוצאות של נציגיו, ובהן טיסות בין-לאומיות ולאומיות וקצבת מחיה יומית (לינה ומזון). במקרה זה יחולו תקנות IUCN סטנדרטיות לנסיעות (טיסות חיסכון, אש"ל יומי קבוע).

במקרה הצורך אפשר לעתים לקבל סכומים מוגבלים לשימוש בספינות וטיסות צ'רטר, אולם את אלו מספקת המדינה המארחת בדרך כלל, ואפשר גם שארגונים בין-לאומיים יתמכו בהם (CI, WWF, TNC, WCS או אחרים) הפועלים באתר המועמד.

ברור בעליל שמעריכי IUCN צריכים להיות מצוידים כראוי לנסיעה ויהיה עליהם לבחון מראש את המינוי. יש לספק להם הפניות בסיסיות ומסמכים רלוונטיים בקשר לאמנה, ל-IUCN ולאתר. עליהם לקבל תדריך על נוכחותו של IUCN במדינה (חברים, משרדים, יועצים). היכרות עם החלטות קודמות של הוועדה באתרים דומים תהיה חלק מהתדרוך שיספק מטה IUCN טרם יציאת המשלחת. לפי הצורך מומחים יקבלו גם מכתב המלצה.

3."עצות" שונות

להלן רשימה קצרה ואקראית של "עצות" על בסיס ניסיונו של IUCN בהערכות שטח;

- **מוכנות.** דאגו לבגדי שטח טובים, ציוד צילום, משקפות, לבוש למזג אוויר גשום ועזרה ראשונה בסיסית. אל תשכחו את גיליון הנתונים של UNEP-WCMC, עותק של הצעת המועמדות, ספרי עיון רלוונטיים של IUCN ומדריכי שטח. יש נסיעות שעלולות להיות תובעניות מבחינה גופנית – **אם אינן כאלה, סימן שלא באמת ראיתם את המקום.**
- **קפדנות.** הודיעו לכולם שההנחיות האופרטיביות מחייבות הערכה 'קפדנית' וכי ל-IUCN יש סטנדרטים גבוהים. **זכרו שכמחצית ההצעות החדשות למועמדות של אתרים טבעיים אינן עומדות בקריטריונים** וכי שיעור זה **עשוי לגדול**, כיוון שרבות מהמועמדויות הראשונות כבר עברו לשלב הבא. תפקידו של IUCN ייעוצי בלבד – הוועדה למורשת העולמית היא שמחליטה אם לאשר אתר. יש להשאיר בידיה של הוועדה את 'הפוליטיקה'. ולבסוף, אל תשכחו למיין את הצעת המועמדות לפי 'תנאי השלמות והיושרה' בהתאם להנחיות האופרטיביות (נספח 2) (http://whc.unesco.org/en/guidelines).
- **פתיחות.** תמיד יש יותר משני צדדים לסיפור ושתי דעות לכל אתר. נסו שלא להגיע למקום עם דעה קדומה. שמעו דעות מכל המגזרים והצדדים כדי לנסח חוות דעת מאוזנת בסוף התהליך.
- **עקביות.** עם השנים החליטה הוועדה החלטות רבות שהציבו תקדימים וקבעו עקרונות מסוימים. כדי להבטיח ששום אתר או מדינה לא יזכו לטיפול מועדף, חשוב לנסח את הדוח תוך התייחסות להחלטות העבר. כך למשל דחתה הוועדה לעתים קרובות את ההחלטה למועד מאוחר יותר, אם הבסיס המשפטי או הגבולות לא נראו מספקים. היה גם אתר שלא אושר מפני **"שלא היה הטוב ביותר מסוגו"**. הוועדה גם הודיעה שאין צורך לאמץ אתר אחד חוצה גבולות אם המדינה השכנה אינה יכולה או מוכנה להשתתף. יש גם תקדימים שאתרים התקבלו בשלבים או באשכולות (סדרתיים). לכן חשוב לדעת את 'ההיסטוריה המוסדית' כאשר מעריכים אתרים חדשים.
- **קונסטרוקטיביות.** לכל אזור מוגן יש פגמים ובעיות משלו. כל מנהל פתוח לעצותיכם. לעתים קרובות תוכלו לסייע מאוד לאתר אם תכללו המלצות בדוח ההערכה; בסופו של דבר יועבר הדוח אל המדינה החברה. דוח הערכה אינו שלם ללא התרשמויות שיסייעו בשימור האתר.
- **גלובליות. אם מתבוננים באתר במבודד, בדרך כלל מגיעים להמלצה חיובית. עליכם לאמץ הסתכלות גלובלית.** נקודת המבט צריכה להתפרס אל מעבר לקנה המידה הלאומי. זכרו שההנחיות לאמנה (פסקה 52) מציינות שהאמנה למורשת העולמית לא נועדה לכל האזורים "בעלי עניין, חשיבות או ערך גדולים, אלא רק לרשימה נבחרת של

הבולטים ביותר בהם מנקודת מבט אוניברסלית". לכן פעלו מקומית אך חשבו גלובלית.
להלן כמה רמות של משמעות.

- **זהירות.** יש סכנות שצריך להישמר מפניהן. במקרים מסוימים הוצגו מועמדויות נגד רצונו של הממשל המקומי ואף נגד רצון האוכלוסייה המקומית, ומשלחת שטח של IUCN נאלצה לפעול באקלים עוין, בין הפטיש לסדן. במקרה אחד ליווה את המשלחת קצין אבטחה. יש לקוות שמצבים אלו לא יתעוררו לעתים קרובות.

אזהרה נוספת רלוונטית לאמצעי התקשורת. אלה עלולים להיות ערמומיים בדליית הצהרות שלמחרת יהפכו אולי לכותרות מביכות. יש מקום להגיב לשאלות התקשורת, אבל על צוות ההערכה להיות זהיר בכל הצהרה פומבית.

מומלץ גם להיות עם האצבע על הדופק בעניין המוטיבציה שהביאה לפנייה לבקשת מעמד של אתר מורשת עולמית. לא אחת המוטיבציה העיקרית היא קידום התיירות. בהזדמנויות אחרות אפשר שנעשה ניסיון לא ראוי להשתמש באמנה כדי למנוע איום של פיתוח באתר בעל חשיבות מקומית. פרט למקרים שאתר כזה עומד בבירור בקריטריונים, חשוב לבחון מקרים כאלה בעיון רב.

- **הערכה.** הביקור בשטח מזמן מפגשים עם אנשים רבים שבדרך כלל "להוטים" לסייע לכם. הם רוצים "להראות ולהסביר" את האזור שלהם. התברר שתשורות הוקרה סמליות שתביאו אתכם לאנשים שעושים מאמץ מיוחד למענכם משמשים לטיפוח יחסי ציבור טובים. גם מכתב תודה בסוף פעילות המשלחת הוא מחווה מקובלת. אך היזהרו שלא לקבל מתנות בלתי הולמות.

רמות של משמעות

חשוב לקבוע מה משמעות האתר. ברמות הבאות המספקות מסגרת להתייחסות:

- **בין-לאומית:** נופים או מאפיינים טבעיים בעלי ייחודיות ברורה שאין כדוגמתם או מובהקים מהם בשום מקום בעולם.
- **אזורית:** נופים או מאפיינים טבעיים שתפוצתם מוגבלת או שמהווים את הדוגמאות הטובות ביותר של המאפיין באזור.
- **לאומית:** נופים או מאפיינים טבעיים שתפוצתם מוגבלת או שמהווים את הדוגמאות הטובות ביותר של המאפיין במדינה.
- **מקומית:** נופים או מאפיינים טבעיים שתפוצתם מוגבלת ברמה המקומית או שמהווים את הדוגמאות הטובות ביותר של המאפיין במדינה או במחוז.

נספח 1: קווים מנחים ומתכונת לדיווחי הערכה טכניים של IUCN של מועמדות למורשת עולמית

שם האתר (מדינה) מספר מועמדות ()

הערה: הדוח לא יעלה על 2–12 עמודים, לפי מורכבות המועמדות. אף שמדובר בטיוטה שפנל שלIUCN יערוך, היא צריכה להיכתב בסגנון ובפורמט הניתנים להצגה בפני ועדת מורשת עולמית כמוסבר כאן. ניתן לבקש מ-IUCN דוגמאות דיווחי הערכה אחרים זמינים באתר http:// /whc.unesco.org/en/list . מידע נוסף, בייחוד מידע רגיש/ פוליטי וכן פרטים נוספים שיש להם חשיבות בתהליך קבלת ההחלטות של IUCN או שאפשר שתהיה להם חשיבות בניטור עתידי של האתר ייכללו בדוח פנימי נפרד של משלחת IUCN או בהודעה לפנל IUCN.

הערת רקע: [יש להשתמש בהערת רקע זו רק לאתרים שכבר הוערכו וההערכה בעניינם נדחתה לעתיד או שהועברה וכן לארכות לאתרים הרשומים כבר ברשימת מורשת עולמית, כדי להזכיר לוועדה דיונים והמלצות מן העבר. ההערה צריכה להיות קצרה ותמציתית. במקרה הצורך יינתן סיוע ע"י מטה IUCN .]

1. תיעוד

א) **תאריך קבלת המועמדות ב-IUCN :** [ימולא בידי מטה IUCN].

ב) **מידע נוסף שהתבקשה המדינה החברה לספק וסיפקה:** [ימולא בידי מטה IUCN].

ג) **גיליון נתונים IUCN/ WCMC:** [מסמכים אחדים הנזכרים בגיליון הנתונים של UNEP-WCMC].

ד) **עיון בספרות נוספת:** [ספרות נוספת שלא נכללה בגיליון הנתונים של WCMC אך שימשה לעיון. ספרות כזאת יכולה לכלול מחקרים תימטיים של מורשת עולמית. אין לצטט את מסמך המועמדות, אולם יש לצטט כל סִפרות תומכת רלוונטית שסיפקה המדינה. אנא עיין בדוגמאות הערכה אחרות כדי להכיר את מבנה הסעיף].

התייעצויות: [‘מעריכי שולחן’ שהתייעצו אתם – אלו הם אנשים ש-IUCN ביקש מהם הערות שאינן מתבססות על ביקור בשטח ושהערותיהם הועברו למעריך וכן מומחים אחרים שהמעריך התייעץ אתם (אין לציין שמות – רק את מספר המומחים). המעריך צריך לציין רק את הידועים לו, מאחר שאפשר שאחרים יישלחו ישירות ל-IUCN ומטה IUCN ימלא סעיף זה]. המשלחת גם נפגשה עם... [יש לכלול את שמות ותוארי האנשים או הארגונים שהתקיימו עמם מפגשים במהלך עבודת המשלחת. סעיף זה צריך להיות קצר. יש לציין שמות ופרטי התקשרות בדוח הפנימי ל-IUCN].

ה) **ביקור שטח:** [שמות המעריכים, תאריך (החודש, השנה) ביקור המשלחת].

ו) **תאריך אישור IUCN לדוח זה:** [ימולא בידי מטה IUCN]

2. סיכום ערכים טבעיים

חלקים חיוניים בסעיף זה, המתפרס בדרך כלל על עמוד עד שניים, כוללים:

- את **שם האתר** (וכל חלק של האתר אם רלוונטי); אחרי האזכור הראשון, אפשר להשתמש בכינוי מקוצר בכל שאר המסמך (למשל, מונטה סאן ג’יורג’יו = MSG)
- **מקומו הכללי של האתר**
- **קטגוריית האזור המוגן של IUCN**; אם רלוונטי
- **גודל האתר – אזורי ליבה ואזורי חיץ;** חשוב לציין בבירור אם יש אזור חיץ למועמדות.
- **אתר סדרתי, חוצה גבולות או חוצה לאומים;** יש לכלול טבלה המראה את האזור המדויק של כל אתר בסדרה וכן את כל האתרים. (הערה: אם ההמלצה היא לשנות את שטח האתר וגבולותיו, יש להגיש טבלה מתוקנת רק בסוף הדוח כהמלצה).
- **ההיבטים הטבעיים של האתר,** (תצורות גאולוגיות, מאפיינים פיזיים, אקלים, מגוון ביולוגי בתי גידול ביולוגיים) .
- **מספר המינים** – ככלל אין לציין שמות מדעיים.

3. השוואה בינ”ל עם אתרים אחרים

סעיף זה צריך להיות בין עמוד לשניים, והוא מטפל בניתוח השוואתי-עולמי של האתר המועמד. זהו סעיף חיוני, אולי מהחשובים ביותר, מאחר שהוא מספק את הבסיס להערכת הערך האוניברסלי היוצא מהכלל(OUV) של האתר. יש להשוות את האתר

המועמד לאתרים דומים אחרים באותו תחום ביו-גאוגרפי ומבחינת בית גידול ביולוגי; בניתוח יש להשוותו לאתרי המורשת העולמית (בדקו את הרשימה המלאה של אתרי מורשת עולמית באתר http://whc.unesco.org/en/list/) ואזורים מוגנים אחרים באותו אזור ביו-גאוגרפי (השתמשו במסד הנתונים העולמי לאזורים מוגנים. (ttp://sea.unep-wcmc.org/wdbpa/). **אם אי-אפשר להשוות את האתר לאחרים, בייחוד באזור, הסבירו בדיוק מדוע**. אין די באמירה שייחודו של האתר בכך שאין כמוהו! **צריך לאשש טענה זו**. עליכם לקבוע אם יש לאתר משמעות מקומית, לאומית, אזורית או בין-לאומית.

להלן מקורות מידע חשובים שראוי לשקול בעת הכנת הניתוח ההשוואתי הגלובלי:

- **אתרים שכבר כלולים ברשימת המורשת העולמית** – הניתוח ההשוואתי צריך לאסוף מידע על כל האתרים הניתנים להשוואה שברשימת המורשת העולמית. החלטות העבר של הוועדה ודיווחי הערכת העבר של IUCN על אתרים כאלה (http://whc.unesco.org/en/list/) יכולים לסייע להבין את 'חוק המקרים' בעניין החלטות שקיבלה הוועדה בעבר. IUCN גם מחזיק ברשימה של אתרים שהוערכו אך לא נכללו ברשימת המורשת העולמית, והוא יכול לספק את דיווחי ההערכה שלהם לפי בקשה. דיווחים אלו מסייעים להראות את רמת המשמעות הנדרשת.
- **אתרים ברשימות טנטטיביות של מדינות אחרות** (באתר האינטרנט של מרכז המורשת העולמית באתר: http://whc.unesco.org/en/tentativelists/)
- **אתרים הרשומים במחקרים אזוריים ונושאיים של IUCN**

  (http://www.iucn.org/themes/wcpa/wheritage/globalstrategy.htm)
- **אזורים מוגנים ניתנים להשוואה ממקורות אחרים, ובהם מסד הנתונים העולמי על אזורים מוגנים** (http://sea.unep-wcmc.org/wdbpa/).
- **מחקרים עולמיים כמו הסקירה העולמית של רשת המורשת העולמית ש UNEP-WCMC מכין**

  (http://www.unep-wcmc.org/protected_areas/world_heritage/wh_review.htm)

סעיף זה צריך להיות ממצה ככל האפשר ולהשוות אף את מספר המינים, המאובנים, הגודל, היושרה והשלמות. טבלאות יכולות להיות לעזר רב בהדגמת ההשוואות הכמותיות.

4 שלמות/ יושרה

עיינו בדקדקנות ב'הנחיות האופרטיביות' (http://whc.unesco.org/en/guidelines). אפשר לשלב בסעיף זה המלצות לנושאי שלמות או יושרה, אם הן רלוונטיות (נספח 2).

4.1 מעמד משפטי

קטגוריה של אזור מוגן או כל מעמד אחר והיסטוריה קצרה, כולל צווים בין-לאומיים;

- רמת הגנה
- הרשות המנהלת
- הבעלות על הקרקע
- הערכת המעמד המשפטי – האם הוא הולם?

4.2 גבולות

- תיאור כללי של הגבולות
- מידע על המצב האקולוגי של האזור בתוך גבולות האתר, אזור חיץ, אזור ליבה
- התאמת הגבולות – האם יש לצמצם, להרחיבם, מדוע?

4.3 ניהול

- יכולות ניהול
- משאבי אנוש ותקציבים
- אנשי סגל, מיומנויות אנשי סגל
- תכנית ניהול (ממשק, תאריך, יישום)/ כלי ניהול אחרים
- אכיפת חוקים
- תכנית עסקית – מימון עתידי בר-קיימא לניהול
- מעורבות מקומית
- הערכת ההתאמה של ממשק הניהול והמשאבים

4.4. איומים

- איומים קיימים או פוטנציאליים ומקומם ביחס לאתר המועמד (תעשייה, כרייה, זיהום, כריתת עצים, ציד בלתי מורשה, פיתוח כבישים, התפשטות אוכלוסין, הסגת גבול, תיירות, שינוי אקלימי, ביטחון).
- כיצד מתמודדת עמם המדינה?
- הסיכוי שהאיומים ישפיעו על הערך האוניברסלי היוצא מהכלל (אם יש לאתר ערך אוניברסלי)

(הערה: יש להקפיד שלא ינסו להונות אותך! יש לשאול ישירות ובגלוי על פרויקטים פוטנציאליים של פיתוח בתוך האתר או בסמוך לו).

- המסקנה בעניין תנאי היושרה/ השלמות – האם האתר עומד בתנאים אלו כרגע או לא?

(**הערה:** אתר צריך לעמוד בכל תנאי היושרה/ השלמות כדי שאפשר יהיה לכלול אותו ברשימת המורשת העולמית. יש להפנות חזרה למדינה אתרים או לדחותם לעתיד אם אינם עומדים בקריטריונים של ערך אוניברסלי יוצא מהכלל. מוטב ללחוץ להשגת הגנה/ טובים יותר משופר לפני שמאשרים אתר, לכן יש להביא בחשבון החלטות קודמות).

5. הערות נוספות

יש להשתמש בסעיף זה אם יתעורר הצורך כדי להעיר הערות קצרות על ערכים אחרים או בעיות אחרות שלא נסקרו בסעיפים הקודמים, הערכים התרבותיים הקשורים לערכים הטבעיים (אולם אין להפוך זאת להערכה של ערכים תרבותיים), בעיות הקשורות לחציית גבולות, הצורך בשינוי שם... יש להזכיר בקצרה את התמיכה ואת המחויבות המקומית למועמדות, כולל את קיומן של קבוצות כלשהן המתנגדות למעמד של מורשת עולמית או קבוצות שלא התייעצו עמן באופן מלא.

חשוב: אם מדובר באתר סדרתי, חייבים לכלול את הטקסט הבא בסעיף זה:

5.1. הצדקה לגישה סדרתית

כאשר IUCN מעריך הצעה סדרתית (או אשכול) עולות השאלות שלהלן:

א) **מהי ההצדקה להגשה הסדרתית?** (כולל אי-הצדקה).

ב) **האם האלמנטים הנפרדים של האתר מקושרים יחדיו באופן תפקודי?** (כולל אי-הצדקה).

ג) **האם יש מסגרת ניהול כללית לכל היחידות?** (כולל אי-הצדקה).

6. **יישום קריטריונים**

(שם האתר המועמד) מועמד על פי..., קריטריון (7) או קריטריונים (7), (8) ו-(9).

קריטריון (7): תופעות טבע מיוחדות במינן או יופי טבעי וחשיבות אסתטית [כל אחד מהסעיפים הללו צריך להיות קצר מאחר שכל הפרטים כבר אמורים היו להיסקר בפסקאות למעלה. על הקורא להבין כבר אם יש סיכוי שהאתר יעמוד בקריטריונים או לא – **אין מקום להפתעה או למהפך בנקודה זו!** זוהי רק מסקנה, אך היא צריכה להיות ספציפית מאוד ולציין מדוע אתר עומד בקריטריונים במונחים של ערך אוניברסלי יוצא מהכלל או שאינו עומד בהם. בדרך כלל בטקסט לכל קריטריון יש כמאה מילים. אם מדובר בתכונות שמציעים להכליל, על הערך לכלול טקסט המתאר רק תכונות של ערך אוניברסלי יוצא מהכלל, לא תיאור כללי. על ההמלצה להסתיים במילים: **לדעת IUCN האתר המועמד עומד בקריטריון זה או לדעת IUCN אין האתר המועמד עומד בקריטריון זה.**

קריטריון (8): ההיסטוריה של כדור הארץ והמאפיינים הגאולוגיים

עפ"י עקרונות הסעיף הקודם

קריטריון (9): תהליכים אקולוגיים

עפ"י עקרונות הסעיף הקודם

קריטריון (10): מגוון ביולוגי ומינים הנתונים לאיום

עפ"י עקרונות הסעיף הקודם

7. **המלצות**

ההמלצה קצרה ובדרך כלל מציינת אחד מהדברים שלהלן:

IUCN ממליץ שהוועדה למורשת העולמית **תכלול** את (שם האתר) ברשימת המורשת העולמית תחת קריטריונים טבעיים, לדוגמה (7), (8), (9) ו-(10)

או

IUCN ממליץ שהוועדה למורשת העולמית לא תכלול את (שם האתר) ברשימת המורשת העולמית תחת קריטריונים טבעיים.

או

IUCN ממליץ שהוועדה למורשת עולמית תדחה/ תעביר את ההחלטה בעניין (שם האתר) עד שהמדינה החברה תבהיר/ תספק מידע נוסף...

אפשר שיהיה צורך לספק המלצות אחדות ספציפיות מאוד בעניין גבולות, תכנית ניהול או עניינים אחרים. אלו צריכות להיות קצרות, ספציפיות ומסודרות במתכונת של רשימה לפי נקודות. אם האתר אינו עומד בשום קריטריון, אפשר שיהיה כדאי להציע אפשרויות אחרות כגון: Ramsar, Biosphere Reserve, GeoPark , אם הן רלוונטיות. אורכו של סעיף זה אינו צריך לעלות על שתי פסקאות ובהן המלצות לפי נקודות. כל שאר הדברים צריכים להיאמר בגוף הדוח במסגרת הסעיפים הרלוונטיים.

ההמלצה האחרונה היא זו שבדרך כלל מוצגת למדינה החברה ובדוח הוועדה. פירוש הדבר שיש לשלב כאן את ההמלצות החשובות/ המרכזיות ביותר, למשל:

- האם יש לציין לשבח את המדינה על עבודתה? או ארגונים/ תורמים?
- האם יש צורך בשליחות המשך בתוך 2–4 שנים כדי לבדוק את תכנית הניהול או תכנית אחרת?
- הרחבה עתידית? העברת משאבים מוגברים לאזור? שיתוף פעולה חוצה גבולות טוב יותר? עבודה ספציפית בתחום ניהול התיירות וריסון ציד בלא רישיון.

יש לוודא ש**אם ההמלצה היא לשנות את גודל האתר המקורי** המועמד או שלא לכלול אתרים אחרים בסדרה יצוינו הגודל המדויק והשמות של האתרים שבסדרה שבסופו של דבר הומלץ לכלול אותם. אם יש צורך, יש להכין טבלה להגשה סדרתית.

שונות

אם מדובר בהצעת מועמדות של מאובנים, יש להשלים את רשימת הביקורת של IUCN עבור אתרי מאובנים ולצרף אותה לדוח ההערכה.

IUCN יצרף לפחות שתי מפות – מפה אחת של מקומו הכללי של האתר ואחת של גבולות האתר. אלו צריכות להתאים לגיליון A4 או לכל היותר לגיליון A3, ובדרך כלל הן נלקחות מתוך מסמך המועמדות.

נספח 2: תמצית ההנחיות האופרטיביות ליישום אמנת המורשת העולמית (2 בפברואר 2005)

פרק II. קריטריונים להערכת ערך אוניברסלי יוצא דופן

קריטריונים אלו הוצגו בעבר כשתי מערכות קריטריונים נפרדות – קריטריונים (א')–(ו') עבור מורשת תרבותית וקריטריונים (ז')ו-(ט') עבור מורשת טבעית. ההתכנסות השישית המיוחדת של הוועדה למורשת עולמית החליטה למזג את עשרת הקריטריונים (החלטה 6, EXT.COM 5.1).

77. הוועדה תחשיב לאתר בעל ערך אוניברסלי יוצא דופן (ראו פסקאות 49–53) אתר שיעמוד באחד או יותר מהקריטריונים להלן. על האתרים המועמדים האלה:

(א) לייצג יצירת מופת של גאונות אנושית יצירתית;

(ב) להפגין חליפין חשובים של ערכי אנוש שנעשו לאורך זמן או בתוך אזור תרבותי של העולם, בכל הקשור בפיתוחים באדריכלות או בטכנולוגיה, יצירות אמנות מונומנטליות, תכנון ערים או תכנון נוף;

(ג) להיות עדות ייחודית או לפחות חריגה למסורת התרבותית או לתרבות חיה או לתרבות שכבר נעלמה;

(ד) להיות דוגמה יוצאת דופן לסוג הבניין, ההרכב האדריכלי או הטכנולוגי או הנוף המדגימים שלבים משמעותיים בתולדות האנושות;

(ה) להיות דוגמה יוצאת דופן של התיישבות אנושית מסורתית, שימוש בקרקעות או שימוש בים באופן המייצג תרבות (או תרבויות) או אינטראקציה אנושית עם הסביבה, בייחוד אם מדובר בסביבה שנעשתה פגיעה בשל השפעתו של שינוי בלתי הפיך;

(ו) להיות קשורים ישירות או באופן מוחשי עם אירועים או מסורות חיות, עם רעיונות, אמונות או יצירות אמנות וספרות בעלות משמעות אוניברסלית יוצאת דופן. (הוועדה סבורה שעדיף להשתמש בקריטריון זה בשילוב קריטריונים אחרים);

(ז) להכיל תופעות טבע יחידות סגולה או אזורים בעלי יופי טבעי חריג וחשיבות אסתטית;

(ח) להיות דוגמאות יוצאת דופן המייצגות תהליכים גדולים בתולדות כדור הארץ, ובהם תיעוד החיים, תהליכים גאולוגיים מתמשכים רבי-משמעות להתפתחות צורות נוף או תכונות גאו-מורפולוגיות או פיזיו-גרפיות.

(ט) להיות דוגמאות יוצאת דופן המייצגות תהליכים אקולוגיים וביולוגיים נמשכים באבולוציה ובפיתוח של מערכות אקולוגיות ארציות, מים מתוקים, מערכות אקולוגיות של חופים וים וכן קהילות של צמחים ובעלי חיים;

(י) להכיל את בתי הגידול החשובים והמשמעותיים ביותר לשימור של מגוון ביולוגי באתר, ובהם את אלו שיש בהם זנים בעלי ערך אוניברסלי יוצא דופן הנתונים בסכנה מנקודת המבט של המדע או השימור.

78. כדי להיחשב בעל ערך אוניברסלי יוצא דופן אתר חייב גם לעמוד בתנאים של שלמות ו/או אותנטיות והוא חייב הגנה מספקת ומערכת ניהול שתבטיח את שימורו.

שלמות ו/או אותנטיות

אותנטיות

79. אתרים שמועמדותם הוצעה על פי קריטריונים (א) עד (ו) חייבים לעמוד בתנאי האותנטיות. נספח 4, הכולל את מסמך נארה לאותנטיות, מספק בסיס מעשי לבדיקת האותנטיות של אתרים כאלה, והוא מסוכם להלן:

80. היכולת להבין את הערך המיוחס למורשת תלויה במידה שאפשר לראות במקורות מידע על ערך זה מקורות אמינים או דוברי אמת. ידע והבנה של מקורות מידע אלו בכל הקשור במאפיינים מקוריים ובמאפייני המשך של מורשת תרבותית והמשמעות שלהם מהווים בסיס נדרש להערכת כל היבטי האותנטיות.

81. חוות דעת על הערך המיוחס למורשת תרבותית וכן אמינות מקורות מידע הקשורים במורשת זו יכולים להיות שונים מתרבות לתרבות, ואפילו בתוך אותה תרבות.

הכבוד המגיע לכל התרבויות מחייב להביא בחשבון את המורשת התרבותית ולשפוט אותה בעיקר בתוך הקשריה התרבותיים.

82. בהתאם לסוג המורשת התרבותית וההקשר התרבותי שלה אפשר להחשיב אתרים לאתרים העומדים בתנאי האותנטיות, אם הערך התרבותי שלהם (כפי שהוכר בקריטריונים שהוצעו למינוי) בוטא בצורה אמִתית ואמינה באמצעות מגוון של מאפיינים, ובהם:

- צורה ותכנון;
- חומרים ומהות;
- שימוש ותפקוד;
- מסורות, שיטות ומערכות ניהול;
- מקום והקשר;
- שפה וצורות אחרות של מורשת לא מוחשית;
- רוח ורגש; ו-
- גורמים פנימיים וחיצוניים נוספים.

83. מאפיינים כגון הרוח והתחושה אינם ניתנים בקלות ליישום מעשי של תנאי האותנטיות, ובכל זאת הם מהווים סמנים חשובים לאופי ולתחושה במקום, למשל בקהילות השומרות על מסורת ועל רציפות תרבותית.

84. השימוש בכל המקורות הללו מאפשר פירוט של הממדים האמנותיים, ההיסטוריים, החברתיים והמדעיים של המורשת התרבותית הנבחנת. 'מקורות מידע' הם כל המקורות הפיזיים, הכתובים, שבעל פה ובציור, המאפשרים להכיר את האופי, הפרטים הספציפיים, המשמעות וההיסטוריה של מורשת תרבותית.

85. בבחינת תנאי האותנטיות לצורך הכנה של הצעת מועמדות לאתר, המדינה החברה צריכה לזהות תחילה את כל המאפיינים המשמעותיים הרלוונטיים של האותנטיות. הצהרת האותנטיות צריכה להעריך את מידת האותנטיות הנוכחת בתוך או מבוטאת על ידי כל אחד ממאפיינים משמעותיים אלו.

86. אשר לאותנטיות, שחזור שרידים ארכיאולוגיים או מבנים או מחוזות היסטוריים מוצדק רק בנסיבות חריגות. השחזור מקובל רק על בסיס תיעוד שלם ומפורט ובשום אופן לא על בסיס של השערות.

שלמות

87. כל האתרים שמועמדותם הוצעה להכללה ברשימת המורשת העולמית יעמדו בתנאי השלמות.

88. השלמות היא מדד של שלמות המורשת הטבעית ו/או התרבותית והמאפיינים שלה. לכן, בדיקת תנאי השלמות מחייבת הערכת המידה שהאתר:

א) כולל את כל האלמנטים הדרושים כדי לבטא את הערך האוניברסלי יוצא הדופן של האתר;

ב) בעל גודל מספיק להבטיח ייצוג מלא של המאפיינים והתהליכים הממחישים את משמעות האתר;

ג) סובל מהשפעות שליליות של פיתוח ו/או הזנחה.

הדברים צריכים להיות מוצגים בהצהרת השלמות.

89. עבור אתרים שמועמדותם הוצגה על פי קריטריונים (א') עד (ו'), המרקם הפיזי של האתר ו/או המאפיינים המשמעותיים שלו צריכים להיות במצב טוב, ויש לבקר תהליכי התפוררות. יש לכלול אחוז ניכר של האלמנטים הדרושים כדי להמחיש את כלליות הערך שהאתר ממחיש. יש לשמר יחסים ותפקודים דינמיים הכלולים בנופים תרבותיים, עיירות היסטוריות ואתרים חיים אחרים החיוניים לאופי המיוחד שלהם.

90. בכל התכונות שתוארו בקריטריונים (ז')– (י'), תהליכים ביו-פיזיים ומאפייני צורות קרקע צריכים להיות יחסית שלמים. עם זאת ברור לנו ששום אזור אינו בתולי לחלוטין ושמצבם של כל האזורים הטבעיים דינמי, ובמידה רבה הם כרוכים במגעים עם אנשים. פעילויות אנוש, ובהן פעילויות של חברות מסורתיות וקהילות מקומיות, לעתים קרובות מתרחשות באזורים טבעיים. אפשר שפעילויות אלו יעלו בקנה אחד עם הערך האוניברסלי יוצא הדופן של האזור שבו הן מתנהלות התנהלות בת-קיימא מבחינה אקולוגית.

91. נוסף על כך, לאתרים שמועמדותם הוגשה על פי קריטריונים (ז') עד (י') הוגדר מצב תואם של שלמות לכל קריטריון.

92. אתרים שהוצעו על פי קריטריון (ז) אמורים להיות בעלי ערך אוניברסלי יוצא דופן ולכלול אזורים שיש להם חשיבות חיונית לשימור היופי של האתר. כך למשל, אתר שערך הנוף

שלו תלוי במפל מים יעמוד בתנאי השלמות אם יכלול גם את אזורי האיגון והאזורים במורד הזרם למפל שיש להם קשר אינטגרלי לשימור האיכויות האסתטיות של האתר.

93. אתרים המוצעים במסגרת קריטריון (ח') אמורים לכלול את כל או את רוב רכיבי המפתח הקשורים הדדית והתלויים הדדית ביחסים הטבעיים שלהם. כך למשל, אזור של 'עידן קרח' יעמוד בתנאי השלמות אם יכלול שדה שלג, את הקרחון עצמו ודוגמאות של דפוסי חיתוך, השקעה ואכלוס (למשל, חתכים, תצורות נוף שמקורן בסחיפה (מורנות), שלבים חלוציים של רציפות צמחים וכו'); במקרה של הרי געש, הסדרה המגמטית חייבת להיות שלמה וחייב להיות ייצוג של כל או רוב סוגי סלעי הלבה וסוגי ההתפרצות.

94. אתרים שהוצעו על פי קריטריון (ט') צריכים להיות בעלי גודל מספיק ולכלול את האלמנטים הדרושים כדי להדגים את היבטי המפתח של תהליכים חיוניים לשימור המערכות האקולוגיות בטווח הארוך והגיוון הביולוגי שהן מכילות. כך למשל, אזור של יער גשם טרופי ייחשב אזור העומד בתנאי השלמות אם יכיל כמות מסוימת של גיוון בגובה מעל פני הים, שינויים בטופוגרפיה וסוגי קרקעות, מערכות טלאים וטלאים המחדשים עצמם באופן טבעי; בדומה, שונית אלמוגים אמורה לכלול למשל אצות, עצי מנגרוב או מערכות אקולוגיות סמוכות אחרות המווסתות את תשומות המשקעים לתוך השונית.

95. אתרים המוצעים במסגרת קריטריון (י') צריכים להיות האתרים החשובים ביותר לשימור המגוון הביולוגי. רק לאותם אתרים שהם המגוונים ביותר מבחינה ביולוגית ו/או מייצגים יש סיכויים לעמוד בקריטריון זה. האתרים צריכים להכיל בתי גידול כדי לשמר את החי והצומח המגוון ביותר המאפיין את המחוז הביו-גאוגרפי ואת המערכות האקולוגיות האמורות. כך למשל, סוונה טרופית יכולה לעמוד בתנאי השלמות אם היא כוללת אוסף שלם של צמחים ואוכלי צמחים שהתפתחו יחדיו; מערכת אקולוגית של אי אמורה לכלול בתי גידול לשמירה על החי המקומי; אתר המכיל מינים הנודדים למרחקים צריך להיות גדול דיו לכלול את בתי הגידול החשובים ביותר החיוניים להבטיח את ההישרדות של אוכלוסיות בנות-קיימא של מינים אלו; בשטח הכולל זנים נודדים, יש להגן כיאות על מקומות רבייה וקינון עונתיים ועל נתיבי נדידה באשר הם.

הגנה וניהול

96. הגנה על אתרי המורשת העולמית וניהולם אמורים להבטיח שהערך האוניברסלי יוצא הדופן, תנאי השלמות ו/או האותנטיות בעת ההכללה ברשימה יישמרו או יקודמו בעתיד.

97. כל האתרים הכלולים ברשימת המורשת העולמית חייבים להיות בעלי הגנה חוקית, פיקוחית, מוסדית ו/או מסורתית מספקת לטווח הארוך וכן צריך להיות להם ניהול מתאים כדי להבטיח שיישמרו. הגנה זו צריכה לכלול גם גבולות מוגדרים היטב. בדומה, המדינות החברות צריכות להוכיח הגנה מספקת ברמה הלאומית, האזורית, העירונית ו/או המסורתית על האתר המועמד. עליהן לצרף טקסטים מתאימים למועמדות ולהסביר בבירור את דרך הפעולה של הגנה זו על האתר.

אמצעי חקיקה, פיקוח וחוזים להגנה

98. אמצעי חקיקה ופיקוח ברמה הלאומית והמקומית אמורים להבטיח את הישרדות האתר, את ההגנה עליו מפיתוח ומשינוי העלולים להשפיע לרעה על הערך האוניברסלי יוצא הדופן או על השלמות ו/או האותנטיות של האתר. המדינות החברות אמורות גם להבטיח את היישום המלא והאפקטיבי של אמצעים כאלה.

גבולות להגנה יעילה

99. התוויית גבולות חיונית לצורך הגנה אפקטיבית על אתרים שהוצעה מועמדותם. יש לתחום גבולות כדי להבטיח את מלוא הביטוי של הערך האוניברסלי יוצא הדופן והשלמות ו/או האותנטיות של האתר.

100. באתרים שמועמדותם הוצעה על פי הקריטריונים (א') עד (ו') יש לתחום גבולות באופן שיכללו את כל האזורים והמאפיינים המהווים ביטוי מוחשי ישיר של הערך האוניברסלי יוצא הדופן של האתר וכן את האזורים שלנוכח אפשרויות מחקר עתידיות מציעים את הפוטנציאל לתרום להבנה כזאת ולקדם אותה.

101. עבור אתרים שהמועמדות שלהם הוצעה על פי קריטריונים (ז') עד (י'), על הגבולות לשקף את הדרישות המרחביות של בתי גידול, מינים, תהליכים או תופעות שמספקים את הבסיס להכללתם ברשימת המורשת העולמית. הגבולות אמורים לכלול די אזורים הסמוכים מיידית לאזור בעל הערך האוניברסלי יוצא הדופן כדי להגן על ערכי המורשת של האתר מפני השפעתן הישירה של פלישות אנושיות והשפעת ניצולם של משאבים הנמצאים מחוץ לאזור שהוצעה מועמדותו.

102. גבולות האתר שהוצעה מועמדותו עשויים לעלות בקנה אחד עם אזור אחד מוגן או יותר שכבר קיימים או שכבר הוצע להגן עליהם, כגון פארקים לאומיים או שמורות טבע,

שמורות ביוספרה או מחוזות מוגנים היסטורית. אף שאזורים מבוססים כאלה להגנה עשויים לכלול כמה אזורי ניהול, אפשר שרק אחדים מהם אלו יעמדו בקריטריונים הדרושים לשם הכללה ברשימה.

אזורי חיץ

103. בכל מקום שיהיה בו צורך באזור חיץ כדי לשמר כהלכה את האתר, יש לספק אזור חיץ הולם.

104. למטרות הגנה יעילה על האתר המועמד, אזור חיץ הוא האזור סביב האתר. יש בו מגבלות חוקיות ו/או מגבלות נוהג נוספות על השימוש והפיתוח, והן נועדו להעניק שכבה נוספת של הגנה לאתר. בכך יש לכלול את הסביבה המיידית של האתר שהוצעה מועמדותו, נופים חשובים ואזורים או מאפיינים אחרים בעלי חשיבות פונקציונלית לצורך תמיכה באתר והגנה עליו. את אזור החיץ יש לקבוע באמצעות מנגנונים מתאימים. פרטים על הגודל, המאפיינים והשימושים המורשים של אזור חיץ וכן מפה המציינת את הגבולות המדויקים של האתר ואזור החיץ שלו צריכים להיכלל בהצעת המועמדות.

105. יש לספק הסבר ברור איך מגן אזור החיץ על האתר.

106. אם לא מוצע אזור חיץ, המועמדות אמורה לכלול הצהרה מדוע אין צורך באזור חיץ.

107. אף שאזורי חיץ בדרך כלל אינם חלק מהאתר שמועמדותו הוצעה, כל שינוי באזור החיץ אחרי הכללת האתר ברשימת המורשת העולמית זקוק לאישור הוועדה למורשת עולמית.

מערכות ניהול

108. כל אתר שהוצעה מועמדותו זקוק לתכנית ניהול מתאימה או למערכת ניהול מתועדת אחרת, ועל אלו לציין כיצד אמורים לשמר את הערך האוניברסלי יוצא הדופן של האתר, רצוי באמצעות השתתפות.

109. מטרת מערכת הניהול להבטיח הגנה יעילה על האתר שמועמדותו הוצעה לתועלתם של דורות ההווה והעתיד.

110. מערכת ניהול מסודרת תלויה בסוג, במאפיינים ובצרכים של האתר המועמד ובהקשר התרבותי והטבעי שלו. מערכות ניהול יכולות להשתנות לפי נקודות השקפה תרבותיות, המשאבים הזמינים וגורמים אחרים. הן עשויות לכלול שיטות עבודה מסורתיות, כלי תכנון עירוניים או אזוריים קיימים ומנגנוני בקרה תכנונית נוספים, פורמליים ובלתי פורמליים.

111. מתוך הכרה בגיוון הנזכר לעיל, רכיבים נפוצים של מערכת ניהול יעילה עשויים לכלול:

א) הבנה משותפת יסודית של האתר מצד כל בעלי העניין;

ב) מחזור של תכנון, יישום, ניטור, הערכה ומשוב;

ג) מעורבות של שותפים ובעלי עניין;

ד) הקצאה של המשאבים הדרושים;

ה) בניית יכולות; ו-

ו) תיאור אחראי, שקוף של אופן תפקוד מערכת הניהול.

112. ניהול אפקטיבי כרוך במחזור של פעולות ארוכות טווח ופעולות יום-יומיות כדי להגן על האתר המועמד, לשמר אותו ולהציגו.

113. יתרה מזאת, בהקשר של יישום האמנה יצרה הוועדה למורשת העולמית תהליך של ניטור תגובתי (ראו פרק 4) ותהליך של דיווח תקופתי (ראו פרק 5) בהנחיות לאמנה.

114. באתרים סדרתיים, מערכת ניהול או מנגנונים להבטחת ניהול מתואם של הרכיבים הנפרדים חיוניים, ויש לתעד אותם בכתב בהצעת המועמדות (ראו פסקאות 137–139).

115. בנסיבות מסוימות אפשר שעדיין אין תכנית ניהול או מערכת ניהול אחרת הפועלת בזמן הצעת המועמדות של אתר לשיקולה של הוועדה למורשת העולמית. המדינה החברה הרלוונטית צריכה אז לציין מתי תונהג תכנית או מערכת ניהול כזו וכיצד היא מציעה לגייס את המשאבים הדרושים לצורך ההכנה והיישום של תכנית או מערכת ניהול חדשה. המדינה החברה אמורה גם לספק מסמכים אחרים (כגון תכניות אופרטיביות) שינחו את הנהלת האתר עד שתקבל תכנית הניהול את צורתה הסופית.

116. אם התכונות המהותיות של אתר שהוצעה מועמדותו נתונות לאיום של פעולה אנושית אך בכל זאת עומדות בקריטריונים ובתנאים של האותנטיות או השלמות כפי שהוגדרו בפסקאות 78–95 בהנחיות לאמנה, יש להגיש עם תיק הצעת המועמדות גם תכנית פעולה המתווה את אמצעי התיקון הדרושים. אם לא יושמו אמצעי התיקון שהגישה המדינה החברה המציעה את המועמדות בתוך הזמן שהציעה, תבחן הוועדה את הוצאתו של האתר מתוך הרשימה, לפי נוהל שאימצה (ראו פרק IV.ג בהנחיות לאמנה).

117. המדינות החברות אחראיות ליישום פעילויות ניהול אפקטיביות באתר המורשת העולמית. המדינות החברות אמורות לעשות זאת בשיתוף פעולה הדוק עם מנהלי האתרים, הרשות שיש לה סמכות ניהולית ושותפים אחרים וכן בעלי עניין בניהול האתר.

118. הוועדה ממליצה שהמדינות החברות תכלולנה מוכנות לסיכון בתכניות ניהול המורשת העולמית שלהן ובאסטרטגיות ההכשרה שלהן.

שימוש בר-קיימא

119. אתרי המורשת העולמית יכולים לתמוך במגוון של שימושים שוטפים ומוצעים שהם שימושים בני-קיימא מבחינה אקולוגית ותרבותית. המדינה החברה והשותפים חייבים להבטיח ששימוש בר-קיימא מסוג זה לא ישפיע לרעה על הערך האוניברסלי יוצא הדופן, השלמות ו/או האותנטיות של האתר. יתרה מזאת, כל שימוש חייב להיות בר-קיימא מבחינה אקולוגית ותרבותית. באתרים מסוימים, שימוש אנושי לא יהיה שימוש הולם.

THE NORMS OF QUITO

Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and historical Value held in Quito, Ecuador, from November 29 to December 2, 1967

I. Introduction

The fact that the essential preservation and utilization of the monumental heritage has been included in the multi-national effort that the American governments pledge to carry out is encouraging from a twofold standpoint: first, because thereby the chiefs of state have expressly recognized the existence of an urgent situation, demanding inter-American cooperation; and second, because since the fundamental reason for the meeting at Punta del Este [Uruguay] was the common aim of giving new impetus to the development of the hemisphere, there is implicit recognition that those cultural heritage resources are an economic asset and can be made into instruments of progress.

The rapid rate of impoverishment of most of the American countries as a result of the neglect and lack of protection of their monumental and artistic wealth requires both national and international emergency measures. But in the last analysis, the practical efficacy of these measures will depend upon the value of the cultural heritage in the cause of economic and social development.

The recommendations of this report are made with that aim in mind and are directed specifically to the adequate preservation and utilization of monuments and sites of archaeological, historic, and artistic value, in accordance with the provisions of Chapter V, paragraph d, Multinational Efforts, of the Declaration of the Presidents of America.

Notwithstanding, in view of the close relationship between architectural and artistic wealth, it is essential to recognize that other valuable resources and objects of the cultural heritage must be properly protected to prevent their continuing deterioration and unrestricted demolition. It is also essential that these resources be suitably exhibited, in accordance with modern museographic techniques, so that the aims sought through them may be achieved.

II. GENERAL CONSIDERATIONS

1. Since the idea of space is inseparable from the concept of monument, the stewardship of the state can and should be extended to the surrounding urban context or natural environment. However, a monumental zone, structure, or site may exist, even though none of the elements composing it deserve such a designation when individually considered.

2. Scenic areas and other natural wonders receiving state protection are not in themselves national monuments. The historic and artistic imprint of man is essential in order for a specific place or site to be eligible for that specific category.

3. Regardless of the intrinsic value of a property or the circumstances determining its historic or artistic importance and significance, it will not constitute a monument until it has been expressly declared as such by the state. Declaration of a national monument entails its official identification and registration. From that time on, the property in question will be subject to the special protection stipulated by law.

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4. Every national monument is implicitly designed to fulfill a social function. It is the responsibility of the state to ensure this social function and to determine in each case the extent to which it is compatible with private property and private interests.

III. THE MONUMENTAL HERITAGE IN AMERICA TODAY

1. It is readily apparent that the Americas, and particularly Latin America, are abundantly endowed with monumental resources. In addition to magnificent vestiges of pre-Columbian cultures, this hemisphere offers a varied profusion of architectural and artistic expressions representative of its long cultural history. A native accent, derived from the phenomenon of acculturation, stamps the imported styles with the authentically American flavor of many characteristic and distinctive local expression. Archaeological ruins of outstanding importance, not always accessible or fully explored, together with amazing survivors from the past, urban complexes, and entire towns, can become centers of vivid historic interest and tourist attractions.

2. It is equally apparent that much of this heritage has been wantonly destroyed during the past few decades or is currently in imminent danger of ruin. Many factor have contributed and still contribute to depletion of the inventory of archaeological, historic and artistic properties in most of the Latin American countries, but it must be acknowledged that the basic reason for the increasingly rapid destruction of this potential wealth is the lack of an official policy to enforce current measures for protection effectively and practically, and promote enrichment of the monumental heritage in terms of public interest and the economic benefit of the nation.

3. At this critical juncture when the Americas are engaged in a great progressive endeavor that calls for the exhaustive exploitation of natural resources and the gradual transformation of socio-economic structures, the problems relating to the protection, preservation, and utilization of monumental buildings, sites and areas are particularly important and timely.

4. The entire process of accelerated development entails the expansion of infrastructure and the occupation of extensive areas by industrial installations and construction that tend to alter and even totally disfigure the landscape, erasing the stylistic traits and expressions of the past, evidence of a historic tradition of inestimable value.

5. A great many Latin American cities that until recently contained a rich monumental heritage as evidence of their past grandeur - churches, plazas, fountains and narrow streets that combined to accentuate their personality and attraction - have suffered such mutilation and degradation of their architectural contours that they are unrecognizable. All of this has been done in the name of a misconceived and even more mismanaged urban progress.

6. It is no exaggeration to state that the potential wealth destroyed by these irresponsible acts of urban vandalism in many cities of the hemisphere far exceeds the benefits to the national economy derived from the installations and infrastructural improvements claimed as justification for such acts.

IV. THE SOLUTION OF RECONCILIATION

1. The need to reconcile the demands of urban growth with the protection of environmental values is today an inflexible standard in the formulation of regulatory plans at both the local and the national levels. In this respect, every regulatory plan must be carried out in such a way as to permit integration into the urban fabric of historic districts and ensembles of environmental interest.

2. The protection and enhancement of the monumental and artistic heritage does not conflict in either theory or practice with a scientifically developed policy of urban planning. On the contrary, it should serve to complement such a policy. In confirmation of this view, we quote the following text from the Weiss report, submitted to the Cultural and Scientific Commission of the Council of Europe (1963): "It is possible to develop a country without disfiguring it, to prepare for and serve the future without destroying the past. The improvement of living standards should be confined to achievement of a progressive material well- being, it should be associated with the creation of a way of life worthy of mankind."

3. Continuity of the latin American history and cultural horizon, seriously compromised by overwhelming acceptance of a chaotic process of modernization, requires the adoption of measures for the protection, recovery and enhancement of the regional monumental heritage and the preparation of both immediate and long-range national and multi-national plans.

4. It must be acknowledged that international specialized agencies have recognized the scope of the problem and have made every effort in recent years to find satisfactory solutions. The Americas can draw on their store of experience.

5. Since the 1932 Charter of Athens, many international congresses have helped shape the current dominant view. Among those most deeply concerned with the problem and that have made specific recommendations are the International Union of Architects (Moscow, 1958); the Congress of the International Federation of Housing and Urbanism (Santiago de Compostela, 1961), which dealt with the problem of historic compounds, the Congress of Venice (1964), and the most recent ICOMOS meeting (Cáceres, 1867), which offered an eminently practical approach to this question of vital interest to the Americas.

V. ECONOMIC VALUATION OF MONUMENTS

1. Let us assume that archaeological, historic and artistic monuments are economic resources in the same sense as the natural wealth of the country. Consequently, measures conducive to their preservation and proper utilization not only relate to development plans, but constitute or should constitute a component of such plans.

2. In the broader sphere of inter-American relations, repeated recommendations and resolutions of various agencies of the system gradually raised the problem to the highest level of consideration: the Meeting of the Heads of State (Punta del Este, 1967).

3. It is obvious that consideration at this meeting of the problem of adequate protection and use of archaeological, historic and artistic heritage stemmed from the same basic reasons that led the heads of state to convoke the meeting: the need to give the Alliance for Peace new and more vigorous impetus and to offer, though hemispheric cooperation, the additional assistance required for economic development of the OAS member countries.

4. This explains the use of the word "use" appearing in Chapter V, A., item 2, of the Declaration of Presidents:

Multinational efforts:

. . .
2. Instructing the appropriate agencies of the OAS to:
. . .

> *d. Extend inter-American cooperation to the preservation and use of the archaeological, historic and artistic monuments."*

5. More specifically, Resolution 2 of the Second Special Meeting of the Inter-American Cultural Council, [which] called for the sole purpose of implementing the provisions of the Declaration of the Presidents within the sphere of competence of the Council, reads:

> *. . . the extension of technical assistance and financial aid to the cultural patrimony of the member states will be carried out as part of their economic and tourist travel development.*

6. In short, it is a question of mobilizing national efforts with a view to securing optimum utilization of available monumental resources as an indirect means of promoting national economic development. This implies preliminary planning at the national level, that is, the evaluation of available resources and the preparation of specific projects within a general regulatory plan [master plan].

7. The extension of inter-American cooperation to this aspect of development implicitly recognized the fact that the national effort is not in itself equal to an endeavor which, in most cases, exceeds its real possibilities. Only through multinational action can many developing member states procure the essential technical services and financial resources.

VI. ENHANCING THE USABILITY AND VALUE OF THE CULTURAL HERITAGE

1. The term "enhancement," which is becoming increasingly common among specialists in the field. is particularly apt as applied to the Americas today. If anything characterizes America's present, it is precisely the urgent need for making maximum use of all its resources, which unquestionably include the cultural heritage of the nations.

2. To enhance the usability and value of a historic or artistic property is to provide it with the objective and environmental conditions that, without detracting from its nature, emphasize its characteristics and permit its optimum use. The enhancement should be construed to operate on the basis of a transcendent purpose. In the case of Latin America, this purpose would undoubtedly be to contribute to the economic development of the region.

3. In other word, it is a question of incorporating an economic potential. a current value, of making an unexploited resource productive by a process of revaluation that, far from lessening its strictly historic or artistic significance, enhances and raises it from the exclusive domain of erudite minorities to the awareness and enjoyment of the masses.

4. To sum up, enhancing the usability and value of the monumental and artistic patrimony implies a systematic, *eminently technical action*, aimed at utilizing each and every one of those properties in accordance with its nature, stressing and enriching their characteristics and merits to a point where they can fully perform the new function assigned to them.

5. It must be noted that to some extent, the site of a structure of major interest is

compromised by a neighborhood surrounding it, which means that it will in a way become a part of the local setting once it has been enhanced. Therefore, standards for protection and enrichment must be extended to the entire environment of the monument.

6. Moreover, enhancement of the usability and value of a monument reflect favorably upon its urban surrounding and even beyond this immediate area to more distant ones. This increase in the real value of a property by reflective impact is a type of increment that must be taken into account.

7. Obviously, insofar as a monument attracts visitors, so will there be more merchants interested in installing appropriate establishments under its protective shadow. This is another predictable result of enhancement and implies the adoption of regulatory measures that which, while facilitating and encouraging private initiative, prevent commercialization of the site and loss of its original purpose.

8. The foregoing indicates the diversity of monuments and buildings of marked historic and artistic interest located within the center of environmental wealth are mutually related and exert a multiplier effect on the rest of the area that would be enriched as a whole as a result of a plan for enhancing and repairing its principal structures.

VII. MONUMENTS AS TOURIST ATTRACTIONS

1. Intrinsic cultural values are neither weakened nor compromised by association with tourist interests; on the contrary, the increased attraction of the cultural properties and the growing number of outside admirers confirm awareness of their importance and national significance. A properly restored monument, an urban complex that has regained its original values, are not only living lessons of history, but legitimate reasons for national pride. In the broader framework of international relations, these testimonials from the past stimulate understanding, harmony and spiritual communion even between countries that are political rivals. Anything that help enhance spiritual values, however far removed from the intention to promote culture, will necessarily benefit that culture. Europe owes to tourism, directly or indirectly, the salvation of much of its cultural heritage condemned to complete and irreparable destruction, and modern man, more visually than literarily sensitive, finds increasing opportunities for self-enrichment through viewing examples of western civilization, scientifically rescued because of the powerful incentive of tourism.

2. If cultural properties play such an important role in tourist travel, it is only logical that the investment required for their proper restoration and equipment, within a specialized technical framework, should be made simultaneously with those demanded by the travel industry and, more properly, that both should be included within a single economic regional development plan.

3. The United Nations Conference on International Travel and Tourism (Rome, 1953) not only recommends that high priority be assigned to tourist investments under national plans, but emphasized that "from the tourist standpoint, the cultural, historic and natural heritage of nations os quite an important factor;" therefore, it urged "the adoption of adequate measures designed to ensure the preservation and protection of that heritage" (Final Report, Doc.4). The United Nations Conference on Trade and Development (1964), in turn, recommended that both government and private financing agencies and organizations "offer assistance, in the most appropriate form, to work aimed at the conservation, restoration and desirable use of archaeological, historic and scenic sites" (Resolution Annex A, IV.24). Recently, the Economic and Social Council of that world agency, after recommending that the General Assembly designate 1967 as

International Tourist Year, resolved to invite the United Nations organizations and the specialized agencies to give "favorable consideration to the request for technical and financial assistance to the developing countries, in order to accelerate improvement of their tourist resources (Resolution 1109-XL).

4. In connection with this topic, which has received special attention form the UNESCO General Secretariat, an exhaustive study has been conducted in collaboration with a nongovernmental agency of great prestige, the International Union of Official Tourist Travel Agencies. This study confirms the criteria outlined, and after analyzing the cultural, educational and social reasons for the use of monumental resources as part of tourist promotion, stresses the economic benefits deriving form that policy for the corresponding areas. Two extremes of particular interest should be noted: a) the tourist traffic deriving form the suitable restoration of the value of the monument ensures rapid recovery of the capital invested for that purpose; b) tourist activity resulting from adequate presentation from a monument that would disappear without such activity entails profound economic transformation of the region in which the monument is set.

5. Within the inter-American system, in addition to the many recommendations and agreements highlighting the importance that should be assigned at both the national and regional levels to the problem of the present neglect of much of the cultural heritage of the countries in the hemisphere, recent specialized meetings have approached the specific topic of the roles played by monuments of artistic and historic interest in the development of the tourist industry. The Technical Committee on Tourist Travel Promotion, at its fourth meeting (July-August 1967), resolved to support the conclusions adopted by the corresponding Committee on Travel Industry, which include the following:

> The monuments and other assets of an archaeological, historical, and artistic nature can and should be properly preserved and utilized for development purposes as prime attractions for the influx of tourists.
>
> In countries with a rich heritage of archaeological, historic and artistic interest, that heritage should constitute a decisive factor in their tourist plan, and should therefore, be taken into account in the final form of the pertinent plans.
>
> Activities of a strictly cultural nature and those relating to tourism have a common interest in the proper preservation and utilization of the monumental and artistic heritage of the American nations, which makes it advisable for the agencies and technical units in both fields of inter-American activity to work along these lines in a coordinated manner.

6. From the tourist standpoint exclusively, monuments are a fundamental part of the "plant" available for operating that industry in a given regions, but the extent to which this monument can serve the use to which it is put will depend not only on its intrinsic value, that is, its archaeological, historic or artistic significance, but on the attendant circumstances facilitating its proper utilization. Therefore, restoration in itself may not always be sufficient to ensure that a monument be exploited and become part of the travel plant of a region. It may be just as necessary to undertake such other infrastructure works as access roads and visitors lodges - all in keeping with the environmental nature of the region.

7. The economic and social advantages of tourist travel vis-a-vis monuments are evident in most modern statistics, particularly in those European countries that owe their present

prosperity to international tourism and include among their major sources of wealth the inventory of their cultural properties.

VIII. SOCIAL INTEREST AND CIVIC ACTION

1. Presumably, initial efforts aimed at enhancing the monumental heritage meet a broad area of resistance within the sphere of private interests. Years of official negligence and the impulsive zeal for renewal that characterizes the developing nations increase contempt for all traces of the past that fail to conform to the ideal pattern of a modern way of life. Lacking sufficient civic training to look upon social interest as an exaggerated form of individual self-interest and unable to appreciate what is best for the community from the objective standpoint of the public good, the inhabitants of a community, infected by the "fever of progress," are unable to gauge the consequences of the acts of urban vandalism recklessly carried on through the indifference or complicity of the local authorities.

2. An alarm can and should be sounded and vigilant preventive action taken by each community. Regardless of what they are called and how they are composed, the encouragement of civic groups dedicated to protecting the cultural heritage, has had excellent results, especially in localities that do not yet have urban regulations and where protective action at the national level is weak or not always effective.

3. Nothing can contribute more to the awakening of awareness than seeing the example itself. Once the results of certain world of restoration and renewal of buildings, plazas and sites are apparent, the public usually reacts favorably, calling for a halt to destructive action and supporting the attainment of more ambitious objective.

4 In any case, the spontaneous and extensive collaboration of individuals in plans for enhancing the use and value of the historic and artistic heritage is absolutely essential in small communities. Consequently, the preparation of such plans should take into account the advisability of a related program of civic education developed systematically and simultaneously with the execution of the plan.

IX. INSTRUMENTS OF ENHANCEMENT

1. Proper utilization of monuments of major historic and artistic interest requires, first of all, the coordination of cultural and economic initiatives with efforts on behalf of tourism. The more fully these convergent interests harmonize and relate, the more satisfactory the ultimate result will be.

2. This necessary coordination cannot take place unless that country concerned has the legal conditions and technical instrument required to do so.

3. Within the cultural framework, the following are prerequisites to any official objective to enrich the monumental heritage: effective legislation, technical organization and national planning.

4. Cultural and economic projects should be integrated at the national level as a preliminary step to any negotiation for external assistance or cooperation. Such cooperation, whether technical or financial, is a supplement to the national effort. It is up to the governments of the member states to take the initiative; the countries have the responsibility of formulating their projects and integrating them into their general development plans. The following measures and procedures are directed towards these ends:

RECOMMENDATIONS AT THE NATIONAL LEVEL

1. Projects for enhancing the value of the monumental heritage are part of national development plans and, consequently, should be integrated into them. Investments required for putting these project into effect should be made simultaneously with those needed by the travel infrastructure of the area or region whose value is to be restored.

2. It is up to the government to endow the country with the conditions that will enable it to formulate and carry out specific projects for value enhancement.

3. To achieve the foregoing results, the following is required:

a. the granting of high priority within the national development plan to projects enhancing the value of monumental wealth;
b. Suitable legislation, or in its absence, other governmental regulations to facilitate enhancement projects, maintaining the public interest throughout.
c. Coordinated management of the project through a qualified institution, capable of centralizing its implementation in all stages;
d. Designation of a technical team that may count on external assistance while specific project are being formulated or implemented.

4. Enhancing the value of monumental wealth can only be achieved through planned action, that is, in accordance with a regulatory plan of national or regional scope. Consequently, it is essential that the projects promoted be integrated with regulatory plans existing in the city or region concerned. If such plans do not exist, they should be established in a consistent way.

5. Cultural interests relative to the monuments or environmental complexes concerned must be coordinated with tourist travel interests, and this should be accomplished by the coordinating entity of the project referred to in paragraph c.3. as a preliminary step to any external technical or financial assistance.

6. The cooperation of private interests and the support of public opinion are essential to carry out any enhancement project. In that respect during the formulation of the project, a civic campaign should be conducted to arouse favorable public awareness.

RECOMMENDATION AT THE INTER-AMERICAN LEVEL

1. It is advisable to reiterate that the countries of the Americas should adhere to the Venice Charter as a universal principle in matters of preservation of historic and artistic monuments and sites, without prejudice to adopting any other agreements or commitments within the Inter- American System.

2. To extend the generalized concept of monument to cultural expressions of the Nineteenth and Twentieth Centuries.

3. To link the much-needed revalorization of the historic and artistic heritage of the American Nations to other countries outside the hemisphere, especially to Spain and Portugal, given the historic role that both have played in building this heritage and the common cultural values that unite them to the countries of this hemisphere.

4. That the Organization of American States extend the cooperation it has agreed to provide towards the enhancement of monuments of archaeological, historic and artistic interest to other heritage resources represented in museum and archival collections and in the sociological wealth inherent in national folklore.

5. Because restoration ends where speculation begins, it is absolutely necessary that any work of this kind be preceded by preliminary historical research. Since archives in Spain contain an abundance of charts and maps of the cities of the Americas, documentation on fortifications and numerous buildings, plus other copious official documentation, and since the cataloguing of those documents was halted with those pertaining to most of the colonial buildings, making their use extremely difficult, it is highly recommended that the Organization of American States cooperate with Spain in updating and facilitating research in Spanish archives, especially that of the Indies in Seville.

6. That a new inter-American document be drafted to replace the Treaty on the Protection of Moveable Property of Historic Value of 1935, that will be capable of a more effective and extensive protection of this important sector of the cultural heritage of the hemisphere from the many risks that threaten it.

7. Pending completion of the foregoing, that at its next meeting, the Inter American Cultural Council ask all member states to adopt emergency measures to stop the illegal traffic of cultural property and to achieve the repatriation of such objects to their country of origin, once it is proven that they have been smuggled out or illegally acquired.

8. Bearing in mind that the shortage that the scarcity of human resources is a serious handicap to the implementation of plans to enhance cultural value, that resources be made available for the establishment of an Inter American center or institution specializing in restoration training. Furthermore, the existing ann new institutions be strengthened to meet current needs in the restoration of moveable property.

9. Without prejudice to the foregoing and to meet urgent needs immediately, that the General Secretariat of the OAS make use of its Fellowship and Special Training Programs; also that cooperative agreements be established with the Instituto de Cultura Hispánica in Madrid under the Technical Cooperative Agreement OAS-Spain, and with the Centro Regional para la Restauración y Conservación de Bienes Culturales in Mexico.

10. Because it is necessary to exchange experience on problem inherent to the Americas in order to maintain unity of professional criteria, that the Association of Architects Specialized in the Restoration of Monuments temporarily headquartered at the Instituto de Cultural Hispánica in Madrid be recognized, and that its permanent installation in one of the member states be fostered.

LEGAL MEASURES

1. Protective legislation in effect in member states must be updated to ensure its effective application for the aims sought.

2. Local ordinances governing commercial signage must be revised in order to control the types of advertising that alter the environmental characteristics of urban areas of historic interest.

3. Regarding protective legislation, the urban space occupied by monumental districts or centers of environmental value should be given boundaries as follows:

a. a rigorously protected zone, corresponding to the greatest monumental density or interest

b. a zone of protection or respect, with a higher degree of tolerance, and
c. zone of protection of the urban landscape, in an effort to integrate it with the surrounding natural areas.

4. In bringing legislation up to date, all countries must take into account the increased value of properties included within the enhanced zone, and also to some extent, its environs.

5. Likewise, it must be taken into account the possibility to encourage private enterprise through the establishment of tax exemptions for buildings restored with private capital within the regulations established by responsible agencies. Tax exemptions may also be established as compensation for the restriction imposed on private properties as a result of their public interest.

TECHNICAL MEASURES

1. The enhancement of a monument or urban area of environmental interest is the result of an eminently technical process; consequently, its official management should be entrusted to a specialized agency that centralizes all work.

2. Each enhancement project is a unique problem that also demands a unique solution.

3. The technical collaboration of the experts in the various fields that be carrying out the project is absolutely essential. The final outcome will depend largely on the proper coordination of these specialists.

4. The priority given to a project should depend upon the estimated economic benefits that will result for a specific region. But insofar as possible, attention should also be given to the intrinsic significance of the property to be restored or its emergency condition.

5. Generally, every project to enhance cultural value involves economic, historic, technical and administrative problems. Technical problems of conservation, restoration and reconstruction vary according to the type of property. Archaeological monuments, for example, demand the help of specialists in that field.

6. The nature and scope of work to be undertaken on a monument require preliminary decisions that are the result of an exhaustive study of the conditions and circumstances that surround it. Once the intervention and treatments are decided, subsequent work will proceed with absolute respect for the fabric of the monument or the information that will undoubtedly be available in the authentic documents on which the restoration is based.

7. In works of enhancement of environmental areas, the limits and values of those areas must be defined.

8. Once defined and evaluated, the enhancement of an environmental historic area requires:

a. Study and determination of its eventual use and of the activities to be conducted in the area
b. Study of the magnitude of the investment and of the stages necessary to complete the restoration and conservation work, including works of infrastructure and adaptations required by the travel industry for the enhancement of the area.

c. Analytical study of the regulatory ordinance to which the area will be subjected so that existing buildings and new construction may be effectively controlled
d. A regulation for the areas adjacent to the historic center must be established, as well as regulations for land use, density and volume relationship as determinant factors in the urban and natural landscape.
e. Study of the investment necessary to make the area hygienic
f. Study of preventive mechanisms to ensure the continuing maintenance of the area to be enhanced.

9. The limited funding available and the need for training of the technical teams required for enhancement plans make it advisable to formulate preliminary pilot projects in places where economic interests and technical facilities happen to coincide.

10. The enhancement of an urban center of historic or environmental significance the extent of which exceeds immediate financial resources, may and should be planned in multiple stages, which should be carried out progressively in accordance with the needs of the tourist industry, but understanding that the project must be conceived as a whole and that there will be no interruption or postponement in the work of cataloguing, research and inventory.

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World Archaeological Congress Codes Of Ethics

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First Code of Ethics

Adopted by WAC Council in 1990 at WAC-2, Barquisimeto, Venezuela

Principles to Abide By:

Members agree that they have obligations to indigenous peoples and that they shall abide by the following principles:

1. To acknowledge the importance of indigenous cultural heritage, including sites, places, objects, artefacts, human remains, to the survival of indigenous cultures.

2. To acknowledge the importance of protecting indigenous cultural heritage to the well-being of indigenous peoples.

3. To acknowledge the special importance of indigenous ancestral human remains, and sites containing and/or associated with such remains, to indigenous peoples.

4. To acknowledge that the important relationship between indigenous peoples and their cultural heritage exists irrespective of legal ownership.

5. To acknowledge that the indigenous cultural heritage rightfully belongs to the indigenous descendants of that heritage.

6. To acknowledge and recognise indigenous methodologies for interpreting, curating, managing and protecting indigenous cultural heritage.

7. To establish equitable partnerships and relationships between Members and indigenous peoples whose cultural heritage is being investigated.

8. To seek, whenever possible, representation of indigenous peoples in agencies funding or authorising research to be certain their view is considered as critically important in setting research standards, questions, priorities and goals.

Rules to Adhere to:

Members agree that they will adhere to the following rules prior to, during and after their investigations:

1. Prior to conducting any investigation and/or examination, Members shall with rigorous endeavour seek to define the indigenous peoples whose cultural heritage is the subject of investigation.

2. Members shall negotiate with and obtain the informed consent of representatives authorized by the indigenous peoples whose cultural heritage is the subject of investigation.

3. Members shall ensure that the authorised representatives of the indigenous peoples whose culture is being investigated are kept informed during all stages of the investigation.

4. Members shall ensure that the results of their work are presented

with deference and respect to the identified indigenous peoples.

5. Members shall not interfere with and/or remove human remains of indigenous peoples without the express consent of those concerned.

6. Members shall not interfere with and/or remove artefacts or objects of special cultural significance, as defined by associated indigenous peoples, without their express consent.

7. Members shall recognise their obligation to employ and/or train indigenous peoples in proper techniques as part of their projects, and utilise indigenous peoples to monitor the projects.

The new Code should not be taken in isolation; it was seen by Council as following on from WAC's adoption of the Vermillion Accord passed in 1989 at the South Dakota Inter-Congress.

The Vermillion Accord on Human Remains

Adopted in 1989 at WAC Inter-Congress, South Dakota, USA.

1. Respect for the mortal remains of the dead shall be accorded to all, irrespective of origin, race, religion, nationality, custom and tradition.

2. Respect for the wishes of the dead concerning disposition shall be accorded whenever possible, reasonable and lawful, when they are known or can be reasonably inferred.

3. Respect for the wishes of the local community and of relatives or guardians of the dead shall be accorded whenever possible, reasonable and lawful.

4. Respect for the scientific research value of skeletal, mummified and other human remains (including fossil hominids) shall be accorded when such value is demonstrated to exist.

5. Agreement on the disposition of fossil, skeletal, mummified and other remains shall be reached by negotiation on the basis of mutual respect for the legitimate concerns of communities for the proper disposition of their ancestors, as well as the legitimate concerns of science and education.

6. The express recognition that the concerns of various ethnic groups, as well as those of science are legitimate and to be respected, will permit acceptable agreements to be reached and honoured.

The Tamaki Makau-rau Accord on the Display of Human Remains and Sacred Objects

Proposed in November, 2005 at WAC Inter-Congress, Auckland, New Zealand. Adopted by WAC Council in January, 2006, WAC Inter-Congress, Osaka, Japan

In recognition of the principles adopted by the Vermillion Accord, the display of human remains and sacred objects is recognised as a sensitive issue. Human remains include any organic remains and associated material. Sacred objects are those that are of special significance to a community. Display means the presentation in any media or form of human remains and sacred objects, whether on a single occasion or on an ongoing basis, including conference presentations or publications. Community may include, but is not limited to, ethnic, racial, religious, traditional or Indigenous groups of people.

WAC reiterates its commitment to scientific principles governing the study of the human past. We agree that the display of human remains or sacred objects may serve to illuminate our common humanity. As archaeologists, we believe that good science is guided by ethical principles and that our work must involve consultation and collaboration with communities. The members of the WAC council agree to assist with making contacts within the affected communities.

Any person(s) or organisation considering displaying such material or already doing so should take account of the following principles:

1. Permission should be obtained from the affected community or communities.

2. Should permission be refused that decision is final and should be respected.

3. Should permission be granted, any conditions to which that permission is subject should be complied with in full.

4. All display should be culturally appropriate.

5. Permission can be withdrawn or amended at any stage and such decisions should be respected.

6. Regular consultation with the affected community should ensure that the display remains culturally appropriate.

Code Of Ethics For The Amazon Forest Peoples

NEW DELHI, INDIA, DECEMBER 4, 1994

1. Seeing that Amazon forest peoples are on the brink of extinction.

2. That these peoples have minimal or no contact with the developed or developing world.

3. That such contact even as recently as 1993 has been responsible for massacres of entire villages loss of territories, epidemic diseases and devastation of crops.

4. That measures so far taken by national governments to protect these cultures does not suffice to halt these peoples decline.

5. Admitting that uncontrolled occupation of the territories of these peoples by alien intruders forces them to work under oppressive conditions.

6. Seeing that such exploitation causes loss of culture and destruction of family and community.

7. An urgent action' be undertaken if these forest peoples and cultures are to survive into the 21st century.

ACTION PLAN

Seen the magnitude of the threats weighing on Amazon forest peoples the international community accepts immediate responsibility to protect these remaining populations from recrimination massacres and death threats.

1. Realistic and definite international demarcation of Indian territories and accurate recognition of traditional land rights be enshrined in law.

2. Recognition at the highest level of authority of Amazonian and forest peoples rights on such traditional lands.

3. That funds contributed by World Bank be allocated to ensure the demarcation of such territories.

4. That all intruders regardless of their origin such as colonisers, miners,:forestry companies, religious groups be removed from these territories immediately.

RECOMMENDATIONS

1.We recommend that both national and international laws for the protection of these peoples be universally respected and implemented.

2.That massacre of forest peoples be denounced and investigated immediately as an act against humanity and a violation of the Universal Declaration of Human Rights.

3.That the guilty parties be judged without impunity.

4.That any imprisoned person of forest ethnic origin be allowed contact with his or her family, chief or advisor, treated humanely according to

his or her ethnic need.

5.That survivors of massacres and atrocities be fully protected by law or security forces, specifically when called upon or wishing to bear witness.

6.That amazon chiefs, shamans, captains and communities be consulted with on all issues concerning their forest environment rivers',lakes, faunas and floras upon which their survival depends.

7.Each nation in the region establish a permanent judicial commission to ensure the implementation of the above recommendations.

NOTE

The WAC "Code of ethics for indigenous peoples" and the "Vermillon Accord" be followed in the case of research and that research should not be conducted without the prior consent of peoples and that they be informed of the results of such research.

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World Archaeological Congress Codes Of Ethics

- First Code of Ethics
- The Vermillion Accord on Human Remains
- The Tamaki Makau-rau Accord on the Display of Human Remains and Sacred Objects
- Code Of Ethics For The Amazon Forest Peoples

First Code of Ethics

Adopted by WAC Council in 1990 at WAC-2, Barquisimeto, Venezuela

Principles to Abide By:

Members agree that they have obligations to indigenous peoples and that they shall abide by the following principles:

1. To acknowledge the importance of indigenous cultural heritage, including sites, places, objects, artefacts, human remains, to the survival of indigenous cultures.

2. To acknowledge the importance of protecting indigenous cultural heritage to the well-being of indigenous peoples.

3. To acknowledge the special importance of indigenous ancestral human remains, and sites containing and/or associated with such remains, to indigenous peoples.

4. To acknowledge that the important relationship between indigenous peoples and their cultural heritage exists irrespective of legal ownership.

5. To acknowledge that the indigenous cultural heritage rightfully belongs to the indigenous descendants of that heritage.

6. To acknowledge and recognise indigenous methodologies for interpreting, curating, managing and protecting indigenous cultural heritage.

7. To establish equitable partnerships and relationships between Members and indigenous peoples whose cultural heritage is being investigated.

8. To seek, whenever possible, representation of indigenous peoples in agencies funding or authorising research to be certain their view is considered as critically important in setting research standards, questions, priorities and goals.

Rules to Adhere to:

Members agree that they will adhere to the following rules prior to, during and after their investigations:

1. Prior to conducting any investigation and/or examination, Members shall with rigorous endeavour seek to define the indigenous peoples whose cultural heritage is the subject of investigation.

2. Members shall negotiate with and obtain the informed consent of representatives authorized by the indigenous peoples whose cultural heritage is the subject of investigation.

3. Members shall ensure that the authorised representatives of the indigenous peoples whose culture is being investigated are kept informed during all stages of the investigation.

4. Members shall ensure that the results of their work are presented

with deference and respect to the identified indigenous peoples.

5. Members shall not interfere with and/or remove human remains of indigenous peoples without the express consent of those concerned.

6. Members shall not interfere with and/or remove artefacts or objects of special cultural significance, as defined by associated indigenous peoples, without their express consent.

7. Members shall recognise their obligation to employ and/or train indigenous peoples in proper techniques as part of their projects, and utilise indigenous peoples to monitor the projects.

The new Code should not be taken in isolation; it was seen by Council as following on from WAC's adoption of the Vermillion Accord passed in 1989 at the South Dakota Inter-Congress.

The Vermillion Accord on Human Remains

Adopted in 1989 at WAC Inter-Congress, South Dakota, USA.

1. Respect for the mortal remains of the dead shall be accorded to all, irrespective of origin, race, religion, nationality, custom and tradition.

2. Respect for the wishes of the dead concerning disposition shall be accorded whenever possible, reasonable and lawful, when they are known or can be reasonably inferred.

3. Respect for the wishes of the local community and of relatives or guardians of the dead shall be accorded whenever possible, reasonable and lawful.

4. Respect for the scientific research value of skeletal, mummified and other human remains (including fossil hominids) shall be accorded when such value is demonstrated to exist.

5. Agreement on the disposition of fossil, skeletal, mummified and other remains shall be reached by negotiation on the basis of mutual respect for the legitimate concerns of communities for the proper disposition of their ancestors, as well as the legitimate concerns of science and education.

6. The express recognition that the concerns of various ethnic groups, as well as those of science are legitimate and to be respected, will permit acceptable agreements to be reached and honoured.

The Tamaki Makau-rau Accord on the Display of Human Remains and Sacred Objects

Proposed in November, 2005 at WAC Inter-Congress, Auckland, New Zealand. Adopted by WAC Council in January, 2006, WAC Inter-Congress, Osaka, Japan

In recognition of the principles adopted by the Vermillion Accord, the display of human remains and sacred objects is recognised as a sensitive issue. Human remains include any organic remains and associated material. Sacred objects are those that are of special significance to a community. Display means the presentation in any media or form of human remains and sacred objects, whether on a single occasion or on an ongoing basis, including conference presentations or publications. Community may include, but is not limited to, ethnic, racial, religious, traditional or Indigenous groups of people.

WAC reiterates its commitment to scientific principles governing the study of the human past. We agree that the display of human remains or sacred objects may serve to illuminate our common humanity. As archaeologists, we believe that good science is guided by ethical principles and that our work must involve consultation and collaboration with communities. The members of the WAC council agree to assist with making contacts within the affected communities.

Any person(s) or organisation considering displaying such material or already doing so should take account of the following principles:

1. Permission should be obtained from the affected community or communities.

2. Should permission be refused that decision is final and should be respected.

3. Should permission be granted, any conditions to which that permission is subject should be complied with in full.

4. All display should be culturally appropriate.

5. Permission can be withdrawn or amended at any stage and such decisions should be respected.

6. Regular consultation with the affected community should ensure that the display remains culturally appropriate.

Code Of Ethics For The Amazon Forest Peoples

NEW DELHI, INDIA, DECEMBER 4, 1994

1. Seeing that Amazon forest peoples are on the brink of extinction.

2. That these peoples have minimal or no contact with the developed or developing world.

3. That such contact even as recently as 1993 has been responsible for massacres of entire villages loss of territories, epidemic diseases and devastation of crops.

4. That measures so far taken by national governments to protect these cultures does not suffice to halt these peoples decline.

5. Admitting that uncontrolled occupation of the territories of these peoples by alien intruders forces them to work under oppressive conditions.

6. Seeing that such exploitation causes loss of culture and destruction of family and community.

7. An urgent action' be undertaken if these forest peoples and cultures are to survive into the 21st century.

ACTION PLAN

Seen the magnitude of the threats weighing on Amazon forest peoples the international community accepts immediate responsibility to protect these remaining populations from recrimination massacres and death threats.

1. Realistic and definite international demarcation of Indian territories and accurate recognition of traditional land rights be enshrined in law.

2. Recognition at the highest level of authority of Amazonian and forest peoples rights on such traditional lands.

3. That funds contributed by World Bank be allocated to ensure the demarcation of such territories.

4. That all intruders regardless of their origin such as colonisers, miners,:forestry companies, religious groups be removed from these territories immediately.

RECOMMENDATIONS

1.We recommend that both national and international laws for the protection of these peoples be universally respected and implemented.

2.That massacre of forest peoples be denounced and investigated immediately as an act against humanity and a violation of the Universal Declaration of Human Rights.

3.That the guilty parties be judged without impunity.

4.That any imprisoned person of forest ethnic origin be allowed contact with his or her family, chief or advisor, treated humanely according to

his or her ethnic need.

5.That survivors of massacres and atrocities be fully protected by law or security forces, specifically when called upon or wishing to bear witness.

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7.Each nation in the region establish a permanent judicial commission to ensure the implementation of the above recommendations.

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UNESCO

קווים מנחים למשלחות הערכה טכנית לאתרי מורשת עולמית

ICOMOS

המועצה הבין-לאומית למונומנטים ואתרים

איקומוס בינ"ל

קווים מנחים למשלחות הערכה טכנית לאתרי מורשת עולמית

תורגם על-ידי הוועד הישראלי לאונסקו

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ג. הגנה וניהול

1. ICOMOS והאמנה למורשת העולמית

ICOMOS הוא ארגון המייעץ מקצועית ל"ועדת המורשת העולמית" בנושאי מורשת תרבותית: זהו אחד מהארגונים המייעצים שמונו במסגרת האמנה למורשת עולמית משנת 1972. מתפקידיו המרכזיים: להעריך את המועמדויות שהמדינות מגישות בכל שנה ל"רשימת המורשת העולמית".

הוועדה מדגישה מאוד את חובתו של ICOMOS להקפיד ככל האפשר בהערכות ולבצע הערכות השוואתיות של אתרים המשתייכים לאותה קטגוריה.

2. נוהל ההערכה

תיקי המועמדות נמסרים כיום ל- ICOMOS מהמרכז למורשת עולמית של אונסקו ב-15 במארס בכל שנה. תהליך ההערכה מתחיל בבחינת התיקים על ידי מזכירות המורשת העולמית של ICOMOS. בשלב הבא יועץ מכין הערכה זמנית. הערכה זו מבוססת על מחקר ועל התייעצות עם מומחים. לחברי ICOMOS ניתנת עדיפות, והיא מתמקדת בקריטריונים (פרק 2 לעיל).

בד בבד נערכת התייעצות עם בעלי תפקידים ב-ICOMOS ועם ועדות לאומיות ובין-לאומיות ונבחרים מומחים לביקורי הערכה באתרים המועמדים. מטרת המשלחת לבחון בשטח את הדרישות של ועדת המורשת העולמית בתחומי האותנטיות, השלמות, השימור והניהול של האתר (פרק 3 לעיל).

ICOMOS בוחר את המומחים בזכות הבנתם ומומחיותם בניהול אתרי תרבות, מונומנטים, נופים או ערים ובשימורם המעשי, וכן בזכות היכרותם עם האזור, התרבות או הקטגוריה המסוימים של המונומנט. המחויבות העיקרית שלהם איננה להעריך את "הערך האוניברסלי היוצא מהכלל" (במילותיה של האמנה) של האתרים המועמדים, כמוגדר בקריטריונים i עד vi לעיל: זהו תחום אחריותם של המומחים המדעיים. המומחים במשלחת לאתר אמורים לחוות דעה מקצועית באיזו מידה מונומנטים ואתרים אלו עולים בקנה אחד עם הדרישות לאותנטיות, שלמות, הגנה וניהול שנקבעו בהנחיות לאמנה. אם המומחים במשלחת מעוניינים להשמיע הערות על הערכים התרבותיים, הם רשאים לעשות זאת, אך אין זה עניין מרכזי במסגרת הציפיות מהם.

לצד הקווים המנחים האלה למשלחת יימסרו למעריך גם עותק של תיק המועמדות של האתר וכן מסמכים אחרים של המדינה העשויים לסייע לכם בשליחותכם.

דוחות המשלחות לאתר בעניין האותנטיות והניהול ותוצאות ההתייעצויות עם ועדות מדעיות בין-לאומיות של ICOMOS ועם גופים מתמחים אחרים, כגון TICCIH (הוועדה הבין-לאומית לשימור המורשת התעשייתית), IFLA (הפדרציה הבין-לאומית לאדריכלי נוף), באמצעות ועדות מדעיות בין-לאומיות של ICOMOS לגנים היסטוריים ונופי תרבות, ועם מומחים אקדמיים

עצמאיים לנושא ערכים תרבותיים – כל אלה מגובשים לכדי הערכות מפורטות. אלה מוגשות לפאנל המורשת העולמית של ICOMOS (המורכב מבעלי תפקידים, מחברי הוועד המנהל וממומחים שהוזמנו לפאנל) במפגש שמתקיים בתחילת ינואר בכל שנה, ובו מגיעים להסכמה על ההמלצות המשותפות של ICOMOS לצורך הגשתן לוועדת המורשת העולמית במועד מאוחר יותר.

3. סידורים לוגיסטיים

המזכירות למורשת עולמית של ICOMOS שמשכנה בפריז עורכת את הסידורים למשלחת מול הרשות המוסמכות במדינה. לכל משלחת מותווית תכנית הכוללת פגישות עם הרשויות המתאימות וביקורים באתרים.

במכתב ההזמנה למשלחת יודיע ICOMOS למדינה מה הם התנאים הכלליים הקשורים למטרת המשלחת, לסידורי הנסיעה ולהוצאות.

המזכירות בפריז גם תודיע לנציג הקבוע באונסקו של המדינה הרלוונטית על ביקור המשלחת להערכה טכנית. המזכירות תודיע מי הם בעלי התפקידים המתאימים במדינה שיש ליצור עמם קשר כדי להסדיר את התכנית המפורטת של הביקור. המדינה המארחת תקבל עליה את האחריות לשריין מקומות לינה ולדאוג לתכנון סדר היום. על המעריך מוטלת האחריות לשלם בעבור המלון וחיובים אחרים.

מתפקידה של המזכירות יהיה גם להודיע על הביקור לוועדה הלאומית של ICOMOS (במקום שיש ועדה לאומית) במדינה שתבקרו (פרק 10 להלן).

על כל קושי ביצירת קשר עם בעל תפקיד מסוים או במימוש משימה כלשהי בביקור, יש ליצור קשר מידי עם Regina Durighello או Gwenaëlle Bourdin במזכירות ICOMOS בפריז (טלפון: +33.1.45.67.67.70 פקס: +33.1.45.66.06.22 דוא"ל: durighello@icomos.org/bourdin@icomos.org).

ICOMOS אינו מנפיק ביטוח נסיעות למומחים. לפיכך יש להסדיר ביטוח מחלה, תאונה או אבדן במהלך השליחות (ובכלל זה הנסיעה אל האתר).

4. תפקידו של מומחה

שליחות לאתר המועמד היא חלק מתהליך הערכה ש-ICOMOS מבצע לבקשתה של הוועדה למורשת עולמית, כמתואר לעיל.

ערכי תרבות

המטרה העיקרית של השליחות איננה להביע את דעת המומחה בעניין 'הערך האוניברסלי היוצא מהכלל', מאחר שהמזכירות כבר ביקשה חוות דעת כתובות ממומחים בתחומים

הרלוונטיים במסגרת כתבי המינוי שלהם (פרק 4 לעיל). לעומת זאת יש לסייע למזכירות בשני אופנים בעניין ההערכה על ידי:

1. בחינת ההיגיון שבמועמדות, דהיינו הרציונל שמאחורי הבחירה באתר, האם הישות הגאוגרפית המוצעת אכן משקפת את הטיעונים שהוצגו במועמדות? האם ישנם אתרים משיקים או סמוכים שמשיקולי היגיון ותועלת אפשר להוסיפם למועמדות?
2. התייחסות לחשיבות האתר הנבחן ביחס לאתרים אחרים בעלי חשיבות או עניין דומים לכאורה, הן במדינה החברה והן במקום אחר באזור הגאו-תרבותי הנדון.

אותנטיות, הגנה וניהול

המטרה המרכזית בשליחות היא להתמקד בהיבטים שבהם אפשר שהמידע הכתוב שמסרה המדינה החברה לא מספק ונדרשת התייחסות עדכנית ממקור ראשון לאותנטיות, לשלמות, להגנה ולניהול של האתר. המעריך יבלה חלק הארי מזמנו בשליחות, הן בפגישות הן בשטח, בדיונים על ההיבטים הללו עם נציגים שיוכלו להציג את שיקולי האותנטיות בהקשר של ערכי האתר ועם אנשים שיש להם ניסיון ישיר ומעשי בסוגיות ובבעיות של ניהול ושימור הקשורות באתר הנבחן.

נושא האותנטיות הוא נושא מורכב.

רמת האותנטיות בעיצוב, בחומרים ובאומנות הנדרשת ממונומנט יחיד גבוהה מזו הנדרשת ממרכז עירוני היסטורי שלם. במרכז כזה, המקום ומקוריות השימוש קריטיים יותר.

ישנם גם הבדלים בתפיסת המקוריות בין תרבויות ואזורים.

נדרשת גמישות מסוימת ביישום התנאים הקפדניים של אמנת ונציה.

'הצהרת נארה' (נספח 4 בהנחיות לאמנה) מציגה גישה מעשית יותר של החשיבה העכשווית.

קשה להציב קריטריונים מסוימים לשפיטת המקוריות בהקשר זה. התקווה היא שמומחי ICOMOS יפרשו זאת באהדה ובהתחשב בנסיבות המיוחדות הספציפיות של האתרים והמונומנטים המועמדים ושלל הגישות התרבותיות לשימור ושחזור.

אשר לנופי תרבות בפרט, אך בהתייחסות כוללת לכל סוגי נכסי התרבות, יש להביא בחשבון גם את ההערות בעניין תנאי השלמות (פרק 3.2 לעיל).

ידוע שישנן תפיסות והגדרות שונות מאוד זו מזו בכל הקשור באותנטיות, והן תלויות בסוג הנכס התרבותי ובמסורות התרבות האזוריות. כדאי אפוא לשכלל את ההערות על ידי התוויית נקודת המבט של הרשויות הרלוונטיות לעניין המורשת כמו גם עמדה אישית.

הגנה משפטית הולמת היא עניין בסיסי. תיקי המועמדות מכילים בדרך כלל מידע בשפע על תחיקה בכל מיני רמות מינהל ויישומיהן באתרים המועמדים. חשוב שמומחי ICOMOS יבדקו היבט זה לעומק אל מול הרשויות הרלוונטיות כדי לשפוט את יעילות ההגנה המשפטית בכלל וההגנה על האתר הנבחן בפרט.

הניהול גם הוא גורם חשוב בקבלת ההחלטות של הוועדה למורשת העולמית, והמדינות צריכות להמציא ראיות לקיומן של תכניות ניהול בעת הצגת המועמדות. שוב, בדרך כלל יש מסמכים, אבל לצורך הערכה מאוזנת, חשוב לדון על המבנה והיישום של תכניות הניהול או של מנגנונים אחרים עם הרשויות הרלוונטיות באתר בכל הרמות. ברור שאפשר לפרש את המונח 'ניהול' באופנים שונים, בהתאם לאופיו של האתר הנבחן.

במקרה של ערים היסטוריות למשל, יש לתרגם את המושג 'תכנית ניהול' ל'תכנית עירונית' או תכנית מקבילה לה.

נופי תרבות, בייחוד כאלה המתייחסים לנוף אורגני קיים, עשויים להימצא תחת פיקוח במסגרת תכניות אזוריות או סביבתיות או אפילו במסגרת תחיקה של תכנון ארצי, ואילו אתרים אחרים עשויים להיות נתונים לפיקוח של מערכות ונהלים מסורתיים.

היבט חשוב נוסף שחובה להביאו בחשבון מתייחס לגבולות המוצעים למונומנט או לאתר המורשת העולמית: האם יש בהם היגיון מבחינת הערכים והניהול שלהם?

הוועדה גם עומדת על קיומו של אזור חיץ סביב כל אתר ברשימת המורשת העולמית. מטרת אזורי החיץ לשמור על סביבת המונומנטים והמרכזים ההיסטוריים ולמנוע מפרויקטים לא הולמים של פיתוח חדש לצמצם או להיות בעלי השפעה שלילית אחרת עליהם. אזורים אלו מסומנים בדרך כלל בתיקי המועמדות. חשוב להתרשם במקום מתקפותם ויעילותם של אזורי חיץ אלו.

במקרה של נופי תרבות רחבי ידיים, אזורי החיץ חשובים פחות; עם זאת, על המומחים להתרשם שאין פרויקטים גדולים של בנייה בסמיכות ישירה לאזור המועמד ופרויקטים שאפשר לראותם ממנו ושעשויים לפגום בשלמותו או במראהו.

חשוב במיוחד במקרה של נופי תרבות לבחון את ההשפעה הפוטנציאלית של פרויקטים לכרייה באזור, ובייחוד כאלה השוכנים במעלה הזרם בנהרות העוברים דרך האזור המועמד או סביבו. פסולת מכרות מזוהמת שתיפלט בטעות עלולה לגרום נזק חמור מאוד לערכי הנוף במרחק קילומטרים רבים מהמקום.

שימור יעיל הוא עניין בסיסי בכל היבטי האותנטיות, ההגנה והניהול. על הדוחות לציין אפוא מה הם האיכות והאופי של פעולות השימור והשחזור, של פעולות שיקום (במקומות המתאימים, ובהתאם להערות בעניין האותנטיות), של תכניות התחזוקה והניטור וכן של המומחים המקומיים והחיצוניים לנושא השימור.

יש לזכור שהמשלחות היא הזדמנות ייחודית לפיתוח דיאלוג בין מומחים עצמאיים לבין האחראים

לשימור ולניהול של אתרי התרבות – שתי קבוצות שלא הכירו קודם. דיאלוג כזה עשוי להיות פורה לשני הצדדים משום שיוכלו להשוות ולחלוק את ניסיונם ואת תחומי העניין שלהם.

השפעת התיירות על אתרים ומונומנטים תרבותיים, ובייחוד על אלה שקודם לא פקד אותם מספר גדול של מבקרים, עשויה להיות רבה ולעתים אף מזיקה לערכים שבגינם האתר מוצע לרישום ברשימת המורשת העולמית. חשוב מאוד אפוא שלכל אתר או מונומנט של מורשת עולמית תהיה תכנית ניהול תיירותית מנוסחת היטב שתתאים לעלייה הצפויה במספר המבקרים בו ולדרישות החדשות לתשתיות.

5. מסמכים רלוונטיים

ראוי להתייחס למסמכים הכלליים והספציפיים שלהלן :

א. מסמך המועמדות שהכינה המדינה החברה בהתאם להנחיות לאמנה. עותק יקבל המעריך גם במקורו. לעתים קרובות תיקי המועמדות כוללים ראיות תומכות רבות ותכניות ושרטוטים רחבי היקף שלא הועתקו בשל מגבלות תקציב ומגבלות אחרות. נתונים אלו יועמדו לרשות המעריך על ידי המדינה או מזכירות ICOMOS.

ב. מסמכי רקע שמזכירות ICOMOS תספק לפי בקשה: לדוגמה, פרסומים של המרכז למורשת עולמית של אונסקו כגון מפת אתרי המורשת העולמית, עלון המורשת העולמית.

ג. פרסומים על האתרים נמצאים במרכז התיעוד של אונסקו-ICOMOS במזכירות הבין-לאומית של ICOMOS (בסיס נתונים מקוון באתר של ICOMOS: www.icomos.org).

היועץ האחראי לכתיבת טיוטת ההערכה עשוי ליצור קשר עם המעריך לפני או אחרי היציאה למשלחת כדי לבקש הבהרות בעניין האתר המועמד.

מעריך נבחר לשליחות זו משום ש-ICOMOS סבורה שכישוריו המקצועיים וניסיונו מתאימים ביותר לביצוע הערכת אתר או אתרים ספציפיים אלו. נוסף על הדרישות הרשמיות שצוינו לעיל, הפאנל של ICOMOS מקווה שיחלקו אתו גם השקפותם והבחנות כלליות על בסיס אינטואיציה וניסיון שנצבר במהלך השליחות. תהליך ההערכה של ICOMOS כולל הגעה לקונסנזוס של מומחים רבים מתחומי ניסיון והתמחויות שונים זה מזה. אבחנות המעריך יועילו בתהליך המורכב הזה.

לשאלות בעניין הפרשנות להערות אלו או יישומן בנסיבות השליחות הספציפית שלכם, יש ליצור קשר עם Regina Durighello או Gwenaëlle Bourdin במזכירות ICOMOS בפריז.

6. משלחות משותפות

בכל שנה מוגשת מועמדותם של כמה אתרים הן בשל ערכיהם התרבותיים הן בשל ערכיהם הטבעיים: אתרים כאלה מכונים 'אתרים מעורבים'. האחריות להערכתם מתחלקת בין שני הארגונים המייעצים – ICOMOS – לעניין המורשת התרבותית, ו-IUCN – לעניין המורשת הטבעית.

לאתרים שכאלה תורכב משלחת משני הארגונים המייעצים להערכה טכנית, ותפקידה יהיה להגיש המלצות. במידת האפשר תאורגן משלחת משותפת. נוסף על כך, ייתכן שיוחלט לשגר משלחות משותפות של ICOMOS ו- IUCN להעריך נופי תרבות מסוימים לאחר התייעצות בין שני הארגונים הנ"ל.

התיאום והארגון של ביקורים אלו ייעשו על ידי מזכירות המורשת העולמית של ICOMOS בפריז בשיתוף הגוף המקביל לה במטה של IUCN בגלנד (שווייץ).

באתרים מעורבים עשויות להיות הערכות והמלצות נפרדות לערכי תרבות וטבע בהתאמה, ואילו באתרים אחרים תיתכן הגשה משותפת לוועדת המורשת העולמית. ההחלטה תתבסס על מידת התלות ההדדית בין שני ההיבטים של המורשת, אך במקרה של נופי תרבות תוגש תמיד הערכה משותפת בעבור ICOMOS.

חשוב מאוד לקיים התייעצויות קרובות בין המומחים משני הארגונים, הן בזמן השליחות הן בעת הכנת הדוחות וההמלצות.

7. הקשר עם המדינה ונציגיה

תפקידו של ICOMOS בכל הקשור בוועדת המורשת העולמית הוא של ארגון לא-ממשלתי הממלא תפקיד עצמאי של ייעוץ. כנציגי ICOMOS חובה אפוא להפגין בפני המארחים שלכם, הן להלכה הן למעשה, אי-משוא פנים במהלך כל הביקור שלכם.

על נציגי המדינה שתפגשו במהלך השליחות להבין לאשורו את תפקידו של ICOMOS ואת הקשר שלו לאונסקו ולוועדת המורשת העולמית. לעתים קרובות נציגי ICOMOS מוצגים בטעות בתור מומחי אונסקו וזוכים ליחס כזה. יש לנצל את ההזדמנות הראשונה בתחילת השליחות ולהסביר מהו הקשר האמיתי בין ICOMOS לאונסקו ולוודא שהעניין הובהר לכל בעלי העניין במהלך השליחות. המזכירות תוכל לספק מסמכים ומצגת פאואר-פוינט בנושא זה. יש להדגיש תמיד ש-ICOMOS הוא גוף אוטונומי ולא-ממשלתי המייעץ לוועדת המורשת העולמית בכל הנוגע למורשת העולמית, ולא מייצג את אונסקו. תפקידו של זה לספק את שירותי המזכירות לוועדה.

התנאים הכספיים של המשלחת יסוכמו מראש בין ICOMOS לבין המדינה הנוגעת בדבר ויימסרו מראש. באופן כללי, כל ההוצאות הישירות (נסיעות, לינה) הרלוונטיות (קצובת אש"ל

יומית והחזר של הוצאות הנסיעות) ימומנו על ידי ICOMOS. אם מסיבות בלתי נמנעות שלא נחזו מראש תתבצע חריגה מהקצבה, יש להגיש חשבונית נפרדת ולציין את הסיבות לכך.

8. שיקולים אתיים

יש להימנע מלקבל טובות הנאה משמעותיות כלשהן מהמדינה, כגון מתנות יקרות ערך או אירוח יוקרתי. יש להפגין מידה רבה של טקט והימנעות בהקשר זה כדי לשמור על אי-משוא-פנים וריחוק. יש לזכור שבמדינות מסוימות עלולים לראות בסירוב להזמנה לאירוח חוסר נימוס. יש להפעיל שיקול דעת בהחלטה מה הם הגבולות המקובלים.

מוטלת חובה לשמור תמיד על פרופיל נמוך במהלך שליחות כלפי העיתונות ואמצעי תקשורת אחרים. בשום פנים ואופן אין להעניק ראיונות או לצאת בהצהרות פומביות כלשהן. כמו כן, אין בשום מקרה למסור מידע כלשהו למארחים על אופיו של הדוח וההמלצות. יש להסביר שהשליחות היא רק חלק אחד מתהליך ההערכה הכולל ושאת כל ההחלטות וההמלצות יקבל פאנל המורשת העולמית של ICOMOS (פרק 12 ה'סודיות' להלן).

ועדת הניהול של ICOMOS אישרה בינואר 2006 את 'המדיניות ליישום מנדט ICOMOS למורשת עולמית' (ראו את המסמך המצורף).

9. ICOMOS ישראל

ICOMOS נוהג להודיע לוועדות המקומיות הרלוונטיות על מועמדויות שממשלותיהן מגישות. ICOMOS מדווח להן גם מי המומחים שהוזמנו למשלחות ההערכה הטכנית. במידת האפשר ייערכו סידורים למפגש של המומחים עם נציגי הוועדה הלאומית, ואלו יוכלו לספק למומחים תובנות בעלות ערך על הניהול והשימור של האתרים שאפשר שהמקורות הרשמיים לא יוכלו לספקן. תפקידן של הוועדות הלאומיות בתהליך זה לתמוך בעבודת ICOMOS, ליצור קשרים בין המדינה החברה למומחים ולהעניק ייעוץ ברקע. מסיבות ברורות, דעותיה של הוועדה הלאומית בעניין האתרים המועמדים אינן מובאות בחשבון בקבלת ההחלטה בפאנל המורשת העולמית של ICOMOS.

10. דוח ההערכה

הדוח של משלחת ההערכה הטכנית הוא רכיב חיוני בשלבים הראשונים של תהליך ההערכה הכולל, משום שהוא מנחה את פאנל המורשת העולמית של ICOMOS בעת הכנת המלצותיו לוועדה למורשת העולמית. ייתכן שחברי הפאנל מכירים את האתר הנבחן, אולם הדוח שלכם מספק ניתוח מעודכן על מצב השימור והניהול העכשוויים.

בגלל השונות הרבה בין אתרי התרבות המועמדים ברשימת המורשת העולמית אין מתכונת או היקף קבועים לדוחות הערכה. דוח העוקב אחר סדר התחומים שצוינו לעיל, לצד המלצותיכם, ובמידת הצורך מספק הערות נוספות, יתאים מן הסתם לרוב האתרים.

במקרים מסוימים טפסים חלופיים לארגון ולהצגה של דוחות יכולים להתאים יותר.

ההחלטה בידי המעריך: כל עוד ישנה התייחסות לנקודות העיקריות, תותר גמישות ניכרת במתכונת ובתכנים של הדוח. אולם ICOMOS מעודדת את מומחיה להיות תמציתיים. אין צורך למשל לתמצת מידע הקשור במשמעות התרבותית וההיסטורית של האתר שכבר צוין במסמכי המועמדות.

על ההמלצות להיות ברורות וספציפיות כדי לסייע לפאנל המורשת העולמית של ICOMOS בשיקוליו. עליהן לאשש את המידע שנמסר בתיקי המועמדות או לערער עליו. במקרה של ערעור על המידע, יש להביע הסתייגויות בבירור ובלשון שאינה משתמעת לשתי פנים. אפשר למשל לבסס על היעדר מידע חיוני או על קיומה של בעיה מהותית בקשר לאותנטיות, לשימור או לניהול, המעמידה את המועמדות בסיכון. יש לציין גם אם ההסתייגויות מהותיות לרישום האתר ברשימת המורשת העולמית.

במקרה כזה ICOMOS עשוי להמליץ על סירוב למועמדות או על דחייתה עד נקיטת הפעולה המתאימה על ידי המדינה (לדוגמה, ניסוח ויישום של תכנית ניהול, סילוק מבנים מודרניים שאינם מתאימים וכדומה). אולם אם ההמלצות וההסתייגויות יהיו שוליות יחסית באופיין ולא יפגעו ברישום העתידי לאחר קבלת המידע הדרוש או ביצוע הפעולה המתקנת, ICOMOS עשוי להפנות את המועמדות בחזרה למדינה במטרה לרישום מאוחר יותר ברשימת המורשת העולמית.

פרט ליצירת הבסיס לקבלת ההחלטות על ידי פאנל המורשת העולמית של ICOMOS, יהיה הדוח חלק מהארכיון הקבוע לאתר/ים, והוא יישמר במרכז התיעוד של ICOMOS/ אונסקו בפריז. ככזה, יהיה לו תפקיד חשוב בניטור עתידי (בתנאי שהאתר נרשם ברשימת המורשת העולמית) והוא ישמש את מנהלי המורשת, את בעלי התפקידים, את המומחים לשימור, את החוקרים ואף אחרים למגוון מטרות בעתיד. אנו מקווים אפוא שדוח זה יהיה שלם ככל האפשר. דוח שמחזיק בין שישה לעשרה עמודי 4A עשוי להיחשב מתאים (להוציא חומרים גרפיים כגון מפות, תכניות, תצלומים ושקופיות).

יש לקבל עם דוח השליחות את טופס האישור המלא בעבור זכויות היוצרים על התצלומים שלכם.

עותק מההערכה וההמלצות של ICOMOS בעניין האתר יישלח אליכם אחרי המפגש של ועדת המורשת העולמית בחודש יוני, בצירוף החלטת הוועדה. המזכירות מקדמת בברכה הערות מצדכם.

11. דיסקרטיות

תחילה יוצג הדוח ל-ICOMOS בלבד וישמש להכנת ההערכה וההמלצות לצורך הגשה לוועדת המורשת העולמית. דוח המשלחת של ICOMOS יימסר למדינה רק לפי בקשתה של ועדת המורשת העולמית ובהסכמת המומחים הנוגעים בדבר.

המומחים מתבקשים להימנע ככל האפשר מקשר כלשהו עם אמצעי התקשורת. אסור להם בשום מקרה שהוא להעניק ראיונות לעיתונות או להסכים להיות מצולמים בזמן השליחות.

בשום מקרה אין להעביר את הדוח או את מסקנותיו למדינה המציגה את מועמדותו של האתר. חשוב ביותר לא לציין את ההמלצה או הדחייה לרשום את האתר ברשימת המורשת העולמית, מאחר שההמלצות של ICOMOS לוועדת המורשת העולמית הן החלטות קולקטיביות של פאנל המורשת העולמית של ICOMOS. יש להימנע מלהביע עמדה כלשהי, בעל פה או בכתב, בפני המדינה במהלך השליחות או אחריה.

12. הגשת הדוח

על הדוח להגיע למזכירות ICOMOS בפריז 15 יום לאחר תום השליחות. בשל לוח הזמנים הצפוף ש-ICOMOS מחויב לו, יובא הדוח לדיון בפאנל המורשת העולמית של ICOMOS זמן קצר אחרי התאריך הנקוב. בקביעת תאריך זה חושב פרק הזמן המינימלי הדרוש להעתקתו של הדוח ולהפצתו. המזכירות לא תוכל לאפשר ארכות מעבר למועד זה. אם לא יתקבל הדוח בזמן, לא יוכל הפאנל להתחשב בו, ו-ICOMOS עשוי להחליט שלא יוכל לקבל עליו אחריות מלאה להוצאות הכספיות של המעריך.

את טקסט הדוח יש לשלוח בפקס או בדוא"ל ל- Regina Durighello או Gwenaëlle Bourdin מיד עם השלמתו. יש לשגר את הדוח המקורי והרישומים (עותק קשיח וגרסה אלקטרונית) בהקדם האפשרי לאחר מכן בדואר רגיל. כמו כן יש לצרף חשבונית שכר על הכנת הדוח וההוצאות. (נדרשות קבלות מקוריות בעבור הוצאות נסיעה (טיסות / רכבות / אוטובוסים / מוניות), אולם הוצאות האש"ל ישולמו אוטומטית כפי שסוכם עם מזכירות ICOMOS לפני השליחות, ואין צורך להגיש בגינן חשבוניות (אלא אם סך כל ההוצאות חרג מקצובת האש"ל, כמצוין לעיל).

אם ICOMOS שילם למפרע את הוצאות הנסיעה וקצובת האש"ל, יש להגיש תצהיר מפורט בצירוף חשבוניות.

בשל הסכמי המימון של אונסקו לעבודה של ICOMOS בעניין המורשת העולמית ובשל בעיות כרוניות בתזרים המזומנים של ICOMOS, עשוי לחול עיכוב של עד חודש ימים בתשלום למומחים בעבור הכנת הדוח והחזרי ההוצאות. אנו מקווים שחברי ICOMOS יגלו הבנה לבעיות הקשורות במימון מבצע יקר זה. ייעשה כל מאמץ לשלם בלא דיחוי.

13. סיכום

תהליך יצירתו של הליך יעיל לעבודה של ICOMOS בתחום זה הוא עניין מתמשך. נקדם בברכה כל הצעה בעניין התהליכים האלה, על סמך ניסיונכם.

נא להפנות את הצעותיכם לאיקומוס ישראל.

יוני 2006

נספחים

נספח א': קריטריונים להערכה

הקריטריונים להערכה של אתרים מועמדים נקבעו במסמך קווים מנחים ביצועיים ליישום האמנה למורשת עולמית (2 בפברואר 2005). על כל אתר מועמד לעמוד לפחות באחד הקריטריונים להלן:

i. לייצג יצירת מופת של גאונות יצירתית אנושית;

ii. להציג מערכת חשובה של ערכים אנושיים בהתפתחות בארכיטקטורה או בטכנולוגיה, באמנות המונומנטלית, בתכנון ערים או בתכנון נוף, לאורך תקופת זמן או בתוך מרחב תרבותי בעולם;

iii. להוות עדות ייחודית או לפחות עדות יוצאת דופן למסורת תרבותית או לציוויליזציה קיימת או כזו שנכחדה;

iv. להוות דוגמה בולטת לסוג של מבנה, של מכלול או של נוף ארכיטקטוני או טכנולוגי, המציגים שלבים חשובים בהיסטוריה האנושית;

vi. להוות דוגמה בולטת להתיישבות אנושית מסורתית, לשימוש בקרקע או בים, המייצגים תרבות (או תרבויות), או ליחסי גומלין של האדם עם סביבתו, בייחוד אם נפגעו בעקבות שינוי בלתי הפיך;

vii. להיות קשור ישירות ובאופן מוחשי לאירועים או למסורות קיימות, לרעיונות או לאמונות, ליצירות אמנות או ספרות שיש להם משמעות כלל-עולמית (הוועדה סבורה שמוטב שקריטריון זה יוגש עם קריטריונים אחרים);

viii. לכלול תופעות טבע עילאיות או אזורים הניחנים ביופי לאומי יוצא דופן וחשיבות אסתטית;

ix. להוות דוגמאות יוצאות דופן המייצגות שלבים מרכזיים בהיסטוריה של העולם, ובכלל זה תיעוד התפתחותם של החיים, תהליכים גאולוגיים מתמשכים חשובים בהתפתחות של צורות קרקע או תכונות גאומורפולוגיות או פיזיוגרפיות משמעותיות;
בהתפתחות ובפיתוח של כדור הארץ, מים זכים, מערכות אקולוגיות בחופים ובימים וקבוצות של צמחים ובעלי חיים;

x. להכיל את הסביבות הטבעיות החשובות והמשמעותיות ביותר לשימור של שונות ביולוגית, ובכלל זה סביבות הכוללות מינים בסכנת הכחדה בעלי ערך כלל-עולמי יוצא דופן מנקודת המבט של המדע או של השימור.

נספח ב': דרישות של אוטנטיות ויושרה

כדי להיחשב בעל ערך כלל-עולמי יוצא מהכלל, על אתר לעמוד גם בתנאים של יושרה ו/או אותנטיות ולכלול מערכת הולמת של הגנה וניהול שתבטיח את קיומו. הפסקאות הבאות הן סיכום של פרקים נרחבים מתוך 'ההנחיות האופרטיביות ליישום האמנה למורשת עולמית'. יש לקרוא אותן לצד ההערות על תפקיד המומחה של ICOMOS בפרק 6 בהמשך.

אותנטיות (סעיפים 71-86 בהנחיות לאמנה)

כפוף לסוג המורשת התרבותית ולהקשר התרבותי שלה, אתרים ייחשבו עומדים בתנאי האותנטיות אם הערכים התרבותיים שלהם (כפי שהוכרו בקריטריונים המוצעים למועמדות) באים לידי ביטוי אמיתי ואמין במגוון מאפיינים, ובכללם:

- צורה ועיצוב;
- חומרים ומהות;
- שימוש ותפקוד;
- מסורות, טכניקות ושיטות ניהול;
- מקום והקשר;
- שפה וצורות אחרות של מורשת לא-מוחשית;
- רוח (אווירה) ותחושה; וכן
- מאפיינים פנימיים וחיצוניים אחרים.

מאפיינים כגון 'רוח' ו'תחושה' אינם יכולים להיות מיושמים בקלות במסגרת התנאים לאותנטיות, ואף על פי כן הם מהווים ציונים חשובים באשר לאופי והתחושה של המקום, לדוגמה בקהילות המשמרות מסורת והמשכיות תרבותית.

שחזור שרידים ארכיאולוגיים או של מבנים או רבעים היסטוריים מוצדק רק בנסיבות חריגות. השחזור יתקבל רק על סמך תיעוד מלא ומפורט ובשום אופן לא על סמך השערות.

יושרה/ שלמות (סעיפים 87–91 בהנחיות לאמנה)

יושרה/ שלמות היא מידה של השלמה ולכידות של המורשת הטבעית ו/או התרבותית ומאפייניה. בחינת תנאי השלמות מחייבת אפוא הערכה באיזו מידה האתר:

- כולל את כל הרכיבים ההכרחיים לבטא את ערכו האוניברסלי היוצא מהכלל;
- בעל גודל הולם שיבטיח ייצוג מלא של התכונות והתהליכים הממחישים את ייחודיותו;
- סובל מהשפעות מזיקות בשל פיתוח ו/או הזנחה.

אשר לאתרים שמועמדותם מוצעת תחת סעיפים i עד vi, המרקם הפיזי של האתר ו/או תכונותיו המרכזיות צריכים להיות במצב טוב, וההשפעה של תהליכי ההידרדרות צריכה להיות נשלטת. יש לכלול כמות ניכרת של הרכיבים הנחוצים כדי להציג את הערך הכולל באתר. יש לקבוע גם את היחסים והתפקודים הדינמיים הקיימים בנופי תרבות, בערים היסטוריות או באתרים חיים אחרים, החיוניים לשימור אופיים הייחודי.

באתרים שמועמדותם מוצעת תחת סעיפים vii עד x, התהליכים הביו-פיזיים ותצורות הקרקע צריכים להיות שלמים יחסית. פעילויות אנושיות, ובכלל זה כאלו של חברות מסורתיות וקהילות מקומיות, מתרחשות לעתים קרובות באזורי טבע. פעילויות אלו עשויות לעלות בקנה אחד עם הערך האוניברסלי היוצא מכלל של האזור שהימצאותן בו בת-קיימא מבחינה אקולוגית.

נספח ג': הגנה וניהול (סעיפים 96–119 בהנחיות לאמנה)

על כל האתרים הרשומים ב'רשימת המורשת העולמית' לכלול הגנה וניהול הולמים. עליה להיות מעוגנים בחקיקה ארוכת טווח ובתקנות, במוסדות ו/או במסורות, כדי להבטיח את שלומם. על הגנה זו לכלול גבולות מסומנים בבירור. המדינות חייבות להציג הגנה על האתר המועמד ברמה הלאומית, האזורית, המקומית ו/או המסורתית.

הצעדים התחיקתיים והרגולטוריים ברמה הלאומית והמקומית צריכים להבטיח את הישרדותו של האתר ואת ההגנה עליו מפני פיתוח ושינוי העלולים להשפיע לרעה על הערך האוניברסלי היוצא מהכלל של האתר, על שלמותו ו/או על המקוריות שלו. על המדינות להבטיח גם יישום מלא ויעיל של צעדים שכאלה.

התוויית גבולות היא דרישה חיונית למיסודה של הגנה יעילה על האתרים המועמדים. באתרים שמועמדותם מוצעת בסעיפים i עד vii, יש לשרטט את הגבולות כך שיכללו את כל האזורים והמאפיינים שיש בהם ביטוי ישיר ומוחשי לערך הכלל-עולמי יוצא הדופן של האתר וכן את האזורים שעל פי אפשרויות מחקר עתידיות הם בעלי פוטנציאל לתרום להבנה שכזו ולקדם אותה.

הגבולות של האתר המועמד עשויים לחפוף לאזור או אזורים המוגנים זה מכבר או מוצעים להגנה, כגון פארקים לאומיים, שמורות טבע או רבעים היסטוריים מוגנים.

בכל מקום שבו יש צורך בשימור הולם של האתר, יש לקבוע אזור חיץ מתאים. בהקשר של ההגנה היעילה על האתר המועמד, אזור חיץ הוא אזור המקיף את האתר המועמד ושקיימות מגבלות משלימות, חוקיות ו/או מכורח מנהג, לשימוש בו ולפיתוחו, המספקות שכבת הגנה נוספת לאתר. יש לכלול בכך את הסביבה הקרובה של האתר המועמד, תצפיות חשובות ואזורים או מאפיינים אחרים בעלי חשיבות תפקודית לתמיכה באתר ולהגנה עליו.

לכל אתר מועמד צריכה להיות תכנית ניהול מתאימה או מערכת ניהול מתועדת אחרת, המפרטת כיצד יישמר ערכו הכלל-עולמי יוצא הדופן, עדיף על ידי מעורבות קהילתית. מטרתה של מערכת ניהול היא להבטיח הגנה יעילה על האתר המועמד בדור שלנו ולדורות הבאים.

מערכת ניהול יעילה תלויה באופי, בתכונות ובצרכים של האתר המועמד ושל ההקשר התרבותי והטבעי שלו. מערכות הניהול עשויות להשתנות לפי נקודות השקפה תרבותיות, משאבים קיימים וגורמים אחרים. הן עשויות לשלב בתוכן מנהגים מסורתיים, כלים קיימים לתכנון עירוני או אזורי ומנגנונים אחרים לשליטה בתכנון, רשמיים ולא-רשמיים.

הרכיבים המשותפים למערכת ניהול יעילה צריכים לכלול:

- הסכמה בסיסית של כל בעלי העניין
- מחזור של תכנון, יישום, ניטור, הערכה ומשוב
- מעורבות של כל השותפים ובעלי העניין

- הקצאת משאבים נדרשים
- בניית יכולות
- תיאור שקוף ואחראי של תפקוד המערכת

ניהול יעיל כרוך בסבב של פעולות ארוכות-טווח ויום-יומיות להגנה על האתר המועמד, לשימורו ולהצגתו.

במקרה של סדרת אתרים, חייבים להיות מערכת ניהול או מנגנון שיבטיחו ניהול מתואם של הרכיבים הנפרדים.

אתרי מורשת עולמית עשויים לתמוך במגוון שימושים קיימים ומוצעים שהם בני קיימא מבחינה אקולוגית ותרבותית. שימוש בר-קיימא שכזה אינו צריך להשפיע באופן מנוגד על הערך האוניברסלי היוצא מהכלל של האתר, על שלמותו ו/או על מקוריותו. יתר על כן, על כל השימושים להיות בני קיימא מבחינה אקולוגית ותרבותית.

INTACH CHARTER, 2004

(REVISED ON 27/9/2004)

Charter for the Conservation of
Unprotected Architectural Heritage of India

Drawing upon the experience of the Indian National Trust for Art and Cultural Heritage (INTACH) in
conserving the unprotected architectural heritage of India within an institutional framework for two
;decades

Respecting the invaluable contributions of the Archaeological Survey of India (ASI) and State Departments
;of Archaeology (SDA) in preserving the finest monuments of India

Valuing ASI's pioneering role in promoting scientific methods of practice and establishing highest
;standards of professionalism in preserving monuments

Acknowledging the importance and relevance of principles enunciated in the various international Charters
;adopted by UNESCO, ICOMOS, et al

Conscious, however, that a majority of architectural heritage properties and sites in India still remains
unidentified, unclassified, and unprotected, thereby subject to attrition on account of neglect, vandalism and
;insensitive development

Recognising the unique resource of the ‘living’ heritage of Master Builders/Sthapatis/ Sompuras/ Raj
Mistris who continue to build and care for buildings following traditions of their
;ancestors

Recognising, too, the concept of jeernodharan, the symbiotic relationship binding the tangible and
;intangible architectural heritage of India

Noting the growing role of a trained cadre of conservation architects in India who are re-defining the
;meaning and boundaries of contemporary conservation practices

Emphasising that it is necessary to take into account the specificity of India’s architectural heritage and
bring all architectural heritage under the ambit of appropriate conservation guidelines
;and practices

BACK

We, members of INTACH, gathered here in New Delhi in the 4th day of November 2004, adopt the
.following Charter for Conservation of Unprotected Architectural Heritage in India

?ARTICLE 1 -WHY CONSERVE

1.1
The majority of India's architectural heritages is unprotected. Together with the monuments
protected by ASI/SDA, they constitute a unique civilisational legacy. Insensitive modernization
and urbanization, and the fact that it does not command the same respect as the protected
monuments, however, are wiping out the unprotected legacy. Much of this legacy is ,still in use
and the manner in which it continues to be kept in use represents the 'living' heritage of India. This
heritage is manifest both in tangible and intangible forms, which together define the composite
culture of the country. Conserving it will root the present in the past, and become a source of
inspiration for the future. This 'living' heritage defines the 'Indian-ness' of India in a more
intrinsic manner than the iconic monuments protected by ASI/ SDA. Its continued relevance in

contemporary society is a unique cultural characteristic that is as worthy of conservation as the
.protected monuments

1.2
This cultural characteristic is not legally protected. The buildings and sites, which constitute it, are
subject to demolition or unsympathetic interventions. The knowledge of traditional building skills
is also in danger in the absence of patronage and official recognition. Nevertheless, unlike other
societies, there is still a significant amount of ‘living’ heritage in India and it highlights the great
potential to conserve both traditional buildings and traditional ways of building. This potential is a
civilisational marker, which must be conserved not only because there are few other such examples
elsewhere in the world, but also because in the process it provides alternative, often more
.appropriate, models for modernizing the built environment
1.3
Conserving traditional skills and knowledge systems associated with the architectural heritage
ensures the survival of the living culture in a globalizing environment on a sustainable basis. It
offers the opportunity to not only to conserve the past, but define the future. It provides alternate
avenues for employment and a parallel market for local building materials and technologies, which
.needs to be prioritised when resources for development are severely constrained
1.4
This ‘living’ heritage also has symbiotic relationships with natural environments within which it
originally evolved. Understanding this interdependent ecological network and conserving it can
.make a significant contribution to improving the quality of the environment
?ARTICLE 2 -WHAT TO CONSERVE

2.1
The objective of conservation is the significance of the architectural heritage. Significance is
constituted in both the tangible and intangible forms. The process of Listing (Article 7) must
.determine its form and expression
2.2
The tangible heritage includes historic buildings of all periods and their setting in the historic
precincts of cities, and its relationship to the natural environment. The intangible heritage includes

the still extant culture of traditional building skills and knowledge, rites and rituals, social life and
lifestyles of the inhabitants, which together constitute the ‘living’ heritage. Both, particularly the
link between them, should be conserved. This should be determined through dialogue between
.stakeholders and experts

2.3

Conservation of architectural heritage must retain meaning for the society in which it exists. This
meaning may change over time, but taking it into consideration ensures that conservation will at all
.times have a contemporary logic underpinning its practice

2.4

Where the evidence of the tangible or intangible architectural heritage exists in isolation or
independent of each other, in whole or in fragments, it is necessary to conserve them, ,even in part
as evidence of the historic past it represents. Such conservation must invariably be -undertaken in
situ, but if this is not possible, then it could be relocated where it would be safe for continued
.contemplation

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (Rome, 24 June 1995)

THE STATES PARTIES TO THIS CONVENTION,

ASSEMBLED in Rome at the invitation of the Government of the Italian Republic from 7 to 24 June 1995 for a Diplomatic Conference for the adoption of the draft Unidroit Convention on the International Return of Stolen or Illegally Exported Cultural Objects,

CONVINCED of the fundamental importance of the protection of cultural heritage and of cultural exchanges for promoting understanding between peoples, and the dissemination of culture for the well-being of humanity and the progress of civilisation,

DEEPLY CONCERNED by the illicit trade in cultural objects and the irreparable damage frequently caused by it, both to these objects themselves and to the cultural heritage of national, tribal, indigenous or other communities, and also to the heritage of all peoples, and in particular by the pillage of archaeological sites and the resulting loss of irreplaceable archaeological, historical and scientific information,

DETERMINED to contribute effectively to the fight against illicit trade in cultural objects by taking the important step of establishing common, minimal legal rules for the restitution and return of cultural objects between Contracting States, with the objective of improving the preservation and protection of the cultural heritage in the interest of all,

EMPHASISING that this Convention is intended to facilitate the restitution and return of cultural objects, and that the provision of any remedies, such as compensation, needed to effect restitution and return in some States, does not imply that such remedies should be adopted in other States,

AFFIRMING that the adoption of the provisions of this Convention for the future in no way confers any approval or legitimacy upon illegal transactions of whatever kind which may have taken place before the entry into force of the Convention,

CONSCIOUS that this Convention will not by itself provide a solution to the problems raised by illicit trade, but that it initiates a process that will enhance international cultural co-operation and maintain a proper role for legal trading and inter- State agreements for cultural exchanges,

ACKNOWLEDGING that implementation of this Convention should be accompanied by other effective measures for protecting cultural objects, such as the development and use of registers, the physical protection of archaeological sites and technical co-operation,

RECOGNISING the work of various bodies to protect cultural property, particularly the 1970 UNESCO Convention on illicit traffic and the development of codes of conduct in the private sector,

HAVE AGREED as follows:

CHAPTER I - SCOPE OF APPLICATION AND DEFINITION

Article 1

This Convention applies to claims of an international character for:

(a) the restitution of stolen cultural objects;

(b) the return of cultural objects removed from the territory of a Contracting State contrary to its law regulating the export of cultural objects for the purpose of protecting its cultural heritage (hereinafter "illegally exported cultural objects").

Article 2

BACK

For the purposes of this Convention, cultural objects are those which, on religious or secular grounds, are of importance for archaeology, prehistory, history, literature, art or science and belong to one of the categories listed in the Annex to this Convention.

CHAPTER II - RESTITUTION OF STOLEN CULTURAL OBJECTS

Article 3

(1) The possessor of a cultural object which has been stolen shall return it.

(2) For the purposes of this Convention, a cultural object which has been unlawfully excavated or lawfully excavated but unlawfully retained shall be considered stolen, when consistent with the law of the State where the excavation took place.

(3) Any claim for restitution shall be brought within a period of three years from the time when the claimant knew the location of the cultural object and the identity of its possessor, and in any case within a period of fifty years from the time of the theft.

(4) However, a claim for restitution of a cultural object forming an integral part of an identified monument or archaeological site, or belonging to a public collection, shall not be subject to time limitations other than a period of three years from the time when the claimant knew the location of the cultural object and the identity of its possessor.

(5) Notwithstanding the provisions of the preceding paragraph, any Contracting State may declare that a claim is subject to a time limitation of 75 years or such longer period as is provided in its law. A claim made in another Contracting State for restitution of a cultural object displaced from a monument, archaeological site or public collection in a Contracting State making such a declaration shall also be subject to that time limitation.

(6) A declaration referred to in the preceding paragraph shall be made at the time of signature, ratification, acceptance, approval or accession.

(7) For the purposes of this Convention, a "public collection,' consists of a group of inventoried or otherwise identified cultural objects owned by:

(a) a Contracting State

(b) a regional or local authority of a Contracting State;

(c) a religious institution in a Contracting State; or

(d) an institution that is established for an essentially cultural, educational or scientific purpose in a Contracting State and is recognised in that State as serving the public interest.

(8) In addition, a claim for restitution of a sacred or communally important cultural object belonging to and used by a tribal or indigenous community in a Contracting State as part of that community's traditional or ritual use, shall be subject to the time limitation applicable to public collections.

Article 4

(1) The possessor of a stolen cultural object required to return it shall be entitled, at the time of its restitution, to payment of fair and reasonable compensation provided that the possessor neither knew nor ought reasonably to have known that the object was stolen and can prove that it exercised due diligence when acquiring the object.

(2) Without prejudice to the right of the possessor to compensation referred to in the preceding paragraph, reasonable efforts shall be made to have the person who transferred the cultural object to the possessor, or any prior transferor, pay the compensation where to do so would be consistent with the law of the State in which the claim is brought.

(3) Payment of compensation to the possessor by the claimant, when this is required, shall be without prejudice to the right of the claimant to recover it from any other person.

(4) In determining whether the possessor exercised due diligence, regard shall be had to all the circumstances of the acquisition, including the character of the parties, the price paid, whether the possessor consulted any reasonably accessible register of stolen cultural objects, and any other relevant information and documentation which it could reasonably have obtained, and whether the possessor consulted accessible agencies or took any other step that a reasonable person would have taken in the circumstances.

(5) The possessor shall not be in a more favourable position than the person from whom it acquired the cultural object by inheritance or otherwise gratuitously.

CHAPTER III - RETURN OF ILLEGALLY EXPORTED CULTURAL OBJECTS

Article 5

(1) A Contracting State may request the court or other competent authority of another Contracting State to order the return of a cultural object illegally exported from the territory of the requesting State.

(2) A cultural object which has been temporarily exported from the territory of the requesting State, for purposes such as exhibition, research or restoration, under a permit issued according to its law regulating its export for the purpose of protecting its cultural heritage and not returned in accordance with the terms of that permit shall be deemed to have been illegally exported.

(3) The court or other competent authority of the State addressed shall order the return of an illegally exported cultural object if the requesting State establishes that the removal of the object from its territory significantly impairs one or more of the following interests:

(a) the physical Preservation of the object or of its context;

(b) the integrity of a complex object;

(c) the preservation of information of, for example, a scientific or historical character;

(d) the traditional or ritual use of the object by a tribal or indigenous community,

or establishers that the object is of significant cultural importance for the requesting State.

(4) Any request made under paragraph 1 of this article shall contain or be accompanied by such information of a factual or legal nature as may assist the court or other competent authority of the State addressed in determining whether the requirements of paragraphs 1 to 3 have been met.

(5) Any request for return shall be brought within a period of three years from the time when the requesting State knew the location of the cultural object and the identity of its possessor, and in any case within a period of fifty years from the date of the export or from the date on which the object should have been returned under a permit referred to in paragraph 2 of this article.

Article 6

(1) The possessor of a cultural object who acquired the object after it was illegally exported shall be entitled, at the time of its return, to payment by the requesting State of fair and reason compensation, provided that the possessor neither knew nor ought reasonably to have known at the time of acquisition that the object had been illegally exported.

(2) In determining whether the possessor knew or ought reasonably to have known that the cultural object had been illegally exported, regard shall be had to the circumstances of the acquisition, including the absence of an export certificate required under the law of the requesting State.

(3) Instead of compensation, and in agreement with the requesting State, the possessor required to return the

cultural object to that State may decide:

(a) to retain ownership of the object; or

(b) to transfer ownership against payment or gratuitously to a person of its choice residing in the requesting State who provides the necessary guarantees.

(4) The cost of returning the cultural object in accordance with this article shall be borne by the requesting State, without prejudice to the right of that State to recover costs from any other person.

(5) The possessor shall not be in a more favourable position than the person from whom it acquired the cultural object by inheritance or otherwise gratuitously.

Article 7

(1) The provisions of this Chapter shall not apply where:

(a) the export of a cultural object is no longer illegal at the time at which the return is requested; or

(b) the object was exported during the lifetime of the person who created it or within a period of fifty years following the death of that person.

(2) Notwithstanding the provisions of sub-paragraph (b) of the preceding paragraph, the provisions of this Chapter shall apply where a cultural object was made by a member or members of a tribal or indigenous community for traditional or ritual use by that community and the object will be returned to that community.

Chapter IV - General Provisions

Article 8

(1) A claim under Chapter II and a request under Chapter III may be brought before the courts or other competent authorities of the Contracting State where the cultural object is located, in addition to the courts or other competent authorities otherwise having jurisdiction under the rules in force in Contracting States.

(2) The parties may agree to submit the dispute to any court or other competent authority or to arbitration.

(3) Resort may be had to the provisional, including protective, measures available under the law of the Contracting State where the object is located even when the claim for restitution or request for return of the object is brought before the courts or other competent authorities of another Contracting State.

Article 9

(1) Nothing in this Convention shall prevent a Contracting State from applying any rules more favourable to the restitution or the return of stolen or illegally exported cultural objects than provided for by this Convention.

(2) This article shall not be interpreted as creating an obligation to recognise or enforce a decision of a court or other competent authority of another Contracting State that departs from the provisions of this Convention.

Article 10

(1) The provisions of Chapter II shall apply only in respect of a cultural object that is stolen after this Convention enters into force in respect of the State where the claim is brought, provided that:

(a) the object was stolen from the territory of a Contracting State after the entry into force of this Convention for that State; or

(b) the object is located in a Contracting State after the entry into force of the Convention for that State.

(2) The provisions of Chapter III shall apply only in respect of a cultural object that is illegally exported after this Convention enters into force for the requesting State as well as the State where the request is brought.

(3) This Convention does not in any way legitimise any illegal transaction of whatever which has taken place before the entry into force of this Convention or which is excluded under paragraphs (1) or (2) of this article, nor limit any right of a State or other person to make a claim under remedies available outside the framework of this Convention for the restitution or return of a cultural object stolen or illegally exported before the entry into force of this Convention.

Chapter V - Final Provisions

Article 11

(1) This Convention is open for signature at the concluding meeting of the Diplomatic Conference for the adoption of the draft Unidroit Convention on the International Return of Stolen or Illegally Exported Cultural Objects and will remain open for signature by all States at Rome until June 1996.

(2) This Convention is subject to ratification, acceptance or approval by States which have signed it.

(3) This Convention is open for accession by all States which are not signatory States as from the date it is open for signature.

(4) Ratification, acceptance, approval or accession is subject to the deposit of a formal instrument to that effect with the depositary.

Article 12

(1) This Convention shall enter into force on the first day of the sixth month following the date of deposit of the fifth instrument of ratification, acceptance, approval or accession.

(2) For each State that ratifies, accepts, approves or accedes to this Convention after the deposit of the fifth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force in respect of that State on the first day of the sixth month following the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 13

(1) This Convention does not affect any international instrument by which any Contracting State is legally bound and which contains provisions on matters governed by this Convention, unless a contrary declaration is made by the States bound by such instrument.

(2) Any Contracting State may enter into agreements with one or more Contracting States, with a view to improving the application of this Convention in their mutual relations. The States which have concluded such an agreement shall transmit a copy to the depositary.

(3) In their relations with each other, Contracting States which are Members of organisations of economic integration or regional bodies may declare that they will apply. the internal rules of these organisations or bodies and will not therefore apply as between these States the provisions of this Convention the scope of application of which coincides with that of those rules.

Article 14

(1) If a Contracting State has two or more territorial units, whether or not possessing different systems of law applicable in relation to the matters dealt with in this Convention, it may, at the time of signature or of the deposit of its instrument of ratification, acceptance, approval or accession, declare that this Convention is to extend to all its territorial units or only to one or more of them, and may substitute for its declaration another declaration at any time.

(2) These declarations are to be notified to the depositary and are to state expressly the territorial units to

which the Convention extends.

(3) If, by virtue of a declaration under this article, this Convention extends to one or more but not all of the territorial units of a Contracting State the reference to:

(a) the territory of a Contracting State in Article 1 shall be construed as referring to the territory of a territorial unit of that State;

(b) a court or other competent authority of the Contracting State or of the State addressed shall be construed as referring to the court or other competent authority of a territorial unit of that State;

(c) the Contracting State where the cultural object is located in Article 8 (1) shall b construed as referring to the territorial unit of that State where the object is located;

(d) the law of the Contracting State where the object is located in Article 8 (3) shall be construed as referring to the law of the territorial unit of that State where the object is located; and

(e) a Contracting State in Article 9 shall be construed as referring to a territorial unit of that State.

(4) If a Contracting State makes no declaration under paragraph 1 of this article, this Convention is to extend to all territorial units of that State.

Article 15

(1) Declarations made under this Convention at the time of signature are subject to confirmation upon ratification, acceptance or approval.

(2) Declarations and confirmations of declarations are to be in writing and to be formally notified to the depositary.

(3) A declaration shall take effect simultaneously with the entry into force of this Convention in respect of the State concerned. However, a declaration of which the depositary receives formal notification after such entry into force shall take effect on the first day of the sixth month following the date of its deposit with the depositary.

(4) Any State which makes a declaration. under this Convention may withdraw it at any time by a formal notification in writing addressed to the depositary. Such withdrawal shall take effect on the first day of the sixth month following the date of the deposit of the notification.

Article 16

(1) Each Contracting State shall at the time of signature, ratification, acceptance, approval or accession, declare that claims for the restitution, or requests for the return, of cultural objects brought by a State under Article 8 may be submitted to it under one or more of the following procedures:

(a) directly to the courts or other competent authorities of the declaring State;

(b) through an authority or authorities designated by that State to receive such claims or requests and to forward them to the courts or other competent authorities of that State;

(c) through diplomatic or consular channels.

(2) Each Contracting State may also designate the courts or other authorities competent to order the restitution or return of cultural objects under the provisions of Chapters II and III.

(3) Declarations made under paragraphs 1 and 2 of this article may be modified at any time by a new declaration.

(4) The provisions of paragraphs 1 to 3 of this article do not affect bilateral or multilateral agreements on judicial assistance in respect of civil and commercial matters that may exisit between Contracting States.

Article 17

Each Contracting State shall, no later than six months following the date of deposit of its instrument of ratification, acceptance, approval or accession, provide the depositary with written information in one of the official languages of the Convention concerning the legislation regulating the export of its cultural objects. This information shall be updated from time to time as appropriate.

Article 18

No reservations are permitted except those expressly authorised in this Convention.

Article 19

(1) This Convention may be denounced by any State Party, at any time after the date on which it enters into force for that State, by the deposit of an instrument to that effect with the depositary.

(2) A denunciation shall take effect on the first day of the sixth month following the deposit of the instrument of denunciation with the depositary. Where a longer period for the denunciation to take effect is specified in the instrument of denunciation it shall take effect upon the expiration of such longer period after its deposit with the depositary.

(3) Notwithstanding such a denunciation, this Convention shall nevertheless apply to a claim for restitution or a request for return of a cultural object submitted prior to the date on which the denunciation takes effect.

Article 20

The President of the International Institute for the Unification of Private Law (Unidroit) may at regular intervals, or at any time at the request of five Contracting States, convene a special committee in order to review the practical operation of this Convention.

Article 21

(1) This Convention shall be deposited with the Government of the Italian Republic.

(2) The Government of the Italian Republic shall:

(a) inform all States which have signed or acceded to this Convention and the President of the International Institute for the Unification of Private Law (Unidroit) of:

(i) each new signature or deposit of an instrument of ratification, acceptance approval or accession, together with the date thereof;

(ii) each declaration made in accordance with this Convention;

(iii) the withdrawal of any declaration;

(iv) the date of entry into force of this Convention;

(v) the agreements referred to in Article 13;

(vi) the deposit of an instrument of denunciation of this Convention together with the date of its deposit and the date on which it takes effect;

(b) transmit certified true copies of this Convention to all signatory States, to all States acceding to the Convention and to the President of the International Institute for Unification of Private Law (Unidroit);

(c) perform such other functions customary for depositaries.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorised, have signed this

Convention.

DONE at Rome, this twenty-fourth day of June, one thousand nine hundred and ninety-five, in a single original, in the English and French languages, both texts being equally authentic.

Annex

(a) Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of palaeontological interest;

(b) property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artists and to events of national importance;

(c) products of archaeological excavations (including regular and clandestine) or of archaeological discoveries;

(d) elements of artistic or historical monuments or archaeological sites which have been dismembered;

(e) antiquities more than one hundred years old, such as inscriptions, coins and engraved seals;

(f) objects of ethnological interest;

(g) property of artistic interest, such as:

> (i) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand);
>
> (ii) original works of statuary art and sculpture in any material;
>
> (iii) original engravings, prints and lithographs;
>
> (iv) original artistic assemblages and montages in any material;

(h) rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections;

(i) postage, revenue and similar stamps, singly or in collections;

(j) archives, including sound, photographic and cinematographic archives;

(k) articles of furniture more than one hundred years old and old musical instruments.

BACK

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970

Paris, 14 November 1970

Depositary - Entry into force - Authoritative texts - Registration at the UN - States Parties - Declarations and Reservations - Territorial Application - Monitoring

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 October to 14 November 1970, at its sixteenth session,

Recalling the importance of the provisions contained in the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference at its fourteenth session,

Considering that the interchange of cultural property among nations for scientific, cultural and educational purposes increases the knowledge of the civilization of Man, enriches the cultural life of all peoples and inspires mutual respect and appreciation among nations,

Considering that cultural property constitutes one of the basic elements of civilization and national culture, and that its true value can be appreciated only in relation to the fullest possible information regarding is origin, history and traditional setting,

Considering that it is incumbent upon every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation, and illicit export,

Considering that, to avert these dangers, it is essential for every State to become increasingly alive to the moral obligations to respect its own cultural heritage and that of all nations,

Considering that, as cultural institutions, museums, libraries and archives should ensure that their collections are built up in accordance with universally recognized moral principles,

Considering that the illicit import, export and transfer of ownership of cultural property is an obstacle to that understanding between nations which it is part of UNESCO's mission to promote by recommending to interested States, international conventions to this end,

Considering that the protection of cultural heritage can be effective only if organized both nationally and internationally among States working in close co-operation,

Considering that the UNESCO General Conference adopted a Recommendation to this effect in 1964,

Having before It further proposals on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property, a question which is on the agenda for the session as item 19,

Having decided, at its fifteenth session, that this question should be made the subject of an international convention,

Adopts this Convention on the fourteenth day of November 1970.

Article 1

For the purposes of this Convention, the term `cultural property' means property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories:

(a) Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of palaeontological interest;

(b) property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artist and to events of national importance;

(c) products of archaeological excavations (including regular and clandestine) or of archaeological discoveries ;

(d) elements of artistic or historical monuments or archaeological sites which have been dismembered;

BACK

(e) antiquities more than one hundred years old, such as inscriptions, coins and engraved seals;

(f) objects of ethnological interest;

(g) property of artistic interest, such as:

(i) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manu-factured articles decorated by hand);

(ii) original works of statuary art and sculpture in any material;

(iii) original engravings, prints and lithographs ;

(iv) original artistic assemblages and montages in any material;

(h) rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections ;

(i) postage, revenue and similar stamps, singly or in collections;

(j) archives, including sound, photographic and cinematographic archives;

(k) articles of furniture more than one hundred years old and old musical instruments.

Article 2

1. The States Parties to this Convention recognize that the illicit import, export and transfer of ownership of cultural property is one of the main causes of the impoverishment of the cultural heritage of the countries of origin of such property and that international co-operation constitutes one of the most efficient means of protecting each country's cultural property against all the dangers resulting there from.

2. To this end, the States Parties undertake to oppose such practices with the means at their disposal, and particularly by removing their causes, putting a stop to current practices, and by helping to make the necessary reparations.

Article 3

The import, export or transfer of ownership of cultural property effected contrary to the provisions adopted under this Convention by the States Parties thereto, shall be illicit.

Article 4

The States Parties to this Convention recognize that for the purpose of the Convention property which belongs to the following categories forms part of the cultural heritage of each State:

(a) Cultural property created by the individual or collective genius of nationals of the State concerned, and cultural property of importance to the State concerned created within the territory of that State by foreign nationals or stateless persons resident within such territory;

(b) cultural property found within the national territory;

(c) cultural property acquired by archaeological, ethnological or natural science missions, with the consent of the competent authorities of the country of origin of such property;

(d) cultural property which has been the subject of a freely agreed exchange;

(e) cultural property received as a gift or purchased legally with the consent of the competent authorities of the country of origin of such property.

Article 5

To ensure the protection of their cultural property against illicit import; export and transfer of ownership, the States Parties to this Convention undertake, as appropriate for each country, to set up within their territories one or more national services, where such services do not already exist, for the protection of the cultural heritage, with a qualified staff sufficient in number for the effective carrying out of the following functions:

(a) contributing to the formation of draft laws and regulations designed to secure the protection of the cultural heritage and particularly prevention of the illicit import, export and transfer of ownership of important cultural property;

(b) establishing and keeping up to date, on the basis of a national inventory of protected'property, a list of important public and private cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage;

(c) promoting the development or the establishment of scientific and technical institutions (museums, libraries, archives, laboratories, workshops . . .) required to ensure the preservation and presentation of cultural property;

(d) organizing the supervision of archaeological excavations, ensuring the preservation `in situation' of certain cultural property, and protecting certain areas reserved for future archaeological research;

(e) establishing, for the benefit of those concerned (curators, collectors, antique dealers, etc.) rules in conformity with the ethical principles set forth in this Convention; and taking steps to ensure the observance of those rules;

(f) taking educational measures to stimulate and develop respect for the cultural

heritage of all States, and spreading knowledge of the provisions of this Convention;

(g) seeing that appropriate publicity is given to the disappearance of any items of cultural property.

Article 6

The States Parties to this Convention undertake:

(a) To introduce an appropriate certificate in which the exporting State would specify that the export of the cultural property in question is authorized. The certificate should accompany all items of cultural property exported in accordance with the regulations ;

(b) to prohibit the exportation of cultural property from their territory unless accompanied by the above-mentioned export certificate;

(c) to publicize this prohibition by appropriate means, particularly among persons likely to export or import cultural property.

Article 7

The States Parties to this Convention undertake:

(a) To take the necessary measures, consistent with national legislation, to prevent museums and similar institutions within their territories from acquiring cultural property originating in another State Party which has been illegally exported after entry into force of this Convention, in the States concerned. Whenever possible, to inform a State of origin Party to this Convention of an offer of such cultural property illegally removed from that State after the entry into force of this Convention in both States;

(b) (i) to prohibit the import of cultural property stolen from a museum or a religious or secular public monument or similar institution in another State Party to this Convention after the entry into force of this Convention for the States concerned, provided that such property is documented as appertaining to the inventory of that institution;

(ii) at the request of the State Party of origin, to take appropriate steps to recover and return any such cultural property imported after the entry into force of this Convention in both States concerned, provided, however, that the requesting State shall pay just compensation to an innocent purchaser or to a person who has valid title to that property. Requests for recovery and return shall be made through diplomatic offices. The requesting Party shall furnish, at its expense, the documentation and other evidence necessary to establish its claim for recovery and return. The Parties shall impose no customs duties or other charges upon cultural property returned pursuant to this Article. All expenses incident to the return and delivery of the cultural property shall be borne by the requesting Party.

Article 8

The States Parties to this Convention undertake to impose penalties or administrative sanctions on any person responsible for infringing the prohibitions referred to under Articles 6(b) and 7(b) above.

Article 9

Any State Party to this Convention whose cultural patrimony is in jeopardy from pillage of archaeological or ethnological materials may call upon other States Parties who are affected. The States Parties to this Convention undertake, in these circumstances, to participate in a concerted international effort to determine and to carry out the necessary concrete measures, including the control of exports and imports and international commerce in the specific materials concerned. Pending agreement each State concerned shall take provisional measures to the extent feasible to prevent irremediable injury to the cultural heritage of the requesting State.

Article 10

The States Parties to this Convention undertake:

(a) To restrict by education, information and vigilance, movement of cultural property illegally removed from any State Party to this Convention and, as appropriate for each country, oblige antique dealers, subject to penal or administrative sanctions, to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, description and price of each item sold and to inform the purchaser of the cultural property of the export prohibition to which such property may be subject;

(b) to endeavour by educational means to create and develop in the public mind a realization of the value of cultural property and the threat to the cultural heritage created by theft, clandestine excavations and illicit exports.

Article 11

The export and transfer of ownership of cultural property under compulsion arising directly or indirectly from the occupation of a country by a foreign power shall be regarded as illicit.

Article 12

The States Parties to this Convention shall respect the cultural heritage within the territories for the international relations of which they are responsible, and shall take all appropriate measures to prohibit and prevent the illicit import, export and transfer of ownership of cultural property in such territories.

Article 13

The States Parties to this Convention also undertake, consistent with the laws of each State:

(a) To prevent by all appropriate means transfers of ownership of cultural property likely to promote the illicit import or export of such property;

(b) to ensure that their competent services co-operate in facilitating the earliest possible restitution of illicitly exported cultural property to its rightful owner;

(c) to admit actions for recovery of lost or stolen items of cultural property brought by or on behalf of the rightful owners ;

(d) to recognize the indefeasible right of each State Party to this Convention to classify and declare certain cultural property as inalienable which should therefore ipso facto not be exported, and to facilitate recovery of such property by the State concerned in cases where it has been exported.

Article 14

In order to prevent illicit export and to meet the obligations arising from the implementation of this Convention, each State Party to the Convention should, as far as it is able, provide the national services responsible for the protection of its cultural heritage with an adequate budget and, if necessary, should set up a fund for this purpose.

Article 15

Nothing in this Convention shall prevent States Parties thereto from concluding special agreements among themselves or from continuing to implement agreements already concluded regarding the restitution of cultural property removed, whatever the reason, from its territory of origin, before the entry into force of this Convention for the States concerned.

Article 16

The States Parties to this Convention shall in their periodic reports submitted 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.

Article 17

1. The States Parties to this Convention may call on the technical assistance of the United Nations Educational, Scientific and Cultural Organization, particularly as regards:

(a) Information and education;

(b) consultation and expert advice;

(c) co-ordination and good offices.

2. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative conduct research and publish studies on matters relevant to the illicit movement of cultural property.

3. To this end, the United Nations Educational, Scientific and Cultural Organization may also call on the co-operation of any competent non-governmental organization.

4. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative, make proposals to States Parties to this Convention for its implementation.

5. At the request of at least two States Parties to this Convention which are engaged in a dispute over its implementation, UNESCO may extend its good offices to reach a settlement between them.

Article 18

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

Article 19

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 20

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited to accede to it by the Executive Board of the Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 21

This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before

that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 22

The States Parties to this Convention recognize that the Convention is appli-cable not only to their metropolitan territories but also to all territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or accession with a view to securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and cultural Organization of the territories to which it is applied, the notification to take effect three months after the date of its receipt.

Article 23

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

Article 24

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 20, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 19 and 20, and of the notifications and denunciations provided for in Articles 22 and 23 respectively.

Article 25

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 26

In conformity with Article 102 of the Charter of the United Nations, this 'Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris this seventeenth day of November 1970, in two authentic copies bearing the signature of the President of the sixteenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 19 and 20 as well as to the United Nations.

Depositary :

UNESCO

Entry into force :

24 April 1972, in accordance with Article 21

Authoritative texts :

English, French, Russian and Spanish

Registration at the UN :

9 May 1972, No. 11806

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Australia [at time of acceptance]
'The Government of Australia declares that Australia is not at present in a position to oblige antique dealers, subject to penal or administrative sanctions, to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, description and price of each item sold and to inform the purchaser of the cultural property of the export prohibition to which such property may be subject. Australia therefore accepts the Convention subject

to a reservation as to Article 10, to the extent that it is unable to comply with the obligations imposed by that Article.' (see letter LA/Depositary/1989/20 of 10 January 1990).

Belgium
"Belgium interprets the term "cultural property" as confined to those objects listed in the Annex to Council Regulation (EEC) No 3911/92 of 9 December 1992, as amended, on the export of cultural goods and in the Annex to Council Directive 93/7/EEC of 15 March 1993, as amended, on the return of cultural objects unlawfully removed from the territory of a Member State." [original: French, English, Flemish and German]

Byelorussian Soviet Socialist Republic [at time of ratification]
'The Byelorussian Soviet Socialist Republic declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514/XV of 14 December 1960).' (see letter LA/Depositary/1988/11 of 15 September 1988)

Cuba
(Translation) 'The Government of the Republic of Cuba considers that the implementation of the provisions contained in Articles 22 and 23 of the Convention is contrary to the Declaration on Granting Independence to Colonial Countries and Peoples (Resolution 1514) adopted by the United Nations General Assembly on 14 December 1960, which proclaims the necessity of bringing to a speedy and unconditional end colonialization in all its forms and manifestations.' (See letter LA/Depositary/1980/7 of 11 March 1980.)

Czechoslovakia
'Accepting the Convention, the Government of the Czechoslovak Socialist Republic wishes to declare that preservation of the state of dependence of certain countries from which the provisions of Articles 12, 22, and 23 proceed is in contradiction with the contents and objective of the Declaration of the United Nations General Assembly No. 1514 on the granting of independence to colonial countries and nations of 14 December 1960. The Government of the Czechoslovak Socialist Republic further declares in connection with Article 20 that the Convention, according to the problems it regulates, should be open also to non-Member States of the United Nations Educational, Scientific and Cultural Organization without the need of invitation by the Executive Council of the United Nations Educational, Scientific and Cultural Organization.' (See letter LA/Depositary/1977/6 of 8 April 1977)

Denmark [at the time of ratification]
The instrument contained the following temporary reservation: "… until further decision, the Convention will apply neither to the Feroe Islands nor to Groenland" [original: French], and was accompanied by the following declaration:

The property designated as "of importance for archaeology, prehistory, history, literature, art or science", in accordance with Article 1 of the Convention, are the properties covered by the Danish legislation concerning protection of cultural assets and the Danish Museum Act.
Act on Protection of Cultural Assets in Denmark
The Act on Protection of Cultural Assets in Denmark came into force on 1 January 1987. According to section 2(1) in the Act on Protection of Cultural Assets in Denmark the Act applies to the following cultural assets which are not publicly owned:
• cultural objects of the period before 1660;
• cultural objects older than 100 years and valued at DKK 100,000 or more;
• photographs (regardless of age) if they have a value of DKK 30,000 or more.
In exceptional cases the Minister of Culture can decide that the Act is also applicable to other objects of cultural interest.
Coins and medals are the only cultural objects explicitly exempted from the regulations of the Act.
The above-mentioned assets must not be exported from Denmark without permission from the Commission on Export of Cultural Assets.
Museum Act
According to section 28 of the Museum Act, any person who finds an ancient relic or monument, including shipwrecks, cargo or parts of such wrecks, which at any time must be assumed lost more than 100 years ago, in watercourses, in lakes, in territorial waters or on the continental shelf, but not beyond 24 nautical miles from the base lines from which the width of outer territorial waters is measured, shall immediately notify the Minister of Culture. Such objects shall belong to the State, unless any person proves that he or she is the rightful owner. Any person who gathers up an object belonging to the State, and any person who gains possession of such an object, shall immediately deliver it to the Minister of Culture.
According to section 30 of the Museum Act objects of the past, including coins found in Denmark, of which no one can prove to be the rightful owner, shall be treasure trove (danefæ) if made of valuable material or being of a special cultural heritage value. Treasure trove shall belong to the State. Any person who finds treasure trove, and any person who gains possession of treasure trove, shall immediately deliver it to the National Museum of Denmark.
According to section 31 of the Museum Act, a geological object or a botanical or zoological object of a fossil or sub-fossil nature or a meteorite found in Denmark is fossil trove (danekræ) if the object is of unique scientific or exhibitional value. Fossil trove shall belong to the State. Any person who finds fossil trove, and any person, who gains possession of fossil trove, shall immediately deliver it to the Danish Museum of Natural History" (see letter LA/Depositary/2003/12)

Finland [at the time of ratification]
"The Government of Finland declares that it will implement the provisions of Article 7 (b) (ii) of this Convention in accordance with its obligations under Unidroit Convention on Stolen or Illegally Exported Cultural Objects done at Rome on 24 June 1995."

France [at the time of ratification]
"The property designated as "of importance for archaeology, prehistory, history, literature, art, or science", in accordance with Article 1 of the Convention, are the following properties whose value exceeds the thresholds indicated opposite:

-	Thresholds (in ECUs) (see note 3)
1. Archaeological objets more than 100 years old originating from : - terrestrial and submarine excavations and discoveries, - archaeological sites, archaeological collections	0
2. Elements more than 100 years old that form an integral part of artistic, historic ou religious monuments which have been dismembered	0
3. Pictures and paintings produced entirely by hand on any support and in any material (see note 1)	150.000
4. Mosaics, other than those included in categories 1 ou 2, and drawings produced entirely by hand on any support and in any material (see note 1)	15.000
5. Original engravings, prints, serigraphs et lithographs and their respective matrices, and original posters (see note 1)	15.000
6. Original works of statutary art or sculpture and copies obtained by the same means as the original (see note 1), other than items included in category 1	50.000
7. Photographs, films and their negatives (see note 1)	15.000
8. Incunabula and manuscripts, including geographical maps and musical scores, singly or in collections (see note 1)	0
9. Books more than 100 years old, singly or in collections	50.000
10. Printed geographical maps more than 200 years old	15.000
11. Archives of any sort comprising elements more than 50 years old, whatever their medium	0
12. (a) Collections (see note 2) and specimens from collections of fauna, flora, minerals, and anatomy	50.000
(b) Collections (see note 2) of a historical, palaeontological, ethnographic or numismatic interest	50.000
13. Means of transport over 75 years old	50.000
14. Any other ancient object not included in categories 1 to 13 between 50 et 100 years old (a) - toys or games, - glassware, - objects made of precious metals, - furniture and furnishings, - optical, photographic or de cinematographic instruments, - musical instruments, - timepieces, - objects made of wood, - pottery, - tapestries, - carpets, - wallpapers, - weapons	50.000
(b) More than 100 years old	50.000

This list is in conformity with rules in force in France and subject to modification. The government of the French Republic will make known any modifications to it that may be made at a future date." (See LA/DEP/1997/1).

Guatemala
'The Republic of Guatemala, mindful that, in conformity with the Fundamental Statute of Government, monuments and archaeological vestiges are the property of the nation and that, furthermore, national law prohibits the unauthorized export of property constituting its cultural wealth, makes an express reservation concerning paragraph (b) (ii) of Article 7 of the Convention to the effect that it does not consider itself obliged to pay any compensation to any person or persons holding cultural property that has been looted or stolen in Guatemala or exported illicitly to another State Party and that, at the request of the Government of Guatemala, has been the subject of appropriate steps for its confiscation and/or restitution by that other State Party.
In any case, the Republic of Guatemala does not consider that the purchase of property forming part of its cultural wealth is in good faith solely through having been made in ignorance of the law.
Concerning Article 3 of the Convention, the Republic of Guatemala shall also consider to be illicit the import and transfer of ownership of cultural property effected contrary to the national provisions in force that are not in conflict with the provisions of the Convention'. (See letter LA/Depositary/1985/1).

Hungary
'Articles 12, 22 and 23 of the Convention contradict United Nations General Assembly Resolution 1514(XV) of 14 December 1960, which proclaimed the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations. Article 20 of the Convention is not in conformity with the principle of the sovereign equality of States; in view of the matters it regulates, the Convention should be open to all States without restriction.' (See letter LA/Depositary/1978/17 of 12 December 1978.)

Mexico
'The Government of the United Mexican States has studied the text of the comments and reservations on the convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property made by the United States of America on 20 June 1983. It has reached the conclusion that these comments and reservations are not compatible with the purposes and aims of the Convention, and that their application would have the

regrettable result of permitting the import into the United States of America of cultural property and its re-export to other countries, with the possibility that the cultural heritage of Mexico might be affected.' (See letter LA/Depositary/1985/40 of 3 March 1986).

New-Zeland
"AND DECLARES that, consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this acceptance shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory;"

Republique of Moldova
"Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the convention shall be applied only on the territory controlled effectively by the authorities of the Republic of Moldova."

Sweden
The property designated as "of importance for archaeology, prehistory, history, literature, art or science", in accordance with Article 1 of the Convention, are the following properties:
1. Archaeological objects – Swedish archaeological objects, regardless of material or value, dating from 1650 or before and not belonging to the State.
2. Pictures and paintings
(a) Swedish paintings more than 100 years old and worth more than SEK 50,000,

(b) portraits picturing a Swede or other persons who were active in Sweden, which are more than 100 years old and worth more than SEK 20,000,
(c) foreign paintings worth more than SEK 50,000.
3. Drawings
(a) Swedish drawings, water-colours, gouaches and pastels more than 100 years old and worth more than SEK 50,000,
(b) portraits picturing a Swede or other persons who were active in Sweden, in the form of water-colours, gouaches and pastels more than 100 years old and worth more than SEK 20,000,
(c) foreign drawings, water-colours, gouaches and pastels worth more than SEK 50,000.
4. Original engravings – Swedish woodcut and copperplate engraving, made before 1650, regardless of value.
5. Original sculptures
(a) Swedish original sculptures and copies produced by the same process as the original, regardless of material, which are more than 100 years old and worth more than SEK 50,000,
(b) foreign original sculptures and copies produced by the same process as the original, regardless of material, which are worth more than SEK 50,000.
6. Incunabula and manuscripts
(a) Swedish incunabula, regardless of value,
(b) Swedish manuscripts on parchment or paper produced before 1650, regardless of value,
(c) Swedish unprinted minutes, letters, diaries, manuscripts, music, accounts, hand-drawn maps and drawings, which are more than 50 years old and worth more than SEK 2,000,
(d) collections of foreign incunabula and Swedish unprinted material in category (b) and (c), which are older than 50 years and are worth more than SEK 50,000.
7. Books
(a) Swedish books printed before 1600, regardless of value,
(b) other Swedish books, which are older than 100 years and are worth more than SEK 10,000, (c) foreign books worth more than SEK 10,000.
8. Printed maps
(a) Swedish printed maps, which are older than 100 years and worth more than SEK 10,000,
(b) foreign printed maps, worth more than SEK 10,000.
9. Archives – Swedish unprinted minutes, letters, diaries, manuscripts, music, accounts, hand-drawn maps and drawings, which are more than 50 years and are worth more than SEK 2,000.
10. Means of transport
(a) Swedish means of transport which are older than 100 years and are worth more than SEK 50,000,
(b) foreign means of transport worth more than SEK 50,000.
11. Any other antique item not included in categories 1-10:
(a) Swedish items of wood, bone, pottery, metal or textile which are produced before 1650, regardless of value,
(b) Swedish furniture, mirrors and boxes which are made before 1860, regardless of value,
(c) Swedish drinking-vessels, harness and textile implements if they are made of wood and have painted or carved decorations, folk costumes and embroidered or pattern-woven traditional textiles, tapestry paintings, long-case clocks, wall clocks and brackets clocks, signed faience, firearms, edged weapons and defensive weapons and musical instruments, which are more than 100 years old, regardless of value,
(d) Swedish items of pottery, glass, porphyry, gold, silver or bronze, with exception of coins and medals, chandeliers, woven tapestries and tiled stoves, which are older than 100 years and worth more than SEK 50,000,
(e) Swedish technical models and prototypes and scientific instruments, which are older than 50 years and worth more than SEK 2,000,
(f) foreign furniture, mirrors, boxes, long-case clocks, wall clocks and brackets clocks, musical instruments, firearms, edged weapons and defensive weapons, items of pottery, glass, ivory, gold, silver or bronze, with exception of coins and medals, chandeliers and woven tapestries, which are worth more than SEK 50,000.

12. Lapp (Sami) items which are more than 50 years and worth more than SEK 2,000. The term Swedish items of historic interest refers to items which were actually or presumably made in Sweden or in some other country by a Swede. The term foreign items of historic interest refers to items made in another country by a non-Swede. This list is in conformity with rules in force in Sweden at present.

Ukrainian Soviet Socialist Republic [at time of ratification]
'The Ukrainian Soviet Socialist Republic declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514/XV of 14 December 1960).' (see letter LA/Depositary/1988/12 of 15 September 1988).

Union of Soviet Socialist Republics [at time of ratification]
'The Union of Soviet Socialist Republics declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (resolution 1514/XV of 14 December 1960).' (see letter LA/Depositary/1988/13 of 15 September 1988).

United Kingdom of Great Britain and Northern Ireland (see letter LA/Depositary/2002/31)
(a) the United Kingdom interprets the term "cultural property" as confined to those objects listed in the Annex to Council Regulation (EEC) N° 3911/1992 of 9 December 1992, as amended, on the export of cultural goods and in the Annex to Council Directive 1993 / EEC of 15 March 1993, as amended, on the return of cultural objects unlawfully removed from the territory of a Member State;
(b) As between EC member states, the United Kingdom shall apply the relevant EC legislation to the extent that that legislation covers matters to which the Convention applies; and
(c) The United Kingdom interprets Article 7(b)(ii) to the effect that it may continue to apply its existing rules on limitation to claims made under this Article for the recovery and return of cultural objects. [original : English]

United States of America [at the time of ratification]
"United States reserves the right to determine whether or not to impose export controls over cultural property".
The United States understands the provisions of the Convention to be neither self-executing nor retroactive.
The United States understands Article 3 not to modify property interests in cultural property under the laws of the States parties.
The United States understands Article 7 (a) to apply to institutions whose acquisition policy is subject to national control under existing domestic legislation and not to require the enactment of new legislation to establish national control over other institutions.
The United States understands that Article 7(b) is without prejudice to other remedies, civil or penal, available under the laws of the States parties for the recovery of stolen cultural property to the rightful owner without payment of compensation.
The United States is further prepared to take the additional steps contemplated by Article 7(b) (ii) for the return of covered stolen cultural property without payment of compensation, except to the extent required by the Constitution of the United States, for those states parties that agree to do the same for the United States institutions.
The United States understands the words "as appropriate for each country" in Article 10 (a) as permitting each state party to determine the extent of regulation, if any, of antique dealers and declares that in the United States that determination would be made by the appropriate authorities of state and municipal governments.
The United States understands Article 13(d) as applying to objects removed from the country of origin after the entry into force of this Convention for the states concerned, and, as stated by the Chairman of the Special Committee of Governmental Experts that prepared the text, and reported in paragraph 28 of the Report of that Committee, the means of recovery of cultural property under subparagraph (d) are the judicial actions referred to in subparagraph (c) of Article 13, and that such actions are controlled by the law of the requested State, the requesting State having to submit necessary proofs.'

Territorial Application :

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Notification by	Date of receipt of notification	Extension to
Denmark	27 May 2004	Greenland (see letter LA/DEP/2004/014)
	17 April 2008	Faroes
Norway	16 February 2007	Territory of the Kingdom of Norway and the Norwegian dependencies Bouvet Island, Peter I's Island and Queen Maud Land

Monitoring :

- Convention for which monitoring the Executive Board is responsible (more information)
- Timetable of the 6th Consultation (2011):

- Presentation of reports at the General Conference at its 36th session (Autumn 2011)
- Examination of the reports by the Executive Board at its 187th session (Autumn 2011)

- Examination of guidelines by the Executive Board at its 184th session (Spring 2010)
    - 184 EX/Decision 25
    - Report of the CR Committee (185 EX/39)
    - Consideration of the draft guidelines for the preparation of reports by Member States on the application of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (184 EX/25)

- 5th Consultation (2007):

- 34 C/Resolution 45
- Examination of the new report by Member States and other States Parties on measures taken in application of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (34 C/55)

- 4th Consultation (2003):

- 32 C/Resolution 38
- Implementation of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970): Reports by Member States and other States Parties on the action they have taken to implement the Convention (32 C/24)

- 3rd Consultation (1995):

- 28 C/Resolution 3.11
- Reports of Member States on measures they have adopted to implement the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970 (28 C/35)

- 2nd Consultation (1987):

- 24 C/Resolution 11.3
- Reports of Member States on the action taken by them to implement the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (24 C/24)

- 1st Consultation (1978):

- 20 C/Resolution 4/7.6/4
- Reports of Member States on the action taken by them to implement the Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property (1964) and the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (20 C/84)

Notes :

(1) More than 50 years old and not belonging to their creators.

(2) Objects for collections are objects that posses the necessary qualities for admission to a collection, that is to say, objects that are relatively rare, not normally used for their original purpose, are the subject of special transactions distinct from the normal trade in usable objects of a similar nature, and have a high value.

(3) The conversion value in national currencies of the amounts in ECUs is that in force on 1 January 1993.

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 20 October to 20 November 1964, at its thirteenth session,

Being of the opinion that cultural property constitutes a basic element of civilization and national culture, and that familiarity with it leads to understanding and mutual appreciation between nations,

Considering that it is incumbent upon every State to protect the cultural property existing within its territory and which constitutes its national heritage against the dangers resulting from illicit export, import and transfer of ownership,

Considering that, to avert these dangers, it is essential for every Member State to become increasingly alive to the moral obligations to respect its own cultural heritage and that of all nations,

Considering that the objectives in view cannot be achieved without close collaboration among Member States,

Convinced that steps should be taken to encourage the adoption of appropriate measures and to improve the climate of international solidarity without which the objectives in view would not be attained,

Having before it proposals for international regulations to prohibit and prevent the illicit export, import and transfer of ownership of cultural property, which constitutes item 15.3.3 on the agenda of the session,

Having decided, at its twelfth session, that these proposals should be regulated at the international level by way of a recommendation to Member States, while expressing the hope that an international convention may be adopted as soon as possible,

Adopts, this nineteenth day of November 1964, this recommendation.

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles and norms formulated in this recommendation.

The General Conference recommends that Member States should bring th recommendation to the knowledge of authorities and organizations concerned with the protection of cultural property.

The General Conference recommends that Member States should report to it on dates and in a manner to be determined by it, on the action which they have taken to give effect to this recommendation.

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I. Definition

1. For the purpose of this recommendation, the term 'cultural property' means movable and immovable property of great importance to the cultural heritage of a country, such as works of art and architecture, manuscripts books and other property of artistic, historical or archaeological interest, ethnological documents, type specimens of flora and fauna, scientific collections and Important collections of books and archives, including musical archives.

2. Each Member State should adopt whatever criteria it deems most suitable for defining which items of cultural property within its territory should receive the protection envisaged in this recommendation by reason of their great importance.

II. General principles

3. To ensure the protection of its cultural heritage against all dangers of impoverishment, each Member State should take appropriate steps to exert effective control over the export of cultural property as defined in paragraphs 1 and 2.

4. No import of cultural property should be authorized until such property has been cleared from any restrictions on the part of the competent authorities m the exporting State.

5. Each Member State should take appropriate steps to prevent the illicit transfer of ownership of cultural property.

6. Each Member State should lay down rules governing the application of the above principles.

7. Any export, import or transfer of ownership effected contrary to the rules adopted by each Member State in accordance with paragraph 6 should be regarded as illicit.

8. Museums, and in general all services and institutions concerned with the conservation of cultural property, should refrain from purchasing any Item of cultural property obtained through an illicit export, import or transfer of ownership.

9. In order to encourage and facilitate legitimate exchange of cultural property, Member States should strive to make available to public collections in other Member States, by sale or exchange, objects of the same type as those the export or transfer of ownership of which cannot be authorized, or certain of the latter objects, on loan or deposit.

III. Measures recommended

Recognition and national inventory of cultural property

10. To ensure more effective application of the above general principles, each Member State should, as far as possible, devise and apply procedures for the recognition of the cultural property, as defined in paragraphs 1 and 2 above, which exists within its territory, and draw up a national inventory of such property. The inclusion of a cultural object in this inventory should produce no change in the legal ownership of that object. In particular, a cultural object in private ownership should remain such even after inclusion in the national inventory. This inventory would not be of a restrictive character.

Institutions for the protection of cultural property

11. Each Member State should provide that the protection of cultural property shall be the concern of appropriate official bodies and, if necessary, should set up a national service for the protection of cultural property. Although differences of constitutional provisions and tradition and disparity of resources preclude the adoption by all Member States of a uniform structure, certain common principles, set forth below, should nevertheless be adopted if the creation of a national service for the protection of cultural property be considered necessary:

a. The national service for the protection of cultural property should, as far as possible, take the form of a State-operated administrative service, or a body operating in accordance with the national law with the necessary administrative, technical and financial means to exercise its functions effectively.

b. The functions of the national service for the protection of cultural property should include:

    i. Recognition of the cultural property existing within the territory of the State, and, where appropriate, the establishment and maintenance of a national inventory of such property, in accordance with the provisions of paragraph 10 above;

    ii. Co-operation with other competent bodies in the control of the export, import and transfer of ownership of cultural property, in accordance with the provisions of Section II above; the control of exports would be considerably facilitated if items of cultural property were accompanied, at the time of export, by an appropriate certificate in which the exporting State would certify that the export of the cultural property is authorized. In case of doubt regarding the legality of the export. the institution entrusted with the protection of cultural property should address itself to the competent institution with a view to confirming the legality of the export.

c. The national service for the protection of cultural property should be empowered to submit proposals to the competent national authorities for any other appropriate legislative or administrative measures for the protection of cultural property, including sanctions for the prevention of illicit export. import and transfer of ownership.

d. The national service for the protection of cultural property should be able to call upon experts to advise it on technical problems and to propose solutions in contentious cases.

12. Each Member State should, in so far as necessary, set up a fund or take other appropriate financial measures in order to have means necessary to purchase exceptionally important cultural property.

Bilateral and multilateral agreements

13. Whenever necessary or desirable, Member States should conclude bilateral or multilateral agreements, within the framework of regional intergovernmental organizations for instance, to resolve problems flowing from the export, import or transfer of ownership of cultural property, and more especially in order to secure the restitution of cultural property illicitly exported from the territory of a party to the

agreements and located in the territory of another. Such agreements might, where appropriate, be comprised within agreements of wider scope, such as cultural agreements.

International collaboration in the detection of illicit operations

14. Whenever necessary or desirable, these bilateral or multilateral agreements should include provisions to the effect that whenever it is proposed to transfer the ownership of a cultural object the competent services of each State shall ascertain that there are no grounds for regarding that object as proceeding from a theft, an illicit export or transfer of ownership, or any other operation regarded as illegal under the legislation of the exporting State, for instance, by requiring the presentation of the certificate referred to in paragraph 11. Any dubious offer, and any details relating thereto, should be brought to the knowledge of the services concerned.

15. Member States should endeavour to assist each other by exchanging the fruits of their experience in the fields covered by this recommendation.

Restitution or return of illicitly exported cultural property

16. Member States, services for the protection of cultural property, museums and, in general all competent institutions should collaborate with one another in ensuring or facilitating the restitution or return of cultural objects illicitly exported. This restitution or return should be carried out in accordance with the laws in force in the State on whose territory the objects are located.

Publicity in the event of the disappearance of a cultural object

17. The disappearance of any cultural object should, at the request of the State claiming that object, be brought to the knowledge of the public by means of appropriate publicity.

Rights of bona fide *purchasers*

18. Each Member State should, if necessary, take appropriate measures to provide that its internal laws or the international conventions to which it may become a party, ensure to the *bona fide* purchaser of cultural property which is to be restored or returned to the territory of the State from which it had been illegally exported the possibility of obtaining damages or fair compensation.

Educational action

19. In a spirit of international collaboration which would take into account both the universal nature of culture and the necessity of exchanges for enabling all to benefit by the cultural heritage of mankind, each Member State should take steps to stimulate and develop among its nationals interest in and respect for the cultural heritage of all nations. Such action should be under taken by the competent services in co-operation with the educational services and with the Press and other media for the communication and dissemination of information, youth and adult education organizations and groups and individuals concerned with cultural activities.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its thirteenth session, which was held in Paris and declared closed the twentieth day of November 1964.

IN FAITH WHEREOF we have appended our signatures this twenty-first day of November 1964.

The President of the General Conference *The Director-General*

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Return or restitution of cultural property to the countries of origin

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987, 44/18 of 6 November 1989 and 46/10 of 22 October 1991,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Taking note with satisfaction of the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,

Noting with satisfaction that, following its appeal, other Member States have become parties to the Convention,

Aware of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Reaffirming the importance of inventories as an essential tool for the understanding and protection of cultural property and for the identification of dispersed heritage and as a contribution to the advancement of scientific and artistic knowledge and intercultural communication,

Deeply concerned at the clandestine excavations and the illicit traffic in cultural property that continue to impoverish the cultural heritage of all peoples,

Again supporting the solemn appeal made on 7 June 1978 by the Director-General of the United Nations Educational, Scientific and Cultural Organization for the return of irreplaceable cultural heritage to those who

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created it,

1. Commends the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. Reaffirms that the restitution to a country of its objets d'art, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international cooperation and to the preservation and flowering of universal cultural values through fruitful cooperation between developed and developing countries;

3. Recommends that Member States adopt or strengthen the necessary protective legislation with regard to their own heritage and that of other peoples;

4. Requests Member States to study the possibility of including in permits for excavations a clause requiring archaeologists and palaeontologists to provide the national authorities with photographic documentation of each object brought to light during the excavations immediately after its discovery;

5. Invites Member States to continue drawing up, in cooperation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territory and of their cultural property abroad;

6. Also recommends that Member States should ensure that inventories of museum collections include not only the items on display but also those in storage, and that they comprise all necessary documentation, particularly photographs of each item;

7. Also invites Member States engaged in seeking the recovery of cultural and artistic treasures from the seabed, in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures;

8. Appeals to Member States to cooperate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

9. Also appeals to Member States to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to its countries of origin;

10. Requests States parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to keep the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization fully informed of the measures taken to ensure implementation of the Convention at the national level;

11. Requests the Secretary-General, in collaboration with the United Nations Educational, Scientific and Cultural Organization, to continue to develop all possibilities for bringing about the attainment of the

above-mentioned objectives;

12. Welcomes the steady increase in the number of States parties to the Convention;

13. Invites once again those Member States that have not yet done so to sign and ratify the Convention;

14. Requests the Secretary-General of the United Nations, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

15. Decides to include in the provisional agenda of its fiftieth session the item entitled 'Return or restitution of cultural property to the countries of origin'.

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CHARTER OF COURMAYEUR

The International Workshop on the Protection of Artistic and Cultural Patrimony held at Courmayeur, Aosta Valley, Italy, 25 - 27 June 1992, adopted the following recommendations:

I. National and international action against the illicit trade with objects belonging to the cultural patrimony of Nations

Aware of the sharp increase registered in the illicit trade with art objects and archeological items belonging to the cultural patrimony of nations,

Convinced that such criminal activities are causing grave damage to the cultural patrimony of many countries,

Convinced also that its cultural patrimony is a crucial component of the identity and self-understanding of a people,

Mindful of the imperative need to protect the cultural patrimony, preserving thereby the social, historical and artistic components of this identity and self-understanding,

Desirous to assist Governments and international organizations in their efforts to curtail the illicit trade with art objects and items belonging to the cultural patrimony,

Recalling the principles contained in the International Covenant on Economic, Social and Cultural Rights,

Recalling also the principles contained in the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of cultural Property,

Recalling further the principles on protection of moveable cultural property contained in the Protocol to the 1954 UNESCO Convention on the Protection of Cultural Property in the Event of Armed Conflict,

Recognizing the usefulness of the model treaty for the prevention of crimes against the cultural heritage of peoples, as annexed to resolution B-1 of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Aware of the draft convention on stolen and illegally exported cultural property which is under preparation in the framework of the International Institute for the Unification of Private Law (UNIDROIT),

Adopts the following recommendations for national and international action aimed at bringing under control the illicit trade With objects belonging to the cultural patrimony of nations:

(i) Concerned Governments should make a concerted effort, on the occasion of the forty-seventh session of the General Assembly of the United Nations and of the next General Conference of UNESCO, to obtain the adoption of resolutions strongly urging Member States to initiate multilateral and bilateral negotiations aimed at concluding treaties for the protection of the cultural patrimony of nations. The same resolution should also urge Governments to upgrade, in their crime prevention programmes, the

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importance of protecting the cultural property of nations, granting top priority to these activities.

(ii) In view of the need for international co-operation to cope with the illicit trade with cultural objects, Governments should establish focal points that would handle, in close collaboration with ICPO/INTERPOL, all matters related with the transnational traffic with art objects and items belonging to the cultural patrimony, including requests for international co-operation.

(iii) Detailed and extensive information concerning the cultural patrimony of every nation is of the foremost importance. Consequently, Governments should consider establishing inventories of their cultural patrimony, containing, when possible, a description of each item adequate for its identification and a photographic reproduction of it. In addition, Governments should examine the possibility of establishing public registers of works of art, identified by categories, as goods linked to possessing. Further, national inventories should remain open to new items, as these come to light.

(iv) In view of the scarcity of resources prevailing in many countries, Member States should be disposed to provide technical and, eventually, materials assistance to requesting Governments interested in establishing the above-mentioned national inventories. Such technical assistance could take the form of provision of expert advice, training and/or hardware, as needed, and may be provided bilaterally or through international organizations.

(v) For the purpose of enhancing awareness on the part of Government officials of the seriousness ant gravity of the problem in question, the United Nations and UNESCO, in co-operation with ICPO/INTERPOL and interested intergovernmental and non-governmental organizations, are requested to prepare a document, to be submitted to national authorities, explaining in detail the dimensions of the problem, including available relevant statistical data. The document should also cover the links between the illicit traffic with objects belonging to the cultural patrimony of nations, and other manifestations of transnational criminality, such as the illicit traffic with narcotic drugs.

(vi) Governments are urged to consider the introduction of new legislation, as needed, that would criminalize the illicit export and import of cultural objects.

(vii) Governments should consider establishing regulations whereby any imported cultural object should be accompanied by an export permission issued by the relevant authorities of the country of origin. Governments should also determine the adequate sanctions in case of violations of any regulations so established.

(viii) With respect to the return of illicitly exported objects, it has been noted that excessive demands for information posed by the requested Governments may in practice render ineffective the dispositions of a bilateral agreement. For instance, the request for the exact date of the theft, or the illicit exportation, may be impossible to fulfill. This is particularly true in the case of clandestine archeological digs. Consequently,

Governments are urged to show greater flexibility and understanding for the difficulties facing the authorities of the requesting countries.

(ix) In the same vein, it has been observed that high judicial costs in the requested country may deter requesting countries from initiating action for the return of illicitly exported objects. In fact, in some cases, such costs may exceed the price of the item in question. Consequently, Governments are reminded that they are free to explore the possibility of friendly settlement, or, where the parties agree, of binding arbitration procedures in order to secure the return of such illicitly exported objects to their countries of origin.

(x) The United Nations and UNESCO, in consultation with Governments and in co-operation with relevant organizations, should explore the possibility of creating an internationally recognized licensing system for art dealers, which would serve to weed out the criminal elements of an otherwise respectable professional group.

(xi) The co-operation between the United Nations, UNESCO and INTERPOL in the area of the illicit trade with cultural objects should be intensified and streamlined, so as to obtain higher effectiveness and better possibilities of providing advice and assistance to requesting Governments.

(xii) Regional and interregional crime prevention institutes should add to their programmes of work elements concerning the prevention of crimes against the cultural patrimony of nations, go as to be able to assist requesting Governments and to support the corresponding activities of the United Nations.

(xiii) It is indispensable that the international community gain full awareness of the crucial moral dimensions of the illicit transnational trade with the cultural patrimony. It is a fact that a considerable share of this trade flows from developing to developed countries. Consequently, developed countries should be respectful of the cultural heritage of developing countries, and should provide full co-operation to the victims of illicit trade with cultural objects, thereby dispelling any misunderstanding and placing themselves above any suspicion of possible complicity or complacency.

II. Improvement of information exchanges and establishment of data-banks

Recognizing that recording and dissemination of information about the legal status of cultural items and about crimes against the cultural patrimony are important means of combating international illicit traffic in movable cultural property,

Noting with satisfaction the existence of data bases already established, inter alia, by the Italian Republic, Arma dei Carabinieri, since 1980, and by Canada, since 1983, as well as those established by ICPO/INTERPOL and the Art Loss Register,

Acknowledging the action of UNESCO and the International Council of Museums (ICOM) in assisting countries in the preparation of inventories and appropriate legislation, in providing training for specialized personnel and in co-ordinating the concerns of museums with respect to crimes against cultural property,

Recognizing also the cultural importance of assisting developing countries to protect

their cultural patrimonies from the criminal depredations to which they are increasingly subjected,

Acknowledging with appreciation the willingness of the Governments of Canada and Italy to provide assistance to international efforts to achieve an optimal diffusion of information concerning stolen and illegally exported movable cultural property as well as national laws related to its protection,

Aware of the fruitful co-operation established between the United Nations and UNESCO in relation to the prevention of crimes against the cultural patrimony,

Recalling the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, in particular article 5 thereof concerning the need to give appropriate publicly by States parties to the Convention to the disappearance of any item of cultural property,

Noting the 1989 ICOM General Conference resolution on the importance of national Inventories,

Strongly underlining the importance of the resolution on the use of automated information exchange to combat crimes against movable cultural property adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Adopts the following recommendations for national And international action aimed at the improvement of information exchanges related to the prevention of crimes against the cultural patrimony of nations:

(i) The United Nations, in co-operation with UNESCO, should play a central role in the co-ordination of information exchanges between Governments, relevant intergovernmental and non-governmental organizations and private institutions, so as to ensure an optimal diffusion of data concerning movable cultural patrimonies and crimes committed against them;

(ii) The United Nations, in close collaboration with UNESCO, should organize, subject to the availability of extrabudgetary resources, yearly export meetings for the purpose of carrying out a continuous technical evaluation of the difficulties encountered in establishing the co-ordination mentioned in recommendation (i), above;

(iii) The United Nations, in collaboration with UNESCO and in co-operation with relevant international agencies and organizations, should formulate specific country projects, intended to assist Member States in improving their capability to cope with the challenge of crimes against cultural property. These projects, which should address, inter alia, such areas as legal reforms, establishment of data bases, museum Security and training of law enforcement officials and customs personnel in the identification of cultural objects, would be submitted to potential donor countries for the purpose of funding. The United Nations and UNESCO should act as executing agencies for funded projects;

(iv) Member States should examine the possibility of supporting the United Nations Criminal Justice Information Network (UNCJIN), thus contributing

to improve its capability;

(v) The United Nations and UNESCO, in close collaboration with ICOM and other interested non-governmental organizations, should encourage close co-operation between emerging initiatives in the private and public sector that are developing data bases about stolen cultural property. The feasibility of establishing a network of these data bases should be carefully explored;

(vi) The United Nations and UNESCO, in co-operation with ICOM and other relevant non-governmental organizations, should promote the development of national inventories of cultural properties, and should provide expert advice to requesting countries on standards and technical methods for establishing such inventories;

(vii) The intended direct accessibility of the ICPO/INTERPOL Central Data Base on Stolen or Unidentified Works of Art to national law enforcement agencies should be strongly encouraged;

(viii) The diffusion of information concerning national and international legislation concerning cultural patrimonies should be strongly encouraged. UNESCO should promote the development of a data base about such legislation, making them accessible to Governments, intergovernmental and non-governmental organizations and to relevant private institutions;

(ix) The United Nations and UNESCO, in co-operation with concerned Governments, with ICPO/INTERPOL and with relevant private sector organizations, should provide museums and other public sector organizations with information concerning stolen cultural property, if possible through access to the corresponding data bases;

(x) Since the bulk of information concerning stolen or unidentified works of art is still kept in national registers or data bases, it appears desirable that the INTERPOL Computer Network be granted easy access to this information, particularly in those cases in which the possibility of international illicit traffic cannot be excluded, thereby facilitating an increase of seizures and recovery at the international level.

REPORT

1. The Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana, Cuba, from 27 August to 7 September 1990, adopted the Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property, recommending it as a framework that could be of assistance to Member States interested in negotiating and drawing bilateral agreements in this area. (Congress resolution B1).

2. The Eighth Congress also adopted a resolution on the use of automated information exchange to combat crimes against movable cultural property (Congress resolution C6), in which it requested the Secretary-General of the United Nations, inter alia, to make arrangements, in co-operation with Member States, intergovernmental and non-

governmental organizations and other organizations, for the establishment of national and international computer data bases that would be used by competent authorities for the purpose of preventing And combating crimes against the cultural heritage, which would be available to Member States and to specialized sectors through appropriate information networks. Further, the resolution urged Member States to

3. In pursuance of the above, and for the purpose of assisting the United Nations in the fulfillment of its mandates, an International workshop on the Protection of Artistic and Cultural Patrimony has taken place, organized by the Fondazione Centro internazionale su diritto societa e economia. The Meeting was prepared by the International Scientific and Professional Advisory Council of the United Nations for Crime Prevention and Criminal Justice (ISPAC), in cooperation with the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna and the Division of Physical Heritage of UNESCO. For the programme outline of the workshop, see Annex I.

4. The Workshop was held at Courmayeur, Aosta Valley, Italy, from 25 to 2, June 1992, and was attended by representatives of 15 countries and of ICPO/INTERPOL and of the International Council of Museums (ICOM). For the list of participants, see Annex II.

5. The Chairman of the Executive Board of ISPAC opened the meeting, welcoming the participants and thanking them for their willingness to participate in the event.

6. The President of the Autonomous Region of the Aosta Valley also addressed the workshop, welcoming the participants and emphasizing the importance for his region of the items to be discussed, in view of the numerous works of art to be found in it, which could quite conceivably arouse the interest of art thieves. Courmayeur had already hosted other meetings aimed at assisting the international community to cope with the problems generated by transitional criminality. He certainly hoped that other similar events would take place in the region in the near future.

7. The representative of the Italian Ministry of Foreign Affairs greeted the Workshop on behalf of the Director-General of Cultural Relations of that Ministry, who took a personal interest in the protection of the artistic and cultural patrimony. Further, she addressed herself to the new circumstances emerging from the establishment of the European Common Market in which national boundaries will disappear, and informed the workshop of the initiatives undertaken by Italy in this connection. In addition, she brought to the attention of the participants the instruments adopted in this respect by the Council of Europe since 1954, the last of which was the European Convention on the Protection of the Archeological Heritage, signed at La Valletta, Malta, on 16 January 1992.

8. During the general debate, the participants repeatedly underlined the alarming increase in the illicit trade with artistic and cultural property The volume of this trade was almost certain to grow and to become more difficult to detect as national borders become more permeable to commerce and travel. This was already an imminent reality in the European Community, where existing barriers were scheduled to disappear as of 1 January 1993.

9. Illicit trade was also being stimulated by recent development in art markets in developed countries. In fact, prices had been mounting during the last decade and many people saw art objects as a safe investment. This trend would most likely continue in the foreseeable future. High prices made illicit trade and art theft more profitable and thus more attractive.

10. Public awareness of the real dimensions and characteristics of the phenomenon appeared to lag behind the reality of the problem. Not many people seemed to know, for instance, that it ranked second in volume to illicit drug traffic. Perhaps an even smaller number of people was cognizant of the linkages between these two transnational criminal activities. These linkages justified indeed integrating the prevention of crimes against artistic and cultural property in the overall schemes and policies aimed at combating serious transnational Crimes, such as the illicit trade with drugs and arms.

11. Consequently, it was necessary to promote a higher awareness of the problem in question, both among the general public and among public officials. Such awareness was a precondition for the necessary reordering of priorities in this respect. In this connection, some delegations expressed the wish that the United Nations, in co-operation with UNESCO and with the assistance of ICPO/INTERPOL, prepare a document, to be brought to the attention of national authorities, indicating the real dimensions of the problem. If available, statistical data were to be included. ICPO/INTERPOL could be of great assistance in this task. Other delegations felt that, in view of the transboundary nature of the illicit trade, an international patrol should be created for the purpose of pursuing the involved criminals beyond national borders.

12. Several delegations, particularly from developing countries, thought that the problem had to be seen in a broader context. They pointed out that a large share, if not most, of the transboundary illicit trade with artistic and cultural property flowed from developing to developed countries, since the main markets were to be found in the latter. These had, however, rather tolerated this commerce, rather than truly committing themselves to an effective co-operation with developing countries, which were the main victims of these criminal activities. Such laxity could unfortunately be misconstrued as a remnant of colonialist attitudes, which were to be replaced by a new spirit of solidarity and collective responsibility.

13. Further, the same delegations thought that it was mistaken to look at the problem from a purely economic point of view, since such a perspective had prevented that due recognition be given to the moral dimensions of the phenomenon. The constant plundering of the cultural patrimony of a country was bound to inflict grave damage to a people's identity and self-respect. In their opinion, therefore, crimes against the cultural patrimony should be equated to crimes against humanity, and should be pursued accordingly. Criminalization of these activities was fully justified, and could act as a deterrent An effective sanction could be loss of license for art dealers. New legislation was, in any case, badly needed.

14. Several delegations were of the opinion that bilateral agreements, although valuable and to be encouraged were marked by severe shortcomings. they could be, as the experience of some countries demonstrated, rendered de facto ineffective by the excessive demands for information made by requested countries. Asking, for instance, for the exact date of theft of objects from an archeological site, not always known to the authorities, was demanding information that was impossible to ascertain with any degree of exactitude. Requested countries should be more realistic and less formalistic.

15. An additional obstacle to the recovery of stolen cultural property was the excessive costs incurred by the requesting country when following the judicial proceeding for restitution of stolen or illicitly exported items. In many cases, requesting countries were effectively deterred from initiating legal action by a consideration of such costs. This was particularly true when the costs were higher than the commercial value of the object. This situation had led a country to buy the stolen object from the possessors rather than to try to recover it by judicial means.

16. In view of this, some delegations felt that countries should demonstrate their willingness to co-operate by establishing simpler and less costly procedures that could lead to a prompt restitution of the stolen objects to their rightful owner. This possibility was, however, unacceptable to other delegations, which felt that this would violate domestic law and constitutional guarantees.

17. Some participants felt that an effective measure would be to institute the obligation of importers to prove the legality of imports by means of an export certificate, to be issued by the relevant authorities of the country of origin. In the absence of such proof, and after a reasonable time, the items in question should be seized and returned to the country of origin. Such a procedure would, however, in the opinion of other participants, unlawfully restrict the free movement of goods being established in some parts of the world, such as the European Common Market. The proposal to establish an international licensing system for art dealers met with similar objections.

18. The creation of focal points in national administration was highly recommendable, since this would facilitate international co-operation and centralize the handling of requests for assistance. These focal points should function in close co-operation with local INTERPOL offices, and link with the United Nations.

19. With respect to the creation of national inventories and the establishment of data bases, participants agreed as to their potential value and usefulness. Such registers were indispensable to an effective prevention of crimes against artistic and cultural property. They, however, disagreed concerning their inclusiveness. While some thought that private collections should be included, other felt that this would represent a potential threat to the private sphere.

20. Some difficulty was also expressed with the very concept of cultural property. Drugs could be easily defined and identified, but this was not the case with cultural items. How would a customs officer know that the imported object wag of a cultural nature and thus requiring special attention? Probably the whole question of identifying an item as belonging to the cultural patrimony was an idle one. An object was part of the cultural patrimony from the moment the authorities of the country of origin classified it as belonging there, and, therefore, non-exportable. Customs officers could not be expected to possess university degrees in art history or archeology, but the minimum basic knowledge could be imparted in their training courses.

21. Inventories, in the opinion of some participants, should not be considered as closed. They should remain open so as to allow the inclusion of objects not known at the time they were drawn. Any objects found in archeological digs should be presumed to belong to the cultural patrimony of the country where the dig were located regardless of the legal ownership of the surface. This position, however, was difficult to accept for some countries, in so far as it appeared to violate very strongly held conceptions of private property.

22. Inventories and data bases were very useful, but also costly propositions. As such, they could often be beyond the financial means of many developing countries which, as a matter of fact, usually have more vital tasks to perform with their limited resources. In this situation, the investment needed for the creation of inventories and data bases was perceived as possessing a low priority in comparison with other demands. Accordingly, several delegations felt that projects of this kind could not be implemented in the absence of substantive technical assistance. This assistance should include, inter alia, such items as evaluations of the objective situation expert advice on how to perform the tasks at hand in drawing the inventory and establishing the data base, training of the required personnel, and provision of equipment, as needed.

23. Participants were convinced of the role to be played by modern technology, particularly communications and electronic information processing, in the establishment and functioning of accurate and rapidly accessible inventories and data bases. But it was obvious to all that it would be unrealistic, and perhaps counterproductive, to expect that every country established in the short, or even medium, run, an electronic data base. At the beginning at least, it would probably suffice if the inventory took a much more traditional and modest form, such as index cards and other simple systems.

24. As an illustration of the point under discussion, the Arma dei Carabinieri of Italy gave an excellent demonstration of their extremely advanced electronic data base. Such data base could serve as a model to be followed by interested countries. In fact, the Italian Government felt that the system could be the nucleus for an international network, together with the Canadian Heritage Information Network (CHIN).

25. The representative of IPCO/INTERPOL briefed the Seminar on the establishment, towards the end of 1993, of the INTERPOL Telecommunications Network, linking the central bureau in Lyon, France, with all INTERPOL national offices in member countries. The network, by means of micro-computers, will include text and image retrieval facilities, facilities thereby the rapid dissemination of relevant information, a fact of great importance for effective police work. The system, however, would be only accessible to law enforcement agencies, a requirement that limited its usefulness to other users, such as museums.

26. The Workshop felt that a comprehensive open network, connecting possibly the national data bases, and co-ordinated by the United Nations Secretariat in co-operation with UNESCO, would effectively complement existing private and public information networks. This goal was to be pursued in a parallel form to the establishment of national inventories and data bases.

27. Membership in existing networks was, however, problematic for developing countries suffering serious financial constraints. This difficulty pointed again at the indispensability of technical assistance, as was repeatedly emphasized by several delegations. In this connection, two delegations signaled the willingness of their respective Governments to explore such assistance.

28. At the conclusion of its works, the meeting was addressed by the Mayor of Courmayeur, who expressed the satisfaction of his city to be able to host such important meeting, adding that he expected other similar international events to take place at Courmayeur in the foreseeable future.

29. The Chairman of the Fondazione Centro internazionale su diritto societa e economia which hosted the proceedings, expressing his satisfaction for their results warmly welcomed all participants and in particular the Delegates of the foreign Governments and the Representatives of international Organizations.

30. The Workshop adopted by consensus the Charter of Courmayeur, containing two sets of recommendations, and expressed the wish that they could be brought to the attention of Governments through the Commission on Crime Prevention and Criminal Justice, at its second session in 1993, and to the next General Conference of UNESCO. It also expressed the wish that meetings like this should be held at regular intervals among experts from interested countries, for the purpose of keeping the situation under review and of devising appropriate strategies, including the elaboration of technical co-operation projects focused on training, exchange and dissemination of information and linkages through adequate data-banks. Finally, all participants extended their thanks to the organizers of the workshop, for the friendly atmosphere and the generous hospitality.

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THE ICOMOS CHARTER FOR THE INTERPRETATION AND PRESENTATION OF CULTURAL HERITAGE SITES

Prepared under the Auspices of the ICOMOS International Scientific Committee on Interpretation and Presentation of Cultural Heritage Sites

Ratified by the 16th General Assembly of ICOMOS, Québec (Canada), on 4 October 2008

CHARTE ICOMOS POUR L'INTERPRETATION ET LA PRESENTATION DES SITES CULTURELS PATRIMONIAUX

Préparée sous les auspices du Comité scientifique de l'ICOMOS sur l'interprétation et la présentation des sites patrimoniaux

Ratifiée par la 16e Assemblée Générale de l'ICOMOS, Québec (Canada), le 4 octobre 2008

PREAMBLE

Since its establishment in 1965 as a worldwide organisation of heritage professionals dedicated to the study, documentation, and protection of cultural heritage sites, ICOMOS has striven to promote the conservation ethic in all its activities and to help enhance public appreciation of humanity's material heritage in all its forms and diversity.

As noted in the Charter of Venice (1964) "It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions." Subsequent ICOMOS charters have taken up that mission, establishing professional guidelines for specific conservation challenges and encouraging effective communication about the importance of heritage conservation in every region of the world.

These earlier ICOMOS charters stress the importance of public communication as an essential part of the larger conservation process (variously describing it as "dissemination," "popularization," "presentation," and "interpretation"). They implicitly acknowledge that every act of heritage conservation—within all the world's cultural traditions - is by its nature a communicative act.

From the vast range of surviving material remains and intangible values of past communities and civilisations, the choice of what to preserve, how to preserve it, and how it is to be presented to the public are all elements of site interpretation. They represent every generation's vision of what is significant, what is important, and why material remains from the past should be passed on to generations yet to come.

The need for a clear rationale, standardised terminology, and accepted professional principles for Interpretation and Presentation* is evident. In recent years, the dramatic expansion of interpretive activities at many cultural heritage sites and the introduction of elaborate interpretive technologies and new economic strategies for the marketing and management of cultural heritage sites have created new complexities and aroused basic questions that

PREAMBULE

Depuis sa création en 1965, en tant que association mondiale de professionnels du patrimoine qui se consacre à l'étude, la documentation et à la protection des sites du patrimoine culturel, ICOMOS se consacre à la promotion de l'éthique de la conservation dans toutes ses activités et à augmenter l'appréciation publique du patrimoine mondial dans toutes ses formes et diversité.

Conformément à la Charte de Venise (1964) « Il est essentiel que les principes qui doivent présider à la conservation et à la restauration des monuments soient dégagés en commun et formulés sur un plan international, tout en laissant à chaque nation le soin d'en assurer l'application dans le cadre de sa propre culture et de ses traditions. » Les Chartes ICOMOS adoptées par la suite ont respecté cette mission, établissant des directives professionnelles destinées à faire face aux défis de la conservation et encourageant une communication efficace sur l'importance de la conservation du patrimoine au niveau mondial.

Ces Chartes soulignent l'importance de la communication vers le public en tant qu'élément essentiel du processus de conservation (on parlera indifféremment de «dissémination», «popularisation», «Présentation» et «interprétation»). Elles reconnaissent implicitement que chaque acte de conservation du patrimoine – parmi toutes les traditions culturelles du monde – est par nature, un acte de communication.

Parmi la vaste gamme des vestiges des communautés et valeurs intangibles des civilisations du passé, les choix en matière de préservation, de modes de préservation et de présentation au public sont tous des éléments d'interprétation de sites. Ils représentent la vision de chaque génération de ce qui est significatif, de ce qui est important et de ce qui vaut d'être transmis aux générations futures.

Le besoin d'une terminologie raisonnée et standardisée et de principes professionnels acceptés en matière d'Interprétation et de Présentation* est évident. Ces dernières années, l'expansion dramatique d'activités d'interprétation dans de nombreux sites patrimoniaux, l'introduction de technologies élaborées d'interprétation de même que de nouvelles stratégies économiques en matière de marketing et de gestion des sites patrimoniaux ont créé de nouvelles

* See definitions on page 3.
* Voir les définitions en page 3

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are central to the goals of both conservation and the public appreciation of cultural heritage sites throughout the world:

- What are the accepted and acceptable goals for the Interpretation and Presentation of cultural heritage sites?
- What principles should help determine which technical means and methods are appropriate in particular cultural and heritage contexts?
- What general ethical and professional considerations should help shape Interpretation and Presentation in light of its wide variety of specific forms and techniques?

The purpose of this Charter is therefore to define the basic principles of Interpretation and Presentation as essential components of heritage conservation efforts and as a means of enhancing public appreciation and understanding of cultural heritage sites*.

problématiques et soulevé des questions élémentaires de première importance quant aux finalités de la conservation et l'appréciation du public des sites patrimoniaux à travers le monde :

- Quels sont les objectifs acceptables et acceptés pour l'Interprétation et la

Présentation des sites patrimoniaux ?

- Quels principes devraient aider à déterminer quels moyens techniques et quelles méthodes sont appropriées dans des contextes culturels et patrimoniaux particuliers ?
- Quelles considérations éthiques et professionnelles pourraient aider à façonner l'interprétation et la présentation quelles que soient leurs formes et techniques spécifiques?

L'objectif de cette Charte est donc de définir les principes de base de l'interprétation et de la présentation en tant à la fois qu'éléments essentiels des efforts de conservation du patrimoine et outils essentiels à l'appréciation et à la compréhension par le public des sites culturels patrimoniaux.*

DEFINITIONS

For the purposes of the present Charter,

Interpretation refers to the full range of potential activities intended to heighten public awareness and enhance understanding of cultural heritage site. These can include print and electronic publications, public lectures, on-site and directly related off-site installations, educational programmes, community activities, and ongoing research, training, and evaluation of the interpretation process itself.

Presentation more specifically denotes the carefully planned communication of interpretive content through the arrangement of interpretive information, physical access, and interpretive infrastructure at a cultural heritage site. It can be conveyed through a variety of technical means, including, yet not requiring, such elements as informational panels, museum-type displays, formalized walking tours, lectures and guided tours, and multimedia applications and websites.

Interpretive infrastructure refers to physical installations, facilities, and areas at, or connected with a cultural heritage site that may be specifically utilised for the purposes of interpretation and presentation including those supporting interpretation via new and existing technologies.

Site interpreters refers to staff or volunteers at a cultural heritage site who are permanently or temporarily engaged in the public communication of information relating to the values and significance of the site.

Cultural Heritage Site refers to a place, locality, natural landscape, settlement area, architectural complex, archaeological site, or standing structure that is recognized and often legally protected as a place of historical and cultural significance.

DEFINITIONS

Pour la rédaction de la présente Charte,

L'interprétation renvoie à l'ensemble des activités potentielles destinées à augmenter la conscience publique et à renforcer sa compréhension du site culturel patrimonial. Ceci peut inclure des publications, des conférences, des installations sur site, des programmes éducatifs, des activités communautaires ainsi que la recherche, la formation et l'évaluation permanente du processus même d'interprétation.

La présentation concerne plus spécifiquement une communication planifiée du contenu interprétatif par l'agencement d'informations de même nature, au moyen d'un accès physique au site culturel patrimonial. Elle peut être transmise par une variété de moyens techniques, comprenant indifféremment des éléments tels que des panneaux informatifs, une présentation de type muséale, des sentiers fléchés, des conférences, des visites guidées et des applications multimédia.

Les équipements et services d'interprétation renvoient à toutes installations physiques, équipements et espaces du site culturel patrimonial qui peuvent être utilisés spécifiquement pour les besoins de l'interprétation et de la présentation.

Les interprètes du site renvoient au personnel ou aux volontaires œuvrant sur le site culturel patrimonial qu'ils soient engagés de façon permanente ou temporaire pour la communication au public d'information concernant la valeur et la signification du site.

Un site culturel patrimonial renvoie à une localité, un paysage, une aire d'établissement, un complexe architectural, un site archéologique, ou une structure existante, reconnus ou souvent protégés légalement en tant que site de signification historique et culturelle.

* Although the principles and objectives of this Charter may equally apply to off-site interpretation, its main focus is interpretation and presentation at, or in the immediate vicinity of, cultural heritage sites.

* Voir les définitions en page 3

OBJECTIVES

In recognizing that interpretation and presentation are part of the overall process of cultural heritage conservation and management, this Charter seeks to establish seven cardinal principles, upon which Interpretation and Presentation—in whatever form or medium is deemed appropriate in specific circumstances—should be based.

Principle 1: Access and Understanding
Principle 2: Information Sources
Principle 3: Attention to Setting and Context
Principle 4: Preservation of Authenticity
Principle 5: Planning for Sustainability
Principle 6: Concern for Inclusiveness
Principle 7: Importance of Research, Training, and Evaluation

Following from these seven principles, the objectives of this Charter are to:

1. **Facilitate understanding and appreciation** of cultural heritage sites and foster public awareness and engagement in the need for their protection and conservation.

2. **Communicate the meaning** of cultural heritage sites to a range of audiences through careful, documented recognition of significance, through accepted scientific and scholarly methods as well as from living cultural traditions.

3. **Safeguard the tangible and intangible values** of cultural heritage sites in their natural and cultural settings and social contexts.

4. **Respect the authenticity** of cultural heritage sites, by communicating the significance of their historic fabric and cultural values and protecting them from the adverse impact of intrusive interpretive infrastructure, visitor pressure, inaccurate or inappropriate interpretation.

5. **Contribute to the sustainable conservation** of cultural heritage sites, through promoting public understanding of, and participation in, ongoing conservation efforts, ensuring long-term maintenance of the interpretive infrastructure and regular review of its interpretive contents.

6. **Encourage inclusiveness** in the interpretation of cultural heritage sites, by facilitating the involvement of stakeholders and associated communities in the development and implementation of interpretive programmes.

7. **Develop technical and professional guidelines** for heritage interpretation and presentation, including technologies, research, and training. Such guidelines must be appropriate and sustainable in their social contexts.

OBJECTIFS

En reconnaissant que l'interprétation et la présentation sont partie intégrante du processus général de conservation et de gestion du patrimoine culturel, cette Charte vise à établir sept principes cardinaux sur lesquels l'interprétation et la présentation devraient être basés, quels que soient les moyens et formes les plus appropriés selon les circonstances.

Principe 1 : Accès et compréhension
Principe 2 : Sources d'information
Principe 3 : Attention portée au contexte et à l'environnement
Principe 4 : Préservation de l'authenticité
Principe 5 : Organisation de la durabilité
Principe 6 : Attention portée à la participation
Principe 7: Importance de la recherche, de la formation et de l'évaluation

Comme suite à ces sept principes, les objectifs de cette charte sont :

1. **Faciliter la compréhension et l'appréciation** des sites culturels patrimoniaux et promouvoir la prise de conscience publique et l'engagement de la nécessité de leur protection et de leur conservation.

2. **Communiquer le sens** des sites culturels patrimoniaux à des audiences diverses par une reconnaissance approfondie et bien documentée de la signification, au moyen de méthodes reconnues d'analyses scientifiques et les recherches ainsi que des traditions culturelles vivantes.

3. **Sauvegarder les valeurs matérielles et immatérielles** propres aux sites culturels patrimoniaux dans leur environnement culturel, naturel et leur contexte social.

4. **Respecter l'authenticité** des sites culturels patrimoniaux en communiquant l'importance de leurs matériaux historiques et la portée de leurs valeurs culturelles et en les protégeant contre les effets adverses d'infrastructures d'interprétation mal venues, des pressions venant du public, d'une interprétation imprécise et inadéquate.

5. **Contribuer à la conservation durable** des sites culturels patrimoniaux par la promotion de la compréhension et de la participation du public des efforts de conservation en cours, en assurant la maintenance à long terme des équipements et services d'interprétation et une révision régulière de son contenu interprétatif.

6. **Encourager la participation** dans l'interprétation des sites culturels patrimoniaux en facilitant l'implication active des acteurs et communautés associées dans le développement et l'implémentation de programmes d'interprétation.

7. **Développer des normes techniques et professionnelles** pour l'interprétation et la présentation du patrimoine, incluant les technologies, la recherche et la formation. De tels normes doivent être appropriées et durables dans leur contexte social.

PRINCIPLES	PRINCIPES
Principle 1: Access and Understanding	**Principe 1 : Accès et Compréhension**
Interpretation and presentation programmes should facilitate physical and intellectual access by the public to cultural heritage sites.	***Les programmes d'interprétation et de présentation devraient faciliter l'accès physique et intellectuel des sites culturels patrimoniaux auprès du public.***
1. Effective interpretation and presentation should enhance personal experience, increase public respect and understanding, and communicate the importance of the conservation of cultural heritage sites.	**1.** Une interprétation et une présentation efficaces devraient enrichir l'expérience personnelle et accroître le respect et la compréhension du public et mettre en évidence l'importance de la bonne conservation du site culturel patrimonial.
2. Interpretation and presentation should encourage individuals and communities to reflect on their own perceptions of a site and assist them in establishing a meaningful connection to it. The aim should be to stimulate further interest, learning, experience, and exploration.	**2.** L'interprétation et la présentation devraient inciter les personnes individuelles et les communautés à réfléchir sur leurs propres perceptions du site et sur leur relation avec lui. Elle cherche à stimuler un prolongement de l'intérêt, de l'étude, de l'expérience et de l'exploration.
3. Interpretation and presentation programmes should identify and assess their audiences demographically and culturally. Every effort should be made to communicate the site's values and significance to its varied audiences.	**3.** Les programmes d'interprétation et de présentation devraient identifier et analyser leur public du point de vue démographique et culturel. Tous les efforts sont à déployer pour que l'interprétation et la présentation du patrimoine culturel communiquent effectivement avec les divers auditoires d'un site.
4. The diversity of language among visitors and associated communities connected with a heritage site should be taken into account in the interpretive infrastructure.	**4.** La diversité des langues parlées par les visiteurs et les communautés en relation avec le site patrimonial devrait être prise en considération dans les équipements et les services d'interprétation.
5. Interpretation and presentation activities should also be physically accessible to the public, in all its variety.	**5.** Les programmes d'interprétation et de présentation devraient être accessibles à un large public, dans toute sa diversité, y compris les personnes à mobilité réduite.
6. In cases where physical access to a cultural heritage site is restricted due to conservation concerns, cultural sensitivities, adaptive re-use, or safety issues, interpretation and presentation should be provided off-site.	**6.** Au cas où l'accès physique à un site culturel patrimonial est limité, pour des raisons de conservation, de sensibilités culturelles, d'aménagements adaptés ou d'exigences de sécurité, une interprétation et une présentation devraient être proposées en dehors du site.
Principle 2: Information Sources	**Principe 2 : Sources d'Information**
Interpretation and presentation should be based on evidence gathered through accepted scientific and scholarly methods as well as from living cultural traditions.	***L'interprétation et la présentation devraient reposer sur les preuves recueillies par les méthodes scientifiques et de recherche communément admises ainsi que sur les traditions culturelles vivantes.***
1. Interpretation should show the range of oral and written information, material remains, traditions, and meanings attributed to a site. The sources of this information should be documented, archived, and made accessible to the public.	**1.** L'interprétation devrait présenter l'éventail des informations orales et écrites, des vestiges matériels, des traditions et des sens attribués à un site. Les sources de cette information devraient être documentées, archivées, et rendues accessibles au public.
2. Interpretation should be based on a well researched, multidisciplinary study of the site and its surroundings. It should also acknowledge that meaningful interpretation necessarily includes reflection on alternative historical hypotheses, local traditions, and stories.	**2.** L'interprétation devrait être basée sur une étude multidisciplinaire approfondie du site et de son environnement. L'interprétation devrait également reconnaître et inclure les hypothèses historiques alternatives, les traditions et les histoires locales.
3. At cultural heritage sites where traditional storytelling or memories of historical participants provide an	**3.** Dans les sites patrimoniaux où des récits ou les souvenirs d'acteurs historiques fournissent une

important source of information about the significance of the site, interpretive programmes should incorporate these oral testimonies—either indirectly, through the facilities of the interpretive infrastructure, or directly, through the active participation of members of associated communities as on-site interpreters.

4. Visual reconstructions, whether by artists, architects, or computer modelers, should be based upon detailed and systematic analysis of environmental, archaeological, architectural, and historical data, including analysis of written, oral and iconographic sources, and photography. The information sources on which such visual renderings are based should be clearly documented and alternative reconstructions based on the same evidence, when available, should be provided for comparison.

5. Interpretation and presentation programmes and activities should also be documented and archived for future reference and reflection.

Principle 3:
Context and Setting

The Interpretation and Presentation of cultural heritage sites should relate to their wider social, cultural, historical, and natural contexts and settings.

1. Interpretation should explore the significance of a site in its multi-faceted historical, political, spiritual, and artistic contexts. It should consider all aspects of the site's cultural, social, and environmental significance and values.

2. The public interpretation of a cultural heritage site should clearly distinguish and date the successive phases and influences in its evolution. The contributions of all periods to the significance of a site should be respected.

3. Interpretation should also take into account all groups that have contributed to the historical and cultural significance of the site.

4. The surrounding landscape, natural environment, and geographical setting are integral parts of a site's historical and cultural significance, and, as such, should be considered in its interpretation.

5. Intangible elements of a site's heritage such as cultural and spiritual traditions, stories, music, dance, theater, literature, visual arts, local customs and culinary heritage should be considered in its interpretation.

6. The cross-cultural significance of heritage sites, as well as the range of perspectives about them based on scholarly research, ancient records, and living traditions, should be considered in the formulation of interpretive programmes.

importante source d'information à propos de la signification du site, les programmes d'interprétation devraient inclure ces témoignages oraux, soit indirectement, dans les équipements et les services d'interprétation, soit directement, par la participation active de membres des communautés associées en tant que guides de sites.

4. Les reconstructions visuelles, par dessins d'artistes, par des architectes ou par ordinateur, devraient être basés sur une analyse détaillée et systématique des données environnementales, archéologiques, architecturales et historiques, en ce compris l'analyse des sources écrites, orales, iconographiques et photographiques. Ces sources d'information sur base desquelles les éléments visuels sont basés devraient être clairement documentées et les reconstructions alternatives basées sur les mêmes preuves, lorsqu'elles sont disponibles, devraient être fournies afin de permettre la comparaison.

5. Les programmes et les activités d'interprétation et de présentation devraient également être documentées et archivées pour servir de référence et de réflexion dans le futur.

Principe 3 :
Le Contexte et l'Environnement

L'interprétation et la présentation des sites patrimoniaux devraient mettre en lumière la relation plus large des sites avec leur contexte et leur environnement social, culturel, historique et naturel.

1. L'interprétation devrait explorer la signification d'un site sous tous ses aspects: historique, politique, spirituel et artistique. Elle devrait prendre en considération toutes les valeurs culturelles, sociales et environnementales du site.

2. L'interprétation publique d'un site culturel patrimonial devrait dater avec précision et faire la distinction entre les phases successives et les influences subies au cours de son évolution. Les différents apports historiques à la signification d'un site devraient être respectés.

3. L'interprétation devrait également prendre en considération tous les groupes qui ont contribué à la signification historique et culturelle du site.

4. Les paysages alentours, l'environnement naturel et le cadre géographique font partie intégrante des valeurs historiques et culturelles d'un site et, en tant que tels, devraient être pris en considération dans son interprétation.

5. Les éléments immatériels d'un site patrimonial, tels que les traditions culturelles et spirituelles, les récits, la musique, la danse, le théâtre, la littérature, les arts visuels, les coutumes locales et le patrimoine culinaire devraient être pris en compte dans son interprétation.

6. La signification transculturelle des sites patrimoniaux ainsi que la coexistence des différents points de vue qui s'appuient sur la recherche, des faits anciens ou sur des traditions vivantes devraient se retrouver dans la formulation des programmes interprétatifs.

Principle 4:
Authenticity

The Interpretation and presentation of cultural heritage sites must respect the basic tenets of authenticity in the spirit of the Nara Document (1994).

1. Authenticity is a concern relevant to human communities as well as material remains. The design of a heritage interpretation programme should respect the traditional social functions of the site and the cultural practices and dignity of local residents and associated communities.

2. Interpretation and presentation should contribute to the conservation of the authenticity of a cultural heritage site by communicating its significance without adversely impacting its cultural values or irreversibly altering its fabric.

3. All visible interpretive infrastructures (such as kiosks, walking paths, and information panels) must be sensitive to the character, setting and the cultural and natural significance of the site, while remaining easily identifiable.

4. On-site concerts, dramatic performances, and other interpretive programmes must be carefully planned to protect the significance and physical surroundings of the site and minimise disturbance to the local residents.

Principe 4 :
Authenticité

L'interprétation et la présentation des sites patrimoniaux doivent respecter leur authenticité dans l'esprit de la Déclaration de Nara (1994)

1. L'authenticité concerne aussi bien les communautés humaines que les vestiges matériels. La conception d'un programme d'interprétation patrimoniale devrait respecter les fonctions sociales traditionnelles d'un site, les pratiques culturelles et la dignité des résidents et des communautés associées.

2. L'interprétation et la présentation devraient contribuer à la conservation de l'authenticité d'un site culturel patrimonial par la communication de sa signification, sans avoir d'incidences adverses sur ses valeurs culturelles ou des altérations physiques irréversibles.

3. Tous les équipements et services d'interprétation visibles (tels que kiosques, sentiers, panneaux d'information) doivent s'intégrer harmonieusement dans le site, respecter son caractère, son environnement et ses valeurs culturelles et naturelles, tout en étant facilement repérables.

4. Les concerts *in situ*, les représentations théâtrales et autres programmes d'interprétation doivent être planifiés avec prudence pour protéger la signification du site et l'environnement physique et de minimiser les troubles à l'encontre des résidents voisins.

Principle 5:
Sustainability

The interpretation plan for a cultural heritage site must be sensitive to its natural and cultural environment, with social, financial, and environmental sustainability among its central goals.

1. The development and implementation of interpretation and presentation programmes should be an integral part of the overall planning, budgeting, and management process of cultural heritage sites.

2. The potential effect of interpretive infrastructure and visitor numbers on the cultural value, physical characteristics, integrity, and natural environment of the site must be fully considered in heritage impact assessment studies.

3. Interpretation and presentation should serve a wide range of conservation, educational and cultural objectives. The success of an interpretive programme should not be evaluated solely on the basis of visitor attendance figures or revenue.

4. Interpretation and presentation should be an integral part of the conservation process, enhancing the public's awareness of specific conservation problems encountered at the site and explaining the efforts being taken to protect the site's physical integrity and authenticity.

5. Any technical or technological elements selected to become a permanent part of a site's interpretive infrastructure should be designed and constructed in

Principe 5 :
Caractère durable

Le plan d'interprétation d'un site patrimonial doit être attentif à son environnement culturel et naturel. Son caractère durable à long terme est un objectif majeur, aux plans sociaux, financiers et environnementaux.

1. L'élaboration et la mise en œuvre d'un programme d'interprétation et de présentation devraient relever à part entière du plan général de programmation et de gestion d'un site patrimonial.

2. L'incidence possible d'un équipement d'interprétation et d'une fréquentation par de nombreux visiteurs sur les valeurs culturelles, les caractéristiques physiques, l'intégrité et l'environnement naturel d'un site fera l'objet d'études préalables approfondies.

3. L'interprétation et la présentation devraient servir un large éventail d'objectifs éducatifs et culturels. L'accroissement du nombre de visiteurs et des recettes de fréquentation ne devrait pas être le seul critère de succès d'un programme d'interprétation.

4. L'interprétation et la présentation devraient faire partie intégrante du processus de conservation, accroissant la conscience du public pour les problèmes de conservation rencontrés sur le site et expliquant les efforts faits pour protéger l'intégrité physique du site.

5. Tout élément technique ou technologique choisi pour être un élément permanent de l'infrastructure d'interprétation d'un site devrait être conceptualisé et construit de manière à assurer une maintenance

a manner that will ensure effective and regular maintenance.

6. Interpretive programmes should aim to provide equitable and sustainable economic, social, and cultural benefits to all stakeholders through education, training and employment opportunities in site interpretation programmes.

Principle 6:
Inclusiveness

The Interpretation and Presentation of cultural heritage sites must be the result of meaningful collaboration between heritage professionals, host and associated communities, and other stakeholders.

1. The multidisciplinary expertise of scholars, community members, conservation experts, governmental authorities, site managers and interpreters, tourism operators, and other professionals should be integrated in the formulation of interpretation and presentation programmes.

2. The traditional rights, responsibilities, and interests of property owners and host and associated communities should be noted and respected in the planning of site interpretation and presentation programmes.

3. Plans for expansion or revision of interpretation and presentation programmes should be open for public comment and involvement. It is the right and responsibility of all to make their opinions and perspectives known.

4. Because the question of intellectual property and traditional cultural rights is especially relevant to the interpretation process and its expression in various communication media (such as on-site multimedia presentations, digital media, and printed materials), legal ownership and right to use images, texts, and other interpretive materials should be discussed, clarified, and agreed in the planning process.

Principle 7:
Research, Training, and Evaluation

Continuing research, training, and evaluation are essential components of the interpretation of a cultural heritage site.

1. The interpretation of a cultural heritage site should not be considered to be completed with the completion of a specific interpretive infrastructure. Continuing research and consultation are important to furthering the understanding and appreciation of a site's significance. Regular review should be an integral element in every heritage interpretation programme.

2. The interpretive programme and infrastructure should be designed and constructed in a way that facilitates ongoing content revision and/or expansion.

3. Interpretation and presentation programmes and their physical impact on a site should be continuously

efficace et régulière.

6. Les programmes d'interprétation devraient chercher à apporter un bénéfice juste et durable aux acteurs à travers l'éducation, la formation et la création d'emploi dans des programmes d'interprétation de sites.

Principe 6 :
Participation

L'interprétation et la présentation des sites culturels patrimoniaux doivent être le résultat d'une collaboration efficace entre professionnels du patrimoine, communautés associées et autres acteurs.

1. L'expertise pluridisciplinaire des chercheurs, des experts en conservation, des autorités publiques, des gestionnaires et des interprètes de sites, des opérateurs touristiques et autres professionnels devraient être intégrée dans la formulation de programmes d'interprétation et de présentation.

2. Les droits traditionnels, les responsabilités et les intérêts des propriétaires et des communautés associées devraient être pris en compte et respectés dans l'élaboration des programmes d'interprétation et de présentation des sites.

3. Les projets d'expansion ou de révision des programmes d'interprétation et de présentation devraient être ouverts aux commentaires et à une implication du public. Chacun a le droit et la responsabilité de faire connaître ses opinions et ses perspectives.

4. En raison de l'importance de la propriété intellectuelle et des droits culturels traditionnels dans les démarches d'interprétation et du recours aux divers media (tels que les présentations multi media *in situ,* les supports électroniques et les imprimés), la propriété légale et le droit d'usage des images, textes et autres documents d'interprétation devraient être discutés, clarifiés et approuvés dans le processus de programmation.

Principe 7 :
Recherche, Formation et Evaluation

L'interprétation des sites patrimoniaux est une entreprise progressive et évolutive de compréhension et d'explication, qui requiert des activités continues de recherche, de formation et d'évaluation.

1. L'interprétation d'un site ne devrait pas être considérée comme aboutie au moment de la mise en fonction d'un équipement et de services d'interprétation spécifiques. Il importe qu'une recherche et des consultations continues fassent progresser la compréhension et l'appréciation des valeurs d'un site : elles devraient être des activités inhérentes à tout programme d'interprétation du patrimoine.

2. Les programmes et les équipements d'interprétation devraient être conçus et réalisés de manière à faciliter la révision de leur contenu et / ou leur expansion.

3. Un suivi permanent et une évaluation continue sont nécessaires pour analyser les programmes

monitored and evaluated, and periodic changes made on the basis of both scientific and scholarly analysis and public feedback. Visitors and members of associated communities as well as heritage professionals should be involved in this evaluation process.	d'interprétation et de présentation et leur incidence physique, sur base d'une analyse scientifique et des réactions du public. Les visiteurs et les membres des communautés associées, aussi bien que les professionnels du patrimoine, devraient être associés à ces démarches d'évaluation.
4. Every interpretation programme should be considered as an educational resource for people of all ages. Its design should take into account its possible uses in school curricula, informal and lifelong learning programmes, communications and information media, special activities, events, and seasonal volunteer involvement.	**4.** Chaque programme d'interprétation et de présentation devrait être considéré comme une ressource éducative pour personne de tout âge. Sa conception devrait être prise en considération dans son usage possible dans les programmes scolaires, dans des programmes d'études informelles et des programmes d'éducation et de formation tout au long de la vie dans les média de communication incluant l'Internet, les activités spécifiques, les événements et l'implication saisonnière des volontaires.
5. The training of qualified professionals in the specialised fields of heritage interpretation and presentation, such as content creation, management, technology, guiding, and education, is a crucial objective. In addition, basic academic conservation programmes should include a component on interpretation and presentation in their courses of study.	**5** La formation de professionnels qualifiés dans les domaines spécialisés de l'interprétation patrimoniale, comme la création de contenus, la gestion, les nouvelles technologies, les visites guidées et l'éducation, est un objectif essentiel. Par ailleurs, les programmes académiques de base en matière de conservation devraient inclure des modules de formation à l'interprétation et la présentation.
6. On-site training programmes and courses should be developed with the objective of updating and informing heritage and interpretation staff of all levels and associated and host communities of recent developments and innovations in the field.	**6** Des programmes de cours et de formation devraient être proposés, sur le site même, en vue de la formation continue et du perfectionnement du personnel chargé de la gestion du site et de son interprétation ainsi que des communautés associées et locales, ceci, afin de suivre les progrès et les innovations dans le domaine.
7. International cooperation and sharing of experience are essential to developing and maintaining standards in interpretation methods and technologies. To that end, international conferences, workshops and exchanges of professional staff as well as national and regional meetings should be encouraged. These will provide an opportunity for the regular sharing of information about the diversity of interpretive approaches and experiences in various regions and cultures.	**7.** La coopération internationale et le partage d'expérience sont essentiels à l'élaboration et au maintien de normes dans les méthodes et les techniques d'interprétation. A ces fins, il conviendrait d'encourager l'organisation de conférences internationales, d'ateliers, de réunions au niveau national et local et l'échange des professionnels. Ceci afin d'offrir la possibilité d'un partage régulier d'informations sur la diversité des approches et des expériences d'interprétation dans les diverses régions et cultures du monde.

Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone

14 December 1960

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 14 November to 15 December 1960, at its eleventh session,

Considering that one of the functions of the Organization, as laid down in its Constitution, is to give fresh impulse to popular education and to the spread of culture, to collaborate in the work of advancing the mutual understanding of peoples by instituting collaboration among them to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social, and to maintain, increase and diffuse knowledge,

Considering that museums can effectively contribute towards accomplishing these tasks,

Considering that museums of all kinds are a source of enjoyment and instruction,

Considering also that museums, by preserving works of art and scientific material and presenting them to the public, help to disseminate a knowledge of the various cultures and thus promote mutual understanding among nations,

Considering in consequence that every effort should be made to encourage all sections of the population, and especially the working classes, to visit museums,

Considering that with the progress in the industrial organization of the world, people have more leisure, and that such leisure should be used for the benefit and the cultural advancement of all, Recognizing the new social conditions and needs which the museums must take into account in order to carry out their permanent educational mission and satisfy the cultural aspirations of the workers,

Having before it proposals concerning the most effective means of rendering museums accessible to everyone, constituting item 17.4.1 of the agenda of the session,

Having decided at its tenth session that proposals on the question should be the subject of international regulation by way of a recommendation to Member States,

Adopt this Recommendation on the fourteenth day of December 1960.

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles and norms set forth in this Recommendation.

The General Conference recommends that Member States should bring this Recommendation to the knowledge of the authorities and bodies concerned with museums, and of the museums themselves.
The General Conference recommends that Member States should report to it, on dates and in a manner to be determined by it, on the action they have taken to give effect to this Recommendation.

I. Definition

1. For the purposes of this Recommendation, the term `museum' shall be taken to mean any permanent establishment administered in the general interest for the purpose of preserving, studying, enhancing by various means and, in particular, exhibiting to the public for its delectation and instruction, groups of objects and specimens of cultural value: artistic, historical, scientific and technological collections, botanical and zoological gardens and aquariums.

II. General principles

2. Member States should take all appropriate steps to ensure that the museums on their territory are accessible to all without regard to economic or social status.

3. To that end, account should be taken, in selecting the measures to be applied, of the different forms of museum administration that may exist in individual Member States. The measures might vary, for example, according to whether museums are owned and administered by the State or whether, even if not State owned, they receive regular or occasional financial assistance from the State, or whether the State participates in their management in a scientific, technical or administrative capacity.

III. Material arrangements in and admission to museums

4. The collections should be made easy for all types of people to appreciate by a clear form of presentation, by the systematic placing of notices or labels giving concise information, by the publication of guide books and folders which provide visitors with such explanations as they require and by the organization-of regular guided visits accompanied by a commentary adapted to the, various categories of visitors; the guides should be properly qualified persons, preferably appointed through the agency of the bodies referred to in paragraph 16 of this Recommendation; discreet use may be made of apparatus for the reproduction of recorded commentaries.

5. Museums should be open every day and at hours convenient for all categories of visitors, particular account being taken of workers' leisure time. They should be provided with a sufficiently large supervisory staff to permit of a rota system so that the museum can remain open every day without interruption-subject to local conditions and customs-as well as every evening after working hours. They should be installed with the necessary equipment for lighting, heating, etc.

6. Museums should be easily accessible, and should be made as attractive as possible, with a measure of comfort. Provided that the character of the establishment is respected and that visits to the collections are not disturbed there-by, lounges, restaurants, cafes and the like should be provided for the public, preferably within the precincts of the museum (in gardens, on terraces, in. suitable basements, etc.) or in the immediate vicinity.

7. Admission should be free whenever possible. In cases where admission is not always free and where it is considered necessary to maintain a small admission fee, even if only a token charge, admission to every museum should be free during at least one day a week, or for an equivalent period.

8. Where an admission fee is. charged, it should be waived for persons in low-income groups and for members of large families in those countries in which there exist official methods of identifying these groups.

9. Special facilities should be provided to encourage regular visits, such as ,reduced subscription fees for a given period entitling the subscriber to an unlimited number of entries to a particular museum or group of museums.

10. Free admission should whenever possible be granted to organized parties - whether of school-children or adults-taking part in educational and cultural programmes, and also to members of the museum or of the associations mentioned in paragraph 17 of this Recommendation.

IV. Publicity for museums

11. Member States should, through the intermediary of either the local authorities or of their own cultural relations or tourist services, and in the context of national education and international relations, do everything in their power to encourage increased visits to museums and to exhibitions arranged therein.

12. (a) Member States should urge national or regional tourist agencies to make it one of their main objectives to encourage increased visits to museums and to devote part of their activities and resources to that end.

(b) Museums should be invited to make regular use of the services of those agencies and to associate them with their own efforts to extend their social and cultural influence.

V. Place and role of museums in the community

13. Museums should serve as intellectual and cultural centers in their own localities. They should therefore contribute to the intellectual and cultural life of the community, which in turn should be given the opportunity of taking part in the activities and development of the museums. This should apply in particular to museums situated in small towns and villages and whose importance is often out of proportion to their size.

14. Close cultural relations should be established between museums and groups in the community, such as professional organizations, trade unions, and social services in industrial and business enterprises.

15. Co-operation between museums and radio and television services and undertakings should also be established or improved so that museum exhibits can be used for the purposes of adult and school education with the maximum safety precautions.

16. The contribution which museums can make to school and adult education should be recognized and encouraged. It should furthermore be systematized by the establishment of appropriate bodies responsible for establishing official and regular liaison between local educational leaders and museums which, owing to the nature of their collections, are of particular interest to schools. This co-operation might take the following forms:

(a) Each museum might have on its staff- educational specialists, to organize, under the curator's supervision, the use of the museum for educational purposes ;

(b) Museums might set up educational departments, which would call on the services of teachers;

(c) Joint committees of curators and teachers might be established at local, regional or provincial level to ensure that the best use is made of museums for educational purposes;

(d) Any other measures which would co-ordinate the demands of education and the resources of museums.

17. Member States should promote (in particular by granting legal facilities) the establishment and development of associations of friends of the museum or similar associations able to lend their moral and material support to museums. These associations should be granted such powers and privileges as they require to fulfill their purpose.

18. Member States should encourage the development of museum clubs to encourage young people to take part in various museum activities.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eleventh session, which was held in Paris and declared closed the fifteenth day of December 1960.

IN FAITH WHEREOF we have appended our signatures this fifteenth day of December 1960.

The President of the General Conference
The Director-General

BACK

Recommendation for the Safeguarding and Preservation of Moving Images

27 October 1980

UNESDOC - (PDF) English - French - Spanish

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Belgrade from 23 September to 28 October 1980, at its twenty-first session,

Considering that moving images are an expression of the cultural identity of peoples, and because of their educational, cultural, artistic, scientific and historical value, form an integral part of a nation's cultural heritage,

Considering that moving images constitute new forms of expression, particularly characteristic of present-day society, whereby an important and ever-increasing part of contemporary culture is manifested,

Considering that moving images also provide a fundamental means of recording the unfolding of events and, as such, constitute important and often unique testimonies, of a new dimension, to the history, way of life and culture of peoples and to the evolution of the universe,

Noting that moving images have an increasingly important role to play as a means of communication and mutual understanding among all the peoples of the world,

Noting furthermore that, by disseminating knowledge and culture throughout the world, moving images contribute extensively to the education and to the enrichment of each human being,

Considering however that, due to the nature of their material embodiment and the various methods of their fixation, moving images are extremely vulnerable and should be maintained under specific technical conditions,

Noting furthermore that many elements of the moving image heritage have disappeared due to deterioration, accident or unwarranted disposal, which constitutes an irreversible impoverishment of that heritage,

Recognizing the results yielded by the efforts of specialized institutions to save moving images from the dangers to which they are exposed,

Considering that it is necessary for each State to take the appropriate complementary measures to ensure the safeguarding and preservation for posterity of this particularly fragile part of its cultural heritage, just as other forms of cultural property are safeguarded and preserved as a source of enrichment for present and future generations,

Considering at the same time that the appropriate measures to ensure the safeguarding and preservation of moving images should be taken with due regard for freedom of opinion, expression and information, recognized as an essential part of human rights and fundamental freedoms inherent in the dignity of the human being, for the need to strengthen peace and international understanding and for the legitimate position of copyright holders and of all the holders of other rights in moving images,

Recognizing also the rights of States to take appropriate measures for the safeguarding and preservation of moving images, taking into account their obligations under international law,

Considering that moving images created by the peoples of the world also form part of the heritage of mankind as a whole and consequently that closer international co-operation should be promoted to safeguard and preserve these irreplaceable records of human activity and, in particular, for the benefit of those countries with limited resources,

Considering furthermore that, due to increasing international co-operation, imported moving images have an important role in the cultural life of most countries,

Considering that important aspects of the history and culture of certain countries, and, in particular, of those previously colonized, are recorded in the form of moving images which are not always accessible to the countries concerned,

Noting that the General Conference has already adopted international instruments relating to the protection of the movable cultural heritage and, in particular, the Convention for the Protection of Cultural
Property in the Event of Armed Conflict (1954), the Recommendation on the Means of Prohibiting and
Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property (1964), the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the

Recommendation on the International Exchange of Cultural Property (1976) and the Recommendation on the Protection of Movable Cultural Property (1978),

Desiring to supplement and extend the application of the standards and principles laid down in these conventions and recommendations,

Bearing in mind the terms of the Universal Copyright Convention, the Berne Convention for the Protection of Literary and Artistic Works and the Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations,

Having before it proposals concerning the safeguarding and preservation of moving images,

Having decided, at its twentieth session, that this question should be the subject of a Recommendation to Member States,

Adopts, this twenty-seventh day of October 1980, the present Recommendation:

The General Conference recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required, in conformity with the constitutional system or practice of each State, to give effect within their respective territories to the principles and norms formulated in this Recommendation.

The General Conference recommends that Member States bring this Recommendation to the attention of the appropriate authorities and bodies.

The General Conference recommends that Member States submit to it, by the dates and in the form which it shall prescribe, reports concerning the action taken by them in pursuance of this Recommendation.

I. Definitions

1. For the purposes of this Recommendation:

(a) 'moving images' shall be taken to mean any series of images recorded on a support (irrespective of the method of recording or of the nature of the support, such as film, tape or disc, used in their initial or subsequent fixation), with or without accompanying sound, which when projected impart an impression of motion and which are intended for communication or distribution to the public or are made for documentation purposes; they shall be taken to include inter alia items in the following categories:

(i) cinematographic productions (such as feature films, short films, popular science films, newsreels and documentaries, animated and educational films);

(ii) television productions made by or for broadcasting organizations;

(iii) videographic productions (contained in videograms) other than those referred to under (i) and (ii) above;

(b) 'pre-print material' shall be taken to mean the material support for moving images, consisting in the case of a cinematographic film of a negative, internegative or interpositive, and in the case of a videogram of a master, such pre-print material being intended for the procurement of copies;

(c) 'projection copy' shall be taken to mean the material support for moving images intended for actual viewing and/or the communication of the images.

2. For the purpose of this Recommendation, 'national production' shall be taken to mean moving images, the maker or at least one of the co-makers of which has his headquarters or habitual residence within the territory of the State concerned.

II. General principles

3. All moving images of national production should be considered by Member States as an integral part of their 'moving image heritage'. Moving images of original foreign production may also form part of the cultural heritage of a country when they are of particular national importance from the point of view of the culture or history of the country concerned. Should it not be possible for this heritage to be handed down in its entirety to future generations for technical or financial reasons, as large a proportion as possible should be safeguarded and preserved. The necessary arrangements should be made to ensure that concerted action is taken by all the public and private bodies concerned in order to elaborate and apply an active policy to this end.

4. The appropriate measures should be taken to ensure that the moving image heritage is afforded adequate physical protection from the depredations wrought by time and by the environment. Since poor storage conditions accelerate the deterioration process to which the material supports are continuously subject and may even lead to their total destruction, moving images should be preserved in officially recognized film and television archives and processed according to the highest archival standards. Furthermore, research should be specifically directed towards the development of high quality and lasting support media for the proper safeguarding and preservation of moving images.

5. Measures should be taken to prevent the loss, unwarranted disposal or deterioration of any item of the national production. Means should therefore be instituted in each country whereby pre-print material or archival quality copies of moving images may be systematically acquired, safeguarded and preserved in public or private non-profit-making institutions.

6. Access should be made available as far as possible to the works and information sources represented by moving images which are acquired, safeguarded and preserved by public and private non-profit-making institutions. Their utilizations should not prejudice either the legitimate rights or the interests of those

involved in the making and exploitation thereof, in accordance with the provisions of the Universal
Copyright Convention, the Berne Convention for the Protection of Literary and Artistic Works and the Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, and national legislation.

7. In order to ensure that a truly effective safeguarding and preservation programme is successfully undertaken, the co-operation of all those involved in the making, distribution, safeguarding and preservation of moving images should be obtained. Public information activities should therefore be organized in particular with a view to instilling in the professional circles concerned a general awareness of the significance of moving images for a country's heritage and the consequent need to safeguard and preserve them as testimonies to the life of contemporary society.

III. Measures recommended

8. In accordance with the principles set out above, and in conformity with their normal constitutional practice, Member States are invited to take all the necessary steps, including the provision to officially recognized archives of appropriate resources in terms of staff, equipment and funds, to safeguard and preserve effectively their moving image heritage in accordance with the following guidelines:

Legal and administrative measures

9. To ensure that moving images forming part of the cultural heritage of countries are systematically preserved, Member States are invited to take measures whereby officially recognized archives are able to acquire for safeguarding and preservation any part or all of their country's national production. Such measures may include, for example, voluntary arrangements with the holders of rights for the deposit of moving images, acquisition of moving images by purchase or donation or the institution of mandatory deposit systems through appropriate legislation or administrative measures. Such systems should complement and coexist with existing archival arrangements relating to publicly owned moving images. Measures taken should be consistent with the provisions of national legislation and international instruments concerning the protection of human rights, copyright and the protection of performers, producers of phonograms and broadcasting organizations relating to moving images, and should take into account the special conditions provided in favour of developing countries in certain of these instruments. When mandatory deposit systems are adopted, they should provide that:

(a) moving images of national production, whatever the physical characteristics of their support medium or the purpose for which they were created, should be deposited in at least one complete copy of the highest archival quality, preferably in the form of pre-print material;

(b) the material should be deposited by the maker-as defined by national legislation-having his headquarters or habitual residence within the territory of the State concerned, irrespective of any co-production arrangement made with a foreign maker;

(c) the material deposited should be preserved in officially recognized tilm or television archives; where they do not exist, every effort should be made to establish such institutions at the national and/or regional level; pending the establishment of officially recognized archives, the material should be provisionally stored in appropriately equipped premises;

(d) the deposit should be made as soon as possible within a maximum time-limit fixed by national regulations;

(e) the depositor should have controlled access to the deposited material whenever further printing is required, on condition that such access does not cause any damage to or deterioration of the material deposited;

(f) the officially recognized archives should be entitled, subject to the relevant provisions of international conventions and of national legislation governing copyright and the protection of performers, producers of phonograms and broadcasting organizations, to:

(i) take all the necessary measures in order to safeguard and preserve the moving image heritage, and, where possible, to enhance the technical quality; where the reproduction of moving images is involved, due regard should be given to all the rights in the images concerned;

(ii) permit the viewing on their premises of a projection copy on a non-profit-making basis by a limited number of viewers for purposes of teaching, scholarship or research, provided that such use does not conflict with the normal exploitation of the work and on condition that no deterioration of or damage to the material deposited is thereby caused;

(g) the material deposited and the copies made therefrom should not be used for any other purposes, nor should their contents be modified;

(h) officially recognized archives should be entitled to request users to make a reasonable contribution to the cost of the services provided.

10. The safeguarding and preservation of all moving images of national production should be regarded as the highest objective. However, until such time as developments in technology make this feasible everywhere, in those cases where it is not possible, for technical reasons of cost or space, to record all publicly broadcast moving images or to safeguard and preserve on a long-term basis all the material deposited, each Member State is invited to establish the principles for determining which images should be recorded and/or deposited for posterity, including 'ephemeral recordings' having an exceptional documentary character. Those moving images which, because of their educational, cultural, artistic, scientific and historical value, form part of a nation's cultural heritage should be retained on a priority basis. Any system introduced to this end should foresee that selection should be based on the broadest possible consensus of informed opinion and should take particular account of the appraisal criteria established by the

archival profession. Furthermore, due care should be taken to prevent the elimination of material until sufficient time has elapsed to allow for the necessary perspective. Material eliminated in this way should be returned to the depositor.

11. Foreign producers, and those responsible for the public distribution of moving images made abroad, should be encouraged, in accordance with the spirit of this Recommendation and without prejudice to the free movement of moving images across national borders, to deposit voluntarily in the officially recognized archives of the countries in which they are publicly distributed a copy of moving images of the highest archival quality, subject to all the rights therein. In particular, those responsible for the distribution of moving images, dubbed or subtitled in the language or languages of the country in which they are publicly distributed, which are regarded as an integral part of the moving image heritage of the country concerned or which are of significant value for the cultural needs of teaching or research, should be urged to deposit the material relating to these images in the spirit of international co-operation. Officially recognized archives should seek establishment of such deposit systems, and furthermore, the acquisition, subject to all the rights therein, of copies of moving images which are of exceptional universal value, even if they have not been publicly distributed in the country concerned. Control of and access to such material should be governed by the provisions of paragraph 9(e), (f), (g) and (h) above.

12. Member States are invited to conduct follow-up studies on the effectiveness of the measures proposed in paragraph 11. If, following a reasonable trial period, the suggested form of voluntary deposit fails to ensure the adequate safeguarding and preservation of adapted moving images that are of particular national importance from the standpoint of the culture or history of a State, it would be for the State concerned, under the provisions of its national legislation, to define such measures as would prevent the disappearance, particularly through destruction, of copies of adapted moving images, due regard being given to the rights of all those holding legitimate rights in such moving images of particular national importance.

13. Member States are invited furthermore to investigate the feasibility of permitting-taking due account of international conventions concerning copyright and the protection of performers, producers of phonograms and broadcasting organizations-officially recognized archives to utilize the deposited material for research and recognized teaching purposes provided that such utilization does not conflict with the normal exploitation of the works.

Technical measures

14. Member States are invited to play due attention to the archival standards concerning storage and treatment of moving images recommended by the international organizations competent in the field of the safeguarding and preservation of moving images.

15. Furthermore, Member States are invited to make the necessary arrangements to ensure that the institutions responsible for safeguarding and preserving the moving image heritage take the following measures:

(a) establish and make available national filmographies and catalogues of all categories of moving images and descriptions of their holdings, seeking, where possible, the standardization of cataloguing systems; these documentary materials would together form an inventory of the country's moving image heritage;

(b) collect, preserve and make available for research purposes institutional records, personal papers and other material that document the origin, production, distribution and projection of moving images, subject to the agreement of those concerned,

(c) maintain in good condition the equipment, some of which may no longer be in general use but which may be necessary for the reproduction and projection of material preserved or, should that not prove possible, ensure that the moving images concerned are transferred onto another material support permitting their reproduction and projection;

(d) ensure that the standards applicable to the storage, safeguarding, preservation, restoration and duplication of moving images are rigorously applied;

(e) as far as possible, improve the technical quality of the moving images to be safeguarded and preserved, ensuring that they are in a condition conducive to their long-term and effective storage and use; when treatment involves the reproduction of material, due regard should be given to all the rights in the images concerned.

16. Member States are invited to encourage private bodies and individuals holding moving images to take the necessary steps to ensure the safeguarding and preservation of these images under adequate technical conditions. These bodies and individuals should be encouraged to entrust to officially recognized archives the pre-print material if available or, in default thereof, copies of moving images made before the introduction of the deposit system.

Supplementary measures

17. Member States are invited to encourage the competent authorities and other bodies concerned with the safeguarding and preservation of moving images to undertake public information activities in order to:

(a) promote among all those involved in the making and distribution of moving images an appreciation of the lasting value of such images from the educational, cultural, artistic, scientific and historical points of view and an awareness of the consequent need to collaborate in their safeguarding and preservation;

(b) draw the attention of the public at large to the educational, cultural, artistic, scientific and historical importance of moving images and to the measures necessary for their safeguarding and preservation.

18. Measures should be taken at the national level in order to co-ordinate research in fields related to the safeguarding and preservation of moving images and to encourage research specifically directed towards their long-term preservation at a reasonable cost. Information on methods and techniques for safeguarding and

preserving moving images, including the results of relevant research, should be disseminated to all concerned.

19. Training programmes in the safeguarding and restoration of moving images should be organized, covering the most recent methods and techniques.

IV. International co-operation

20. Member States are invited to associate their efforts in order to promote the safeguarding and preservation of moving images which form part of the cultural heritage of nations. Such co-operation should be stimulated by the competent international governmental and non-governmental organizations and should comprise the following measures:

(a) participation in international programmes for the establishment of the necessary infrastructure, at the regional or national level, to safeguard and preserve the moving image heritage of countries which do not possess appropriate facilities or adequate resources;

(b) exchange of information on methods and techniques for the safeguarding and preservation of moving images and, in particular, on the findings of recent research;

(c) organization of national or international training courses in related fields in particular for nationals of developing countries;

(d) joint action for the standardization of cataloguing methods specifically intended for archival holdings of moving images;

(e) authorization, subject to the relevant provisions of international conventions and of national legislation governing copyright and the protection of performers, producers of phonograms and broadcasting organizations, of the lending of copies of moving images to other officially recognized archives exclusively for purposes of teaching, scholarship or research, provided that the consent of the holders of rights and the archives concerned is obtained to such lending and that no deterioration of or damage to the material lent is thereby caused.

21. Technical co-operation should be provided in particular to developing countries, in order to ensure or facilitate the adequate safeguarding and preservation of their moving image heritage.

22. Member States are invited to co-operate for the purpose of enabling any State to gain access to moving images that relate to its history or culture and of which it does not hold either preprint material or projection copies. To this end each Member State is invited:

(a) to facilitate, in the case of moving images on deposit in officially recognized archives and which relate to the history or culture of another country, the acquisition by the officially recognized archives of that country of either pre-print material or a projection copy thereof;

(b) to encourage private bodies or institutions within its territory which hold such moving images to deposit on a voluntary basis either pre-print material or a projection copy thereof with the officially recognized archives of the country concerned.

Where necessary, the material supplied in accordance with (a) and (b) above should be made available against reimbursement of the cost by the requesting body. However, in view of the cost involved, pre-print material or projection copies of moving images held by Member States as public property and which relate to the history and culture of developing countries should be made available to the officially recognized archives of those countries under especially favourable conditions. Any material provided in accordance with this paragraph should be made available subject to any copyright and any rights of performers, producers of phonograms or broadcasting organizations which may exist therein.

23. When moving images forming part of a country's cultural or historical heritage have been lost by that country, whatever the circumstances, and in particular as a consequence of colonial or foreign occupation, Member States are invited, in connection with requests for such images, to co-operate in the spirit of resolution 5/10.1/l, III, adopted by the General Conference at its twentieth session.

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RECOMMENDATION FOR THE PROTECTION OF MOVABLE CULTURAL PROPERTY

Adopted by the General Conference at its twentieth session,
Paris, 28 November 1978.

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 24 October to 28 November 1978, at its twentieth session,

Noting the great interest in cultural property now finding expression throughout the world in the creation of numerous museums and similar institutions, the growing number of exhibitions, the constantly increasing flow of visitors to collections, monuments and archaeological sites, and the intensification of cultural exchanges,

Considering that this is a very positive development which should be encouraged, in particular by applying the measures advocated in the Recommendation concerning the International Exchange of Cultural Property adopted by the General Conference at its nineteenth session in 1976,

Considering that the growing desire of the public to know and appreciate the wealth of the cultural heritage, of whatever origin, has nevertheless led to an increase in all the dangers to which cultural property is exposed as a result of particularly easy access or inadequate protection, the risks inherent in transport, and the recrudescence, in some countries, of clandestine excavation, thefts, illicit traffic and acts of vandalism,

Noting that because of this aggravation of the risks, but also as a consequence of the increase in the market value of cultural items, the cost of comprehensive insurance in countries where there is no adequate system of governmental guarantees is beyond the means of most museums and is a definite impediment to the organization of international exhibitions and other exchanges between different countries,

Considering that movable cultural property representing the different cultures forms part of the common heritage of mankind and that every State is therefore morally responsible to the international community as a whole for its safeguarding,

Considering that States should accordingly intensify and give general effect to such measures for the prevention and management of risks as will ensure the effective protection of movable cultural property and, at the same time, reduce the cost of covering the risks incurred,

Wishing to supplement and extend the scope of the norms and principles laid down in this respect by the General Conference, in particular in the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), the Recommendation on International Principles Applicable to Archaeological Excavation (1956), the Recommendation on The Most Effective Means of Rendering Museums Accessible to Everyone (1960), the Recommendation on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1964), the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage (1972), the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Recommendation concerning the International Exchange of Cultural Property (1976).

Having before it proposals concerning the protection of movable cultural property,

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Having decided, at its nineteenth session, that this question should take the form of a recommendation to Member States,

Adopts this twenty-eighth day of November 1978, the present Recommendation.

The General Conference recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required, in conformity with the constitutional system or practice of each State, to give effect within their respective territories to the principles and norms formulated in this Recommendation.

The General Conference recommends that Member States bring this Recommendation to the attention of the appropriate authorities and bodies.

The General Conference recommends that Member States submit to it, by dates and in the form to be decided upon by the Conference, reports concerning the action taken by them in pursuance of this Recommendation.

I. Definitions

1. For the purposes of this Recommendation:

(a) 'movable cultural property' shall be taken to mean all movable objects which are the expression and testimony of human creation or of the evolution of nature and which are of archaeological, historical, artistic, scientific or technical value and interest, including items in the following categories:

(i) products of archaeological exploration and excavations conducted on land and under water;
(ii) antiquities such as tools, pottery, inscriptions, coins, seals, jewellery, weapons and funerary remains, including mummies;
(iii) items resulting from the dismemberment of historical monuments;
(iv) material of anthropological and ethnological interest;
(v) items relating to history, including the history of science and technology and military and social history, to the life of peoples and national leaders; thinkers, scientists and artists and to events of national importance;
(vi) items of artistic interest, such as:
paintings and drawings, produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand);
original prints, and posters and photographs, as the media for original creativity;
original artistic assemblages and montages in any material;
works of statuary art and sculpture in any material;
works of applied art in such materials as glass, ceramics, metal, wood, etc.;
(vii) manuscripts and incunabula, codices, books, documents or publications of special interest;
(viii) items of numismatic (medals and coins) and philatelic interest;
(ix) archives, including textual records, maps and other cartographic materials, photographs, cinematographic films, sound recordings and machine-readable records;
(x) items of furniture, tapestries, carpets, dress and musical instruments;
(xi) zoological, botanical and geological specimens;

(b) 'protection' shall be taken to mean the prevention and coverage of risks as defined

below:

(i) 'prevention of risks' means all the measures required, within a comprehensive protection system, to safeguard movable cultural property from every risk to which such property may be exposed, including those resulting from armed conflict, riots or other public disorders;
(ii) 'risk coverage' means the guarantee of indemnification in the case of damage to, deterioration, alteration or loss of movable cultural property resulting from any risk whatsoever, including risks incurred as a result of armed conflict, riots or other public disorders whether such coverage is effected through a system of governmental guarantees and indemnities, through the partial assumption of the risks by the State under a deductible or excess loss arrangement, through commercial or national insurance or through mutual insurance arrangements.

2. Each Member State should adopt whatever criteria it deems most suitable for defining the items of movable cultural property within its territory which should be given the protection envisaged in this Recommendation by reason of their archaeological, historical, artistic, scientific or technical value.

II. General principles

3. The movable cultural property thus defined includes objects belonging either to the State or public bodies or to private bodies or individuals. Since all this property constitutes an important element of the cultural heritage of the nations concerned, the prevention and coverage of the various risks, such as damage, deterioration and loss, should be considered as a whole, even though the solutions adopted may vary from case to case.

4. The growing perils which threaten the movable cultural heritage should incite all those responsible for protecting it, in whatever capacity, to play their part: staff of national and local administrations in charge of safeguarding cultural property, administrators and curators of museums and similar institutions, private owners and those responsible for religious buildings, art and antique dealers, security experts, services responsible for the suppression of crime, customs officials and the other public authorities involved.

5. The co-operation of the public is essential for truly effective protection. The public and private bodies responsible for information and teaching should strive to instil general awareness of the importance of cultural property, the dangers to which it is exposed, and the need to safeguard it.

6. Cultural property is liable to deterioration as a result of poor conditions of storage, exhibition, transport and environment (unfavourable lighting, temperature or humidity, atmospheric pollution), which in the long run may have more serious effects than accidental damage or occasional vandalism. Suitable environmental conditions should consequently be maintained in order to ensure the material security of cultural property. The responsible specialists should include in the inventories data on the physical state of the objects and recommendations concerning the requisite environmental conditions.

7. The prevention of risks also calls for the development of conservation techniques and restoration workshops and the installation of effective protection systems in museums and other institutions possessing collections of movable cultural property. Each Member State should endeavour to ensure that the most suitable measures are taken in accordance with local circumstances.

8. Offences concerning works of art and other cultural property are increasing in some countries, most frequently being linked to fraudulent transfers across frontiers. Thefts and plunder are organized systematically and on a large scale. Acts of vandalism are also increasing. To combat

these forms of criminal activity, be they of an organized nature or the action of individuals, strict control measures are necessary. Since fakes can be used for theft or the fraudulent transformation of authentic objects, measures must also be taken to prevent their circulation.

9. Protection and the prevention of risks are much more important than compensation in the event of damage or loss, since the essential purpose is to preserve the cultural heritage, not to replace by sums of money objects which are irreplaceable.

10. Because of the considerable increase in the risks resulting during transport and temporary exhibition, from environmental changes, inept handling, faulty packaging or other unfavourable conditions, adequate coverage against damage or loss is essential. The cost of risk coverage should be reduced through the rational management by museums and similar institutions of insurance contracts or by means of full or partial governmental guarantees.

III. Measures recommended

11. In accordance with the principles and norms set out above Member States should take all necessary steps, in conformity with their legislation and constitutional system. to protect movable cultural property effectively and, in the case of transport in particular, should ensure the application of the necessary measures of care and conservation and the coverage of the risks incurred.

Measures for the prevention of risks

Museums and other similar institutions

12. Member States should take all necessary steps to ensure adequate protection for cultural property in museums and similar institutions. In particular, they should:

(a) encourage the systematic inventorying and cataloguing of cultural property, with the fullest possible details and in accordance with methods specially developed for the purpose (standardized fiches, photographs -- and also, if possible, colour photographs -- and, as appropriate, microfilms). Such an inventory is useful when it is desired to determine damage or deterioration to cultural property. With such documentation the necessary information can be given, with all due precautions, to the national and international authorities responsible for combating thefts, illicit trading and the circulation of fakes;

(b) encourage, as appropriate, the standardized identification of movable cultural property using unobtrusive means offered by contemporary technology;

(c) urge the museums and similar institutions to reinforce the prevention of risks by a comprehensive system of practical security measures and technical installations and to ensure that all cultural property is kept, exhibited and transported in such a way as to protect it from all elements likely to damage or destroy it, including in particular heat, light, humidity, pollution, the various chemical and biological agents, vibration and shock;

(d) provide the museums and similar institutions for which they are responsible with the necessary funds for implementing the measures set out in subparagraph (c) above;

(e) take the necessary steps to ensure that all the tasks associated with the conservation of movable cultural property are carried out in accordance with the traditional techniques best suited to the particular cultural property and the most advanced scientific methods and technology; for this purpose, a suitable system for training and the vetting of professional qualifications should be established, in order to ensure that all

those involved possess the required level of competence. The facilities for this should be strengthened or, if necessary, established. If appropriate, for the sake of economy, the establishment of regional conservation and restoration centres is recommended;

(f) provide suitable training for supporting staff (including security staff) and draw up guidelines for such staff, laying down standards for the performance of their duties;

(g) encourage regular training for protection, conservation and security staff; (h) ensure that the staff of museums and similar institutions also receive the necessary training to enable them, in the event of disasters, to co-operate effectively in the rescue operations carried out by the competent public services; (i) encourage the publication and dissemination to those responsible, if necessary in confidential form, of the latest technical and scientific information on all aspects of the protection, conservation and security of movable cultural property; (j) issue performance standards for all security equipment for museums and public and private collections and encourage their application.

13. No effort should be spared to avoid giving in to ransom demands, so as to discourage the theft of illegal appropriation of movable cultural property carried out for that purpose. The persons or institutions concerned should consider ways and means of making this policy known.

Private collections

14. Member States should also, in conformity with their legislation and constitutional system, facilitate the protection of collections belonging to private bodies or individuals by:

(a) inviting the owners to make inventories of their collections, to communicate the inventories to the official services responsible for the protection of the cultural heritage and, if the situation requires, to grant access to the competent official curators and technicians in order to study and advise on safeguarding measures;

(b) if appropriate, providing for incentives to the owners, such as assistance for the conservation of items listed in the inventories or appropriate fiscal measures;

(c) studying the possibility of granting fiscal benefits to those who donate or bequeath cultural property to museums or similar institutions;

(d) entrusting an official body (the department responsible for museums or the police) with the organization of an advisory service for private owners on security installations and other protective measures, including fire protection.

Movable cultural property situated in religious buildings and archaeological sites

15. To ensure that movable cultural property situated in religious buildings and archaeological sites is suitably preserved and protected against theft and plunder, Member States should encourage the construction of installations for storing it and the application of special security measures. Such measures should be in proportion to the value of the property and the extent of the risks to which it is exposed. If appropriate, governments should provide technical and financial assistance for this purpose. In view of the special significance of movable cultural property situated in religious buildings, Member States and the competent authorities should endeavour to provide for the proper protection and presentation of such property where it is located.

International exchanges

16. Since movable cultural property is particularly exposed, during transport and temporary exhibition, to risks of damage which can arise from inept handling, faulty packaging, poor conditions

during temporary storage or climatic changes, as well as inadequate reception arrangements, special measures of protection are required. In the case of international exchanges Member States should:

(a) take the necessary measures to ensure that appropriate conditions of protection and care during transport and exhibition as well as adequate coverage of risks are specified and agreed on between the parties concerned. Governments through whose territory the cultural property will transit should provide assistance, if so requested;

(b) encourage the institutions concerned to:

(i) ensure that cultural property is transported, packed and handled in accordance with the highest standards. The measures to be taken to this effect could include the determination by experts of the most appropriate form of packaging, as well as the type and timing of transport; it is recommended that, where appropriate, the responsible curator of the lending museum accompany the property during transport and certify its conditions; the institutions responsible for the shipping and packing of the objects should attach a list describing their physical appearance, and the receiving institutions should check the objects against those lists;

(ii) take appropriate measures to prevent any direct or indirect damage which might arise from the temporary or permanent overcrowding of' the exhibition premises;

(iii) agree, where necessary, on the methods to be used for measuring, recording and regulating the degree of humidity in order to maintain the relative humidity within definite limits, and on the measures to be taken to protect light-sensitive objects (exposure to daylight, type of lamp to be used, maximum level of illumination in lux, methods used to measure and control this level);

(c) simplify the administrative formalities relating to the lawful movement of cultural property and arrange for appropriate identification of crates and other forms of packaging containing cultural property;

(d) take steps to protect cultural property in transit or temporarily imported for the purpose of cultural exchanges, and in particular facilitate rapid customs clearance in suitable premises, which should be situated close to, and if possible on, the premises of the institution concerned, and ensure that clearance is effected with all the desirable precautions; and

(e) whenever necessary, give instructions to their diplomatic and consular representatives to enable them to take effective action to accelerate customs procedures and ensure the protection of cultural property during transport.

Education and information

17. To ensure that the population as a whole becomes aware of the value of cultural property and of the need to protect it, particularly with a view to the preservation of their cultural identity, Member States should encourage the competent authorities at national, regional or local level to:

(a) provide children, young people and adults with the means of acquiring knowledge and respect for movable cultural property using all available educational and information resources for that purpose;

(b) draw the attention of the public at large by every possible means to:

(i) the significance and importance of cultural property, but without stressing the purely commercial value of that property;

(ii) the opportunities available to them for participating in the activities undertaken by the competent authorities in order to protect such property.

Control measures

18. To combat thefts, illegal excavations, vandalism and the use of fakes, Member States should, where the situation demands, establish or strengthen services specifically responsible for the prevention and suppression of these offences.

19. Member States should, where the situation calls for it, take the necessary measures to:

(a) provide for sanctions or any appropriate measures, whether under the penal or civil code or administrative or other measures, in the case of the theft, pillage, receiving or illegal appropriation of movable cultural property, and of damage intentionally caused to such property; these sanctions or measures should take into account the gravity of the offence;

(b) ensure better co-ordination between all services and sectors working for the prevention of offences concerning movable cultural property and organize a system of rapid dissemination of information on such offences, including information on fakes, among official bodies and the various sectors concerned, such as museum curators and art and antique dealers;

(c) ensure proper conditions for the safeguarding of movable cultural property by taking steps to counter the neglect and abandon to which it is very often exposed and which is conducive to its deterioration.

20. Member States should also encourage private collectors and art and antique dealers to transmit all information concerning fakes to the official bodies mentioned in paragraph 19(b).

Measures to improve the financing of risk coverage

Governmental guarantees

21. Member States should:

(a) give special attention to the problem of covering adequately the risks to which movable cultural property is exposed during transport and temporary exhibitions;

(b) in particular, consider instituting in any legislative, statutory or other form, a system of governmental guarantees such as those which exist in certain countries, or a system of partial assumption of the risks by the State or any community concerned with a view to covering an insurance franchise deductible or an excess of loss;

(c) within the framework of such systems and in the forms mentioned above, provide for compensation to lenders in the event of damage to, or the deterioration, alteration or loss of cultural objects loaned for the purpose of exhibition in museums or similar institutions. The provisions instituting these systems should specify the conditions and procedures governing the payment of such compensation.

22. The provisions concerning governmental guarantees should not apply to cultural property which

is the object of transactions for commercial purposes.

Measures at the level of museums and similar institutions
23. Member States should also urge museums and other similar institutions to apply the principles of risk management, comprising the determination, classification, assessment, control and financing of risks of all kinds.

24. The risk management programme of all institutions which have taken out insurance should include the internal drafting of a procedures manual, periodic surveys on types of risks and the probable maximum loss, analysis of contracts and rates, market studies and a competitive bidding procedure. A person or body should be specifically entrusted with risk management.

IV. International co-operation

25. Member States should:

(a) collaborate with intergovernmental and non-governmental organizations competent in regard to the prevention and coverage of risks;

(b) strengthen at international level co-operation between official bodies responsible for the suppression of thefts and illicit trading in cultural property and for the discovery of fakes, and, in particular, urge these bodies to circulate rapidly among themselves, through machinery provided for this purpose, all useful information on illegal activities;

(c) if necessary conclude international agreements for co-operation in regard to legal aid and the prevention of offences;

(d) take part in the organization of international training courses in the conservation and restoration of movable cultural property, and in risk management, and ensure that they are regularly attended by their specialized staff;

(e) establish, in collaboration with the specialized international organizations, ethical and technical standards in the fields covered by the present Recommendation and encourage the exchange of scientific and technical information, particularly on innovations relating to the protection and conservation of movable cultural property.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its twentieth session, which was held in Paris and declared closed the twenty-eighth day of November 1978.

IN FAITH WHEREOF we have appended our signatures.

The President of the General Conference The Director-General

Protection of Artistic and Scientific Institutions and Historic Monuments

15 April 1935

The High Contracting Parties, animated by the purpose of giving conventional form to the postulates of the Resolution approved on December 16, 1933, by all the States represented at the Seventh International Conference of American States, held at Montevideo, which recommended to "the Governments of America which have not yet done so that they sign the 'Roerich Pact', initiated by the Roerich Museum in the United States, and which has as its object, the universal adoption of a flag, already designed and generally known, in order thereby to preserve in any time of danger all nationally and privately owned immovable monuments which form the cultural treasure of peoples", have resolved to conclude a treaty with that end in view, and to the effect that the treasures of culture be respected and protected in time of war and in peace, have agreed upon the following articles:

ARTICLE I

The historic monuments, museums, scientific, artistic, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents.

The same respect and protection shall be due to the personnel of the institutions mentioned above.

The same respect and protection shall be accorded to the historic monuments, museums, scientific, artistic, educational and cultural institutions in time of peace as well as in war.

ARTICLE II

The neutrality of, and protection and respect due to, the monuments and institutions mentioned in the preceding article, shall be recognized in the entire expanse of territories subject to the sovereignty of each of the signatory and acceding States, Without any discrimination as to the State allegiance of said monuments and institutions. The respective Governments agree to adopt the measures of internal legislation necessary to insure said protection and respect.

ARTICLE III

In order to identify the monuments and institutions mentioned in article I, use may be made of a distinctive flag (red circle with a triple red sphere in the circle on a white background) in accordance with the model attached to this treaty.

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ARTICLE IV

The signatory Governments and those which accede to this treaty, shall send to the Pan American Union, at the time of signature or accession, or at any time thereafter, a list of the monuments and institutions for which they desire the protection agreed to in this treaty.

The Pan American Union, when notifying the Governments of signatures or accessions, shall also send the list of monuments and institutions mentioned in this article, and shall inform the other Governments of any changes in said list.

ARTICLE V

The monuments and institutions mentioned in article I shall cease to enjoy the privileges recognized in the present treaty in case they are made use of for military purposes.

ARTICLE VI

The States which do not sign the present treaty on the date it is opened for signature, may sign or adhere to it at any time.

ARTICLE VII

The instruments of accession, as well as those of ratification and denunciation of the present treaty, shall be deposited with the Pan American Union, which shall communicate notice of the act of deposit to the other signatory or acceding States.

ARTICLE VIII

The present treaty may be denounced at any time by any of the signatory or acceding States, and the denunciation shall go into effect three months after notice of it has been given to the other signatory or acceding States.

IN WITNESS WHEREOF, the Undersigned Plenipotentiaries, after having deposited their full powers found to be in due and proper form, sign this treaty on behalf of their respective governments, and affix thereto their seals, on the dates appearing opposite their signatures.

For the Argentine Republic: April 15, 1935
FELIPE A. ESPIL

For Bolivia: April 15, 1935
ENRIQUE FINOT

For Brazil: April 15, 1935 OSWALDO ARANHA

For Chile: April 15, 1935
M. TRUCCO

For Colombia: April 15, 1935
M. LOPEZ PUMAREJO For Costa Rica: April 15, 1935
MAN. GONZALEZ Z

For Cuba: GUILLERMO PATTERSON	April 15, 1935
For the Dominican Republic: RAF. BRACHE	April 15, 1935
For Ecuador: C. E. ALFARO	April 15, 1935
For El Salvador: HECTOR DAVID CASTRO	April 15, 1935
For Guatemala: ADRIAN RECINOS	April 15, 1935
For Haiti: A. BLANCHET	April 15, 1935
For Honduras: M. PAZ BARAONA	April 15, 1935
For Mexico: F. CASTILLO NAJERA	April 15, 1935
For Nicaragua: HENRI DE BAYLE	April 15, 1935
For Panama: R. J. ALFARO	April 15, 1935
For Paraguay: ENRIQUE BORDENAVE	April 15, 1935
For Peru: M. DE FREYRE Y S.	April 15, 1935
For the United States of America: HENRY A. WALLACE	April 15, 1935
For Uruguay: J. RICHLING	April 15, 1935
For Venezuela: PEDRO M. ARCAYA	April 15, 1935

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THE GCI Project Bibliographies SERIES

Conservation and Management of Archaeological Sites

Sorted by Category

The Getty Conservation Institute

September 2003

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The GCI Project Bibliographies Series

Conservation and Management of Archaeological Sites

A Select Annotated Bibliography

Compiled by Martha Demas

The Getty Conservation Institute

The Getty Conservation Institute works internationally to advance conservation and to enhance and encourage the preservation and understanding of the visual arts in all of their dimensions—objects, collections, architecture, and sites.

The Institute serves the conservation community through scientific research; education and training; field projects, and the dissemination of the results of both its work and the work of others in the field.

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GCI Project Bibliographies

Project bibliographies represent a distillation of many years of research by Getty Conservation Institute staff in support of a given project. The unique bibliographic resources available at the Getty Center and in the Los Angeles area make it possible for GCI staff to access and review literature that is not easily obtainable by many conservation practitioners. With this unique opportunity comes a responsibility to share the results of this research with the conservation community and other interested parties.

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Introduction to the Annotated Bibliography

The annotated bibliography on Conservation and Management of Archaeological Sites was compiled originally for the 1990 and 1993 courses, 'Conservation of Excavated Sites,' jointly organized by the Getty Conservation Institute and the Department of Antiquities, Cyprus. It has since grown (there are currently approximately 500 citations) and there have been some modifications in the initial subject categories. The purpose of the bibliography is to provide practitioners, as well as those new to the subject, with an overview of the literature related to the management and conservation of archaeological sites.

The bibliography is conceptually organized under two major headings. The first is *Conservation and Management of Archaeological Sites*, whose literature reflects the dual origins of archaeological site conservation in monument conservation and cultural resource management respectively. A second heading, *Methods and Techniques for Protection and Stabilization*, incorporates individual bibliographies on specific techniques or interventions used to control the deterioration of the site or its components.

The published literature on conservation and management has grown substantially in the last two decades and has become increasingly specialized. This bibliography is not intended to be exhaustive—either in the subject categories it covers or in the specific citations to those categories—but it is intended to reflect the full range of theory and practice in each subject category. Each of the bibliographies is selective and is current through 1999; any citations after that date are opportunistic rather than the result of a literature search.

While the present bibliography is based on database searches, it is more selective in its use of citations and more directed in its use of subject categories than typical database searches. Selection entails an editorial judgment, but it is primarily aimed at providing a closer fit between the citation and its subject category. Direction is achieved by using subject categories to outline a process (management), and the principles and practices that are specific to, or have been adapted to, archaeological sites and monuments. It is thus the aim of the bibliography to incorporate all the elements of management and conservation of archaeological sites in a format that makes the literature accessible and usable both for practitioners and those wishing to explore the parameters and breadth of the subject.

It is important to recognize that certain areas of specialized conservation are *not* covered in this bibliography. Rock art, mosaics, wall paintings, earthen architecture, treatment of stone, and chemical consolidation of materials are among the most important of these, each with its own extensive and specialized literature base. Only individual articles or monographs from this specialized literature base that illustrate general principles of conservation practice or have wider application have been selected for inclusion.

While the scope of the bibliography is intended to be global, it does reflect a distinct Euro-

American bias. This is a reflection in part of the origins of heritage management theory in English-speaking countries (Australia, the United States, and Britain) and the fact that most international conference proceedings are in English. The languages represented in the bibliography are limited to English, French, German, Italian, and Spanish; the geographical source of much of the literature is Europe, the Americas, and Australia.

All of the citations are annotated. Most annotations are simply indicative, summarizing the contents of the article or monograph; some provide analytical assessment; a few contain editorial comments. The annotations are especially critical for subject material that is buried within monographs or articles covering more comprehensive topics. These annotations are specific to the subject category under review (e.g., Reburial) and not to the citation per se. The annotator, or source of the annotation, is indicated in brackets; (aa) refers to an author abstract; other annotators, or sources of annotations, are identified by their initials or acronyms:

(AATA)	Art and Archaeology Technical Abstracts
(A.O.)	Anne Oliver
(A.B.R.)	Angelyn Bass Rivera
(J.S.)	Jane Sunderland (Protective Shelters section)
(J.St.)	John Stewart
(M.D.)	Martha Demas
(N.S.P.)	Nicholas Stanley-Price
Thorne 1989b	Archaeological Site Stabilization Bibliography

The following outline defines and justifies each of the twelve subject categories employed in the bibliography. It attempts to clarify what is meant by each subject category, why it is included in this bibiliography, and how comprehensive the section it is intended to be.

Conservation and Management of Archaeological Sites

Archaeological Heritage Management (Bibliography I)*

Archaeological Heritage Management, also referred to as Archaeological Resource Management is a subset of what is widely known as Cultural Resource Management and encompasses a broad range of issues related to the protection, preservation, and use of archaeological resources. Archaeological Heritage Management developed in response to the many threats to archaeological resources and the means and methods of mitigating their impact by, for instance, the development and implementation of policy and legislation (both national and international); the survey, collection and management of data; the protection and/or salvage of archaeological resources in the face of modern development and illicit trafficking; and the education and training of professionals and the public.

Increasingly, other social, political, and economic concerns have given rise to new approaches

and perspectives and have brought Archaeological Heritage Management into greater discourse with academic archaeology, as well as with government agencies and non-governmental organizations, and allied disciplines. These concerns include the rights of indigenous peoples and their varied responses to their past, theoretical developments in academic archaeology, issues of development in the third world, the marketing and exploitation of heritage for tourism, and the integration of cultural and natural heritage, That all these issues are of global concern is well illustrated in the many publications of collected papers from international congresses.

For most of the themes that constitute Archaeological Heritage Management, one could generate individual bibliographies; this is particularly true of legislation, policy matters, issues, and approaches to rescue or salvage archaeology, which have been major areas of professional work since the 1960s. However, since the literature on these subjects is extensive, the bibliography tries to be inclusive with regard to issues, but selective in citations.

Archaeological Site Management (Bibliography II)*

Whereas Archaeological Heritage Management is policy oriented and principally played out at the regional and national level, the focus of Archaeological Site Management is the individual site, or classes or spatial groupings of sites that come under a single management scheme. Although all the issues that inform Archaeological Heritage Management are also part of managing the individual site, the literature on Site Management emphasizes the impact of these issues on a specific site or group of sites and how they have been addressed in the development of a management plan. Many issues become more prominent (e.g., presentation and interpretation) or focused in their solutions (e.g., visitor management) when they are addressed at the site level.

Both the process of site management and the resulting management plan are included, but the emphasis is on process. Site management plans are numerous, but they are as difficult to obtain as they appear to be to implement. A few examples are cited in order to call attention to these very important but largely ignored documents and to illustrate some of the approaches to site management. Critical parts of the management process, such as the assessments of significance and condition, are provided with separate bibliographies (see below); the assessment of the management context has generated no literature base to date. Selected articles on visitor management and interpretation—two increasingly important aspects of management planning and implementation—have been included in the Site Management bibliography.

Assessment of Significance (Bibliography III)*

Significance assessment is central to the values-based approach to planning increasingly advocated in the literature on management planning. The literature in the Significance bibliography covers both the process of evaluation and selection of sites for their preservation and protection, generally within the context of legal protection, and the role of values in

decision making and management planning for the individual site. Many of the assessment models and criteria have been devised as a tool of Cultural Resource Management, where the focus has been on criteria for determining scientific significance in order to establish priorities for research (especially as a part of rescue or contract archaeology). Nevertheless the approaches and criteria are applicable to decision making for the individual site.

Formulated as a statement of significance, the assessment of values becomes a critical component of the site management plan. The importance of assessment in the selection and management of individual resources and the difficulty of reaching a consensus on how this should be achieved account for the extensive literature on this topic, of which this bibliography provides only an overview.

Assessment of Physical Condition (Bibliography IV)

Assessing the physical condition of a site for purposes of planning and conservation requires a methodology and techniques for analyzing, monitoring, documenting, and diagnosing the causes of deterioration. The literature on this subject derives to a large extent from historic building conservation, although in recent years specialized areas of conservation have developed their own methodologies and techniques (e.g., mosaics and wall paintings). Rapid changes in the methods of recording sites and structures in response to technical innovations, ranging from satellite imagery to laser technology, require that the existing section be updated. The current bibliography on condition recording is brief and focuses on basic diagnostic tools and methodologies for recording and monitoring condition.

Conservation Principles and Practices (Bibliography V)

The general principles and the underlying philosophical premises that have guided the practice of conservation over the years—monument or building conservation in particular—are the focus of this literature. Central to any discussion of these principles and philosophies are the history, theory, and practice of restoration, reconstruction, anastylosis, and other intervention strategies. Also included under this category are the relatively few works that deal with a range of archaeological site conservation issues (notably, conference proceedings) and general works on approaches to the presentation of sites.

Implementation: Site-Specific Studies (Bibliography VI)

This bibliography incorporates published examples of preservation projects undertaken at specific sites. The emphasis may be on the conservation problems existing at a particular site, a specific intervention (e.g., anastylosis), or the general presentation of a site. The selected examples are intended as illustrations of the varied philosophical and technical approaches to site presentation, not as paradigms to be followed.

Methods and Techniques for Protection and Stabilization

Reburial of Archaeological Sites (Bibliography VII)

Reburial, or backfilling, refers to the practice of returning an excavated site to a buried environment in order to re-establish a state of equilibrium that existed prior to excavation. In the last decade or so, reburial has emerged as one of the most viable and flexible strategies for preserving excavated remains, both for the short and long term. Included under this rubric is the practice, especially prevalent with mosaics, of covering the substrate on a short-term basis for its protection, using a variety of materials other than soil. Despite a scarcity of literature, the growing importance of reburial as a conservation measure, the many obstacles to overcome in deciding to rebury and the demanding technical requirements warrant a separate bibliography.

Erosion Control and Site Stabilization (Bibliography VIII)

Erosion control and site stabilization refer to techniques, transferred or adapted from civil engineering and other fields, for the control of soil, wind, and water erosion. This can include everything from erosion of shorelines to erosion of excavated trenches. Methods and techniques range from highly engineered solutions, such as capping or 'burial' of unexcavated sites and the use of geosynthetic materials, to simple techniques, such as the use of vegetation to control soil or wind erosion.

Consolidation and Stabilization of Structures (Bibliography IX)

Methods of stabilizing archaeological structures, other than by chemical consolidation, are derived principally from the practice of architectural conservation. There have been considerable experimentation and research with the use of various mortars, the re-introduction of lime mortar technology, methods of capping or grouting walls, and the use of chemical consolidants aimed specifically at archaeological structures. This bibliography provides only a general overview of basic principles and techniques.

Vegetation Control (Bibliography X)

Vegetation control refers to techniques and materials employed for the management and control of vegetation destructive to archaeological structures and sites. This bibliography does not deal directly with the control of microflora, for which there exists a specialized literature. Standard manuals on the types and uses of herbicides are cited as reference sources.

Protective Roofing and Shelters (Bibliography XI)**

The use of shelters or roofs as a temporary or permanent measure to protect archaeological sites has become an increasingly popular response, especially for sites open to the public. It is also one of the most problematic and potentially controversial interventions to a site. Because relatively little has been published on this important subject, the bibliography aims to be as comprehensive as possible and includes many citations that contain only brief references to or documentation of shelters.

** The bibliographies on Archaeological Heritage Management, Site Management, and Assessment of Significance were recently published in Gaetano Palumbo and Jeanne Marie Teutonico (eds).* ***Management Planning for Archaeological Sites****. (Proceedings of an International Workshop Organized by the Getty Conservation Institute and Loyola Marymount University. May 2000, Corinth, Greece). Los Angeles: The Getty Conservation Institute. 2002.*

*** The bibliography on Protective Shelters was recently published in* ***Conservation and Management of Archaeological Sites*** *(2001) volume 5, no. 1-2, 91-105.*

Martha Demas
September, 2003

Principal Charters and Documents Relating to the Conservation and Management of Cultural Sites and Tourism
(in chronological order)

Recommendations of the Madrid Conference (1904)

These brief recommendations, the result of the Sixth International Congress of Architects, constitute an early attempt to set down principles of architectural conservation. The recommendations emphasize the importance of minimum intervention in dealing with ruined structures and of finding a functional use for historic buildings. The document sets forth the principle of unity of style, which encourages restoration according to a single stylistic expression.

Recommendations of the Athens Conference (1931)

The Conclusions of the Athens Conference were drafted at the end of the conference on restoration of historic buildings held in Athens in 1931 and organized by the International Museums Office. This document introduced such important conservation concepts and principles as the idea of a common world heritage, the importance of the setting of monuments, and the principle of reintegration of new materials. The recommendations were ahead of their time in calling for the reburial of archaeological remains when their conservation cannot be guaranteed, but were shortsighted in their recommendation of the use of reinforced concrete for consolidation of ancient monuments.

Carta del restauro italiana (1931)

The principles set forth in the ***Carta del Restauro*** *reflect Italian conservation theory and practice. They were established by the Advisory Council for Antiquities and Fine Arts in 1931 to guide restoration work carried out by private and public agencies in Italy. This document and Italian restoration theory generally were a major source of the ideas expressed in the Venice Charter.*

Recommendation on International Principles Applicable to Archaeological Excavations (1956)

This document, adopted by the General Conference of UNESCO in 1956, established international principles governing the protection and excavation of archaeological sites. With respect to conservation, the document recommends the provision of funds for site maintenance; the careful supervision of the restoration of archaeological remains; a prohibition against removal of monuments without consent; and a provision in the deed of concession to excavate for guarding, maintenance and conservation of the site and its associated objects. The Recommendation is not legally binding, but often has served as a model for national legislation governing excavation.

International Charter for the Conservation and Restoration of Monuments and Sites (The Venice Charter, 1964)

The Venice Charter codifies the internationally accepted standards of conservation practice relating to architecture and sites. It sets forth principles of conservation based on the concept of authenticity and the importance of maintaining the historical and physical context of a site or building. The Venice Charter was the most influential international conservation document for 25 years.

Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention, 1972)

The World Heritage Convention was adopted in 1972 by the General Conference of UNESCO. It promotes an international perspective on cultural heritage by inviting member states to nominate heritage places of outstanding universal value as World Heritage Sites. It is intended to encourage national efforts at protecting cultural and natural heritage and to promote international recognition and cooperation in safeguarding the heritage of the world. ***Operational Guidelines for the Implementation of the World Heritage Convention*** *were issued in 1988. These outline the criteria for inclusion of a site on the World Heritage List.*

Charter of Cultural Tourism (1976)

The Charter of Cultural Tourism is the result of the ICOMOS Tourism Committee seminar on Contemporary Tourism and Humanism held in 1976. It outlines an approach to cultural tourism that recognizes sites and monuments as a source of economic benefit and cultural education. The approach encourages educating tourists about the value of monuments (including the tourists of the future—children) and training those responsible for developing and implementing tourist use of heritage sites.

Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter, 1979)

The Burra Charter is a national charter that establishes principles for the management and conservation of cultural sites in Australia. The charter was adopted by Australia ICOMOS in 1979. The charter is particularly important for its definition of cultural significance and the process set forth for using cultural significance to manage and conserve cultural sites. It provides an example of how international principles can be adapted to the values and needs of a particular nation or particular cultural groups within that nation.

The Florence Charter (1982)

The Florence Charter sets forth principles and guidelines for the preservation of historic gardens. It was adopted in 1982 as an addendum to the Venice Charter, addressing the needs of a specific class of cultural property.

Charter for the Conservation of Historic Towns and Urban Areas (1987)

This charter, adopted by the ICOMOS General Assembly in 1987, establishes principles and guidelines for the protection and conservation of historic towns. The charter seeks to complement the Venice Charter, whose emphasis is on the individual monument. It addresses such issues as the integration of preservation objectives into planning policies; the qualities of historic towns that should be preserved; the participation of residents in the preservation process; and the social and economic aspects of historic town preservation.

Charter for the Protection and Management of the Archaeological Heritage (ICAHM Charter, 1990)

The ICAHM Charter is among the most recent of international charters. It was created in response to the increasing threats to archaeological sites worldwide, especially from looting and land development. The charter attempts to establish principles and guidelines of archaeological heritage management that have global validity and can be adapted to national policies and conditions. The charter is the work of the ICOMOS International Committee on Archaeological Heritage Management (ICAHM).

Nara Document on Authenticity (1994)

This declaration was drafted by the participants at the Nara Conference on Authenticity in Relation to the World Heritage Convention held in Nara, Japan, in 1994. The conference itself was in direct response to a recommendation made by the World Heritage Committee concerning the revision of criteria for authenticity and integrity, which were used to evaluate sites for inscription in the World Heritage List. In essence, the Nara Document recognizes the breadth and importance of cultural and heritage diversity in the world, and states that the authenticity and value of the cultural heritage "must be considered and judged within the cultural contexts to which it belongs." The document was intended to form the first part of an ongoing debate on the nature and role of authenticity in relation to the cultural heritage and suggestions for follow-up are included in an Appendix.

Charter for Sustainable Tourism (1995)

This charter emerged from the World Conference on Sustainable Tourism held in 1995. It holds that tourism development must be sustainable, that is, "ecologically bearable in the long term, as well as economically viable, and ethically and socially equitable for local communities." Achieving this requires respecting the fragility of the cultural and natural heritage, recognizing local interests and contributing to the local economy, accepting participation from all sectors and levels, and creating appropriate planning and management mechanisms. The charter also calls for diversifying opportunities and forms of tourism, reducing the impact on the environment by tourism, and adopting codes of conduct by the tourist industry.

Segesta Declaration (1996)

The use of ancient theaters for present-day performances was the subject of a colloquium organized by the Council of Europe in September 1995, which gave rise to the Segesta Declaration concerning the protection and proper use of ancient places of performance. These include theaters, amphitheaters, stadia, hippodromes, and arenas with origins in the Greek and Roman periods. This article draws upon a summary of the colloquium and reproduces the text of the recommendations of the Segesta Declaration.

Declaration of San Antonio (1996)

In response to the call issued by the Secretary General of ICOMOS for regional participation in the international debate on authenticity, the Declaration of San Antonio was drafted by participants at a symposium on Authenticity in the Conservation and Management of the Cultural Heritage of the Americas. The declaration discusses authenticity in relation to cultural identity, site history, the material fabric of the site, the social value of the site, the differences between dynamic (actively used) and static (archaeological) sites, stewardship, and economics.

[Bib. I: 43 ref.]

ANNOTATED BIBLIOGRAPHY I: Archaeological Heritage Management

Antiquity. 1993. 67, no. 255, 400-45

In this issue, a special section is devoted to "Heritage and the ICAHM Charter." The charter was developed by the ICOMOS International Committee on Archaeological Heritage Management. Following an introduction by Henry Cleere, the text of the charter is presented, followed by two commentaries on the charter, its creation, and its legal implications. Several articles on the state of archaeological heritage management in Great Britain and the United States are also included. See also Elia 1993. (A.O.)

Ashworth, Gregory, and Peter Howard (eds.). 1999. **European Heritage: Planning and Management**. Exeter: Intellect Books.

This textbook is the result of cooperation among seven European Union universities and was developed for use in postgraduate courses offered at the institutions involved. The geographical scope of the book is Europe, with topics ranging from an historical overview of policy on and interest in the preservation of the past to identity issues and uses of heritage, with case studies on eco-museums, "heritage gem cities," gardens, theme parks, and heritage centers. Throughout the text are exercises and discussion questions for students. An appendix offers a review of the historical development of national policies in selected European countries. This is heritage management for the heritage industry. (M.D.)

Barnes, Mark R. 1994. *Preservation of Archaeological Sites through Acquisition*. **American Antiquity** 46, no. 3, 610-18.

While the focus of this article is the history and role of the various governmental agencies in the United States engaged in the acquisition of archaeological sites for long-term preservation, the author also includes a section on private sector acquisition of sites—an important tool for the preservation of sites that is rarely discussed. The Nature Conservancy, established in 1951, is dedicated to the preservation through acquisition of natural areas, but takes into consideration the cultural resources that exist within these areas. The Archaeological Conservancy, modelled on the Nature Conservancy but dedicated to preserving archaeological sites through acquisition, was newly established when this article was written. Other private foundations and initiatives, such as agreements with landowners, are also briefly mentioned. (M.D.)

Bourke, Max, Miles Lewis, and Bal Saini (eds.). 1983. **Protecting the Past for the Future: Proceedings of the UNESCO Regional Conference on Historic Places** (Sydney, Australia, 22-28 May 1983). Canberra: Australian Government Publishing Service.

This collection of articles from a UNESCO conference provides an overview of the state of cultural heritage preservation in the Asia-Pacific region in the early 1980s. The papers included in the sections Regional Overview and Protection discuss the legislation and management policies of many

of the nations of this region (for example, Australia, China, India, Japan, Korea, Malaysia, New Zealand, and Thailand). (M.D.)

Castillo Ruiz, José. 1997. El Entorno de los Bienes Inmuebles de Interés Cultural: Concepto, Legislación y Metodologías para su Delimitación: Evolución Histórica y Situación Actual. Granada: Universidad de Granada.

Spanish. A comprehensive examination of the issues that relate to the surroundings or physical contexts of cultural properties, with a full account of the development of legislation to define and protect them in Spain, France, and Italy. Case studies of existing cultural properties and their surroundings are given, and a new methodology is proposed for the definition, delimitation, and regulation of surroundings in the future. (A.O.)

Chapelot, Jean, and Alain Schnapp. 1984. **La Politique de l'Archéologie en Europe**. Paris: Centre National de la Recherche Scientifique.

English, French and Italian. The results of a roundtable held in Paris in 1978, these collected papers explore the status and health of archaeology in Europe in the 1970s by investigating national institutions and governmental organizations responsible for guiding policy. (M.D.)

Cleere, Henry (ed.). 1984. Approaches to the Archaeological Heritage: A Comparative Study of World Cultural Resource Management Systems. Cambridge: Cambridge University Press.

A collection of essays on the national cultural resource management policies of twelve countries, mostly in Europe but also including Mexico, Peru, Japan, India, and the United States. Individual essays describe the legislative framework and organizational structure for protecting archaeological resources and explore such issues as public attitudes and archaeological training and education. (M.D.)

Cleere, Henry (ed.). 1989. **Archaeological Heritage Management in the Modern World**. London: Unwin Hyman.

This volume constitutes the published results of one of the sessions of the First World Archaeological Congress (WAC) held in Southampton, England, in 1986. It also includes a few commissioned papers. The book is international in scope (with contributions from eighteen countries) and covers a broad range of issues relating to cultural resource management such as its history and legislation, training, and data management. It also provides a series of case studies. For the proceedings from the Third WAC, see McManamon and Hatton 2000. (Those from the Second Congress have not been published.) (M.D.)

Cooper, Malcolm A. et al. (eds.) 1995. **Managing Archaeology**. London: Routledge.

This publication brings together papers from the Theoretical Archaeology Group (TAG) conference held in Southampton, England, in 1992. The editors convened the conference with the intention of exploring divergent ideas and perspectives on management and archaeology. While the emphasis of the essays is on the United Kingdom, their ideas have international relevance. Of particular interest are the discussions of the philosophy and nature of management and its relationship to the theory and practice of archaeology. The sequence of papers attempts to bridge the gap between

management theory and practical management, with topics ranging from ways of valuing archaeological resources through marketing strategies for archaeology. (M.D.)

Council of Europe. 1987. *Archaeology and Planning* (An international colloquy organized jointly by the Council of Europe and the Region of Tuscany, Florence, Italy, 2225 October 1984). **Architectural Heritage Reports and Studies**, no. 5. Strasbourg: Council of Europe.

Council of Europe. 1987. **Architectural Heritage Reports and Studies**, no. 5 (Archaeology and Planning: An international colloquy organized jointly by the Council of Europe and the Region of Tuscany at Florence, Italy, 22-25 October 1984). Strausbourg: Council of Europe

This wide-ranging series of articles comprises the published results of a colloquy held in Florence, Italy, on the theme of archaeology and planning in Europe. A major emphasis is on strategies for conserving archaeological resources in the face of rural and urban development. Planning techniques, developing cooperative relationships between archaeologists and planners, the integration of archaeological resources into the urban fabric, and computerized documentation and cartography are highlighted. (M.D.)

Cultural Resource Management. Australian Heritage Commission Bibliographic Series, no. 3. 1990. Canberra: Australian Government Publishing Service.

This annotated bibliography on cultural resource management was produced from the Australian bibliographic database HERA. It covers all aspects of cultural resource management, focusing on Australian literature in particular, and including some United States literature. (M.D.)

Darvill, Timothy. 1987. *Ancient Monuments in the Countryside: An Archaeological Management Review*. **English Heritage Archaeological Report**, no. 5, 25-31.

The theme in this article is management of archaeological resources in the larger context of their related countryside and landscape. The three main aspects of management are curatorial management (conservation and protection); exploitation (use of sites by the public and researchers); and rescue excavation. Integration with other land-use demands, especially in the realm of private ownership, and drawing up a management plan and communicating it to those who may be impacted are emphasized; a schematic is provided outlining the stages of management planning. (M.D.)

Darvill, Timothy, and Geoffrey Wainwright. 1995. *The Monuments at Risk Survey: An Introduction*. **Conservation and Management of Archaeological Sites** 1, no. 1, 59-62.

This brief article summarizes the aims, methodology, and management of the MARS (Monuments at Risk Survey) Project, an initiative designed to provide a systematic quantification of the current state of England's archaeological resource. The MARS project will examine levels of documentation for single monuments, landscapes, and districts; the scale and rate of physical impact on the sites over time; the present condition of the sites; the effectiveness of different management techniques; and the relation between the state of preservation of a monument and the information it preserves. (A.O.)

Davis, Hester A. 1989. *Public Archaeology Forum*. **Journal of Field Archaeology** 16, 233–36.

The full text of the British Code of Practice for developers and archaeologists is presented with background information and commentary. The code attempts to foster mutual understanding and cooperation between developers and archaeologists, and to reduce the conflicts that arise between these two groups. Publication and review of the code can also be found in British Archaeological News 1, no. 1 (June 1986) and British Archaeological News 1, no. 6 (August 1986). (M.D.)

Economic Development and Archaeology in the Middle East. 1982. Amman: Department of Antiquities of the Hashemite Kingdom of Jordan and the American Schools of Oriental Research.

This booklet, published by the American School of Oriental Research in Jordan in conjunction with the Jordanian Department of Antiquities, addresses cultural resource issues in the country and represents an unusual and welcome departure from the standard activities and concerns of foreign archaeological schools. A further development in this direction is the Cultural Resource Management Project begun in 1987 by the Antiquities Department of Jordan and the American Center of Oriental Research, described in ACOR Newsletter no. 3 (November 1990). (M.D.)

Elia, Ricardo J. 1993. United States Cultural Resource Management and the ICAHM Charter. **Antiquity** 67, no. 255, 426–38.

In a critical comparison of the practice of archaeological heritage management in the United States with the principles and standards expressed in the ICAHM Charter, the author concludes that philosophy and legislation are in accord with the Charter but that the United States falls short in practice. This is ascribed to the nature and predominance of contract archaeology, the lack of consistent enforcement of standards, and a shortage of professional training programs. (A.O.)

Frankel, David. 1993. *The Excavator: Creator or Destroyer?* **Antiquity** 67, 875–77.

While acknowledging the destruction inherent in excavation, the author argues that archaeologists also create sites by establishing a context for what they unearth and constructing a history through comparative analysis. The trend of cultural resource managers to equate archaeology only with destruction, and thus to limit or forbid excavation, also limits the discovery and interpretation of our history. (A.O.)

Gay, Honor. 1995. *Integrated Conservation of Natural and Historical Aspects of the Countryside*. **Journal of Architectural Conservation** 1, no. 3, 70–88.

Historically, the conservation of historic (including archaeological) and natural environments have developed independently, resulting in an artificial division between two allied fields of endeavor. The author explores this division in Britain and argues for the necessity of integrating these two strands of conservation. The first part of the article analyzes whether the separation of these fields is justified. Of particular interest for archaeological sites is the discussion on the impacts and potential benefits of colonization on structures ruined by plants. The second part of the article examines the development of legislation on the historic and natural environment in Britain. The case

for better communication and a much stronger link between conservation of nature and culture is well made. (M.D.)

Greenberg, Ronald M. (ed.). 1994. *Archaeology and the Federal Government*. **Cultural Resource Management** 17, no. 6, 36.

This thematic issue defines the roles of the numerous federal agencies and private organizations involved in archaeology in the United States, outlines the legislation that guides them, and contains descriptions and commentary on archaeological activities occurring under Federal jurisdiction. These include excavation, database management, site stabilization, site protection, public outreach, and education. While the articles are brief and expository, they present a good cross-section of federal activities and the organizations and people involved. (A.O.)

———. 1997. *Parks Canada: Archaeology and Aboriginal Partners*. **Cultural Resource Management** 20, no. 4, 64.

This thematic issue presents the experiences of Parks Canada (the federal agency equivalent to the National Park Service in the United States) in managing its archaeological resources. The relevant agencies and legislation are described, followed by articles on ecosystem management, cultural landscape studies, monitoring, inventory and database management, rescue archaeology, cooperative management strategies (particularly with aboriginal partners), and site-specific studies. (A.O.)

Greene, Joseph A. 1999. Preserving Which Past for Whose Future? The Dilemma of Cultural Resource Management in Case Studies from Tunisia, Cyprus, and Jordan. **Conservation and Management of Archaeological Sites** 3, nos. 1-2, 43-60.

The author examines how three countries in the Mediterranean region—Tunisia, Cyprus, and Jordan—have approached the demands of preserving sites in the face of major development pressures. The responses include a UNESCO campaign involving multiple funding sources and allocation of concessions to international teams (Tunisia); a reliance on foreign expeditions and the national antiquities service to respond to rescue excavations (Cyprus); and the establishment of a cooperative program among government and private organizations and universities to address preservation of antiquities in the face of economic development (the Jordan Cultural Resource Management Project). (M.D.)

Greeves, Tom. 1989. Archaeology and the Green Movement: A Case for Perestroika. **Antiquity** 63, no. 241, 59-66.

The relationships between archaeological sites or features and their landscape, and archaeological and nature conservation are explored. The author argues that archaeologists must share the blame for the destruction of resources through the practice of excavation. Neither archaeologists nor society understand the role of conservation, which is associated exclusively with nature conservation. Archaeological conservation can make a significant cultural contribution to the conservation or green movement and would also benefit from such an association. (M.D.)

Healy, Paul F. 1984. *Archaeology Abroad: Ethical Considerations of Fieldwork in Foreign Countries*. In Ernestene L. Green (ed.), **Ethics and Values in Archaeology**. New York: The Free Press.

The author explores the ethics and etiquette of excavating in foreign countries. In a section entitled "Cultural Resource Management and the Foreign Archaeologist," the very important question of the responsibility of foreign archaeologists for the protection, restoration, and preservation of sites is raised. The critical role of funding agencies, the need for clarification of responsibilities by the host government, and the moral and professional obligation of developed nations to assist in protecting and preserving resources of less developed nations are discussed. (M.D.)

King, Thomas F. 1987. *Prehistory and Beyond: The Place of Archaeology*. In Robert E. Stipe and Antoinette J. Lee (eds.), **The American Mosaic: Preserving a Nation's Heritage**, 236–64. Washington, D.C.: US/ICOMOS.

This article is a historical overview of archaeology's role in the United States National Historic Preservation program, especially since the passage of the National Historic Preservation Act of 1966 and the growth of the historic preservation movement. Such issues as academic vs. public archaeology, the emergence of a conservation ethic, and the interchange of ideas and methods between archaeology and historic preservation are discussed. (M.D.)

Lambrick, George (ed.). 1985. **Archaeology and Nature Conservation**. Oxford: Oxford University Department for External Studies.

These conference papers explore the "mutual interests, problems and experiences of nature conservationists and archaeologists in protecting Britain's countryside heritage." The management of natural and archaeologically important areas for their mutual benefit is emphasized. Papers are grouped under the following categories: the relationship between archaeology and ecology; statutory provisions and the role of government agencies; the role of nonstatutory organizations; conservation management policies; and case studies. (M.D.)

Lipe, William D. 1974. *A Conservation Model for American Archaeology*. **The Kiva** 39, nos. 3–4, 213–45.

The author of this seminal article proposes a conservation model to replace the current exploitative model of archaeology, which emphasizes excavation rather than conservation of resources. Conservation strategies, including education, integration of archaeology and planning, and the establishment of archaeological preserves, are discussed. In the latter context, the author deals with the question of significance and the need for representative sampling. (M.D.)

McIntosh, Susan Keech. 1994. *Archaeological Heritage Management and Site Inventory Systems in Africa: The Role of Development*. In Ismail Serageldin and June Taboroff (eds.), **Culture and Development in Africa** (Proceedings of an International Conference held at the World Bank, Washington, D.C., April 23, 1992), 387409. Washington, D.C.: The International Bank for Reconstruction and Development/The World Bank.

Based on her experiences in West Africa, the author argues that in order to promote effective archaeological heritage management in the region, basic site inventory methods must be restructured and African archaeologists must be trained in the use of computerized information systems, air photo interpretation, management theory, and conservation practice and methods.

Policy recommendations to international development agencies are to fund long-term national site inventory work and database management, and to fund an intensive training program in archaeological heritage management for Africans. (A sample course outline is provided.) (A.O.)

McManamon, Francis P., and Alf Hatton (eds.). 2000. Cultural Resource Management in Contemporary Society: Perspectives on Managing and Presenting the Past. London: Routledge.

This collection of papers derives from the sessions of the Third World Archaeological Congress, held in New Delhi in 1994. The papers were updated through 1999 and new contributions were commissioned. The scope is international, with contributions from Africa, the Americas, Asia, and Europe. The issues covered are equally broad, representing a spectrum of concerns in archaeological heritage management, including impact from modern development, policy and legislative issues, education and interpretation, rescue archaeology, and illegal trafficking. For the proceedings from the First World Archaeological Congress, see Cleere 1989. (Those of the Second Congress have not been published.) (M.D.)

Morales Juarez, Roberto. 1996. *In Central America: Archaeological Heritage and Sustainable Development Planning*. In **Vestiges Archéologiques, la Conservation In Situ** (Actes du deuxième colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 October 1994), 23541. Ottawa: Publications de l'ICAHM.

The author discusses the relationship between cultural heritage conservation in Central America and issues of sustainable development and cultural identities. Heritage conservation has received little attention and is not highly valued in Central America, except where tourism can be exploited. In the context of a United Nations Development Program project to support sustainable development, a land-use planning model is proposed to integrate heritage conservation with economic development and public participation. The planning model is briefly described. (M.D.)

O'Keefe, P. J., and L. V. Prott. 1984. **Law and the Cultural Heritage**. Abingdon: Professional Books Ltd.

Five volumes are envisioned for this series, entitled Law and the Cultural Heritage; two of which (vols. 1 and 3) have been published to date. The series is comprehensive and comparative in scope, covering legislation from all parts of the world. Discovery and Excavation (vol. 1) focuses on moveable archaeological heritage and discusses the need to protect antiquities and the historical development of legislation. Creation and Preservation (vol. 2) deals with the creation of cultural objects and the legal rights associated with them. Movement (vol. 3) deals with the legal control of trade in cultural objects. Monuments and Sites (vol. 4) is a survey of the law on immoveable cultural heritage. Principles (vol. 5) will assess the changes in the law brought on by development of special regulations to protect the cultural heritage. (M.D.)

Prinke, Andrzej. 1996. *Landscape Parks in Poland: A Multidisciplinary Approach to Natural and Cultural Resources*. In **Vestiges Archéologiques, la Conservation In Situ** (Actes du deuxième colloque international de l'ICAHM, Montreal, Quebec, Canada, 11-15 October 1994), 36974. Ottawa: Publications de l'ICAHM.

The author describes an initiative in Poland to create a series of landscape parks with natural and cultural values in an attempt to break down the barriers between the disciplines. The parks selected are located near urban areas so they are easily accessible to the public and are included in the

Regional Development Plan for the area. The cultural resources in the parks are historical and archaeological sites and are interpreted in conjunction with the natural values in an integrated way to the public. (M.D.)

Rotroff, Susan I. 2001. Archaeologists on Conservation: How Codes of Archaeological Ethics and Professional Standards Treat Conservation. **Journal of the American Institute for Conservation** 40, 13746.

This article provides an historical overview and current status of codes of practice and professional standards developed by archaeological societies in the United States as they relate to conservation. While the emphasis is on the conservation of objects, the various codes and the author's discussion of them elucidate the evolution of issues and concerns of archaeologists. Although there has been progress in making a conservation ethic more central to the archaeological community, the author argues that a holistic approach (on the model of an ecosystem) has yet to be achieved. (M.D.)

Schiffer, Michael B., and George J. Gumerman (eds.). 1977. **Conservation Archaeology: A Guide for Cultural Resource Management Studies**. New York: Academic Press.

This is an early and very influential collection of articles on cultural resource management in the United States. Individual papers are grouped into nine topics: cultural resource management, conservation archaeology and research orientations, research designs, acquisition of survey data, estimating the nature and extent of the resource base, assessing significance, forecasting impacts, mitigation, and research contributions. (M.D.)

Schmidt, Peter R., and Roderick J. McIntosh (eds.). 1996. **Plundering Africa's Past**. Bloomington: Indiana University Press.

While this publication emphasizes the problem of the looting of cultural heritage sites (particularly archaeological sites), the wide range of articles provides a good overview of important issues in cultural resource management in Africa, including interpretation of cultural heritage and conflict of values. (M.D.)

Serageldin, Ismail, and June Taboroff (eds.). 1994. **Culture and Development in Africa** (Proceedings of an International Conference held at the World Bank, Washington, D.C., April 23, 1992). Washington, D.C.: The International Bank for Reconstruction and Development/The World Bank.

This compilation of papers from 1992, explores many issues directly relevant to archaeological resource management in Africa. The papers provide an overview of the role and relationship of culture to economic development within the social and political context of sub-Saharan Africa. Of particular interest are the themes on cultural institutions, conservation of the built historic environment, and development, archaeology, and the environment. (M.D.)

Silva, Roland. 1993. *The Cultural Triangle: International Safeguarding Campaign*. In **The Cultural Triangle of Sri Lanka**. Paris: UNESCO.

The author narrates the efforts to have the Cultural Triangle, which encompasses seven major sites across Sri Lanka, adopted by UNESCO as the focus of an international campaign for funding and

technical support. Once this was achieved, an autonomous management structure was created from within the existing government to oversee the work, and a cultural resource management plan was developed. This includes guidelines that govern excavation and conservation at the sites. (A.O.)

Smith, Laurajane. 1994. *Heritage Management as Postprocessual Archaeology*? **Antiquity** 68, no. 259, 300309.

Postmodern, or "postprocessual," archaeology is a theoretical movement that recognizes the place and seeks the integration of archaeology in a social, cultural, and political context. The author articulates the divide between theory, which is espoused by academics but not practiced, and practice, which is employed by heritage managers without benefit of a coherent theory. Heritage management is often discounted as the commercial bastardization of academic archaeology, and the field has been hindered by this approach. As the author concludes, however, "unlike postprocessual archaeology . . . it is heritage management and its position within the state that is actively impacting upon and defining the political uses of archaeology." (A.O.)

Society for American Archaeology. 1995. **Save the Past for the Future II: Report of the Working Conference (**Breckenridge, Colorado, September 922, 1994**)**. Washington, D.C.: Society for American Archaeology.

The goals of the conference were to assess the state of archaeological site protection and the prevention of archaeological looting on public lands in the United States and to develop strategies to improve and implement protection. In this special report, the conference proceedings are presented and include general papers summarizing the history of resource protection in the United States, legislation and recent legal actions in support of protection, the need to integrate agencies and efforts, and the need to educate both professionals and the public. Of greater importance are the workshop proceedings, which discuss the issues of education, integrated resource management, and law enforcement and present recommendations for future actions. (A.O.)

Tilley, Christopher. 1989. *Excavation as Theatre*. **Antiquity** 63, no. 239, 27580.

This is a revision of a paper originally delivered at an ICAHM conference in 1988. The author questions and challenges the notion that rescue excavation is a means of preservation in the face of development, arguing that archaeologists have emphasized excavation and the concomitant compilation of data to the detriment of developing conceptual structures and actively engaging in the interpretation of the past. The solution proposed is large-scale excavation conceived as an experiment in interpretive activity involving the public. It is a provocative challenge to what the author sees as a trend among cultural resource management professionals and the heritage industry to move archaeology toward a "form of production and marketing of the past." (M.D.)

Wainwright, G. J. 1989. *The Management of the Archaeological Resource in England*. In **Archaeology and Society: Large-Scale Rescue Operations—Their Possibilities and Problems** (Papers presented at the symposium in Stockholm, Sweden, 1216 September 1988). ICAHM Report No. 1, 32130. Stockholm: ICAHM,.

The author presents management of archaeological resources as generally practiced by English Heritage. The management cycle is defined in the following three stages, which are fully discussed: identification and recording, deciding on the management option (curatorial or exploitative management), and excavation and recording, where preservation is not possible. Criteria for

allocation of limited funds for rescue operations are defined; these are the same criteria used for scheduling sites. (M.D.)

Wildesen, Leslie E. 1982. *The Study of Impacts on Archaeological Sites*. **Advances in Archaeological Method and Theory** 5, 51–96.

This study of impacts—defined as measurable change in the characteristic or property of an archaeological site—looks at types of impacts, how they are measured, and how a better understanding of their cumulative effects can be used to manage archaeological resources. The author puts forth a "value conservation" approach, which represents a middle course between site exploitation (removal of the resource) and site conservation (removal of the impact). A review of the studies undertaken to date and an extensive bibliography make this article particularly valuable. (M.D.)

Wilson, Rex L. (ed.). 1987. **Rescue Archeology** (Proceedings of the Second New World Conference on Rescue Archeology, Dallas, Texas, 1984). Dallas: Southern Methodist University.

Published under the same title are the papers from the First New World Conference (1982); those of the Third New World Conference, held in Venezuela in 1987, are in Spanish (Arqueología de Rescate). The focus of the proceedings is the Western Hemisphere. All the important issues associated with rescue archaeology are covered and include perspectives from both developed and developing countries. The papers cover the philosophy and principles of rescue archaeology; legislative, economic, social, and political issues; the interface between archaeology and engineering; current practice and strategies; and professional standards; the recommendations and resolutions of the conference are also published. (M.D.)

[Bib. II: 62 ref.]

ANNOTATED BIBLIOGRAPHY II: Archaeological Site Management

Adam, Jean-Pierre. 1987. *Dégradation naturelle et érosion touristique à Pompéi*. In **Denkmalpflege und Tourismus** (Vorträge und Diskussiongebnisse des Internationalen Symposiums vom 26-29.11.1986 in Trier), 189-221. Trier: Geographische Gesellschaft (Materialien zur Fremdenverkehrsgeographie, Heft 15).

French and German. Apart from the ever-present threat of earthquake damage, tourism and uncontrolled vegetation are the most serious causes of deterioration at Pompeii. The excessive number of visitors is destroying the fabric of the place; recommendations are made for keeping visitors off of and away from the original fabric, especially mosaics and wall paintings. In addition to walkways, an on-site presence is required. The recommendations for vegetation control are discussed more fully by the author in Adam 1983/ Bibliography X. (M.D.)

Addyman, Peter V. .1989. *The Stonehenge We Deserve*. In H. F. Cleere (ed.), **Archaeological Heritage Management in the Modern World**, 265-74. London: Unwin Hyman.

Perhaps Britain's most famous archaeological monument, Stonehenge has long been in need of a management policy; however, it has been difficult to reach a consensus on how the site should be presented to the public. The author discusses two conflicting presentation philosophies for the site. The Historic Buildings and Monuments Commission is attempting to attract the serious visitor by requiring a real investment of time and intellectual commitment. The philosophy of Heritage Projects Ltd., a private company, assumes a degree of self-selection among visitors and believes that visitation should be encouraged by making the experience physically and intellectually appealing. (M.D.)

Aguilar Piedra, Carlos. 1982. *Archaeological Parks: Guayabo de Turrialba and El Caño*. In **Rescue Archaeology** (Papers from the First New World Conference on Rescue Archaeology), 163-71. Washington, D.C.: The Preservation Press.

The author discusses the challenges and problems involved in the establishment of archaeological parks based on his experience with parks in Costa Rica and Panama. The lack of financial support and the absence of a national park service tradition hamper the establishment of archaeological parks in Central America. Emphasized are the importance of establishing the boundaries of the park for its legal protection, integration with the community, and the role of research. (M.D.)

Australian National Parks and Wildlife Service. 1986. **Australian Ranger Bulletin** 4, no. 1.

This issue of the bulletin is devoted to cultural resource management in Australia. Many of the articles are case studies of rock art sites. A broad range of issues is addressed—education, tourism, vandalism, erosion, and more. The management principles and many of the specific strategies developed to deal with these problems are generally applicable to archaeological sites. (M.D.)

Bahçeci, Müge. 1996. *The Pamukkale's Preservation and Development Plan*. In **Vestiges Archéologiques, la Conservation In Situ** (Actes du deuxième colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 October 1994), 45-53. Ottawa: Publications de l'ICAHM.

Pamukkale, Hierapolis, a site on the World Heritage List, combines white travertine formations produced by thermal springs with archaeological deposits from different historical periods. In 1990 a preservation and development plan was created in order to define and address the problems confronting the site, particularly in relation to regulating and accommodating tourism. The author outlines the plan, which is in the implementation stage. (A.O.)

Bertaux, Jean-Paul. 1998. *The Gallo-Roman sanctuary at Grand, France. I: Its development and management for tourism*. **Conservation and Management of Archaeological Sites** 2, no. 4, 207-215.

To accommodate increasing visitor numbers and to promote even greater visitation, a development and management plan was implemented for the site, which is located within and around a small village. New facilities were constructed, including reception buildings and parking areas. Interpretive facilities and programs are also described; these include a museum, a permanent exhibit, models, an audiovisual presentation, publications, guided tours, and cultural classes. (A.O.)

Binks, Gillian, John Dyke, and Philip Gagnall. 1988. (In association with Dai Morgan Evans and Geoff Wainwright). **Visitors Welcome. A Manual on the Presentation and Interpretation of Archaeological Excavations**. London: English Heritage.

This manual produced by English Heritage is designed to provide practical advice on a whole range of issues related to site presentation and visitor management (e.g., interpretation, public relations, generating income, and infrastructure requirements), both during and after the excavation of a site. Although created for sites in England, much of the information is applicable to all archaeological sites. (M.D.)

Bonnici, Antonia, JoAnn Cassar, Patrick J. Schembri, and Frank Ventura. 1993. *Visitor impact on an underground prehistoric monument - the Hal Saflieni Hypogeum, Malta.* In **ICOM Committee for Conservation** (Tenth Triennial Meeting, Washington, DC, 22-27 August 1993: Preprints), vol. 2, 825-830. Paris: International Council of Museums Committee for Conservation.

The environment of the underground temple was monitored for three years, the results were correlated with contemporaneous external meteorological conditions and visitor numbers, and the data was analyzed in an attempt to establish the relative impacts of external conditions and visitors on the microclimate. The authors conclude that visitors have the greatest impact on the otherwise stable environment, and describe remedial measures taken to mitigate negative effects. (A.O.)

Clark, Kate (ed.). 1999. Conservation Plans in Action: Proceedings of the Oxford Conference. London: English Heritage.

This publication includes the papers, with selected discussion, of a major conference on conservation planning in Britain, entitled "Conservation Plans for Historic Places" and held in March 1998. Papers include an overview of the conservation plan and planning process by the editor of the

volume, examples of conservation planning by various practitioners, the role of conservation planning in the Heritage Lottery Fund, and sage advice from such long-time practitioners as James Semple Kerr. The planning process advocated is essentially that of the Australian Burra Charter, adapted to the experience and needs in England. The epilogue, written one year later, is an interesting assessment of problems encountered in the development of conservation plans. (M.D.)

Deacon, Janette. 1995. *Promotion of a neglected heritage at Stone Age sites in the Western Cape, South Africa*. **Conservation and Management of Archaeological Sites** 1, no. 2, 75-86.

Describes the postcolonial development of tourism at three Stone Age sites in South Africa to promote neglected aspects of the country's prehistory. Also describes the stabilization and protection of the sites prior to their opening to the public. (A.O.)

Dorozynski, Alexander. *Computers bring back a long-lost French abbey*. **Science** 261, no., 544-545.

The Abbey of Cluny was steadily pillaged and destroyed after its deconsecration in 1790. To provide visitors with an experience of the lost church, a computer model was developed from archaeological data and used to create an interpretive film and virtual reality simulation. (A.O.)

Doumas, Christos. 1993. Archaeological sites as alternative exhibitions: the case of Akrotiri, Thera. **European Review** 1, no. 3, 279-284.

The author argues for the creation and incorporation of museums within archaeological sites, where moveable finds can be presented in their original context. The interpretive value of both site and objects increases, and a greater understanding of the culture is possible. He cites past attempts to integrate sites and museums, and notes that at Akrotiri, where the existing shelter is scheduled for replacement, there exists a remarkable opportunity to reorganize the site and incorporate an alternative museum under a new shelter. (A.O.)

Dragovich, Deirdre. 1986. A plague of locusts, or Manna from heaven? Tourists and conservation of cave art in southern France. **Rock Art Research** 3, no. 2, 141-158.

English with French and German abstract. “Rock art tourism” was examined in relation to cave management at two sites in southern France. The risk of cave art deterioration has been addressed by a variety of measures aimed at preventing visitors from touching the art: supervising and guiding them in the cave, encouraging visitors to consider cave art as important to the cultural heritage, and by excluding visitors or limiting their numbers when adverse effects on art become apparent. Large numbers of fee-paying tourists can generate substantial funds for site management and conservation, but their simple presence can often lead to accelerated art deterioration in caves. (aa)

Feilden, Bernard, and Jukka Jokilehto. 1993. **Management Guidelines for World Cultural Heritage Sites**. Rome: ICCROM.

These guidelines for the management of World Heritage sites originated in a meeting of ICCROM and ICOMOS in 1983 under the auspices of the cultural heritage division of UNESCO. The aim of the guidelines is to “provide advice and suggestions for implementing the intentions of the World

Heritage Conventions." Beginning with a review of the policies of the convention, Management Guidelines includes chapters on assessment of values, management planning, staying and personnel considerations, physical interventions and the concept of authenticity, planning for historic towns, and visitor management and interpretation. A summary article of the main issues can be found in Jukka Jokilehto, "Conservation Management of World Heritage Sites." In The Safeguard of the Rock-Hewn Churches of the Göreme Valley (Proceedings of an International Seminar, Ürgüp, Cappadocia, Turkey, 5-10 September 1993), 49-56. Rome: ICCROM, 1995. (M.D.)

Flood, Josephine. 1979. *Cultural resource management and tourism.* In J.R. McKinlay and K.L. Jones (eds.), **Archaeological Resource Management in Australia and Oceania**, 72-77. Wellington: New Zealand Historic Places Trust.

This article reviews the policy and initiatives of the Australian Heritage Commission and the results of national conferences on tourism at cultural sites during the decade of the 1970s. Distilling this experience, the author puts forth twelve principles of cultural resource management, with special reference to development and presentation of sites for tourism. These principles address such issues as the adverse effects of tourism on local inhabitants, education and interpretation, establishing carrying capacities at sites, and vandalism. (M.D.)

Gale, Fay, and Jane Jacobs. 1986. *Identifying high-risk visitors at Aboriginal art sites in Australia*. **Rock Art Research** 3, no. 1, 3-18.

English with French and German abstract. The growth of tourism in Australia has meant that many aboriginal rock art sites are now facing a scale of visitor pressure previously unknown. It is now clear that management strategies designed to preserve these sites must deal with this problem. If management programs are to be effective, systematic and scientific studies of visitor pressure are needed to provide guidelines for management. This paper discusses some of the findings of the authors' survey work on visitor pressure. They found that the visitor population and the pressure placed on art sites is far from uniform and that certain sections of the visitor population place the art at greater risk than others. Effective management depends on identifying such risk groups and tailoring management strategies to deal with the specific pressures they present. Discussions by R.G. Gunn and Grahame L. Walsh, and a reply by Gale and Jacobs, conclude the article. (aa abridged/M.D.)

Gutiérrez, María de la Luz et al. 1996. *The Management of World Heritage Sites in Remote Areas: The Sierra de San Francisco, Baja California, Mexico*. **Conservation and Management of Archaeological Sites** 1, no. 4, 209-25.

The creation of a management plan for a remote area presents special problems and demands thoughtful solutions. In this article, the authors describe the development and implementation of a management plan for a group of World Heritage rock art sites in Baja California, Mexico, using a participatory and collaborative approach; their experiences and conclusions will be valuable to those seeking to create effective plans for similar sites. (A.O.)

Hawass, Zahi. 2000. *Site Management at Giza Plateau: Master Plan for the Conservation of the Site*. **International Journal of Cultural Property** 9, no. 1, 1–22.

The development of a Master Plan for the Giza pyramids is the focus of this article. The author, with long experience of the Giza plateau, describes in some detail the threats to the site (including development pressures, rise of the water table, tourism, pollution, and inappropriate past interventions), then outlines the implementation of the plan for management. Phase four of this plan—the development of a Master Plan—concludes the article. (M.D.)

Hughes, Mike, and Linda Rowley (eds.). 1986. **The Management and Presentation of Field Monuments**. Oxford: Oxford University Department of External Studies.

These published proceedings of a conference held in Oxford in 1985 are concerned with the management and presentation of field monuments in England. The papers are grouped under the following headings: "The Role of Historic Buildings and Monuments Commission," "Ancient Monuments and the Landowner," "The Preservation and Integration of Monuments," "The Management of Monuments," "The Regional Approach," and "Case Studies." (M.D.)

International Perspectives on Cultural Parks. 1989. (Proceedings of the First World Conference, Mesa Verde National Park, Colorado, 1984). U.S. National Park Service in association with the Colorado Historical Society.

Under theme two ("tourism and use") of this conference on cultural parks, are seventeen papers that consider the impacts of national consciousness on approaches to the management of cultural parks; interpretation of cultural parks; the economics of attracting, supporting, and profiting from tourism; and visitor impact on cultural resources. (M.D.)

Johnson, Stephen, and Christopher Young. 1994. *A Management Plan for the Hadrian's Wall World Heritage Site.* **Conservation Bulletin (English Heritage)** (March 1994), 4–5.

Johnson, Stephen, and Christopher Young. 1995. *Managing Hadrian's Wall.* **Conservation Bulletin (English Heritage)** (July 1995), 5–8.

Johnson, Stephen, and Christopher Young. 1996. *Hadrian's Wall Management Plan*. **Conservation Bulletin (English Heritage)** (July 1996), 1–3.

This series of three articles provides a continuous overview of the process of creating a comprehensive management plan for Hadrian's Wall. The plan is based on a clear articulation of the values of the resource and extensive consultation with the multiple private and public bodies that own, manage, or have an interest in parts of the wall. The first article of 1994 reviews the challenges and the need for a comprehensive plan, and the general approach to be taken in developing a plan. Short-term (five-year) and long-term (thirty-year) objectives are set forth in the articles of 1995 and 1996, with a review of the consultation process in 1996. The process is intended to be a model for management of World Heritage sites in Britain. (M.D.)

Jones, Rhys. 1985. *Recommendations for Archaeological Site Management in Kakadu National Park*. In idem (ed.), **Archaeological Research in Kakadu National Park**. Canberra: Australian National Parks and Wildlife Service.

These recommendations for the management of archaeological sites in Kakadu evolved from three major considerations: the attitude of the Aboriginal owners toward the park; the impact of visitors on the physical fabric of the rock shelters; and the immense scale of the archaeological resource, especially with respect to research potential. Specific recommendations for the management of the sites are set forth following a brief statement of strategy that emphasizes the need to restrict access to sites. (M.D.)

Kerr, James Semple. 1996. The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance. Sydney: National Trust of Australia (NSW).

This is the fourth revised edition (the first was published in 1982) of a manual describing the process of preparing a conservation (management) plan for cultural sites. This process, involving assessment of significance and development of policies and strategies, reflects Australian practice, based on the Australian Burra Charter for the conservation of places of cultural significance. The emphasis in this manual is on historic sites, but the principles are applicable to all types of cultural sites, including archaeological sites. (M.D.)

Killebrew, Ann E. 1999. *From Canaanites to crusaders: the presentation of archaeological sites in Israel.* **Conservation and Management of Archaeological Sites** 3, nos. 1 and 2, 17–32.

This paper reviews trends in archaeological site interpretation during the last fifty years, since the establishment of the State of Israel. A brief description of the different bodies involved in site management and development is presented, and the types of sites selected for presentation to the public during this period are examined. Six case studies illustrate the various issues that have had to be addressed in light of the changing approaches and goals, over time, of governments, local authorities, and private organizations. (aa abridged)

Kimball Brown, Margaret. 1983. *Mothballing Albany Mounds*. **American Archaeology** 3, no. 3, 214–16. The author outlines a management plan for this North American Indian village and mound site that will be appropriate to the existing constraints (no personnel, budget, or facilities available). Given these constraints, it was decided to “mothball” the site in order to preserve it in a stable condition for the future. Mothballing consisted primarily of returning the site to a prairie ground cover, using a herbicide to destroy the existing hay crop. (M.D.)

Klok, R. H. J. 1987. *Managing Megalithic Tombs as a National Resource in the Netherlands*. In **ICOMOS Eighth General Assembly and International Symposium, vol. 2, Old Cultures in New Worlds**, 938–44. Washington, D.C.: US/ICOMOS.

The author describes the management scheme for a class of monuments—the fifty-four surviving megalithic tombs of the Netherlands, which are of exceptional scientific and public value and were being threatened by natural erosion, vegetation, development, and vandalism. The management process consisted of establishing a central documentation system; safeguarding the tombs from vandalism by installing glass tiles to seal the chamber floor; establishing a protected archaeological zone around each monument, either by land acquisition or land management contracts with owners;

and the designation of eighteen representative tombs that would be open to the public and interpreted. (M.D.)

Kwas, Mary L., (ed.) 1986. **Archaeological Parks: Integrating Preservation, Interpretation, and Recreation**. Nashville: Department of Conservation, Division of Parks and Recreation.

This series of papers, the result of a symposium on archaeological parks in the United States, describes the experience of park managers in dealing with problems of education, interpretation, resource protection, land management, and facility development. There are seven case studies of specific sites, focusing on a wide range of issues, and five more general contributions. A preeminent concern in all the papers is the public use aspect of cultural parks and the development of education and interpretive programs. (M.D.)

Lambert, Dave. 1989. **Conserving Australian Rock Art: A Manual for Site Managers**. Canberra: Australian Institute of Aboriginal Studies.

This manual is designed for rock art sites in Australia, but the approach and many of the specific recommendations are applicable to archaeological sites in general. The first half deals with deterioration of the resource (from water, salts, vegetation, microflora, and animals), and the second half includes chapters on managing sites to reduce adverse impacts from visitors and site vandalism. (M.D.)

Leay, Martin J., Janet Rowe, and John D. Young. 1986. **Management Plans: A Guide to Their Preparation and Use (Prepared for the Countryside Commission)**. Cheltenham: Countryside Commission.

This manual outlines the principles and practice of preparing management plans for natural and cultural heritage sites. The stages of the process are as follows: aims, survey, analysis, objectives, prescription, implementation, and monitor and review. The process is clarified in examples of management plans for the following categories: whole-farm, woodland, estate (a cultural site managed by the National Trust), and recreation. (M.D.)

Leconte, Dominique. 1996. *De la fouille au projet.* In **Vestiges Archéologiques, la Conservation *In Situ*** (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 octobre 1994), 211-218. Ottawa: Publications de l'ICAHM.

French with English summary. The author discusses not only the complexities of opening an archaeological site to the public but the creative possibilities as well. The author stresses that, in order to arrive at the best interpretive solution, the project must be a collaborative effort and should be planned even before excavation. Various French sites are used to illustrate the arguments. (A.O.)

Lertrit, Sawang. 1997. *Who Owns the Past? A Perspective from Chiang Saen, Thailand*. **Conservation and Management of Archaeological Sites** 2, no. 2, 81-92.

A preservation plan for the fourteenth-century Buddhist community of Chiang Saen has been administered by the Thai government since 1957; however, problems of site looting, damage, deterioration, and encroachment persist. Research was conducted to determine local attitudes

toward the site; the results indicate that these problems stem from the disassociation of the local population from the process of preservation and management. The author describes the methodology and results of the research project and suggests ways to gain the concern and cooperation of the local population. (A.O.)

Maekawa, Shin. 1994. *Preventive strategies for reducing the impact of visitors on the microenvironment of caves at the Mogao Grottoes.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 76-79. London: International Institute for Conservation of Historic and Artistic Works (IIC).

The number of visitors to the Mogao Grottoes is steadily increasing, and deterioration of the artifacts has accelerated. Since 1991, environmental monitoring has been conducted inside and outside the caves. Air temperature, relative humidity, carbon dioxide, wall temperature and number of visitors were monitored for over a year in two similar caves, one open to the public and the other closed. The entry of visitors produced transitory rapid changes in the microenvironment, caused by the ingress of outside air. The stability can be improved by evenly distributing visitor numbers during opening hours, and by restricting air exchange between the cave and the exterior. (aa abridged)

Marquis-Kyle, Peter, and Meredith Walker. 1992. The Illustrated Burra Charter: Making Good Decisions about the Care of Important Places. Sydney: Australia ICOMOS.

A step-by-step explication of the Burra Charter, the Australia ICOMOS charter on conservation and management of heritage sites. Commentary on each article is provided, and concepts are clearly explained with the aid of photographs and informative captions. The full text of the charter, as well as guidelines for establishing cultural significance, developing conservation policy, and undertaking studies and reports, are appended. The utility of this publication has not been diminished by the revisions to the Burra Charter in November 1999, for which, see Marilyn Truscott and David Young, "Revising the Burra Charter: Australia ICOMOS Updates Its Guidelines for Conservation Practice," *Conservation and Management of Archaeological Sites* (2000), 4, 101-16. (A.O./M.D.)

Miller, Hugh. 1987. *International Technical Assistance: Park Planning in Jordan*. **Cultural Resource Management Bulletin** 10, 7-9.

The author reviews the history and accomplishments of the international park-planning project in Jordan. The project began in 1965 as part of a USAID economic development program, with the intention of developing and enhancing the tourism industry as a foreign currency earner for Jordan. Master plans were prepared for three antiquity sites (including Jerash and Petra). The sites were to be developed as parks, administered by a newly established National Park Service of Jordan, and managed according to the park master planning process developed over many years by the United States National Park Service for their parks. (M.D.)

Mora, Paolo, Giorgio Torraca, Paul Schwartzbaum, and Elizabeth Smith. 1981. Luxor West Bank Visitor Management Study: Possible Impact of Increased Tourist Numbers on the Tombs of the West Bank at Luxor (ICCROM Mission Report). Rome: ICCROM.

In 1981 an ICCROM mission was sent to Egypt to study the impact of increased visitation to the tombs of the West Bank at Luxor. Study of deterioration to the tombs concentrated on mechanical, environmental, biological, and visitor facility effects. The authors of the report concluded that physical contact, dust, improper maintenance, and excessive lighting in the tombs represented the most serious threats. Long- and short-term recommendations were made to reduce these risks to the monuments from visitor use. (M.D.)

Ndoro, Webber. 1994. *The Preservation and Presentation of Great Zimbabwe*. **Antiquity** 68, no. 260, 616-23.

The author presents the history of preservation at the site, including the most recent strategies and interventions. Of greater importance are the discussions on site presentation (reconciling the needs of the site, the indigenous population, and the foreign tourist) and on the justification of conservation in a developing country. See also Pwiti 1996. (A.O.)

Ndoro, Webber and Gilbert Pwiti. 1997. *Marketing the past. The 'Shona village' at Great Zimbabwe*. **Conservation and Management of Archaeological Sites** 2, no. 1, 3-8.

A model of a nineteenth-century Shona village was constructed within the Great Zimbabwe World Heritage site; the village was intended to function as a living museum and increase tourism. While the authors recognize the potential interpretive value of a living museum, they point to the confusion caused by locating the village in a site which dates between 1100 and 1450 AD, and by the anachronisms and misleading generalizations about the Shona culture embodied in the village itself. (A.O.)

Palumbo, Gaetano and Jeanne Marie Teutonico (eds.). **Management Planning for Archaeological Sites**. (Proceedings of an International Workshop Organized by the Getty Conservation Institute and Loyola Marymount University. May 2000, Corinth, Greece). Los Angeles: The Getty Conservation Institute. 2002.

The papers from this workshop explore a values-based approach to management planning for archaeological sites, especially within the Mediterranean region. The threats to archaeological sites, the role of values in planning, and an overview of the values-based approach to management planning form background papers. These are followed by international case studies of planning at the sites of Hadrian's Wall, England, and Chan Chan, Peru, and regional studies at Masada, Israel; Petra, Jordan; and Corinth, Greece. (M.D.)

Park Planning Team. 1971. Troy Historical National Park, Master Plan for Protection and Use.

This master plan is one of fourteen plans developed by the United States National Park Service (NPS) in cooperation with local planning teams; eleven of the plans were developed for sites in Turkey (1969-71) and three for those in Jordan. The guiding themes of all NPS plans are protection, development, and interpretation of the resource. The plans usually contain the following sections: an historical review of the resource; background information (for example, geology, climate, and

existing facilities); development and management proposals (visitor use, infrastructure development of facilities and utilities, and administration and staff); interpretive program; and conservation. See also Miller 1987 for a contextual review of NPS planning in Jordan. (M.D.)

Pearson, Michael, and Sharon Sullivan. 1995. Looking after Heritage Places: The Basics of Heritage Planning for Managers, Landowners and Administrators. Carlton: Melbourne University Press.

A detailed explication of site management planning as practiced in Australia according to the process in the Burra Charter and the Australia ICOMOS charter on conservation and management of heritage places. Each step delineated in the Burra Charter is explained, with numerous examples from real-life practice in Australia by professionals with extensive experience. (M.D.)

Pedersen, Arthur. 2002. Managing Tourism at World Heritage Sites. A Practical Manual for World Heritage Site Managers. World Heritage Manuals. Paris: UNESCO World Heritage Center:

This manual for site managers provides an accessible overview of the issues surrounding tourism at cultural (and natural) sites. It puts forth practical advice and information about establishing carrying capacities, dealing with visitor management problems, and promoting a site for tourism, and includes targeted activities for site managers and examples of surveys that can be undertaken to better understand the visitors to a site. (M.D.)

Pessis, Anne-Marie. 1995. *Parque Nacional Sierra de Capivara (Brasil): Políticas y acciones de preservación*. In Matthias Strecker and Freddy Taboada Tellez (eds.), **Administración y Conservación de Sitios de Arte Rupestre** (Contribuciones al Estudio del Arte Rupestre Sudamericano, no. 4), 82-91. La Paz: Sociedad de Investigación del Arte Rupestre de Bolivia.

Spanish. The author describes the process of creating and managing a large cultural and natural park containing numerous rock art sites in northeast Brazil. Topics include the recruitment of appropriate personnel and organizations to protect, preserve, and manage the cultural and natural resources; the development of visitor infrastructure appropriate to each site within the park; and scientific investigations into the deterioration and conservation of the pictographs and petroglyphs. (A.O.)

Pitts, Michael. 1990. *What Future for Avebury?* **Antiquity** 64, no. 243, 259-74.

Avebury is a World Heritage Site incorporating a unique complex of prehistoric features, which include megaliths, settlement, and barrows. The site's protection, preservation, and presentation are complicated by the presence of a village situated in the midst of these features and plans for the development of the site for tourism. The author reviews efforts to document, excavate, protect, preserve, and develop the Avebury monuments—both historic and prehistoric—during the last four centuries. This review highlights changing philosophies for preserving the site from complete removal of the village in favor of the prehistoric monuments to an equal appreciation of the historic values of the village. In the context of the most recent development pressures on Avebury, the author urges archaeologists to become more actively involved in the long-term planning and development of the site. (M.D.)

Pwiti, Gilbert. 1996. *Let the Ancestors Rest in Peace? New Challenges for Cultural Heritage Management in Zimbabwe*. **Conservation and Management of Archaeological Sites** 1, no. 3, 151-60.

The current management of Great Zimbabwe is explored through the lens of the history and politics of Zimbabwe. The central theme is the evolving role of the local community in the postcolonial management of the site. The community continues to relate to the site as a religious center, resulting in conflicts with intervention needs. The challenges presented by growing tourism to the site are also explored. The author discusses how the current management is attempting to reconcile these conflicts (developing a "corporate strategy" for conservation, which links cultural heritage and economic benefits; and "adopt-a-site" approach to directly involve the local community as custodians). See also Ndoro 1994. (M.D.)

Rauch, M., and C. Weber. 1994. *The Rapa Nui National Park: Management and Maintenance of the Archaeological Heritage of Easter Island*. In A. Elena Charola, Robert J. Koestler, and Gianni Lombardi (eds.), **Lavas and Volcanic Tuffs** (Proceedings of the International Meeting, Easter Island, Chile, 25-31 October 1990), 259-67. Rome: ICCROM.

The authors review the history of Rapa Nui National Park and its management since its creation in 1935. The changing issues and problems confronting management and the current aims and objectives of the park and its management plan are described. Some of the problems that management is addressing are the need for long-term maintenance of the site, lack of understanding and awareness by researchers of postexcavation/investigation needs, and the impact of increasing visitation to the island. The importance of planning and coordination among government agencies, research institutions, the local population, and the tourist industry is emphasized. (M.D.)

Second International Congress on Architectural Conservation and Town Planning. (Conservation and Tourism, Basel, 1-4 April 1985). London: Heritage Trust. 1986.

English, French, and German. The published papers from this international conference are divided according to three major themes: conservation of historic monuments; urban conservation; and conservation of archaeological sites. Each paper is a site- or region-specific study. The four papers dealing with archaeological sites examine the sites of Sigiriya (Sri Lanka), Petra and Jerash (Jordan), Stonehenge (England), and the Acropolis (Greece) with respect to their management policies and facilities for tourism. (M.D.)

Sivan, Renée. 1997. *The presentation of archaeological sites.* In Marta de la Torre (ed.), **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995), 51-59. Los Angeles: The Getty Conservation Institute.

The author states that "the presentation of a site… should make it attractive, visually stimulating, and thought provoking while maintaining historical accuracy and respecting the integrity of the ruins." She discusses the principles of site presentation and then illustrates and discusses a range of innovative approaches, which have been employed at Avdat and Tel Dan, Israel. (A.O.)

Sullivan, Hilary (ed.). 1984. **Visitors to Aboriginal Sites: Access, Control and Management** (Proceedings of the 1983 Kakadu workshop). Canberra: Australian National Parks and Wildlife Service.

This collection of articles on visitor management at Australian Aboriginal sites is grouped under four headings: Case Studies in Site Management; Visitor Behaviour; Aboriginal People's Perspective; and Interpretation. (M.D.)

Sullivan, K.M. 1979. *Management of Aboriginal relic sites in the Sydney area. Rock engravings and* visitor impact. In J.R. McKinlay and K.L Jones (eds.), **Archaeological Resource Management in Australia and Oceania.** Wellington: New Zealand Historic Places Trust.

The first part of this article describes problems in rock art management in the Sydney area. The second part looks more generally at the assumptions about visitor use and behavior at cultural sites that have informed management practices in Australia. The author recommends testing these assumptions, outlines possible testing programs, and describes a pilot study for Sydney. (M.D.)

Sullivan, Sharon. 1985. *Aboriginal Site Interpretation: Some Considerations*. **ACT Heritage Seminars** 3, 11–22.

This author's considerable experience with site management enables her to discuss the issues involved in interpreting Aboriginal sites for the general public. The process of establishing the site's significance—the cornerstone of management—is outlined. The importance of understanding the values of Aboriginal sites to the Aboriginal community is underscored and must form the basis of an interpretive plan. Interpretive themes and strategies for implementing them are discussed. (M.D.)

Sullivan, Sharon. 1997. *A Planning Model for the Management of Archaeological Sites*. In Marta de la Torre (ed.), **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995), 15–26. Los Angeles: The Getty Conservation Institute.

In Australia, the principles of the Burra Charter have been used to create a simple and logical planning model for the management of archaeological sites. The model is presented and discussed in detail, and with appropriate adaptations, it can be implemented at sites worldwide. (A.O.)

Thorn, Andrew, and Andrew Piper. 1996. *The Isle of the Dead: An Integrated Approach to the Management and Natural Protection of an Archaeological Site*. In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and Its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26–30 August 1996), 149–52. London: International Institute for Conservation of Historic and Artistic Works.

The Isle of the Dead retains an historic cemetery, an aboriginal shell midden, and an internationally significant high-water mark. With careful management and accurate environmental impact assessment, the site has been protected through natural means requiring minimal intervention. The natural isolation of the island has been used to control visitor access, and tree plantings have been used to stabilize the environment around the headstones. (A.O.)

de la Torre, Marta (ed.). 1997. **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995). Los Angeles: The Getty Conservation Institute.

This publication of a conference is focused on conservation and management of archaeological sites in the Mediterranean, with papers on the planning process (see Sullivan 1997), issues of reconstruction, and presentation of archaeological sites and management considerations at the site of Akrotiri, Thera. In a series of case studies, the history of excavation, conservation, and management at three major Mediterranean sites is thoroughly considered: the late Roman villa of Piazza Armerina, Italy; the Minoan palace at Knossos, Crete; and the Hellenistic-Roman city of Ephesus, Turkey. (A.O./M.D.)

U.S. Department of the Interior. National Park Service. **Director's Order #28: Cultural Resource Management**. (http://ww.nps.gov/refdesk). Web page, 2003 [accessed 9 July 2003].

This is the manual used by managers of National Park Service (NPS) cultural properties. In addition to establishing NPS policy with respect to the management of cultural resources, it outlines the planning process, including documentation of the resource, and sets forth the standards for the management of historic and prehistoric structures, with specific chapters on management of archaeological resources, cultural landscapes, historic and prehistoric structures, and museum and ethnographic resources. Appendices include a glossary, bibliographies, and relevant laws, guidelines, and standards. (M.D.)

Uzzell, David L. 1989. **Heritage Interpretation.** Volumes 1 and 2. London: Belhaven Press.

In volume 1, *The Natural and Built Environment*, the interpretation of the natural and cultural heritage is broadly explored from interpretation in developing countries to the training of interpreters. In volume 2, the *Visitor Experience* is explored with reference to the interpretation of heritage sites. These articles thus represent the interface between visitor management and heritage interpretation. (M.D.)

Valiente Cánovas, Santiago. 1994. *Parques y excavaciones arqueológicas: experiencias en el Yucatán, México*. In **Cuadernos 3 Conservación Arqueológica: Reflexión y debate sobre teoría y práctica** (Contenido del Curso-Debate realizado en Sevilla del 30 de noviembre al 4 de diciembre de 1992), 50-57. Sevilla: Consejería de cultura y medio ambiente.

Spanish. The author presents a very general survey of the current state of Maya sites in the Puuc area, Mexico, and makes broad suggestions for the creation of archaeological parks to attract visitors and make the sites economically viable. (A.O.)

Vander Stoep, Gail. 1989. *Time-lapse photography: advantages and disadvantages of its application as a research and visitor behaviour monitoring tool*. In David L. Uzzell (ed.), **Heritage Interpretation.** Vol. 2, 179-190. London: Belhaven Press.

Field research on visitor behavior was undertaken at a U.S. national military park. Three unobtrusive research strategies were considered: analysis of the physical traces of visitor behavior, personal observation, and mechanical observation. Mechanical observation—in this case, time-lapse photography—was selected. The pros and cons of each technique, as well as the ethical issues involved in recording visitors without their knowledge, are discussed. The author concludes that time-lapse photography can provide useful information about the 'real-world' effects of management strategies. (M.D.)

Veliz, Vito, John W. Bright, and James R. Barborak. 1989. Planning and Managing Honduras's Copán Ruins World Heritage Site: The Role of Cultural Parks in Contributing to Education and Economic Development. In **International Perspectives on Cultural Parks** (Proceedings of the First World Conference, Mesa Verde National Park, Colorado, 1984). Denver: United States National Park Service in association with the Colorado Historical Society.

This paper affords an unusual look at the international, national, and regional institutions and agencies that provided material, financial, and training support for the development and management of Copán. Also discussed are the lessons learned from the development and implementation of a master plan: the need for high-level government commitment and quality planning documents; the inclusion of rural development of adjacent areas; the suitability of labor-intensive development rather than high-tech solutions for developing countries; the upgrading of existing infrastructure over new development; and the regional exchanges of personnel and cooperative training programs. (M.D.)

Wager, Jonathan. 1995. *Zoning and Environmental Management Plan (ZEMP) for the Angkor World Cultural Heritage Site, Cambodia—A Case Study*. In **The Safeguard of the Rock-Hewn Churches of the Göreme Valley** (Proceedings of an International Seminar, Ürgüp, Cappadocia, Turkey, 5-10 September 1993), 57-75. Rome: ICCROM.

This paper describes the work of the Zoning and Environmental Management Plan for Angkor (ZEMP), undertaken by UNESCO from 1992 to 1994. The author reviews the history of Angkor, UNESCO's involvement at the site, and the ZEMP process. The objective of the process was to produce a comprehensive zoning plan for Angkor to address and reconcile the main planning issues at the site—cultural conservation, tourism, and rural development. Guiding principles for sustainable development are outlined. The article ends with a useful summary of the main lessons learned from carrying out the process. (M.D.)

Wood, J. B., and A. Warren. 1978. **A Handbook for the Preparation of Management Plans** (Discussion Papers in Conservation 18). London: University College London.

This handbook, commissioned by the Nature Conservancy Council to the Conservation Course at University College London, describes the process of preparing a management plan for natural reserves. Although the focus of this manual is natural reserves, the process is equally applicable to

the management of cultural resources. The three main stages of the process are defined as the collation of descriptive information, a description of policies, and a prescription for action. (M.D.)

Zilhão, João. 1998. *The Rock Art of the Côa Valley, Portugal*. **Conservation and Management of Archaeological Sites** 2, no. 4, 193–206.

The author provides a full description of the efforts to create and manage the Côa Valley Archaeological Park (inaugurated in 1996), which contains numerous rock art sites dating from paleolithic to historic times. In many ways, these efforts represent the state of the art in conservation and management of a heritage site, including research and scientific dating to determine the significance of the site; documentation and information management; legal protection of both the cultural heritage and its natural context; involvement of local, national, and international groups in all aspects of the process; interpretation; and development of a well-considered visitor and site management plan. (A.O.)

[Bib. III: 40 ref.]

ANNOTATED BIBLIOGRAPHY III: Assessment of Significance

Attenbrow, Val, and Tia Negerevich. 1984. *The Assessment of Sites: Lucas Heights Waste Disposal Depot: A Case Study*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 136–37.

Described in this case study is an assessment of the scientific significance of a group of prehistoric sites in Australia. Assessment was undertaken within a regional context and in terms of criteria such as size, contents, preservation, representativeness, as well as the site's potential contribution to research questions. (M.D.)

Australian Heritage Commission. 1990. What Do We Want to Pass On to Future Generations? An Overview of Criteria and Assessment Procedures for the Register of the National Estate. Australian Heritage Commission.

This study constitutes a full review of the process and criteria for assessing the significance of Australia's natural and cultural heritage. (M.D.)

Avrami, Erica, Randall Mason, and Marta de la Torre (eds.). 2000. **Values and Heritage Conservation** (Research Report, The Getty Conservation Institute). Los Angeles: The J. Paul Getty Trust.

This is a report on the results of a research initiative undertaken by the Getty Conservation Institute to explore the role of values in the conservation of cultural heritage. The aims and initial results and an overview of the meaning and practice of conservation, values and valorization, and the need for a conceptual framework constitute the first part of the report. A series of commissioned essays in the second part explore these issues from diverse perspectives. An extensive annotated bibliography related to values completes the report. Economic values in the context of cultural heritage are the focus of another report emerging from this research initiative (Randall Mason, ed. Economics and Heritage Conservation [a meeting organized by the Getty Conservation Institute, December 1998]). Los Angeles: The J. Paul Getty Trust, 1998). (M.D.)

Bickford, Anne, and Sharon Sullivan. 1984. *Assessing the Research Significance of Historic Sites*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 19–33.

The criteria of the Australian Heritage Commission regarding historic sites stress historic and public values and do not take into account scientific and research values. The authors devised three general questions to guide the assessment of the scientific significance of historic sites: Can the site contribute knowledge that no other resource or no other site can? Is this knowledge relevant to general questions about human history or other substantive problems? Does this knowledge contribute to other major research questions? (M.D.)

Bowdler, Sandra. 1981. Unconsidered Trifles? Cultural Resource Management, Environmental Impact Statements, and Archaeological Research in New South Wales. **Australian Archaeology** 12, 123–33.

In the context of Australian legislation to protect archaeological resources, the author discusses the question of significance as the justification for deciding which resources should be preserved. The American experience with defining scientific significance is reviewed. Assessment based on both research questions and representativeness is recommended, but the issue of who should undertake research and assessment needs to be addressed. Research consultants may provide the answer. (M.D.)

_____. 1984. *Archaeological Significance as a Mutable Quality*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 1–9.

The author illustrates with case studies the changeability and relativity of significance as it applies to archaeological sites. As the level of research and the nature of research questions change, so will an assessment of a site's scientific significance. The important point is made that is only implicit in most discussions of scientific significance as research potential; namely, once a site is excavated, the "focus of [its] significance has moved elsewhere." (M.D.)

Cleere, Henry. 1995. *Cultural Landscapes as World Heritage*. **Conservation and Management of Archaeological Sites** 1, no. 1, 63–68.

In the context of the UNESCO World Heritage Convention of 1972, the author explores the concept of cultural landscapes as a distinct category of heritage and traces the attempts to establish criteria to assess these landscapes. The discussion is useful in thinking through the values attributed to cultural landscapes. (M.D.)

Clegg, John. 1984. *The Evaluation of Archaeological Significance: Prehistoric Pictures and/or Rock Art*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 10–18.

Groube's model (see Groube 1978) for significance assessment utilizing three levels of research design—initial, integrative, and theoretical—is adapted to the assessment of Australian rock art. (M.D.)

Coster, John. 1979. *Exotic Forestry and Site Management in the Auckland Region*. In J. R. McKinlay and K. L. Jones (eds.), **Archaeological Resource Management in Australia and Oceania**, 89–94. Wellington: New Zealand Historic Places Trust.

The author critically examines two systems that have been used in the forestry service for selecting sites for protection and preservation. One of the systems comprises three sets of guidelines: scientific criteria (with emphasis on a representative sample, intact sites, and unique sites);

management criteria (in this case, the forestry service requirements and needs); and secular criteria (for example, aesthetics, educational value, and traditional importance). A second, more utilitarian system is based on management criteria: sites to be permanently preserved (in practice, this refers to sites that are intact and whose preservation is viable); sites that require further investigation; and sites that require no further management. (M.D.)

Crosby, Anthony. 1989. *Ruins Stabilization—the Value Implied*. In **International Perspectives on Cultural Parks** (Proceedings of the First World Conference, Mesa Verde National Park, Colorado, 1984), 101–6. Denver: United States National Park Service in association with the Colorado Historical Society.

Explored in this text are the values of archaeological resources and how they are affected by preservation actions. Values can be broadly classified as symbolic or religious, economic or functional, educational or informational, and aesthetic, but they are inevitably relative, dependent on time, place, and culture. Physical interventions undertaken to preserve a site will respond to different values and may well result in a conflict of values. Compromise is inevitable, but one must always ask whether a preservation action will complement or detract from the important values of a site. (M.D.)

Darvill, Timothy. *Value Systems in Archaeology*. In Malcolm A. Cooper et al. (eds.), **Managing Archaeology**, 41–50. London: Routledge.

The author looks at the origins, formation, and evolving nature of value systems, and relates this to the ways in which society values archaeological resources. Three categories, or gradients, of values are defined and explored: use value (the exploitation of the resource for some kind of tangible return in the present, such as archaeological research, education, recreation, social solidarity, and economic gain); option value (the potential of the resource for use in the future); and existence value (the feeling of well-being that comes from knowing the resource exists). This value system is also discussed by the author in "Value Systems and the Archaeological Resource." International Journal of Heritage Studies 1, no. 1 (1994): 52–64. (M.D.)

Darvill, Timothy, Andrew Saunders, and Bill Startin. 1987. A Question of National Importance: Approaches to the Evaluation of Ancient Monuments for the Monuments Protection Programme in England. **Antiquity** 61, no. 233, 393–408.

The evaluation system for archaeological sites and monuments established as part of English Heritage's Monuments Protection Programme is set forth in some detail. The aim of the program, begun in 1986, was to identify sites of national importance for statutory protection. Procedures to evaluate monuments on a systematic and nationwide basis were developed. Selection criteria, based on earlier nonstatutory criteria (see Saunders 1984), are applied at three levels of evaluation: characterization, discrimination, and assessment of resources. (M.D.)

Davis, Hester. 1989. *Is an Archaeological Site Important to Science or to the Public, and Is There a Difference?* In Davis L. Uzzell (ed.), Heritage Interpretation. Volume 1, **The Natural and Built Environment**, 96–99. London: Belhaven Press.

In North America, the significance debate has arisen largely in the context of expenditures of public money and the federal mandates to assess significance. The use of public money has implications for how we assess whether sites are important. The author explores the importance of sites from the perspective of the general public, and the conflict among the public, archaeologists, and Native American interests in archaeological resources. (M.D.)

Dunnell, Robert C. 1984. *The Ethics of Archaeological Significance Decisions*. In Ernestene L. Green (ed.), **Ethics and Values in Archaeology**, 62–74. New York: The Free Press.

Significance assessment is a moral and ethical issue due to the non-renewable nature of archaeological resources. The author argues against problem-oriented assessments since they restrict the value of the archaeological record to contemporary problems. A representative sample is the only way to ensure future research needs. (M.D.)

Flood, Josephine. 1984. *More or Less Significant*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 55–60.

The criteria used by the Australian Heritage Commission for listing Aboriginal sites include "outstanding quality" and "representativeness." The emphasis in assessment has now shifted to "representativeness," as the most outstanding sites have already been listed. Representativeness is defined as characteristic examples of each type of site by biophysical region. (M.D.)

Fowler, Peter J. 1981. *Archaeology, the Public, and the Sense of the Past*. In David Lowenthal and Marcus Binney (eds.), **Our Past Before Us: Why Do We Save It?**, 56–69. London: Temple Smith.

The author explores the meanings of a "sense of the past" for educators, academics, and the public, particularly as they relate to the conflict between preserving the past for archaeological/academic purposes and for public consumption. The criteria for preservation will differ: archaeology requires preservation of its resources for its own survival but the public's expectations will not always correspond with this scholarly need. (M.D.)

Francis, Peter D., and Eric C. Poplin (eds.). 1981. **Directions in Archaeology: A Question of Goals** (Proceedings of the Fourteenth Annual Conference, The Archaeological Association of the University of Calgary, November 12–14, 1981). Calgary: The University of Calgary.

Part six of these conference proceedings, Approaches to the Evaluation of Cultural Resources: Canadian Perspectives, includes seven papers and a final review paper on evaluation and significance assessment in the context of cultural resource management issues. The major arguments are similar to those in the literature of the United States: problem-oriented research vs.

representative sampling and the use of humanistic vs. scientific criteria as the means of assessment. Both historic and prehistoric resources are considered. (M.D.)

Glassow, M. 1977. Issues in Evaluating the Significance of Archaeological Resources. **American Antiquity** 42, no.3, 413-20.

The author argues for assessment based on categories of significance that will reflect a quantitative analysis of site attributes or properties: variety, quantity, clarity, integrity, and environmental context. (M.D.)

Groube, L. M. *Priorities and Problems in Dorset Archaeology*. In **New Approaches to Our Past** (Proceedings of the Southampton University Archaeological Society, 1978). Monograph Series, University of Southampton, no. 2, 29-52.

This is an earlier version of what was more fully set forth in Groube and Bowden 1982, in which the author develops the method of ranking archaeological problems in order to establish priorities for protection and excavation. Delivered at a conference, the author notes in a postscript the hostile reaction of some in the audience, which he attributes in part to "square-root phobia." This remark refers to the rather complex mathematics that informs this particular approach to site ranking. (M.D.)

Groube, L. M., and M. C. B. Bowden. 1982. **The Archaeology of Rural Dorset: Past, Present and Future** (Dorset Natural History and Archaeological Society, Monograph 4).

This report on Dorset archaeology investigates the causes of destruction to resources and the role of legislation and other measures to protect them. It also focuses on establishing priorities for future archaeological work and protection of resources in the region. A cumbersome ranking of archaeological problems as initial, integrative, and theoretical is proposed as the basis for assessing priorities. Initial archaeological problems are of the lowest level, requiring basic data gathering; integrative problems involve correlations, relationships, and patterns among sites and artifacts; theoretical problems encompass the broad issues of cultural change, social and economic structures, relationships among man, culture, the environment, and so on. These three levels of problems are applied to the main archaeological periods. In addition to the ranking of problems, a flow and feedback score is applied, which attempts to compensate for the inevitable feedback between the problem levels. A third scale of assessment is based on the importance of the problem to local Dorset archaeology. (M.D.)

Johnston, Chris. 1994. **What Is Social Value? A Discussion Paper** (Technical Publication Series, Number 3. Australian Heritage Commission). Canberra: Australian Government Publishing Service.

This brief publication explores social value—the meanings attached to heritage places by groups of people—through a thoughtful analysis of its many facets and manifestations, its connections and differences with other values, and its transitory nature. Approaches to assessing social value are discussed, and issues such as whether social value needs to be protected, the conflicts between protecting fabric and function of a place as expressed in social values, and the tensions between economic growth and community identity are raised. (M.D.)

Kalman, Harold. 1976. *An Evaluation System for Architectural Surveys?* **Association for Preservation Technology Bulletin** 8, no. 3, 3–23.

The use of evaluation systems, selection criteria, and scoring systems for evaluating historic resources in the United States is explored as background to the presentation of the author's evaluation of historic buildings in Vancouver, Canada, undertaken in the early 1970s. Appendices include criteria established for the United States National Register and National Trust and the Historic Sites and Monuments Board of Canada. (M.D.)

Lancaster, Osbert. 1976. *What Should We Preserve?* In Jane Fawcett (ed.), **The Future of the Past**, 65–74. London: Thames & Hudson.

In the context of historic preservation, the author allows for only three grounds for preserving a building: intrinsic aesthetic merit, pietas, and scenic usefulness. While this narrow approach does not reflect current trends, it is typical of the visual and symbolic approach to cultural heritage. (M.D.)

Lipe, William. 1984. *Value and Meaning in Cultural Resources*. In Henry Cleere (ed.), **Approaches to the Archaeological Heritage**, 1–11. Cambridge: Cambridge University Press.

This article defines four types of values that may be assigned to cultural resources: economic, informational, associative, and aesthetic. These values are fully explored as a means of understanding how cultural resources can be of use and benefit to society. The author does not formulate a system whereby these values can be assessed but recognizes that they can be used for selecting which resources should be preserved. (M.D.)

Moratto, M. J., and R. E. Kelly. 1976. *Significance in Archaeology*. **The Kiva** 42, no. 2, 193–202.

Traditionally, significance has been measured in terms of size, condition, depth, richness, age, uniqueness, or presumed scientific value. A broadly based system that will address all the relevant issues (governmental and archaeological) is needed. The authors propose an interrelated set of criteria: historical, scientific, geographic, ethnic, public, monetary, legal, and managerial. These criteria are each briefly explored in the context of assessing significance. (M.D.)

———. 1978. *Optimizing Strategies for Evaluation of Archaeological Significance*. In **Advances in Archaeological Method and Theory**, vol. 1, 1–30. New York: Academic Press.

In an amplification of Moratto and Kelly 1976, the problems and concepts associated with resource assessments are clearly reviewed, and criteria for evaluating cultural resources are set forth in some detail. These criteria are historic, scientific, ethnic, public, legal, and monetary. "Specious" criteria, such as egocentrism and sensationalism, are usefully explored. The extensive bibliography includes additional sources not cited herein. (M.D.)

O'Keefe, P. J., and L. V. Prott. 1984. **Law and the Cultural Heritage**, vol. 1. Abingdon: Professional Books Ltd.

The question of significance is discussed within the legal framework of site protection. The authors point out the ambiguity surrounding the use of such terms as significance, interest, and value in legislation designed to protect cultural resources. (M.D.)

Plog, Fred. 1984. *The Ethics of Excavation: Site Selection*. In E. L. Green (ed.), **Ethics and Values in Archaeology**, 89–96. New York: The Free Press.

This article addresses the specific question of how to select sites for excavation. The author singles out the following seven questions that must be addressed to justify excavation: Has a research question been identified to which the site is pertinent? Does the research design specify the minimal amount of work necessary? Are the archaeological techniques available adequate to address the problem? Can the problem be addressed using existing data? Can a less well-protected site be used? Can a partially disturbed site be used? Can a site with greater interpretive potential be used? The author also sets forth standards for the evaluation process. (M.D.)

Raab, L. Mark, and Timothy C. Klinger. 1977. *A Critical Appraisal of 'Significance' in Contract Archaeology*. **American Antiquity** 42, no. 4, 629–34.

The authors critically evaluate four current strategies for assessing significance, as measured by the National Register criteria, a consideration of monetary values, unique characteristics, and problem-oriented research. This type of research is judged to be the best approach. (M.D.)

Saunders, Andrew. 1984. *Integrated Conservation*. In **Interchange of Experience Concerning the Care of Archaeological Remains** (Seminar in Stockholm, Sweden, 7–9 November 1983), 15–18. Stockholm: Central Board of National Antiquities.

The inventory and legal protective systems in Britain are reviewed. The proposed criteria for selection of scheduled monuments are set forth and briefly defined: survival and condition, period, rarity, fragility and vulnerability, diversity, documentation, group value, and potential. (M.D.)

Schiffer, Michael B., and George J. Gumerman. 1977. **Conservation Archaeology**. New York: Academic Press.

Part IV, "Assessing Significance," includes an introductory statement and four papers devoted to the problems of significance assessment of cultural resources management from the American perspective. This volume, one of the most frequently cited in cultural resource management literature, is a good starting point for exploring these issues. (M.D.)

Sharrock, Floyd W., and Donald K. Grayson. 1979. '*Significance' in Contract Archaeology*. **American Antiquity** 44, no. 2, 327–28.

The limitation of problem-oriented strategies for assessing archaeological resources must be recognized. They are inevitably biased toward current research problems; sites that may be important for future research will not be properly represented. The author points out that the

National Register criteria at least have the virtue of being broad and recognizing potential values. (M.D.)

Stanley Price, Nicholas. 1990. "*Conservation and Information in the Display of Prehistoric Sites*." In Peter Gathercole and David Lowenthal (eds.), **The Politics of the Past**, 284–90. London: Unwin Hyman.

The decision to conserve an archaeological site for public presentation raises questions of interpretation and legibility. The three well-accepted conservation principles of reversibility, minimum intervention, and compatibility of materials should guide every intervention, but the type of intervention will depend on the values ascribed to a site: aesthetic and artistic, economic and utilitarian, associative and symbolic, and historic and informational. The author discusses the conflict of values in the light of conservation theory, public vs. professional interests, and types of interventions. (M.D.)

Stehberg, Rubén. 1982. In Chile the National Museum of Natural History Develops Archaeological Sites. **Museum** 34, no. 2, 114–16.

Criteria were developed specifically for selecting prehistoric archaeological sites for excavation and public presentation around Santiago, Chile. The criteria chosen were representativeness, significance, variety, geographical situation, ease of access, preservation, monumentality, and location on state property. (M.D.)

Sullivan, Hilary. 1984. *Mornington Peninsula Archaeological Survey: Assessing Significance in a Local Context*. In S. Sullivan and S. Bowdler (eds.), **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra), 119–26.

In this case study, scientific significance of prehistoric sites was evaluated within a survey area for the management and protection of sites. Criteria were designed to determine research potential and provide a representative sample of sites; these included preservation, structure, and contents of sites. (M.D.)

Sullivan, S., and S. Bowdler (eds.). 1984. **Site Surveys and Significance Assessment in Australian Archaeology** (Proceedings of the 1981 Springwood Conference on Australian Prehistory, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra).

This series of conference papers focuses on defining the scientific significance of sites. The adaptation of the concept of scientific significance as research potential was the main theme of the conference. The papers deal with both historic and prehistoric sites and are equally divided between general discussions and case studies. Selected papers are annotated herein. (M.D.)

Tainter, Joseph A., and G. John Lucas. 1983. *Epistemology of the Significance Concept*. **Antiquity** 48, no. 4, 707–19.

The concept of significance as articulated in United States legislation and regulations is explored from an historical and philosophical perspective. This concept is traced to the Western tradition of empiricism or positivism, in which the meaning perceived in phenomena does not vary or change.

The authors argue that this is epistemologically unsound; significance is not a quality inherent in cultural resources but is assigned to them and will change. (M.D.)

Thompson, Raymond H. 1982. *Archaeological Triage: Determining the Significance of Cultural Properties*. In Rex L. Wilson and Gloria Loyola (eds.), **Rescue Archaeology** (Papers from the First New World Conference on Rescue Archaeology), 40–46. Washington, D.C.: The Preservation Press.

The United States needs a national system of archaeological "triage" to save its resources. The author suggests a regional evaluation system and the use of commonly recognized categories of archaeological information. The categories can be used as the basis for a statement of significance, for comparison, and as a justification for decisions. Categories include chronology, ethnic identity, rich assemblage, degree of disturbance, uniqueness of cultural expression, and more. (M.D.)

Titchen, Sarah M. 1996. On the Construction of 'Outstanding Universal Value.' Some Comments on the Implementation of the 1972 UNESCO World Heritage Convention. **Conservation and Management of Archaeological Sites** 1, no. 4, 235–42.

The criteria for nominating a World Heritage site center on the concept of "outstanding universal value." This article traces the changing perceptions of the meaning of that phrase, and the subsequent modification of the criteria as embodied in the Operational Guidelines for the Implementation of the World Heritage Convention. The ambiguity of the phrase, while presenting some difficulties, also accommodates changing attitudes toward the cultural and natural heritage. The author argues that as the criteria continue to be modified, they will allow for the inscription of a continuum of sites from cultural to natural and thus help to balance the World Heritage List. In the same volume, see also Henry Cleere, "The Concept of 'Outstanding Universal Value' in the World Heritage Convention," 227–33. (A.O.)

Weinland, Marcia. 1980. *Archaeological Significance: A Ten-Year Review of Nominations from Kentucky*. **American Society for Conservation Archaeology Newsletter** 7, no. 1, 12–19.

A brief review of the earlier literature on significance assessment precedes this overview of the specific criteria that were actually used for justifying National Register listings in Kentucky. Of the thirty-seven criteria identified, those most frequently cited as justifications were impact and integrity, but this must be seen in the context of contract projects and damaged sites. Other criteria were rarity of culture or site type, subsistence pattern, stratified deposits, local chronology, intensity of occupation, and visual impression. (M.D.)

[Bib. IV 18 ref.]

ANNOTATED BIBLIOGRAPHY IV: Assessment of Physical Condition

Addleson, L. 1982/89. Building Failures. A Guide to Diagnosis, Remedy and Prevention. London: Architectural Press.

Study 2: Investigation Kits: an itemization of tools and instruments required for a basic and specialized building survey.

Study 3: Diagnosis: principles and procedures: describes the procedure of a building survey, its scope, and the compilation of relevant documentary and analytical data. (J.St.)

Adler, Isidore, Sheldon E. Sommer, Raphael Gershon, and Jacob I. Trombka. 1982. *Analytical methods related to building and monument preservation.* In **Conservation of Historic Stone Buildings and Monuments** (Report of the Committee on Conservation of Historic Stone Buildings and Monuments), 163-182. Washington, D.C.: National Academy Press.

Explanation of destructive and non-destructive techniques of analysis: x-ray fluorescence spectroscopy, x-ray diffraction, electron microprobe and scanning electron microscope, electron spectroscopy, infrared reflectance radiometry, and neutron-gamma techniques. (J.St.)

Alva, Alejandro. 1989. *Structural Monitoring.* In **Building Conservation 88 Symposium** (Helsinki, 22-26 August 1988. Organized by Helsinki University of Technology, National Board of Antiquities, and ICCROM).

This article provides a succinct review of structural monitoring. The author summarizes the causes of movement in a structure; describes the instruments that are used to monitor structural movement (e.g., fissure gauge, mortar and glass tell-tales, crack micrometer, LVDT system, etc.); and outlines the most common interpretations that result from an evaluation of the data. (M.D.)

Burland, J.B. and J.R. Standing. 1997. *Geotechnical monitoring of historic monuments.* In Carlo Viggiani (ed.), **Geotechnical Engineering for the Preservation of Monuments and Historic Sites** (Proceedings of the International Symposium on Geotechnical Engineering for the Preservation of Monuments and Historic Sites, Naples, Italy, 3-4 October 1996), 321-341. Rotterdam/Brookfield: A.A. Balkema.

This paper discusses the role of monitoring in the geotechnical stabilization and protection of historic monuments. Attention is drawn to two important types of monitoring: long-term monitoring, which can be invaluable in determining the need for and deciding upon the most appropriate stabilization measures, and real-time monitoring, which can be used to monitor a structure during nearby construction activity or during stabilization of the monument itself. Measurements of movement of the Leaning Tower of Pisa and the Palace of Westminster, London, are used to illustrate both types of monitoring. (aa edited)

Croci, G. 1993. *Structural behaviour of monuments: knowledge and improvement.* In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 423-430. London: E. and F.N. Spon.

To evaluate the safety of monuments, which is the basis of every decision for intervention, it is necessary to follow three simultaneous routes: historical survey, direct observation (eventually integrated with monitoring and investigation); and mathematical modeling. It is only from a synthesis of these sources of information that we can make a good judgement. This procedure is applied to the study of the Colosseum and several standing buildings. (aa edited and abridged)

Crosby, Anthony. 1983. *A conservation survey of adobe buildings.* In **Adobe. International Symposium and Training Workshop on the Conservation of Adobe** (Lima-Cusco, 10-22 September 1983), 65-67. Lima: UNDP/UNESCO.

A point outline of the principal causes of adobe erosion, relating sources, and processes. (J.St.)

Fidler, John. 1980. *Non-destructive surveying techniques for the analysis of historic buildings.* **Association for Studies in the Conservation of Historic Buildings. Transactions** V, 3-10.

A review of the applications and limitations of radiography, infrared detection, ultrasonics, microwave analysis, magnetometry, fibre-optic prospection, and structural movement monitoring. (J.St.)

Ginell, W.S. 1994. *The nature of changes caused by physical factors.* In W.E. Krumbein, P. Brimblecombe, D.E. Cosgrove, and S. Staniforth, **The Science, Responsibility, and Cost of Sustaining Cultural Heritage**, 81-94. John Wiley and Sons.

Artifacts [and archaeological remains] that constitute our cultural heritage are subject to relentless, inevitable decay that results from stress induced by exposure to our environment. In this chapter, the nature of some of the more important physical interactions is discussed. The degradation of artifacts is related to disruptive mechanical stresses caused by water, thermal energy, soluble salts, vibration and shock, and disasters. The role of cyclic stress in initiating and accelerating artifact degradation is emphasized. (aa edited)

van Hees, Rob P.J. and Silvia Naldini. 1995. *The masonry damage diagnostic system.* **Internationale Zeitschrift für Bauinstandsetzen** 1, no. 6, 461-473.

English with German summary. The MDDS (Masonry Damage Diagnostic System) is an expert system for the evaluation of the deterioration of ancient brick masonry structures. A demo version was developed in an EC-Environment project. The system is centered on damage related to the interaction between materials (brick masonry, brick, mortars, plaster/renderings) and environmental factors. In order to meet the needs of the users MDDS can be further developed, including for example a system for natural stone. The system is meant for user groups like national bodies in charge or the conservation of the cultural heritage, universities, and restoration architects. An example of a complete diagnosis is given and discussed. (aa edited)

Hollis, M. 1983. **Surveying Buildings**. London: Surveyor Publications.

Manual for the surveyor of occupied structures of relevance to monuments is the description and critique of equipment to measure and diagnose rising damp and relative humidity, with U.K. lists of equipment suppliers. (J.St.)

Maekawa, Shin, and Neville H. Agnew. 1996. *Investigations of environmentally driven deterioration of the Great Sphinx and concepts for protection*. In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 116-120. London: International Institute for Conservation of Historic and Artistic Works (IIC).

The micro-environment of the Great Sphinx was quantified by continuously monitoring the site climate and the relative humidity and temperature within the stone of the monument over a three-year period. Thermal cycling, wind, nightly dew-fall, and rainfall were recorded, and the role of these factors in weathering is discussed. The use of a night-time shelter for temporary protection from dew condensation and wind erosion is presented as an alternative to consolidation or desalination of the stone. (aa abridged)

Mora, Paolo, Laura Mora, and Paul Philippot. 1984. **Conservation of Wall Paintings**. London: Butterworths.

Includes a chapter entitled *Examination and Documentation* [of wall paintings], whose general principles are applicable to archaeological site survey: archaeological examination, technological examination, methods of examining deterioration; documentation purpose, and scope. (J.St.)

Rossi, P. P. 1997. *Experimental techniques for the structural analysis of historical buildings.* In Carlo Viggiani (ed.), **Geotechnical Engineering for the Preservation of Monuments and Historic Sites** (Proceedings of the International Symposium on Geotechnical Engineering for the Preservation of Monuments and Historic Sites, Naples, Italy, 3-4 October 1996), 275-286. Rotterdam/Brookfield: A.A. Balkema.

The most important testing techniques used for a non-destructive evaluation of the static conditions of masonry structures are presented. The preliminary phase of an investigation should include a geometric survey, crack pattern investigation and an historical analysis. Attention is then given to determining the mechanical parameters of the masonry structures by using non-destructive or slightly destructive tests. The information obtained using these tests is presented with critical remarks. The important role of mathematical models, dynamic analysis, and monitoring is also discussed. (aa edited)

Schmid, Werner (ed.). **GraDoc. Graphic Documentation Systems in Mural Painting Conservation**. Research Seminar. Rome 16-20 November 1999. ICCROM: Rome 2000.

These proceedings of a seminar on documentation of mural paintings held at ICCROM in 1999 provide a holistic investigation of documentation issues that are applicable to all categories of cultural heritage. The papers address questions of why, to what extent, and to what purpose documentation is carried out, the process of documentation, including planning and data collection and organization, and the technical and technological methods, emphasizing recent innovations and use of computer-aided graphics for documentation. The publication also presents the results of

working groups set up prior to the seminar, discussions following presentations, and a glossary of terms. The volume is well illustrated and includes a CD-ROM with additional information and visual materials and demos. (M.D.)

Smith, Scot E. 1986. An assessment of structural deterioration of ancient Egyptian monuments and tombs in Thebes. **Journal of Field Archaeology** 13, 503-510.

The author describes in some detail the causes and effects of deterioration to the monuments in the area of Luxor. The major sources of problems today are high ground water levels, increased salinity of the soil, and higher humidity levels due directly or indirectly to the construction of the Aswan Dam; and increased visitation to the monuments. (M.D.)

Stewart, John D. 1986. *Written documentation and analysis of historical architecture.* **Heritage and Conservation. The Journal of the Regional Centre for Conservation, Baghdad** 8-9, 67-76.

A summary of materials, principles, and methodology employed in written descriptions of historical structures, with a synopsis of analytical techniques for identification of building materials (wood, stone, mortar, paint). (J.St.)

Tassios, T.P., and M. Mamillan. 1985. **Valutazione Strutturale dei Monumenti Antichi.** Rome: Edizione Kappa.

Italian and English. Description of non-destructive methods for determination of structural material properties and investigation of overall structural behaviour: the scope, principles and equipment required for each investigation, with case studies. (J.St.)

Vouvé, Jean, Philippe Malaurent, and Frédérique Vouvé. 1997. *Microclimate analysis of deteriorated wall paintings. With restitution of original decoration through imaging*. **Conservation and Management of Archaeological Sites** 2, no. 1, 9-16.

The authors present a methodology for instrumentally monitoring the environment and analyzing the deterioration of subterranean wall paintings; the methodology is illustrated with a case study. Additionally, they describe the semiautomatic recording and digital re-creation of the wall painting under study, which can aid in restoration or, alternatively, allow for re-creation of the painting in a museum context. (A.O.)

[Bib. V: 86 ref.]

ANNOTATED BIBLIOGRAPHY V: Conservation Principles and Practices

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Adam, Jean Pierre, and Ann Bossoutrot. 1990. *Restauration architecturale et préservation des sites archéologiques*. In Marie Cl. Berducou (ed.), **La Conservation en Archéologie**, 333-366. Paris: Masson.

French. The bulk of this chapter devoted to archaeological site conservation is a revised version of the authors' previous works (see Bossoutrot 1987 cited herein and Adam 1983 in Bibliography VI). New material has been added, including an introductory review of the history and principles of archaeological preservation, written from a European perspective, and a greatly expanded section on presentation strategies. The result is a much fuller and more contextual treatment of archaeological site conservation. (M.D.)

Agache, Roger. 1982. **Revoir Notre Passé: de la Fouille à la Reconstitution Archéologique** (No. 10. Numéro spécial du Bulletin de la Société de Préhistoire du Nord et de Picardie).

French. The justification and promotion of archaeological *reconstitution* are the subject of this monograph. Referred to elsewhere as experimental archaeology, archaeological interpretive parks, or reconstructed villages, these reconstructed habitats are undertaken in the interests of both archaeological research and public education. Illustrated examples in the form of captioned photographs, which were part of a traveling exhibition from which the title of this publication was borrowed, constitutes the bulk of the book; most are European examples, but they range from reconstructed Iron Age villages to the J. Paul Getty Museum in Malibu. (M.D.)

Agnew, Neville (ed.). 1997. **Conservation of Ancient Sites on the Silk Road** (Proceedings of an International Conference on the Conservation of Grotto Sites, Mogao Grottoes at Dunhuang, October 1993). Los Angeles: The Getty Conservation Institute.

These extensive proceedings focus on the management and conservation of grotto or cave sites, primarily along the Silk Road in China but also at other sites in Asia and around the world. The papers are divided into broad categories of site management, conservation of materials, geotechnical and site stabilization issues, monitoring of the environment and microclimate, and characterization of pigments. The five articles, which discuss the methods of geotechnical stabilization for the grottoes (grout, bolts and anchors, retaining walls, roof supports, water mitigation, etc.), are of particular relevance to archaeological sites. (A.O.)

Albini, Romana, Andreina Costanzi Cobau, and Chiara Zizola. 1996. Mamshit, Israel, and San Paolino alla Regola, Rome: what cooperation or interference between archaeologist and conservator can achieve. In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 1-5. London: International Institute for Conservation of Historic and Artistic Works (IIC).

This paper presents two cases of on-site conservation: frescoes at Mamshit and frescoes and mosaics at San Paolino. The Mamshit treatments were carried out many years after the excavation and are an example of "maximum intervention - minimum efficiency." At San Paolino, collaboration

between conservator and archaeologist from the beginning of the excavation made it possible to follow the principle of "minimum intervention - maximum efficiency." (aa abridged)

Araoz, Gustavo, Margaret MacLean, and Lara Day Kozak. 1999. Proceedings of an International Symposium on Authenticity in the Conservation and Management of Cultural Heritage in the Americas (San Antonio, Texas, March 1996). Washington D.C. and Los Angeles: US/ICOMOS and The Getty Conservation Institute.

English and Spanish. In response to the ICOMOS call for regional participation in the international debate on authenticity, the presidents of all the national ICOMOS committees in the Americas convened at this conference to address the issue. The conference was organized around four themes: defining the nature of American cultural heritage; defining authenticity of fabric, context, usage, and value; proof of authenticity in dynamic vs. static (archaeological) sites; and implications of American interpretations of authenticity on site management. While only a few of the papers directly address archaeological sites, the general discussions on authenticity are relevant. The conference resulted in the Declaration of San Antonio, the text of which is included. (A.O.)

Archäologie und Denkmalpflege. Diskussionen zur archäologischen bauforschung 2. Berlin: Deutschen Archäologischen Instituts. 1975.

German. An early review of conservation and preservation measures undertaken mainly, but not exclusively, on Greco-Roman sites. Conservation measures include anastylosis, wall capping, partial backfilling. (M.D.)

Attar, Ghassan. 1991. *Authenticity vs. stability: the conservation engineer's dilemma*. **Association for Preservation Technology** 23, no. 1, 18-21.

The author, an engineer, defines and discusses the concept of authenticity and the impact of a range of interventions on the authenticity of the structure. Minimum professional skills for a conservation engineer are recommended. An "impact assessment" table is presented and described, in which the impact of an intervention (ranging from stabilization through reconstruction) on the authenticity and stability of a structure is assessed. (M.D.)

Bahn, Paul G., Robert G. Bednarik, and Jack Steinbring. 1995. *The Peterborough petroglyph site: reflections on massive intervention in rock art.* **Rock Art Research** 12, no. 1, 29-41.

The effects of massive interventions at petroglyph sites (e.g., contact recording procedures, conservation treatments, shelters) are considered by examining the history, procedures and results of such practices at a public site near Peterborough in Canada. It is argued that the impact of projects such as the massive altering of environment needs to be monitored independently, and that such objective information is required in the planning of other projects of this kind. The need for competent scientific assessment of such projects is stressed, and the paper considers the potential disadvantages of massive intervention projects. (aa)

Balut, Pierre-Yves. 1982. *Restauration, restitution, reconstitution*. **Ramage** 1, 95-110.

French. In this philosophical essay on three major architectural interventions—*restauration, restitution, reconstitution*—the author attempts to clarify the underlying concepts that have guided their practice and the conflicts that have arisen as a result of the differing attitudes of architects and archaeologists toward archaeological structures. (M.D.)

Berducou, Marie. *Introduction to archaeological conservation.* In Nicholas Stanley Price, M. Kirby Talley Jr. and Alessandra Melucco Vaccaro (eds.), **Historical and Philosophical Issues in the Conservation of Cultural Heritage,** 248-259. Los Angeles: The Getty Conservation Institute.

In this philosophical discussion, the author describes the emergence of the idea of cultural property in recent decades and the application of the idea to archaeological objects and sites, what it means, and how it affects their preservation. In essence, cultural property is that which we take the trouble to conserve. But what does it mean to conserve and what are the principles that guide us in conservation? What is the difference between conservation and restoration, and where on the continuum of preservation actions does one end and the other begin? Finally, how does archaeological context influence our valuation of the object or structure and our decision to begin the conservation process? (A.O.)

Bossoutrot, Anne. 1987. *La conservation des sites archéologiques*. In **Conservation des sites et du mobilier archéologiques. Principes et méthodes** (Étude et document sur le patrimoine culturel, no. 15), 5-21. UNESCO.

French. The author makes a brief survey of the full range of conservation problems and concerns that will be encountered on an excavation, beginning with pre-excavation planning and study, conservation during excavation and between excavation seasons, through to presentation of the site. Subjects covered include access to and circulation within the excavation, temporary roofing requirements, consolidation and stabilization of walls; buttressing of the edges of excavations, drainage, wall capping, and backfilling. The range of solutions is limited, but the scope of the presentation provides an excellent overview of archaeological site conservation. (M.D.)

Carbonara, Giovanni. 1987. *La philosophie de la restauration en Italie*. **Monuments Historiques**, no. 149 (Janvier-Février), 17-25.

French. The author reviews contemporary restoration theory in Italy, which continues to be founded in the thinking of Cesare Brandi. The views of the new generation of critical theoreticians, such as R. Pane, R. Bonelli, and P. Philippot, are explored with reference to Brandi's seminal ideas. (M.D.)

Casiello, Stella, and Bruno Sammarco. 1986. *Tecniche tradizionali di intervento per la conservazione delle strutture fuori terra nell' edilizia pompeiana*. In **Manutenzione e conservazione del costruito fra tradizione ed innovazione** (Atti del convegno di studi, Bressanone, 24-27 Giugno 1986), 319-331. Padua: Libreria Progetto Editore.

Italian with English summary. Research and *in situ* study have permitted a series of considerations respective to the problematic question of the archaeological restoration of the city of Pompeii starting from the first discovery (1748) and particularly referring to the early part of the 19th

century. It has been established that the problems of archaeological restoration were dealt with more competently than was done with the architectural ones, showing that conservation principles codified in the international literature were understood long over a century ago. (aa)

Conservation and Management of Archaeological Sites 3, nos. 1 and 2 (1999).

This double issue contains selected papers from the conference Interpreting the Past: Presenting Archaeological Sites to the Public, held May 30–June 4, 1993, at the University of Haifa, Israel. Articles are international in scope and treat on a variety of subjects: how the interpretation of archaeological sites can shape national identity, the evolution of archaeological site presentation, the changing nature of funding and the selection of sites to preserve with the limited resources available, and specific site treatments, particularly anastylosis. (A.O.)

Council of Europe. 1992. Archaeological Sites in Europe: Conservation, Maintenance and Enhancement (Conimbriga, Portugal, 18–19 October 1990).

The papers presented during this conference on archaeological sites in Europe were organized according to the following categories: techniques for on-site conservation; job training for young people in connection with site archaeology; and access and presentation to the public. (M.D.)

Cunliffe, Scott. 1996. *Documentation as a management tool: planning for conservation.* In **Vestiges Archéologiques, la Conservation *In Situ*** (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11–15 octobre 1994), 63–71. Ottawa: Publications de l'ICAHM.

English with French summary. In this paper, the overall objective is to illustrate the importance of documentation in conservation planning, and the value and necessity of a comprehensive strategy for documentation. Two brief case studies illustrate the relationship between the documentation process and the consequent conservation actions. (aa)

Díaz-Berrio, Fernández, Salvador. 1985. **Conservación de monumentos y zonas**. Córdoba, Mexico: Instituto Nacional de Antropología e Historia.

Spanish. A review of the history of western restoration theory as a series of conflicts and resolutions, from the Viollet-le-Duc and Ruskin controversy to contemporary conflicts. International and national documents, including those from Mexico, relevant to the protection of cultural property are published. (M.D.)

Dimacopoulos, Jordan. 1985. *Anastylosis and anasteloseis*. **ICOMOS Information** (Jan./March), no. 1, 16–25.

English with French, Spanish, and Italian summary. The author explores the ambiguous attributes and meanings and the incorrect etymology of the term *anastylosis*, which is widely used in architectural conservation. The interpretation of the term is traced in the Venice Charter, where it signifies the reassembly of existing elements, and as used in Greece, where the term originated, but signifies "restoration"—i.e., a whole range of interventions from consolidation through reconstruction. An analysis of Balanos' and Orlandos' theory and practice of anastylosis on the Acropolis and other monuments illustrates two prevailing schools of thought on the subject. (M.D.)

Emery, Anthony. 1987. *The presentation of monuments to the public*. In **Rescue Archaeology--What's Next** (Proceedings of a Rescue Conference held at the University of York, December 1986), 53-58. Department of Archaeology, University of York Monograph 6.

The author advocates a more creative approach to the presentation of monuments. The philosophy of "conserve as found" that for so long has characterized the British approach to ruins preservation has been changing since the creation of English Heritage in 1984. The author views the old approach as much too restrictive and would like to see even greater changes in the presentation of sites. He discusses these, which include the addition of floors and roofs to ruined buildings, and making sites more intelligible to visitors by using more imaginative displays, publishing more popular guides, and reconstructing parts of site. (M.D.)

Feilden, Bernard M. 1982. *The principles of conservation*. In **Conservation of Historic Stone Buildings and Monuments** (Report of the Committee on Conservation of Historic Stone Buildings and Monuments), 22-30. Washington, D.C.: National Academy Press.

First published in 1979, this seminal article sets forth a methodology for conservation and the principles underlying conservation of cultural property. This is followed by a discussion of seven degrees of intervention by which conservation is implemented: prevention of deterioration, preservation, consolidation, restoration, rehabilitation, reproduction, and reconstruction. (M.D.)

Fernández-Galiano, Dimas. 1994. *Proteccion de yacimientos in situ: teoria y practica*. In **Cuadernos 3. Conservación Arqueológica: Reflexión y debate sobre teoría y práctica** (Contenido del Curso-Debate realizado en Sevilla del 30 de noviembre al 4 de diciembre de 1992), 30-35. Sevilla: Consejería de cultura y medio ambiente.

Spanish. The author discusses the state of archaeological theory and practice in Spain today, and argues for the need to establish a clearer archaeological policy to meet the demands of the new age. Archaeology is no longer conducted solely in the interests of scientific research; instead the archaeologist must now consider and attempt to reconcile the multiple and sometimes conflicting social, political, educational, and even commercial aspects of excavation and preservation as well. (A.O.)

Francovich, Riccardo, and Roberto Parenti. 1988. **Archeologia e Restauro dei Monumenti** (I Ciclo di Lezioni sulla Ricerca applicata in Archeologia. Certosa di Pontignana (Siena), 28 settembre-10 ottobre 1987). Firenze: Edizioni all'Insegna del Giglio.

Italian. This collection of articles is divided into three sections. Section I contains general reflections on the relationship between archaeology and architectural restoration, from an historical and contemporary perspective. In section II the experiences over the last decade in the area of archaeological conservation are reviewed, featuring Rome, Athens, and London. Section III explores the techniques of documentation and dating of historic structures. (M.D.)

Fry, Bruce W. 1969. *Restoration and archaeology*. **Historical Archaeology** 3, 49ff.

The author argues in favor of the practice of restoration of archaeological sites, which is synonymous with reconstruction in this interpretation. British practice, with its emphasis on

stabilization of the ruin as is, is singled out as representing the antithesis of restoration. The restoration/reconstruction works undertaken at the site of Louisbourg in Canada are described and used to illustrate the alleged benefits to be derived from this practice. (M.D.)

Giavarini, Carlo, and Giuseppe Veca. 1995. *I fulmini e la conservazione del patrimonio archeologico.* **Materiali e Strutture: Problemi de Conservazione** 5, no. 3, 85-94.

Italian with English summary. This article presents a thorough discussion of the options for protecting archaeological sites from lightning. The needs of monumental structures and sheltered excavations are considered. (A.O.)

Gizzi, Stefano. 1988. Le reintegrazioni nel restauro. Una verifica nell' Abruzzo Aquilano. Rome: Edizioni Kappa.

Italian. Extensive review of mainly Italian theory of reintegration of new materials in monuments, from the 18th century to modern times, including illustrated case studies in categories of: archaeological sites, fortifications, and religious structures (some in ruin); parallels with wall painting restoration; conclusions (including capping on archaeological ruins). (J.St.)

Hodges, H.W.M. (ed.). 1987. **In Situ Archaeological Conservation**. Mexico City: Instituto Nacional de Antropología e Historia and the J. Paul Getty Trust.

This monograph represents the published proceedings of a conference held in Mexico in 1986. The papers cover a broad range of conservation issues, but the emphasis is on *in situ* materials conservation (bone, wood, metals, stucco, textiles, etc.). The papers most relevant to site conservation are the case studies of three Mexican sites, and a review paper on mudbrick conservation. (M.D.)

ICOMOS. 1971. **Il Monumento per l'Uomo** (Atti del II Congresso Internazionale del Restauro, Venezia, 25-31 maggio 1964). Padova: Marsilio Editori.

French, Italian and English. These acts of the 1964 congress, which produced the Venice Charter, provide an interesting historical perspective on "restoration" theory and practice. One of the sessions (*seconda A*) directly addresses archaeological issues. Restoration of archaeological sites is conceived of exclusively in terms of architectural restoration. Some of the issues explored are the perennially troubling relationship between archaeologist and architect, consolidation of Roman walls in the Piedmont region, the methods and principles of anastylosis as practiced at sites in Libya, and the need to develop more precise methods of excavation as a corollary to better restoration. (M.D.)

Instituto Andaluz del Patrimonio Histórico. 1994. **Cuadernos 3. Conservación Arqueológica: Reflexión y debate sobre teoría y práctica** (Contenido del Curso-Debate realizado en Sevilla del 30 de noviembre al 4 de diciembre de 1992). Sevilla: Consejería de cultura y medio ambiente.

Spanish. The articles in these proceedings are divided into two sections: The first considers the different issues and aspects of conservation and site management in urban and rural settings in Spain and Central America; the second pertains to methods of conservation, including the repair of ancient mortars/renders and vegetation management. (A.O.)

Jaeschke, Richard L. 1996. *When does history end?* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 86-88. London: International Institute for Conservation of Historic and Artistic Works (IIC).

Although archaeological objects are the focus of this discussion, the issues raised are equally valid for archaeological sites and *in situ* remains. As the author notes, an object never ceases to accumulate history although its function and appearance may change. Conservators are often responsible for choosing the aspects of the past that will be revealed or emphasized. They must preserve the integrity of the object while balancing different needs and viewpoints, consider the consequences of their actions and inactions, and keep accurate records of their interventions as a part of the history of the object. (A.O.)

Jokilehto, Jukka. 1985. *Authenticity in restoration principles and practice*. **APT Bulletin** 17, no. 3 and 4, 5ff.

A brief review of restoration theory and practice through the ages focuses specifically on the concept of authenticity. Historic and contemporary examples illustrate the concept in practice. (M.D.)

_____. 1998. *The context of the Venice Charter (1964)*. **Conservation and Management of Archaeological Sites** 2, no. 4, 229-233.

The author places the Venice Charter in historical context and discusses the people and ideas central to its creation at the landmark Venice congress. The text of the charter is appended. (A.O.)

Kimbro, Edna E. 1993. *Conservation principles applied to seismic retrofitting of culturally significant adobe buildings.* In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 526-532. Lisboa: DGEMN.

English with French summary. The author considers the philosophical issues involved in the seismic retrofit of historic structures with regard to the principles and guidelines of conservation embodied in the Venice Charter and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (United States). The discussion is equally valid for the retrofit of archaeological remains. (A.O.)

Krier, Leon. 1983. *The love of ruins, or the ruins of love*. **Modulus** (The University of Virginia Architectural Review) 16, 50ff.

This article represents an intellectual justification of reconstruction from an architect's perspective. The author, a well-known postmodernist architect, admonishes archaeologists for their timidity and lack of creative response with respect to the monuments they study and advocates the reconstruction of classical monuments as the first step in his theory of Global Reconstruction—an architectural and urban policy answer to the industrial ugliness of the modern and Modernist environment. Reconstruction of the ancient monuments would serve as the model and catalyst for this global reconstruction. (M.D.)

La Rocca, Eugenio and Roberto Nardi. 1994. *Preventive conservation and restoration: a matter of costs.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 24-27. London: International Institute for Conservation of Historic and Artistic Works (IIC).

In the treatment of seriously decayed monuments, the objective of the conservator is to return the monument to the point where ordinary maintenance is once again possible. One of the main difficulties is persuading administrations to approve programmes for the maintenance of newly restored monuments. One of the strong points is how much can be saved by developing a maintenance programme, which avoids the need to repeat expensive restoration every 10 years. The authors present a sample maintenance programme. (aa abridged)

Lolli-Ghetti, Mario. 1982. *Tharros: conservation of the Punic ditch. Diversification of technologies*. In **Mortars, Cements and Grouts Used in the Conservation of Historic Buildings** (1981 Symposium, Rome). Rome: ICCROM.

The methodology for conserving the Punic fortification wall, and the principles guiding that methodology, are clearly set forth. Minimum intervention, the use of "soft technologies" (those that will least alter the nature of the original materials), and continual maintenance are advocated. The rationales for rejecting certain options are also discussed. (M.D.)

Lounsbury, Carl R. 1990. *Beaux-Arts ideals and Colonial reality: the reconstruction of Williamsburg's Capitol, 1928-1934*. **Journal of the Society of Architectural Historians** 49 (December), 373-389.

This article discusses one of the most controversial archaeological reconstruction projects, Colonial Williamsburg in Virginia. Despite extensive historical and archaeological documentation, many of the reconstructed buildings at Williamsburg are inaccurate. Ambiguous or incomplete evidence and a failure to correctly interpret or use archaeological evidence were partly responsible for inaccuracies, but more interesting are the subtle, culturally derived factors that can consciously sway the objectivity of the architect and result in misinterpretation of the evidence. Using the Capitol building in Williamsburg as his main example, the author demonstrates how the Beaux-Arts academic training of the architects who were responsible for the reconstruction influenced the final product, resulting in a reconstruction that is as much a testimony to Beaux-Arts design principles as it is to Colonial American architecture. (M.D.)

Magar, Valerie. 1996. *Ruinas y reconstrucción. Algunos aspectos históricos y teóricos.* **Imprimatura: Revista y Restauración** no. 13, 43-46.

Spanish. The author outlines the history and theory of the reconstruction of ruins, and then considers the role of ruins in human consciousness and the role of reconstruction particularly after violence or war, as in cities like Warsaw, Dresden and Danzig. (A.O.)

Marino, Luigi (ed.). 1989. **Conservazione e Manutenzione di Manufatti Edilizi Ridotti allo Stato di Rudere** (Report 1. Università di Bologna, Napoli, Firenze e Urbino. Gruppo di ricerca sul Restauro Archeologico). Firenze: Opus Libri.

Italian with one article in French. As the title of this report indicates, buildings in a state of ruin are the focus of the 80 short papers that comprise the volume. The papers do not propose a uniform methodology or approach, but reflect the eclectic nature of the field at present. Some of the papers describe individual experiences with ruins restoration, others are the result of research undertaken as part of the collaborative project on *Restauro Archeologico* by interested groups from Italian universities. An introductory paper by the editor is a brief review of the theory and practice of archaeological restoration by way of a literature review; most of the papers are brief case studies on aspects of archeological restoration; others deal with such issues as documentation, conservation and excavation, and urban archaeology. (M.D.)

Marino, Luigi. 1993. *La conservazione di manufatti edili ridotti allo stato di rudere: protezione delle creste e integrazione delle lacune.* In Luisa Masetti Bitelli (ed.), **La Conservazione e il Restauro Oggi 3: Archeologia: Recupero e Conservazione**, 129–149. Firenze: Nardini.

Italian. Discusses the most up-to-date restoration methods for ruins, whether already exhibited or just excavated, stressing that these methods are essentially geared toward prevention of further damage. Suggests that the criteria of emergency interventions are being refined; definitive consolidation solutions are given up in favor of ordinary maintenance along with the enactment of conservation measures that are, as much as possible, noninvasive and reversible. Procedures adopted also forego extensive reconstructions in favor of didactic and descriptive installations for visitors. More attention is paid to building techniques for present as well as future documentary value, until research methods and analytical tools are further refined. The illustrations and captions give concrete examples of results of preservation methods applied to standing remains of ancient walls [mainly capping and integration of lacunae to stabilize the walls]. (AATA)

Marino, Luigi (ed.). 1994. Siti e monumenti della Giordania. Rapporto sullo stato di conservazione. Florence: Alinea Editrice.

Italian, Spanish, and English, with English and Italian summaries. This collection of papers discusses the history of conservation at individual sites and monuments in Jordan, present activities, and plans for the future. A number of case studies are presented. (A.O.)

Marino, L., and R. Paone. 1986. *Contributi alla definizione del 'restauro archeologico': studi e ricerche preliminari*. In **Manutenzione e conservazione del costruito fra tradizione ed innovazione** (Atti del convegno di studi, Bressanone, 24–27 Giugno 1986), 11–21.

Italian. Archaeological restoration, with reference to archaeological and architectural monuments in a ruined state, seems uninteresting to archaeologists, architects, and restorers. Suggested solutions rarely differ from traditional finishing or rebuilding interventions. The archaeological restoration of structures is, in most cases and with due exceptions, still considered an extraordinary intervention. (aa)

Marquis-Kyle, Peter, and Meredith Walker. 1992. The Illustrated Burra Charter: Making Good Decisions about the Care of Important Places. Sydney: Australia ICOMOS.

A step-by-step explication of the Burra Charter. Commentary on each article is provided, and concepts are clearly explained with the aid of photographs and informative captions. The full text of the charter, as well as the guidelines for establishing cultural significance, developing conservation policy, and undertaking studies and reports, are appended. (A.O.)

Marshall, John. 1923. Conservation Manual: A handbook for the use of Archaeological Officers and others entrusted with the care of ancient monuments. Calcutta: Superintendent Government Printing.

This manual was developed in 1922 by Sir John Marshall, Director General of Archaeology in India, to provide practical guidance on the preservation of ancient monuments, and it is still in use today. Part I of the manual reviews governmental regulations and legislation relevant to the preservation of monuments. In Part II, detailed 'instructions and specifications' are provided for the conservation of ancient monuments (archaeological and historic). Some of the topics covered are the uses of cement and concrete, mortars, grouting and pointing, integration of new materials, laying out of historic gardens, vegetation control, and wall capping. Part II of the manual has recently been republished with revisions in B. Feilden, **Guidelines for Conservation. A Technical Manual**. New Delhi: The Indian National Trust for Art and Cultural Heritage. (M.D.)

Matero, Frank G. 1995. *A programme for the conservation of architectural plasters in earthen ruins in the American Southwest*. **Conservation and Management of Archaeological Sites** 1, no. 1, 5-24.

Addresses pertinent issues of *in situ* plaster preservation for standing ruins and outlines a general plaster preservation strategy, which can be implemented at such sites, including documentation, stabilization, interpretation, and maintenance. The issues and preservation strategy are illustrated in a case study, which describes methods of documentation, emergency stabilization, hydraulic lime injection grouting, and mortar repairs for lime plaster on adobe ruins at Fort Union, New Mexico. (A.O.)

Matero, Frank, Kecia L. Fong, Elisa Del Bono, Mark Goodman, Evan Kopelson, Lorraine McVey, Jessica Sloop, and Catherine Turton. 1998. *Archaeological site conservation and management. An appraisal of recent trends.* **Conservation and Management of Archaeological Sites** 2, no. 3, 129-142.

This paper comprises a review and assessment of the literature on archaeological site conservation and management over the past 25 years; a selected bibliography is included. The literature was searched to ascertain the training programs available, the disciplines represented, the publishers of conferences and information, the geographic location of published projects, and the nature of those projects. In summary, “The assessment reveals a lack of commonly agreed upon standards, principles, and practices and the need for cooperation between the related disciplines and local communities.” But it also traces the development of the field from isolated material and object studies to interdisciplinary conferences and greater focus on archaeological sites as a whole. (A.O.)

Mertens, Dieter. 1995. *Planning and executing anastylosis of stone buildings.* In N. Stanley Price (ed.), **Conservation on Archaeological Excavations with Particular Reference to the Mediterranean Area** (second edition), 113-134. Rome: ICCROM.

A simple explication of the process of anastylosis for masonry buildings, from initial excavation through maintenance of the re-erected structure. Numerous illustrated examples of anastylosis and reconstruction in the Mediterranean region are provided. (A.O.)

Methods of Evaluating Products for the Conservation of Porous Building Materials in Monuments (Preprints: International Colloquium, Rome, 19-21 June 1995). Rome: ICCROM.

English and French. The proceedings are divided into sections on mortars, biocidal treatments, consolidation, treatment with water repellents, and weathering. Of particular interest are the five mortar articles, which describe the research and development of repair mortars for use at specific sites. (A.O.)

Metzger, Todd R. 1989. *Current issues in ruins stabilization in the southwestern United States*. **Southwestern Lore** (Official Publication, The Colorado Archaeological Society), 55, no. 3 (Sept.), 1-11.

Stabilization practices in the southwest United States have been aimed at preserving architectural remains, but the methodology and techniques have too often been those of modern construction, resulting in loss of original fabric. The author emphasizes the absence of essential guidelines and even interest in ruins stabilization and focuses on outlining the problems resulting from the use of incongruous materials and techniques, from insufficient documentation, and from a lack of guidance, training, and professional organizations. (M.D.)

Ministère de la Culture, Ministero per i beni culturali e ambientali, C.N.M.H.S., Soprintendenza archeologica di Roma. 1985. **Archéologie et Projet Urbain**. Rome: De Luca.

Italian. Catalogue of an exhibition contrasting the historical perspectives of conservation of urban archaeological sites with their modern counterparts, in Rome and throughout France. (J.St.)

Molina-Montes, Augusto. 1982. *Archaeological buildings: Restoration or misrepresentation*. In Elizabeth H. Boone (ed.), **Fabrications and Misreconstructions of Pre-Columbian Art**. Washington, D.C.: Dumbarton Oaks.

The author critically reviews past reconstruction practices in Mexico. These have involved large-scale reconstruction of sites, reflecting a tendency to promote aesthetic over historic values and running contrary to the spirit of the Venice Charter. Although the geographical focus is restricted, the philosophy is universally applicable. (M.D.)

Mora, Paolo, Laura Mora, and Paul Philippot. 1984. **Conservation of Wall Paintings**. London: Butterworths.

This conprehensive review of the history and treatment of wall paintings includes chapters of special interest to the principles and methodology of the conservation of cultural property generally. Application of these principles and methodology to a particular type of cultural property (wall paintings) elucidates and illustrates the theory. Of particular relevance are the chapters on

documentation (see Bibliography VII) and on presentation of wall paintings, which explore the conflict between authenticity and modern aesthetics within the context of re-integration of lost areas. The English edition of the original French text has been revised. (M.D.)

Nordby, Larry V., and Michael R. Taylor. 1988. *The handwriting on the wall: prospective preservation research strategies for the U. S. Forest Service*. In **Tools to Manage the Past: Research Priorities for Cultural Resources Management in the Southwest** (Symposium Proceedings, May 2-6, 1988, Grand Canyon, Arizona), 68-80. USDA Forest Service General Technical Report RM-164. Forest Service, U. S. Department of Agriculture.

This article describes in detail three preservation research projects that will provide data for establishing comprehensive stabilization and maintenance programs for archaeological sites in the Southwest region of the U. S. The ultimate aim of the program is to preserve the values of these sites. The research projects address three basic issues: fabric and materials, alternative preservation strategies, and building techniques. How the various parts of the projects relate to one another and the complex phrasing of each project are described. (M.D.)

Office International des Musées. 1933. **La Conservation des Monuments d'Art and d'Histoire**. Institut de Coopération Intellectuelle.

French with analytic tables of content in English, German, Spanish, and Italian. This 1933 publication is a very useful historical reference for documenting European conservation theory and practice in the early part of the century. Individual essays examine restoration principles, national practices and policies (Italy, Spain, Great Britain), presentation of monuments—with an emphasis on landscaping principles—and site-specific studies of restoration (see Bibliography VI). Of particular interest from an historical point of view are the many discussions of the use of reinforced concrete for restoration. Both historic and archaeological monuments are considered, but the latter are well represented. (M.D.)

Olsen, Olaf. 1980. *Rabies archaeologorum*. **Antiquity** 54, 15-20.

Preservation begins with excavation. In this article the author critically reviews the practice of total excavation as proposed in Philip Barker's book, **Techniques of Archaeological Excavation** and as undertaken on most sites throughout Europe. Excavations should be left with witness areas and baulks for future investigation. The manner in which archaeologists leave their sites after excavation is also irresponsible and the author goes so far as to question whether the excavation of many sites is truly justified. (M.D.)

Philippot, Paul. 1976. "Historic preservation: philosophy, criteria, guidelines." In **Preservation and Conservation: Principles and Practices** (Proceedings of the North American International Regional Conference, Williamsburg, Virginia, 1972), 367-382. Washington, D.C.: The Preservation Press.

The romantic nostalgia for the past has led to a confusion between preservation and reconstruction of that past. The author explores the source of this confusion and proposes a methodology to assess an object, its context, and its history in anticipation of its conservation. The fallacy of trying to return an object to an original state, which would include the act of reconstruction, is

emphasized. The discussion of the theory of reintegration is especially relevant to archaeological structures. (M.D.)

Preserving and Restoring Monuments and Historic Buildings (Museums and Monuments series, no. 15). UNESCO. 1972.

The focus of this multi-authored volume is the architectural heritage, but many of the precepts and practices apply to archaeological structures. Chapters by Piero Sanpaolesi on "General principles" and "Conservation and restoration: operational techniques" discuss the principles of restoration, reconstruction, and anastylosis; many of the examples are of Greco-Roman archaeological sites. (M.D.)

Preventive Measures During Excavation and Site Protection. 1986. (Ghent Conference, 6-8 November, 1985). Rome: ICCROM.

English and French. This volume represents the published papers of the conference held in Ghent, Belgium, in 1985. The 26 papers focus exclusively on the problems of conserving archaeological sites and are divided under five headings: Problems and Approaches; Techniques; Protection of Underwater Sites; Protection of Sites on Display; and Roofs and Shelters. (M.D.)

Quattrocchi, Giovanna. 1988. *Progetto Pompei*. **Archeo** 24, 24-37.

An interview with Baldassare Conticello, archaeological superintendent of Pompeii, describing the current politique of conservation, including wall cappings, shelters (*filologico, propositive*, and *ombrello*), pavements, security systems, publication and site museums. (J.St.)

Ramage, Nancy H. 1992. *Goods, graves, and scholars: 18th-century archaeologists in Britain and Italy.* **American Journal of Archaeology** 96, no. 4, 653-661.

The letters of eighteenth-century British travelers and dilettanti contain commentary and opinions on excavation and conservation practices, or lack thereof, particularly at Pompeii and Herculaneum. The writers describe the removal of paintings and mosaics or their deliberate destruction to prevent others from obtaining them. Useful for illustrating how far we have come. (A.O.)

Ramesohl, H. 1995. *Graffittischutzsysteme.* **Internationale Zeitschrift für Bauinstandsetzen** 1, no. 5 , 427-435.

German with English summary. Every year, graffiti causes billions of Marks' worth of damage . It is hardly possible to prevent spraying with a reasonable effort. Therefore, privileged targets should be protected by preventive measures. Colors with low viscosity penetrate into the porous structure of building materials. It is very difficult to remove them from the pores without serious damage to the material. Different methods to minimize damage are outlined. The aim must be to prevent close contact between colors and the substrate. Then it is possible to remove soiling from façades without damaging the substrate in respecting environmental considerations. (aa edited)

Reich, Ronny. 1987. *The archaeologist's dilemma*. In **Old Cultures in New Worlds**. 8th General Assembly and International Symposium. ICOMOS, International Committee on Monuments and Sites, 1987. vol. II, 1009–1014. Washington, D.C.: U.S. ICOMOS.

The author examines the problems multi-level sites (stratified mounds) present for their preservation. While the concept of total excavation of such mounds is no longer acceptable, it is nevertheless difficult to reconcile the legitimate needs of archaeological investigation and preservation (for research and touristic purposes). Some practical measures that can alleviate the problem are discussed. (M.D.)

Roby, Thomas C. 1995. Site conservation during excavation: treatment of masonry, wall plaster and floor mosaic remains of a Byzantine church in Petra, Jordan. **Conservation and Management of Archaeological Sites** 1, no. 1, 43–57.

The author presents a case study of the wide range of site conservation activities practiced during and immediately after excavation, and emphasizes the importance of employing a conservator when planning and implementing an excavation to increase cost effectiveness and ensure greater preservation of fragile remains. Conservation procedures during excavation are described, including the preventive measures of site security, temporary shelter, and temporary reburial. *In situ* stabilization, consolidation, and cleaning of masonry, plaster, and mosaics are also described, as are the stabilization, removal, and storage of architectural fragments. (A.O.)

Roy, Ashok, and Perry Smith (eds.). 1996. **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26–30 August 1996). London: International Institute for Conservation of Historic and Artistic Works (IIC).

The majority of the papers in this volume pertain to specific materials and broader ethical issues in objects conservation, but six pertinent site conservation studies are also included. (A.O.)

The Safeguard of the Rock-Hewn Churches of the Göreme Valley (Proceedings of an International Seminar, Ürgüp, Cappadocia, Turkey, 5–10 September 1993). 1995. Rome: ICCROM.

These proceedings focus mainly on the Göreme Valley churches, and provide an in-depth look at the varied problems and solutions applied to a single, albeit large, site. Issues of site management, tourism, stone (tuff) deterioration, stone consolidation, structural consolidation, and mural conservation are addressed. (A.O.)

Schmidt, Hartwig. 1999. *The impossibility of resurrecting the past: reconstructions on archaeological excavations.* **Conservation and Management of Archaeological Sites** 3, nos. 1 and 2, 61–68.

Today's mass tourism demands attractions at the original ancient sites. Different methods have been employed in creating tourist attractions—from reconstructing ancient buildings to having museum staff in costume demonstrate elements of daily life in history. But it is the ruins on excavation sites, even in their damaged state, that are the irreplaceable, authentic records of the past. Archaeological preservation, therefore, has to mean uncompromising conservation of the damaged original remains. (aa abridged)

Schmidt, Hartwig. 2000. Archäologische Denkmäler in Deutschland, rekonstruiert und wieder aufgebaut. Stuttgart: K. Theiss.

German. Provides an overview of archaeological reconstructions in Germany. The author considers the aims and intentions or a variety of case studies examining the degree to which they have succeeded or failed in providing visitors with a good understanding of the past. Contested reconstructions are also discussed as well as the issues surrounding them. Contains a valuable bibliography. (M.H.B.)

Seth, Vinod. 1988. *Restoring the excavated sites. A note on the post-excavation histogeographical ethics*. **Conservation of Cultural Property in India**, no. 221, 50-55. New Delhi: Indian Association for the Study of Conservation of Cultural Property.

The author proposes an unusual method of preserving excavated archaeological sites, which essentially involves putting back what was taken out of the site. In addition to replacing "each grain of the site," a "time capsule" with information and illustrations should accompany the reinterment process for each strata. (M.D.)

7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra (Silves, Portugal, 24 a 29 de Outubro 1993). Lisboa: DGEMN.

Spanish, English, French, and Portuguese, with summaries irregularly in English, French, and Portuguese. This international conference produced a large volume of proceedings, which examines all aspects of the study and conservation of earthen architecture. Papers have been divided into six sections: history and tradition, methodology and conservation techniques, field research in conservation, seismic problems, industrial perspectives, and future directions. (A.O.)

Skoulikidis, T., E. Papakonstantinou, E. Kritikou and G. Tsangalidis. 1993. Production of artificial patinas on the surface of new marbles used for the restoration of ancient monuments and on the surface of white cement copies of statues. In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 644-651. London: E. and F.N. Spon.

During the restoration of ancient monuments, new pieces of marble are often introduced. In some cases, an artificial patina must be created on the surface of the new marble. There exist some empirical methods using an iodine solution, rust, clay, soil, etc., which are usually soon washed off by acid rain and/or sulfate/humidity attack. The authors have produced two new methods: a spray of iron sulfate, and Paraloid B72 pigmented with iron oxides. (aa edited and abridged)

Stanley Price, Nicholas (ed.). 1995. **Conservation on Archaeological Excavations with Particular Reference to the Mediterranean Area** (second edition). Rome: ICCROM.

This volume is the result of the 1983 Cyprus conference organized by ICCROM. The conference papers are equally divided between object and site conservation, and there is an important review article on the 1956 UNESCO Recommendation and its inadequacies in the context of present conservation needs. (M.D.)

Stanley Price, Nicholas. 1996. *New ethical statements on site preservation for North American archaeologists*. **Conservation and Management of Archaeological Sites** 1, no. 3, 191-193.

This brief article summarizes new ethical principles for archaeological research, which have recently been announced by the Society for American Archaeology, the Archaeological Institute of America, and the American Schools of Oriental Research. In these principles, each organization clearly stresses the importance of the conservation, long term preservation, and protection of the archaeological record. Contact addresses for the organizations are provided. (A.O.)

Starosta, Ute. 1999. *Structural concepts of anastylosis.* **Conservation and Management of Archaeological Sites** 3, nos. 1 and 2, 83-90.

In this historical review of the structural implications of anastylosis, the author analyzed and compared 28 projects, both historic and modern, involving anastylosis of classical Greek and Roman structures. The structural properties of the original and new structures are considered, and the supporting systems used are also considered in light of the theories and technical limitations of the time. (A.O.)

Stevens, André. 1984. *La protection des monuments en briques crues.* **Lettre d'Information Archéologie Orientale**, no. 7, 19--27.

Drawing on examples mostly from the Middle East, the author discusses the options that are available for protecting mudbrick monuments. These options range from simple wall cappings to major interventions such as total reconstruction or the construction of a protective shelter. (M.D.)

Thiel, M.-J. (ed.). 1993. **Conservation of Stone and Other Materials.** 2 vol. London: E. and F.N. Spon.

These extensive conference proceedings, primarily on the conservation of stone, are divided into two volumes. Volume One: Causes of Disorders and Diagnosis is further divided into sections on pollution and chemical effects, physical effects, biological effects, and petrography. Volume Two: Prevention and Treatments contains articles ranging from general discussions of conservation principles and practices to more specific research on cleaning, biocides, repair mortars, consolidation materials and techniques, and monitoring. (A.O.)

Thompson, M.W. 1981. **Ruins: Their Preservation and Display**. London: British Museum Publications.

The author reviews the history of monument preservation philosophy in Britain and describes current theory and practice of monument restoration, using as examples mainly the medieval ruins of the country. (M.D.)

de la Torre, Marta (ed.). 1997. **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference Organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995). Los Angeles: The Getty Conservation Institute.

This conference summary is divided into two parts: In the first, the management and presentation of archaeological sites is considered, and the articles therein present a planning model for site

management, an application of the model to the site at Akrotiri, Thera, and thoughts on building reconstruction and other aspects of site presentation. In the second part, the history of conservation and management at three Mediterranean sites—Piazza Armerina, Knossos, and Ephesus—is considered in depth. (A.O.)

Traeger, Jörg. 1994. *Ruine und rekonstruktion oder theorie und praxis*. **Kunst Chronik** 47, no. 6, 288–296.

German. The author defends the widely debated reconstruction of the Dresdener Frauenkirche. He draws from a vast number of examples of reconstructed buildings, as well as buildings preserved as ruins, to arrive at a differentiated argument supporting his standpoint. He maintains that not every building is as meaningful as a ruin as it will be in reconstructed form. (AATA)

UNESCO. 1979. **The Conservation of Cultural Property, with Special Reference to Tropical Conditions** (Museums and Monuments 11) 1979 printing, 1968.

The section entitled Monuments includes a review of conservtion principles, practices, and materials. This is followed by very brief conservation site reports of major monuments in Asia, the Middle East, and Latin America and a detailed report on the conservation of monuments in India. (M.D.)

U.S. Congress, Office of Technology Assessment. 1986. **Technologies for Prehistoric and Historic Preservation** (OTA-E-319). Washington, D.C.: U.S. Government Printing Office.

This report is the result of an assessment by the Office of Technology Assessment of the use of technologies by Federal agencies to carry out their preservation responsibilities. The report reviews both federal preservation policy and the preservation process (i.e., methods and techniques) as these affect both historic and prehistoric preservation. (M.D.)

Vaccaro, Alessandra Melucco. 1989. **Archeologia e Restauro. Tradizione e Attualità**. Milano: Arnoldo Mondadori.

The history and contemporary theory and practice of restoration are discussed with reference to the archaeological heritage. The emphasis is on classical monuments and the art historical approach, which characterizes European restoration philosophy. The evolution of archaeological restoration in response to the needs of the field is reflected in the chapter on conservation and field archaeology. (M.D.)

Verité, Jacques. 1981. *'Appropriate technologies' and restoration of historic monuments*. In **'Appropriate Technologies' in the Conservation of Cultural Property**, 51–68. Paris: UNESCO.

A summary and critique of two anastylosis projects in developing countries (Mustis Arch, Krib, Tunisia and Temple of Karnak, Luxor, Egypt), which combined ancient and modern methods with local practice and improvisation. (J.St.)

Verma, D.N. 1995. *Conservation and public awareness.* In G. Kamalakar and V. Pandit Rao (eds.), **Conservation, Preservation and Restoration: Traditions, Trends and Techniques,** 307–314. Hyderabad: Birla Archaeological and Cultural Research Institute.

This paper considers the practice of conservation in India and the mental attitude of the varied Indian cultures and religions, some of whose tenets may seem to run counter to the goals of cultural resource conservation. A brief history of conservation in India provides some positive examples of conservation work, but the author concludes that greater public awareness of the need for and value of conservation should be a top priority in the emerging nation. (A.O.)

Vestiges Archéologiques, la Conservation *In Situ* (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11–15 octobre 1994). 1996. Ottawa: Publications de l'ICAHM.

French and English with French and English summaries. The 41 papers presented at this large and very relevant conference are divided into three broad categories: "Components of the Preservation Process," "Strategies for the Selection of Places and Elements to Conserve within Sites," and "The Role of Contributors and Clients." (A.O.)

Viggiani, Carlo (ed.). 1997. **Geotechnical Engineering for the Preservation of Monuments and Historic Sites** (Proceedings of the International Symposium on Geotechnical Engineering for the Preservation of Monuments and Historic Sites, Naples, Italy, 3–4 October 1996). Rotterdam/Brookfield: A.A. Balkema.

These extensive and wide-ranging conference proceedings are divided into sections on geotechnical engineering; investigations of rock, soil, monuments, and their stability; monitoring; intervention techniques; and case histories at monuments and archaeological sites. See also Rossi 1997 and Burland and Standing 1997. (A.O.)

Wei, Chen and Andreas Aass. 1989. *Heritage conservation East and West*. **ICOMOS Information** (July/Sept.), no. 3, 3–8.

English with French, Spanish, and Italian summary. The authors explore the differences between East and West in approaches to the conservation of cultural property through the representative examples of the Parthenon in Athens and the Confucius Temple Complex in Qufu. The eastern respect for the spirit of a place is contrasted with the western emphasis on the material aspect of architecture. (M.D.)

Wilson, Merril Ann. 1989. *Philosophical Issues of Ruins Stabilization*. In **International Perspectives on Cultural Parks** (Proceedings of the First World Conference, Mesa Verde National Park, Colorado, 194), 91–94. U.S. National Park Service in association with the Colorado Historical Society.

This brief study of the ghost town of Independence, Colorado, raises important philosophical issues about the preservation of ruins. The author questions the presumption behind stabilization and conservation efforts that cultural resources should be preserved forever. Some resources may require such massive intervention that destruction, rather than preservation, of the integrity of the resource is the result, even if not the intention. Such sites are perhaps better left to the forces of nature, with only maintenance and minimal intervention. (M.D.)

[Bib. VI: 46 ref.]

ANNOTATED BIBLIOGRAPHY VI: Implementation: Site-specific Studies

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Adam, Jean-Pierre. 1983. **Dégradation et Restauration de l'Architecture Pompéienne**. Paris: Centre National de la Recherche Scientifique.

French. This site-specific study of the causes of degradation and methods of conservation undertaken at the site of Pompeii is applicable to many other sites, especially those employing Roman wall construction. The various types of Roman wall construction, the causes of their deterioration and methods of stabilization and consolidation (injection of a lime-based grout) are all discussed. (M.D.)

Aeschlimann, Hans-Ulrich. 1995. *Instandsetzung des Borobodur-Tempels in Indonesien.* **Internationale Zeitschrift für Bauinstandsetzen** 1, no. 2, 125-134.

German with English summary. The struggle to save Borobodur has been one of the most complex and technically advanced historic preservation projects ever undertaken. Indonesia and UNESCO consulted international experts in architecture, engineering, soil mechanics, and stone conservation. Following their recommendations, the project set four goals: to install a new drainage system, to incorporate layers of epoxy/tar to keep rainwater from the temple's core, to set new reinforced concrete slabs under the balustrades and walls, and to conserve the original stones. (aa abridged)

Agnew, Neville, Heather Griffin, Mary Wade, Terence Tebble, and Warren Oxnam. 1989. *Strategies and techniques for the preservation of fossil tracksites: an Australian example.* In David D. Gillette and Martin G. Lockley (eds.), **Dinosaur Tracks and Traces**. Cambridge: Cambridge University Press.

Conservation measures undertaken at the Lark Quarry dinosaur trackway in Australia are described. The conservation program divided itself into three phases: diagnosis of the causes of deterioration, testing and laboratory work, and implementation of preservation measures. These measures included monitoring the conditions of the surface, construction of a protective roof, fence and walkway, infilling cracks with silicone and consolidation with PVA, and interpretive signs for visitors. Procedural guidelines and recommendations are presented for the prevention of damage at sites and for their long-term preservation. (aa abridged)

Amadori, Letizia, Anna Maria Mecchi, Michela Monte, Stefano Musco, and Antonio Salvatori. 1989. *La conoscenza dei materiali e delle stutture per un progetto di restauro nel Parco Archeologico di Gabii*. In **Il Cantiere della Conoscenza: Il Cantiere del Restauro** (Atti del convegno di studi, Bressanone 27-31 giugno 1989), 295-308.

Italian with English summary. Studies and analyses conducted by the Soprintendenza Archeologica of Rome with the CNR and the ENEA about the Archaeological Park of Gabii (Rome) which was to be restored. The Santuario di Giunone Gabina and the circular mausoleum are made of pietra gabina (volcanic tuff) and travertine (continental limestone) and the deterioration involves erosion of the stone surfaces and lichen incrustations. (AATA 27-239)

Amendolea, Bruna (ed.). 1994. **I Siti Archeologici: Un Problema di Musealizzazione all'Aperto** (Secondo Seminario di Studi Roma, Gennaio 1994). Rome: Gruppo Editoriale Internazionale.

Italian. This extensive compilation of articles is similar in scope and content to the first conference (Amendolea et al., 1988). Again, the focus is on the *in situ* preservation of the archaeological heritage in Italy, although other sites in the Mediterranean region are presented. (A.O.)

Amendolea, Bruna, and Rosanna Cazzella, and Laura Indrio (eds). 1988. **I siti archeologici: un problema di musealizzazione all'aperto** (primo seminario di studi Roma, Febbraio 1988). Rome: Multigrafica Editrice.

Italian. This compilation of articles on approaches to preserving archaeological sites and creating archaeological parks focuses mainly on Italy, but England and the site of Carthage are also included. Technical, theoretical, and interpretive issues are addressed in these case studies, which provide the reader with a full range of responses to *in situ* preservation of ruins. (M.D.)

Barov, Zdravko, and Constance Faber. 1996. *Affordable versus optimal conservation: considerations in preserving an ancient tomb.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26–30 August 1996), 11–15. London: International Institute for Conservation of Historic and Artistic Works (IIC).

To consolidate the carved and painted ceiling of a fourth century B.C.E. Roman tomb, the authors deem it necessary to lift and invert the 14-ton block of granite from which it was made. Their efforts have been hampered by lack of funding, and they consider the question: Would no intervention be better than one without preliminary laboratory testing of the materials and procedures, particularly when such an unusual procedure is involved? (A.O.)

Barruol, Guy. 1984. *Archaeological reserves and the integration of remains in France.* **A Future for our Past** (Council of Europe), no. 23, 8–10.

English and French. The author briefly reviews two preservation trends for archaeological resources in France. The first is the establishment of reserves for protection of resources, many of which are being developed as archaeological parks open to the public. The second is the integration of archaeological remains in the urban environment. The author cites many examples of both reserves and urban integration. (M.D.)

Caperton, Thomas J. 1990. *Fort Selden ruins conservation*. In **6th International Conference on the Conservation of Earthen Architecture. Adobe 90 preprints** (Las Cruces, New Mexico, U.S.A., October 14–19, 1990), 209–211. Los Angeles: Getty Conservation Institute.

The mud and brick wall remnants at Fort Selden State Monument, New Mexico, U.S.A., were stabilized in 1972, 1974, and 1985. The techniques employed included the placement of caps on wall tops, repair of basal erosion, establishment of drainage slopes to prevent the accumulation of water next to walls, preservation landscaping, and construction of visitor trails. These efforts have retarded, but not stopped, the deterioration of the site. (aa abridged)

_____. 1993. *Long-term preservation issues related to earthen archeological sites.* In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 324-329. Lisboa: DGEMN.

This article provides a critical evaluation of past preservation techniques used to stabilize the adobe walls at Fort Selden, New Mexico. These have included alterations to site drainage, repair of wall bases and installation of wall caps using adobe bricks and shelter coats, and test applications of chemical consolidants and amendments for earth; see also Caperton 1990. Recent trial techniques are described, including the reburial of several low walls and the protection of taller walls with geotextile shelters. (A.O.)

Conservación del patrimonio monumental 1. 1984. **Cuadernos de Arquitectura Mesoamericana**, no. 3 (diciembre).

Spanish with English summary and one article in English. This entire issue is devoted to preservation of pre-Columbian ruins in Mexico and provides a comprehensive overview of the severe problems affecting the many monumental, aboveground ruins, the previous emphasis on reconstruction and current thinking, and specific examples of large restoration projects undertaken at Teotihuacán, Yaxchilán, and Hochob. (M.D.)

Cristina Patrício, Teresa, and Koen Van Balen. 1996. *The anastylosis and the applicability to the late Hellenistic Nymphaeum at Sagalassos, Turkey.* In **Vestiges Archéologiques, la Conservation *In Situ*** (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 octobre 1994), 77-82. Ottawa: Publications de l'ICAHM.

English with French summary. With restoration by means of anastylosis as their ultimate goal, the authors describe the scientific methodology they developed and applied to the research of the Nymphaeum. Based upon the results of photographic, topographic, and graphic surveys, as well as of detailed analyses of the stone blocks scattered about the site, they developed detailed and accurate drawings, which can be used to reconstruct the ruin. (A.O.)

Demas, Martha, Neville Agnew, Simon Waane, Jerry Podany, Angelyn Bass and Donatius Kamamba. 1996. *Preservation of the Laetoli hominid trackway in Tanzania.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 38-42. London: International Institute for Conservation of Historic and Artistic Works (IIC).

The Laetoli hominid footprints in northwestern Tanzania are of major importance in understanding the evolution of humankind. The site was excavated in the late 1970s by Mary Leakey, documented and reburied. In subsequent years, re-vegetation occurred and damage from root growth resulted. Of particular interest in relation to reburial as a method of preservation is that serious damage occurred to a unique scientific and cultural site because subsequent monitoring and maintenance of the reburial were not carried out. This paper presents an overview of the strategy developed between 1992 and 1994 for the preservation of the trackway; it takes into consideration the many and complex requirements of preserving outdoor sites; and it describes the re-excavation, conservation, documentation and reburial of the southern 10m of the trackway completed in the 1995 field season. (aa abridged)

Egloff, Brian. 1998. *Practising archaeology and the conservation of Tam Ting, Lao People's Democratic Republic*. **Conservation and Management of Archaeological Sites** 2, no. 3, 163–175.

The author describes a project of "practicing archaeology" (for which archaeology is used as a tool for stabilizing the site rather than for academic research) and reconstruction at an ancient Buddhist shrine located in limestone caves, which is heavily visited by both worshippers and tourists. Collapsed platform structures were excavated and reconstructed; missing elements were recreated from the meager historic documentation and eyewitness accounts available. Interactions with the local community, conservation, and interpretation of the site are briefly discussed. (A.O.)

Ennaifer, Mongi. 1987. *Entretien et gestion du site de Carthage. Programme general: measures et solutions prises dans le domaine de la conservation des mosaiques.* **Mosaics no. 4**, 215–237.

French. The important campaign for saving Carthage is presently showing some limitations. Indeed the conservation of the site is now facing the difficult task of preservation and presentation of the different monuments, particularly the mosaics. This study tries to analyze the efforts undertaken by the different international teams who participated in the excavations and the presentation of the National Archaeological Park. (AATA 26–1220)

Gaucher, Gilles. 1981. *Pincevent, a prehistoric site museum.* **Museum** 4, 211–217.

Early prehistoric sites are rarely preserved for presentation because of the difficulties of conserving their fragile remains. The paleolithic site of Pincevent in France has been preserved in a unique manner. A latex mould of the main complex with hearths, flint and bone was taken in order to reconstitute it in an exhibition room at the site. Other rooms display objects, plans, and photographs. (M.D.)

Gilber, Cathy A., and Renata Niedzwiecka. 1985. **The Historic Landscape of Fort Spokane: A Design Proposal** (National Park Service, Seattle, WA.). National Technical Information Service.

This master plan develops a landscaped design for presentation of the nineteenth-century ruins of Fort Spokane. It builds upon an earlier landscape study and develops a design that specifically addresses the "readability" of the historic scene. Goals for the project included expanding visitor understanding of the site through enhancement of historically significant features and contemporary use of the site while preserving historic integrity. The study presents design treatments of foundations—outline, raised wall, platform, ghosted—for enhancing their visual definition and investigates circulation around the site and pedestrian staging areas. (aa abridged)

Harrington, Spencer P.M. 1995. *Rebuilding the monuments of Pericles.* **Archaeology** 48, no. 1, 45–56.

The thirty-year Acropolis restoration project is briefly described, and the dilemmas still confronting the preservation committee are considered. A series of captioned photographs illustrates the amalgam of renovations under way and those under consideration, including anastylosis, replacement, reconstruction, and shelter construction. (A.O.)

Hinkel, Friedrich W. 1986. *Reconstruction work at the royal cemetery at Meroe.* **Nubische Studien** 42, 99-108.

Looting, removal of monument elements, poor excavation techniques, natural erosion, and tourists have all contributed to the deterioration of this site. Reconstruction, equated with anastylosis, was considered the most effective means of preservation and justifiable if the new elements would be discernible. In addition to reconstruction, stabilization of structures, fencing, and didactic exhibits were part of a plan to make the site an open-air museum. An analysis of the pyramids and the basis for their reconstruction are provided. (M.D.)

Hueber, Friedmund. 1989. *Bauforschung und Restaurierung am unteren Embolos in Ephesos.* **Osterreichische Zeitschrift für Kunst und Denkmalpflege**, no. 3-4, 120-143.

German. This report describes and illustrates with good photo-documentation the anastylosis of the Celsius Library at Ephesus from 1970-1978. All aspects of the project are discussed: research and documentation, which was made a central part of the project; sorting and classification of the elements; reconstitution of broken elements; and reproduction in artificial stone of missing elements, based on existing ones. In accordance with the precepts of the Venice Charter, new materials are recognizable as such. (M.D.)

Johnson, Stephen. 1988. *Le mur d'Hadrien: problèmes d'entretien et méthodes de conservation du patrimoine archéologique*. **Monuments Historiques** 155 (Feb.-March), 56-58.

French. Describes the present state of the wall and outlines the main problems of safeguarding the remains, those related to the application of the law on ancient monuments situated on private property, and those related to the physical protection against weather and tourism, restoration being ruled out. (AATA 27-352)

Labadie, Joseph H. 1988. *The 1987 Parida Cave Conservation Project, Val Verde County, Texas*. **Bulletin of the Texas Archeological Society** 59, 83-109.

Parida Cave is an extensive rock shelter in an isolated part of the Amistad International Reservoir near Del Rio, Texas. The site long has been a popular place to visit for the local population and, more recently, by boaters on the reservoir and long has been the target of illegal digging and vandalism. During the summer of 1987 the National Park Service spearheaded a major conservation project to clean up and revitalize the site. The Parida Cave Conservation Project, with a volunteer work force, picked up trash, back-filled potholes, and built a rock pathway for visitors. The project dramatically illustrates the kind of success that is possible through cooperative undertakings involving the National Park Service, private landowners, and a responsive regional archaeological community. (aa abridged)

Malnati, Luigi. 1993. *Prospettive d'intervento sull'area archeologica di Marzabotto*. In Luisa Masetti Bitelli (ed.), **Archeologia: Recupero e Conservazione** (La Conservazione e il Restauro Oggi 3), 91-99. Firenze: Nardini.

Italian. Discusses the two main problems that characterize this important archaeological zone in Emilia-Romagna, formerly a large Etruscan city. The stone foundations require continuous cleaning, and repairs are constantly necessary in spite of the presence of a cement roof installed in the 1960s

that is neither aesthetically pleasing nor efficient against vandalism or water infiltrations. The rest of the chapter presents a preliminary draft of interventions aimed at giving visitors a better, tridimensional view of the former houses. The appendix reproduces a short, computerized planimetric survey of House No. 6, containing structural calculations on the Etruscan foundations and hypotheses for the protection of the finds. (AATA)

Matero, Frank G. 1995. *A programme for the conservation of architectural plasters in earthen ruins in the American Southwest*. **Conservation and Management of Archaeological Sites** 1, no. 1, 5–24.

Addresses pertinent issues of *in situ* plaster preservation for standing ruins, and outlines a general plaster preservation strategy which can be implemented at such sites, including documentation, stabilization, interpretation, and maintenance. The issues and preservation strategy are illustrated in a case study, which describes methods of documentation, emergency stabilization, hydraulic lime injection grouting, and mortar repairs for lime plaster on adobe ruins at Fort Union, New Mexico. (A.O.)

Mouton, Benjamin. 1989. *Doura Europos ou les contrastes de Syrie.* **Monuments Historiques**, no. 162,75–79.

French. Doura Europos is an all too typical example of a site excavated in the early twentieth century and then left without proper maintenance and conservation. The causes of degradation are outlined and the conflicts between the proposed solution to backfill the site for its protection, the desire to exploit the site's touristic potential, and the difficulties of implementing a conservation policy and drawing tourists in view of the isolation of the site are all discussed. (M.D.)

Ndoro. Webber. 1994. *The preservation and presentation of Great Zimbabwe*. **Antiquity** 68, no. 260, 616–623.

The author presents the history of preservation at the site, including the most recent strategies and interventions; see Ndoro 1995 and Ndoro and Pwiti 1997 for more specific information, and compare with Sassoon 1982. Of greater importance are the discussions on site presentation (reconciling the needs of the site, the indigenous population, and the foreign tourist) and on the justification of conservation in a developing country. (A.O.)

Office International des Musées. 1933. **La Conservation des Monuments d'Art and d'Histoire**. Paris: Institut de Coopération Intellectuelle.

French. In chapter VI, *La technique de la restauration: exemples caractéristiques*, of this multi-authored publication, early restoration practices at archaeological sites are described. The monuments or sites discussed are Herculaneum, Saqqara, Knossos and Phaestos, the Acropolis, Cyrene, the temple of Heracles at Agrigentum and Temple C at Selinus, and monuments in Tripoli. (M.D.)

O'Kelly, M. J. 1979. *The restoration of Newgrange.* **Antiquity** 53, 205–210.

Prior to its restoration, Newgrange mound in Ireland was covered with vegetation and trees, forming an integral part of the landscape. Restoration involved considerable intervention to (e.g., a concrete

retaining wall) and rebuilding of the mound, completely altering its relationship to the landscape. The author outlines the rationales for the conservation approach taken. (M.D.)

Oliva Prat, Miguel. 1973. *La conservation et mise en valeur d'un site archéologique. Le gisement préromain d'Ullastret (Gérone, Espagne).* **Monumentum** 10, 13–20.

French. The presentation of this pre-Roman fortified site in Spain is described, more fully in photographs than in text. Consolidation of the walls with cement grouting was undertaken to stabilize the structures, and anastylosis and partial reconstruction were carried out for better presentation to the public. The museum is a restored medieval hermitage on the site. (M.D.)

Orlandos, Anastasios K. 1961. *Travaux récent d'anastylose de monuments préhistorique et classique de la Gréce.* In **Atti del Settimo Congresso Internazionale di Archeologia Classica**, Vol. I (Rome, 1958), 95–101. Rome: L'Erma di Bretschneider.

French. This is a regional report of conservation activities undertaken by the Antiquities Service at classical and preclassical sites in mainland Greece (e.g., Mycenae, the Acropolis, temple of Aphaia on Aegina, temple of Poseidon at Sounion, Epidauros). It provides a good overview of conservation practices employed on archaeological sites at the time. (M.D.)

Piedra, Carlos Aguilar. 1982. *Archaeological parks: Guayabo de Turrialba and El Caño.* In **Rescue Archaeology** (Papers from the First New World Conference on Rescue Archaeology), 163–171. Washington, D.C.: The Preservation Press.

This article explores the issues involved in the creation of archaeological parks, based on the author's experience in Central America. Two case studies are briefly discussed: the site of Guayabo de Turrialba in Costa Rica and El Caño in Panama. (M.D.)

Platon, Nikolas. 1961. *Problémes de consolidation et de restauration des ruines Minoennes.* In **Atti del Settimo Congresso Internationale di Archeologia Classica**, Vol. I (Rome 1958), 103–111. Rome: L'Erma di Bretschneider.

The author discusses the problems of conserving and protecting Minoan sites and reviews some of the treatments, both successful and unsuccessful, that have been used. Of particular interest are the different approaches to restoration undertaken at the three major sites of Knossos, Phaestos, and Mallia and the conservation problems that are now affecting Evans' reconstructions at Knossos. (M.D.)

Restoration, preservation and maintenance of Babylon. **Iraq Today** (Feb.), 1980, 13ff.

This articles attempts to provide a preliminary account of the extensive reconstruction work being carried out on the ruins at the site of Babylon. Press reports have been generally more informative; see e.g., **New York Times** April 19 and June 25, 1989. (M.D.)

Roby, Thomas C. 1995. *Site conservation during excavation: treatment of masonry, wall plaster and floor mosaic remains of a Byzantine church in Petra, Jordan*. **Conservation and Management of Archaeological Sites** 1, no. 1, 43–57.

The author presents a case study of the wide range of site conservation activities practiced during and immediately after excavation, and emphasizes the importance of employing a conservator when planning and implementing an excavation to increase cost effectiveness and ensure greater preservation of fragile remains. Conservation procedures during excavation are described, including the preventive measures of site security, temporary shelter, and temporary reburial. *In situ* stabilization, consolidation, and cleaning of masonry, plaster, and mosaics are also described, as are the stabilization, removal, and storage of architectural fragments. (A.O.)

Rutschmann, Reimund. 1987. *Archäologischer Park. Köngen*. **Garten and Landschaft**, Dec., 27–31.

German. Cited here is one of five case studies in this issue of **Garten and Landscaft** on archaeological site presentation in the state of Baden-Württemberg. The three Roman sites (Köngen, Limes Fort (Reiterkastell), and Xanten) illustrate a design-oriented approach to site presentation that is characteristic of many German sites. Landscaping; the use of vegetation or paving stone to outline a complex, symbolic representation; reconstructions; enclosed shelters; and on-site museums are recurring features of this approach. The Viking site of Haithabu is discussed in terms of its management plan to protect both ecological and archaeological resources. The excavation of remains of the Jewish ghetto below the Börneplatz in Frankfurt presents a very different set of presentation issues. (M.D.)

Scichilone, Giovanni. 1986. *The site of the cathedral at Atri: a case study of in situ conservation of archaeological remains.* In **Preventive Measures During Excavation and Site Protection** (Ghent Conference), 309–314. Rome: ICCROM.

Roman remains in the square of the thirteenth-century cathedral at Atri were preserved for public viewing. The author describes the steps taken to conserve and present the site. These included enclosing the site within a concrete perimeter wall to prevent water infiltration and encasing remains in glass showcases with internal environmental controls. (M.D.)

Slim, Hédi. 1988. *La sauvegarde et la mise en valeur du grand amphithéâtre d'El-Jem.* **Africa** 10, 325–358.

French. This article describes in detail the restoration work carried out on the Roman amphitheater of El Jem in Tunisia. The work was preceded by a full study of the theater, which was in danger of collapsing. Consolidation and reconstruction of the walls and arches to ensure the stability of the monument were the initial concerns. Secondary efforts were aimed at reconstructing a small section of the seats of the theatre to provide visitors with a sense of the theater's original form, establishing a circulation route around the theater, and enhancing the protected zone around the monument by landscaping and constructing a graded entry to the lower ancient levels from the surrounding modern village. (M.D.)

Smith, A. Ledyard. 1968. *Reconstruction at the Maya ruins of Seibal*. **Monumentum** 2, 82-96.

Description of the complete reconstruction of a pyramid and temple complex and a round platform at the site of Seibal in Guatemala. The re-erection and mending of stele using an epoxy is also described. (M.D.)

Tampone, Gennaro, and Sergio Vannucci. 1987. *The effects of modern restoration techniques on the prehistoric temples of the Maltese Islands*. In **ICOMOS 8th General Assembly and International Symposium: Old Cultures in New Worlds,** Vol. I, 484-491. Washington, D.C.: U.S. ICOMOS.

English with French summary. The prehistoric megalithic temples of the Maltese Islands are undergoing severe and rapid degradation due to devastating meteorological action, which is damaging the porous Globigerina and Coralline limestone of which they are built. There is as yet no feasible plan for their protection. Some restoration work has been carried out on the temples, but none of the interventions and none of the techniques used have been satisfactory, though they are useful today as case studies. (AATA 27-1648)

Thorn, Andrew, and Andrew Piper. 1996. *The Isle of the Dead: an integrated approach to the management and natural protection of an archaeological site.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 149-152. London: International Institute for Conservation of Historic and Artistic Works (IIC).

The Isle of the Dead retains an historic cemetery, aboriginal shell midden, and internationally significant high-water mark. With careful management and accurate environmental impact assessment, the site has been protected through natural means requiring minimal intervention. The natural isolation of the island has been used to control visitor access, and tree plantings have been used to stabilize the environment around the headstones. (A.O.)

Thorne, Robert M. 1996. *Archaeological site preservation as an appropriate and useful management tool.* In **Vestiges Archéologiques, la Conservation *In Situ*** (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 octobre 1994), 195-199. Ottawa: Publications de l'ICAHM.

English with French summary. The author states that in the past, archaeological site management in the United States meant either avoiding the site or recording data and then abandoning the site. But today, to preserve the site in accordance with new legislation and thinking, *in situ* management should and can be a multidisciplinary effort. This approach is illustrated with a case study of the preservation and stabilization of shoreline deposits at Lake Britton, California. (A.O.)

Tomasevic-Buck, Teodora. 1985. *From antiquity to kinetic art. A Roman town and its presentation to the public.* **Museum** 37, no. 3, 127-135.

The presentation of the Roman town of Augusta Raurica in Switzerland incorporates a number of different approaches to site preservation and presentation. Remains excavated prior to the Second World War have been mainly left untouched and without formal display. Other remains have been reconstructed to make site museums, and yet others have been enclosed and form part of a modern apartment complex. (M.D.)

Torres de Araúz, Reina. 1982. *The site museum of the El Caño archaeological park.* **Museum** 34, no. 2, 117–119.

The archaeological site at El Caño, Panama, had long been subjected to looting, ploughing, and grazing, but was saved in 1973 when it became an archaeological park. The author describes its former desecration and degradation and the efforts now under way to preserve and present the site, which include the establishment of a site museum and the reconstruction of a traditional pre-Columbian house. (M.D.)

Tuchelt, Klaus. 1994. *Notizen über ausgrabung und denkmalpflege in Didyma.* **Antike Welt** 25, no. 1, 2–31.

German. The antique sanctuary of Didyma on the Turkish coast is an example of the possibilities and limitations of an excavation and of site preservation in an inhabited settlement. From the beginning of excavations in Didyma in 1906, the preservation of the site, the reconstruction of the antique buildings, and the conservation of the excavated and rescued objects have been a central part of the work. The modern settlement, traffic and tourism have caused and still cause erosion of the excavation area. In 1976, the old settlement including the sanctuary and the temple of Didyma and a 600 m circle around them were declared a preservation area, prohibiting modern building work. Regular surveys outside the preservation area revealed the procession route from Milet to Didyma and a sanctuary at its summit dating to the 6th century B.C.E. (AATA)

Ulbert, Günter, and Gerhard Weber (eds). 1985. **Konservierte Geschichte? Antike Bauten und ihre Erhaltung**. Stuttgart: Konrad Thiess Verlag.

German. This collection of articles addresses the question of conserving history through the preservation of its physical remains. The focus of the individual studies is Roman remains in Europe. There are eighteen studies of past and present approaches to conservation. A majority of these are site-specific studies of German, Austrian, and Hungarian sites, but there is also one on Carthage, as well as area studies of England, Austria, and Switzerland. (M.D.)

Vérité, Jacques. 1988. *Tunisie. Restaurations et restitutions aux thermes d'Antonin de Carthage.* **ICOMOS Information** (July/Sept.), no. 3, 17–23.

French with English, Spanish, and Italian summary. The restoration work being carried out on the Roman baths at Carthage is presented. The author argues that such "restorations," which include both anastylosis and reconstruction, satisfy scientific and economic goals. (M.D.)

[Bib. VII: 26 ref.]

ANNOTATED BIBLIOGRAPHY VII: Reburial of Archaeological Sites

Agnew, Neville. 1997. Review of **Experimental Earthwork Project 1960-1992.** M. Bell, P.J. Fowler and S.W. Hillson (eds). Council for British Archaeology (1996). **Conservation and Management of Archaeological Sites**, 2, 101-110.

The author reviews the Experimental Earthworks Project published in Bell et al. 1996 from the perspective of conservation and the lessons that can be learned for reburial of archaeological sites. (M.D.)

Altieri, A., M.C. Laurenti, and A. Roccardi. 1999. *The conservation of archaeological sites: materials and techniques for short-term protection of archaeological remains*. In **Proceedings of the 6th International Conference on "Non-Destructive Testing and Microanalysis for the Diagnostics and Conservation of the Cultural and Environmental Heritage."** (Rome, May 17-20, 1999). Ministry of Cultural Heritage and the Italian Society for Non-Destructive Testing Monitoring Diagnostics.

The testing procedure and preliminary results of the project of the ICR and the Soprintendenza Archeologica per l'Etruria Meridionale to undertake testing of different reburial systems on mosaic floors and wall plasters in the Terme Taurine in Civita are described in this paper. The emphasis is on short-term reburial methods. Geotexile and a new material, goretex, were used in combination with sandbags or 'mattresses' filled with clay pellets. The paper also includs a brief summary of past reburial methods and commonly used materials such as clay pellets, pozzolana, and geotextiles. (see also Laurenti, Maria Concetta and Antonella Altieri. 1999? *Materiali e tecniche per la protezione a breve termine dei mosaici pavimentali nelle aree archeologiche*. [Aiscom. Atti del VI Colloquio, Venezia 20-23 Gennaio, 1999]) (M.D.)

Aoyagi, M, and E. Foschi. 1997. *I mosaici pavimentali della villa romana di Cazzanello (Tarquinia): Problemi di datazione e di restauro conservativo*. **Atti del IV Colloquio dell'Associazione Italiana per lo Studio e la Conservazione de Mosaico 1996**. Edizioni del Girasole.

Italian. This article describes the reburial work carried out to protect mosaics at the Roman villa of Cazzanello (Tarquinia) at the end of the excavation seasons. Permanent reburial consists of using black polypropylene geotextile (Geolon) to cover exposed surfaces over which is placed pumice; seasonal reburial incorporates the use of a white polypropylene geotextile (Geodren) and 'mattresses' filled with pumice. (B.L/M.D.)

Ashurst, John, Nick Balaam, and Kate Foley. 1989. *The Rose Theatre*. **Conservation Bulletin** (English Heritage), no. 9, 9-10.

The fragile remains of the Elizabethan Rose Theatre were covered for temporary protection during building construction on the site. This report describes the reburial measures undertaken by English Heritage and the rationales for the choices made. A geotextile fabric was laid over the remains and covered with sand into which was incorporated a leaky-pipe irrigation system. (M.D.)

Bedello Tata, Margherita and Laura Spada. 1995. *Progetto di Restauro per il Complesso Musivo delle Terme dei Cisarii ad Ostia.* In I. Bragantini and F. Guidobaldi (eds.), **Atti del II Colloquio dell'Associazione Italiana per lo Studio e la Conservazione del Mosaico**, (Roma 5-7 Diciembre 1994), 229-234. Bordighera: Instituto Internazionale di Studi Liguri.

Italian. The author describes the practical application of two temporary, shallow, surface protection methods for a mosaic pavement at Ostia, Terme dei Cisiarri: one is a geotextile mattress made of expanded clay pellets ("Leca") and pellet dust placed in contact with the mosaic; the second is an anti-root geotextile composite that inhibits root growth into the mosaic. Both systems allow for easy removal of the fill. (A.B.R.)

Bell, M, P.J. Fowler and S.W. Hillson, eds. 1996. **Experimental Earthwork Project 1960-1992**. London: Council for British Archaeology.

This report reviews the first 32 years of the Experimental Earthwork Project where two earthworks were constructed as a long-term experiment to investigate how the archaeological record is formed, and how buried materials change and decay over time. Two contrasting sites were studied and compared: an alkaline chalk downland at Overton Down, Wiltshire (established in 1960), and an acidic heathland at Wareham Heath, Dorset (established in 1963). Each earthwork includes structural elements found in archaeological monuments in Britain and a range of materials including wood, bone, leather, textiles, flint, pottery, and some glass. The experimental plan was to monitor change by excavating sections across the earthworks at intervals of 2, 4, 8, 16, 32, 64, and 128 years. In addition to quantitative information on burial conditions at various levels, this publication also discusses soil micromorphology and chemistry, SEM studies of buried materials, amino acid studies and pollen analysis. Results show that many of the changes occur within decades of burial, and the extent of post-burial changes can be much greater than generally thought. (a b)

Burch, Rachel. 1997. **The Reburial of Wall Paintings: a Critical Assessment of the Technique of Reburial for the Conservation of In Situ Excavated Plasters**. Postgraduate Diploma Dissertation, Courtauld Institute of Art, University of London.

A postgraduate diploma dissertation that dicusses reburial as a method for the *in situ* preservation of wall paintings. The dissertation reviews published literature on reburial, characterizes the nature and mechanisms of reburial and potential sources of deterioration in a reburial environment, and discusses sources of deterioration during burial and upon excavation. Ethical and technical considerations are discussed, as well as the importance of monitoring and maintaining the reburial environment. It also includes an informative summary of results from a questionnaire sent to over 130 international archaeologists, conservators, and preservation professionals to obtain their perception of reburial as a conservation option and to gather information not necessarily published on the methods and techniques of reburial. (A.B.R.)

Calarco, Dominic A. 2000. *San Diego Royal Presidio. Conservation of an earthen architecture archaeological site*. **Terra 2000 Preprints** (8th International Conference on the study and conservation of earthen architecture, Torquay, Devon, UK, May 2000), 20-25. London: James and James Ltd.

The ruins of the San Dieogo Presidio, an adobe construction dating to the 18th century, is one of only four presidios in California. The author relates the history of the site, its excavation history, the

many attempts to preserve and interpret the site, and the decision that led to reburial of the excavated remains in 1998. The rationale for reburial, involvement of the community, and technical considerations and implementation are described. (M.D.)

Corfield, Mike. 1996. *Preventive conservation for archaeological sites.* In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26–30 August 1996), 32–37. London: International Institute for Conservation of Historic and Artistic Works (IIC).

Unexcavated sites survive because they have reached a state of equilibrium with their environment; human activities can have a profound impact on that environment, especially if they alter the local hydrology. In England, recent research has focused on defining and quantifying the relationships between important environmental factors, particularly for waterlogged sites, in order to allow for successful *in situ* preservation of burial environments and thus of buried sites. The author describes the impacts and complex interactions of these factors, which include soil and water chemistry, geology, mineralogy, and hydrology. (A.O.)

Corfield, M., P. Hinton, T. Nixon and M. Pollard (eds.). 1998. **PARIS Conference Proceedings at the Museum of London**, April 1–3, 1996. Museum of London Archaeology Service.

Proceedings from a conference organized by the Museum of London, Bradford University, and English Heritage that brought together developers, engineers, and archaeological scientists to discuss the problems of *in situ* preservation of urban and waterlogged sites in northwestern Europe. The papers focus on the influence of groundwater and changes to it due to preservation policies and the effects of construction techniques on both site hydrology and physical integrity. Germane but indirectly related to the topic of backfilling or reburial are certain papers that address the chemical, geotechnical, hydrological, and microbiological nature of burial and reburial environments (Shilston & Fletcher; Simpson; Pollard; Hopkins) and two papers on field monitoring of these processes (Davis; Caple). Though most of the research in these papers has been conducted on waterlogged sites, the applicability to dry sites is envisaged. (A.B.R.)

Demas, Martha, Neville Agnew, Simon Waane, Jerry Podany, Angelyn Bass, Donatius Kamamba. 1996. *Preservation of the Laetoli Hominid Trackway in Tanzania*. In Ashok Roy and Perry Smith, eds. **Archaeological Conservation and its Consequences:** (Preprints of the Contributions to the Copenhagen Congress, 26–30 August 1996), 38–42. London: International Insititute for conservation of Historic and Artistic Works (IIC).

The Laetoli hominid footprints in northwestern Tanzania are of major importance in understanding the evolution of humankind. The site was excavated in the late 1970s by Mary Leakey, documented and reburied. In subsequent years, re-vegetation occurred and damage from root growth resulted. Of particular interest in relation to reburial as a method of preservation is that serious damage occurred to a unique scientific and cultural site because subsequent monitoring and maintenance of the reburial were not carried out. This paper presents an overview of the strategy developed between 1992 and 1994 for the preservation of the trackway, which takes into consideration the many and complex requirements of preserving outdoor sites, and describes the re-excavation, conservation, documentation and reburial of the southern 10 m of the trackway completed in the 1995 field season. (aa abridged)

Dowdy, Katherine and Michael Romero Taylor. 1993. *Investigations into the benefits of site burial in the preservation of prehistoric plasters in archaeological ruins*. In **7a Conferência Internacional sobre o Estudo e Conservacão da Arquitectura de Terra: comunicações: Terra 93**. Lisboa: Direcção Geral Dos Edifícios e Monumentos Nacionais.

This paper summarizes the results of a joint project by the US National Park Service and the Getty Conservation Institute at Chaco Culture National Historical Park to investigate the benefits of reburial of archaeological sites. Rooms excavated in the 1890s and 1920s were re-excavated in 1992 to determine their condition, demonstrating the beneficial effects of reburial on preservation of architectural remains. The paper focuses specifically on the preservation of mud plaster in a buried context. (M.D.)

Fry, Malcolm F. 1996. *Buried but not forgotten: sensitivity in disposing of major archaeological timbers*. In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), , 52-54. London: International Institute for Conservation of Historic and Artistic Works (IIC).

This paper briefly reviews the main practical options for preserving massive timber discoveries, particularly log boats, which because of their condition are unlikely to be wanted for display or further research, but which cannot simply be discarded. For the last 20 years in Northern Ireland, one course of action has been reburial on a patch of land set aside specifically for that purpose. Each timber was wrapped in heavy-duty polyethylene and placed in individually marked plots under 2m of soil. Aspects of long-term preservation of the timber in its new environment are considered, in particular possible reactions with the soil. (BCIN)

Gibbs, Ronnie. 1994. **The Use of Backfill Techniques on 'Dry' and 'Waterlogged' Archaeological Sites**. BSc Dissertation, University of London.

This thesis investiates materials and techniques for backfilling 'dry' and 'waterlogged' sites. It presents an experimental program that tests the effectiveness of expanded clay pellets as a fill material and also examines how certain artifacts treated with Paraloid B-72 respond to a burial environment. The introduction outlines the basic requirements and theoretical considerations that go into developing a backfill strategy. Gibbs also discusses materials and methods of backfilling as gleaned from a literature review and from results of a questionnaire on backfilling techniques sent to over 70 archaeologists. (A.B.R.)

Goodburn-Brown, Dana, and Richard Hughes. 1996. *A review of some conservation procedures for the reburial of archaeological sites in London*. In Ashok Roy and Perry Smith, eds., **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), , 65-69. London: International Institute for Conservation of Historic and Artistic Works (IIC).

The paper briefly reviews the practical methodologies used to stabilize and rebury archaeological features (Roman floor and wall plaster and waterlogged timbers) at three sites in London, but more importantly, reviews some of the negative results of reburial. (A.B.R.)

Ladron de Guevara, Bernadita and Gabriela Alt. 1994. *Téchnica de Cierre de Excavaciones en Sitios Arqueológicos*. **Museos (Coordinacion Nacional de Museos. Chile)**. No. 18, 26-28.

Spanish. In the context of an archaeological survey, test trenches were backfilled to protect the archaeological deposits at Santos del Mar in Chile. Three simple methods, consistent with needs of protection and probability of re-excavation, were used to rebury the trenches at two different sites. Excavated soil was used, plastic netting to wrap *in situ* features or protect sides of trench. One of the trenches was re-excavated the folllowing year and the results of the reburial evaluated (M.D.)

Martinelli, Antonella. 1993. *Un'esperienza di reinterro: La Villa Marittima di Cala Padovano*. In **Conservation, Protection, Presentation: Fifth Conference of the International Committee for the Conservation of Mosaics, Faro - Conimbriga, 4-8 October 1993. Proceedings**, (Mosaics 6)21-30. Lisbon: Instituto Portugues Museus.

Italian. The author describes the reburial of excavated mosaics from a Roman villa in the district of Bari, in the Cala Padovano site. The reburial incorporated typical materials used for mosaics—sand, clay pellets, plastic mesh, and soil. After three years the reburial was partially re-opened and the results evaluated. (M.D.)

Mora, Paolo. 1984. *Conservation of excavated intonaco, stucco and mosaics.* In Nicholas Stanley Price (ed.), **Conservation on Archaeological Excavations with Particular Reference to the Mediterranean Area**, 97-104. Rome: ICCROM.

In an early discussion of reburial techniques, the author proposes a filling of expanded clay pellets and earth, separated by plastic netting, as a covering for mosaics, and the use of vermiculite adjacent to wall paintings. The prerequisites of the reburial materials are discussed. (M.D.)

Moss, Elizabeth. 1998. **Protection and Environmental Control of the Plastered Mudbrick Walls at Çatalhöyük**. MSc Thesis, University of Pennsylvania.

This thesis focuses on examining and developing methods of preventive conservation to control damage during and after excavation of Çatalhöyük, a Neolithic site in south central Turkey, known for its painted plastered mudbrick walls and relief sculptures. This work includes a site description; characterization and analyses of earthen elements; and an experimental program that used simulated models of mud-plastered walls to examine the effects that moisture, salts, and desiccation could have on earthen materials. In addition, the experimental program tested various short-term preventive methods of surface protection to mitigate damage caused immediately upon excavation due to rapid, excessive drying of both the plaster and its earthen substrate. Some of the materials tested for surface protection were perlite, vermiculite, and geotextiles. Test results proved that a temporary protective composite system made of a combination of these materials was effective in mitigating desiccation damage that can occur immediately after excavation, and far outweighed the negative results of leaving the earthen surfaces unprotected. (A.B.R.)

Nardi, Roberto. 1982. *Couverture provisoire pour les mosaïques que l'on ne peut enlever.* **International Committee for Mosaics Conservation Newsletter**, no. 5, 5-13.

French. The author describes an early experiment to find a better means of temporary protection for mosaics after an unsuccessful experience using plastic netting and soil (root penetration and adherence of the netting to mosaic). A one-year test was conducted using variations of clay pellets, plastic netting, soil, and sand in various sequences. None of the variations prevented root penetration, a serious problem the author identified as requiring further research in the use of herbicides. (M.D.)

Nordby, Larry V., Michael R. Taylor, and Judith G. Propper. 1988. *The handwriting on the wall: prospective preservation research strategies for the U.S. Forest Service.* In **Tools to Manage the Past: Research Priorities for Cultural Resources Management in the Southwest** (Symposium Proceedings, May 2-6, 1988, Grand Canyon, Arizona), 68-80.

This article describes research projects that will contribute to establishing ruins stabilization programs (see Bibliography V). In the discussion of current stabilization techniques, the authors review the assumptions that underlie the use of backfilling as a preservation strategy and some of the techniques that have been advocated. They point out the lack of any real data to support these assumptions and outline areas of research that should be investigated. (M.D.)

Petriaggi, R. 1990. Risultati di un esperimento di protezione di pavimenti in mosaico conservati all'aperto ne sito di Ostia Antica, in **Mosaicos no. 5, Conservación In Situ, Palencia 1990**, 255-266. Rome.

This paper describes three reburial tests carried out at Ostia in 1989 on mosaic pavements: one in the frigidarium where a sheet of geotextile was covered with a 0.5 m layer of expanded clay pellets (Leca); and the second and third in the caldarium, where only a single 0.5 m layer of expanded clay pellets was used (no geotextile). The results showed that clay pellets alone were a valid option, being light, clean, and easy to remove. The geotextile appeared to concentrate moisture and promote root growth at the surface of the mosaics and had no advantages clay pellets alone. The author also suggests using a system of fine plastic mesh (as in Nardi, 1982) and clay pellets to provide adequate temporary protection. (A.B.R.)

Podany, Jerry, Neville Agnew, and Martha Demas. 1993. *Preservation of excavated mosaics by reburial: Evaluation of some traditional and newly developed materials and techniques.* In **Conservation, Protection, Presentation: Fifth Conference of the International Committee for the Conservation of Mosaics, Faro - Conimbriga, 4-8 October 1993. Proceedings**, (Mosaics 6), 1-19. Lisbon: Instituto Portugues Museus.

In the ongoing efforts to preserve excavated mosaics, the option of reburial is gaining recognition from archaeologists and conservators alike. While it is generally agreed that reburial can provide the optimum environment for long-term preservation, guidelines and characterization of this environment have not been broadly established. This paper reviews issues paramount in the design and implementation of reburial, including the long-term effect upon mosaics and sites as a whole. A comparison is made between the more commonly used materials and the effectiveness of newly developed synthetic products, such as geotextiles integrated with a backfill material from the site. Although the work presented focuses on mosaics, it is part of a larger effort to study and characterize reburial strategies and the effects of those strategies upon archaeological sites. (aa)

Roby, Thomas. 1995. *Site Conservation during excavation: treatment of masonry, wall plaster and floor mosaic remains of a Byzantine church in Petra, Jordan*. In **Conservation and Management of Archaeological Sites**. Volume 1, Number 1.

The author describes the conservation treatments carried out on the architectural remains of a Byzantine basilica in Petra, Jordan, during and immediately after the excavation. Among the treatments were temporary reburial of the remains of a figurative mosaic pavement in the two side aisles, and the fragmentary remains of the opus sectile pavement in the central aisle. The reburial stratigraphy consisted of 30 cm of excavation soil laid over a continuous sheet of spun-bonded polypropylene geotextile (Typar) to protect the mosaics between the initial phases of conservation work and construction of a permanent shelter for the site. Earlier in the excavation another temporary reburial method was used: a layer of perlite between two sheets of plastic netting. The perlite produced many fine particles that seeped through the plastic netting and were difficult to remove from the mosaic. (A.B.R.)

Silver, Constance S., Joel Snodgrass, and Richard Wolbers. 1993. *A program for the conservation of prehistoric mural paintings on mud renderings in the American southwest*. In **7th International Conference on the Study and Conservation of Earthen Architecture**. Lisbon: Direcção Geral dos Edifícios e Monumentos Nacionais.

This paper describes the conservation treatments of prehistoric mural paintings (c. A.D. 1150) on mud renderings in two rooms at Aztec Ruins National Monument, New Mexico, an archaeological site under the jurisdiction of the National Park Service. The objectives of the project were: utilization of the inherent rheological properties of the murals as part of the conservation treatment; development of methods to remove deleterious aged coatings of shellac and cellulose nitrate; and implementation of conservation backfilling of one mural to address long-term preservation. (aa, edited)

Thorne, Robert M., Patricia M. Fay, and James J. Hester. 1987. **Archaeological Site Preservation Techniques: A Preliminary Review** (Environmental Impact Research Program, Technical Report EL-87-3). Vicksburg, Mississippi: Waterways Experiment Station, Corps of Engineers.

Reburial is discussed briefly as one site preservation technique (pp 31f.). The importance of distinguishing between excavated units and fill material is emphasized. Traditional markers such as glass or a fill of sand or gravel are noted. The use of filter fabrics or polyethylene film is given equivalent value as horizon markers. Type of fill material (chemically similar to artefact-bearing matrix) and cost factors are also mentioned. (M.D.)

[Bib. Viii: 39 refs.]

ANNOTATED BIBLIOGRAPHY VIII: Erosion Control and Site Stabilization

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Ahern, Kate. 1991. *Visitor wear and tear of cultural landscapes: recommendations for Stonehenge.* **CRM** 14, no. 6, 24-26.

At Stonehenge, the impact of visitor foot traffic has resulted in soil erosion, compaction, and destruction of the natural grasses. Trial tests were conducted to determine the most effective combination of grass type, reinforcement materials, and maintenance practices for creating durable grass paths. Results indicated that such paths were feasible with regular maintenance, rest periods (effected by shifting the roped pathway), and repair. (A.O.)

Andropogon Associates, Ltd. 1989. **Earthworks Landscape Management Manual**. Washington, D.C.: National Park Service, U.S. Dept. of the Interior (reproduced by NTIS).

This manual was designed by a private consulting firm, Andropogon Associates, to provide management strategies and interpretive guidelines for earthwork sites in the U.S. National Parks. The emphasis is on stabilization of sites using native habitats. The first part of the manual is a critical review of current management practices and recommendations for vegetative cover types and for interim stabilization measures. The second part of the manual comprises management guidelines for forest and grass covers and for the restabilization and revegetation of damaged ground surfaces. These latter guidelines are especially pertinent to the control of erosion. (M.D.)

Arvanitakis, M., P. Mira, E. Kotsopoulou, and A. Asteriou. 1988. *Stabilization and protection of the sides of the trenches and pits of the Vergina Royal Tombs, Greece.* In Paul G. Marinos and George C. Koukis (eds.), **The Engineering Geology of Ancient Works, Monuments and Historical Sites. Preservation and Protection**, vols 1-3. Rotterdam: A.A. Balkema, vol. 1, 249-152.

During trial excavations on the Vergina Royal Tombs, the sides of the pits and trenches leading to the tombs were uncovered. The sides are in a state of critical equilibrium; their geometry is constantly changing. The possibility of stabilizing and protecting the sides, by either using injections or surface consolidation with prepolymer of isocyanate, was examined. (aa)

Bates, A. Leon, Sidney S. Harper, Kenneth R. Kelley, and David H. Webb. 1997. **Banks and Buffers: A Guide to Selecting Native Plants for Streambanks and Shorelines.** Muscle Shoals: Clean Waters Initiative Program, Environmental Research Center, Tennessee Valley Authority.

This is an active user's guide for the selection of native plants for streambank and shoreline protection. Printed material contains information on each plant species, as well as charts for the selection of appropriate plants based on six zones that range from submerged aquatic to dry upland. The plant species are common to the Tennessee River Valley region but are also found in other areas of the eastern United States. The plant database is also included on a CD-ROM. (Thorne 1998 abridged)

Clarke, P., and J. Hope. 1985. *Aboriginal burials and shell middens at Snaggy Bend and other sites on the central Murray River.* **Australian Archaeology** 20, 68–89.

Describes erosion control measures on sand dunes where wind exposes burials. Three 100-meter-long, 1-meter-high brush fence windbreaks across the dune core proved less effective than a mat of eucalyptus branches laid across the site to act as a sand trap. (N.S.P.)

Ehrenhard, John E. 1994. *Stabilization and restoration at Russell Cave.* **CRM** 17, no. 1, 28–30.

Stream erosion had undercut the protective talus slope at the mouth of Russell Cave, threatening the archaeological deposits within. The local topography was altered to direct the stream away from the cave entrance, the bank was rebuilt and covered with a layer of filter fabric, and the fabric was covered with boulder riprap and fill. (A.O.)

Ehrenhard, John E., and Robert M. Thorne. 1991. *An experiment in archaeological site stabilization, Cumberland Island National Seashore*. **CRM** 14, no.2, 13–16.

Changes in the natural and cultural environment on and around Cumberland Island National Seashore are accelerating shoreline erosion; the rate of loss of unprotected cultural deposits has increased accordingly. Surprisingly, along the northwest shore between Terrapin Point and Cumberland Wharf, the tidal marsh zones are stabilizing thanks to an increase of naturally deposited oyster shell rakes (dikes). Construction of an experimental, artificial rake emulating this natural phenomenon was undertaken to expedite the revegetation of a static marsh zone, and thus help stabilize the bankline and its cultural deposits. (aa)

_____. 1993. *An experiment in archaeological site stabilization – part II, Cumberland Island National Seashore.* **CRM** 16, no. 5, 3–4, 16.

An experimental, artificial rake (dike) was constructed to prevent erosion of the shoreline and vulnerable archaeological deposits; to protect the rake from erosion by wild horses and pigs strips of GEOWEB were installed on animal paths. The authors discuss the positive results of the experiment. See also Ehrenhard and Thorne 1991. (A.O.)

Garfinkel, Alan Philip, and Bobby L. Lister. 1983. **Effects of High Embankment Construction on Archaeological Materials**. State of California, Department of Transportation.

This report presents a field study conducted by the California Department of Transportation to determine the effects of constructing a 75-foot-high embankment over a simulated Native American artefact site. The results supported findings of a preliminary laboratory study. The soil surrounding the artefacts consolidated one to two inches within the test sites. Fragile artefacts such as shell and bone suffered some minor damage while the stone artefacts were generally not affected. Guidelines for preservation of archaeological sites on future construction sites are provided. (aa abridged)

Garrett, Susan. 1983. **Coastal Erosion and Archeological Resources on National Wildlife Refuges in the Southeast**. Atlanta, Georgia: Archaeological Services Branch, National Park Service, Southeastern Region.

This report first summarizes the known information on prehistoric archaeological resources in each of the coastal refuges managed by the U.S. Fish and Wildlife Service in the Southeastern Region. The study then looks at preservation as a treatment measure for eroding sites. The use of erosion control measures has become fairly common along reservoir or lake shorelines, but is still rare in the coastal zone. Potentially useful control measures, including structural measures such as bulkheads, seawalls, and revetments, and non-structural measures such as vegetation, are discussed in terms of their applicability to archaeological sites, their durability, and their cost-effectiveness in comparison to data recovery. (aa abridged)

Hughes, P.J., A.L. Watchman, and M.E. Sullivan. 1981. *Conservation of the Mount Cameron West engraving site, northwestern Tasmania*. **Papers and Proceedings of the Royal Society of Tasmania** 115, 211-222.

This shoreline site with rock engravings has long been covered with a naturally occurring mantle of sand. A thorough study of the geology and an initial investigation of coastal erosion to the site indicate that the rock is relatively stable, but coastal erosion constitutes a serious threat to the site. The authors outline erosion control measures that could be implemented to help stabilize the site until a more complete study can be undertaken. These measures include stabilization of the sand dune through planting of grasses to trap windblown sand, maintenance, and perhaps extension of the existing sand mantle. (M.D.)

Keown, Malcolm P. 1983. **Streambank Protection Guidelines**. Vicksburg, Mississippi: U.S. Army Engineer Waterways Experiment Station.

This publication is written in layman's terms and is intended to provide general information to the public on the subject of streambank stabilization. The nature of streams and reasons for streambank erosion and failure are discussed. A variety of standard streambank stabilization techniques are presented for consideration. (Thorne 1989b)

Keown, Malcolm P., and Elba A. Dardeau, Jr. 1980. **Utilization of Filter Fabric for Streambank Protection Applications** (Technical Report HL-80-12). Vicksburg, Missippi: U.S. Army Engineer Waterway Experiment Station.

At the time it was written, this report represented a state-of-the-art literature survey of filter fabric [geotextiles] use. U.S. Corps of Engineers offices as well as filter cloth manufacturers were queried for both published and unpublished histories of filter fabric use for streambank stabilization. Indications are that if properly selected, filter fabric can serve as a replacement for natural filters. Other possible uses are described. A bibliography is included. (Thorne 1989b abridged)

Lenihan, Daniel J. (Project Director), et al. 1981. **The Final Report of the National Reservoir Inundation Study**, vols 1-2. Santa Fe, New Mexico: Southwest Cultural Resources Center, National Park Service.

Detailed study of the impact of inundation on archaeological sites and of techniques to minimize damage. Includes discussions of techniques for preinundation site and soil stabilization and a review of materials and linings used for stabilization during reservoir construction, as well as preliminary experiments in the preservation of submerged Anasazi structures. (N.S.P.)

Ling Yuquan, Qu Jianjun, Fan Jinshi and Li Yunhe. 1997. *Research into the control of damage by windblown sand at the Mogao grottoes.* In Neville Agnew (ed.), **Conservation of Ancient Sites on the Silk Road** (Proceedings of an International Conference on the Conservation of Grotto Sites, Mogao Grottoes at Dunhuang, October 1993), 213-226. Los Angeles: The Getty Conservation Institute.

Windblown sand has been a constant and severe problem at the Mogao grottoes. To address the issue, a two-part research project was conducted. In the first part, the patterns of wind and sand movement were monitored and studied using meteorological data and information collected from sand traps. The second part involved the construction of a synthetic fabric windbreak fence to mitigate the effects of the sand and a monitoring program to assess the effectiveness of the intervention. (A.O.)

MacDonald, Anne. 1990. **Surface Erosion and Disturbance at Archaeological Sites: Implications for Site Preservation** (Environmental Impact Research Program, Miscellaneous Paper EL-90-6). Vicksburg, Mississippi: U.S. Army Engineer Waterway Experiment Station.

Surface erosion is one of the most ubiquitous processes that alter exposed archaeological sites and often result in significant data loss. Impacts due to surface erosion occur naturally, but can be unwittingly increased by many management activities, usually in the form of surface disruption of the archaeological site or adjoining ground. This report reviews surface erosion/disruption processes and their effect upon archeological sites; reviews management activities that occur on lands under U.S. Army Corps of Engineers jurisdiction and may influence rates of surface erosion/disruption; and examines ways of managing sites to reduce surface erosion/disruption potential. (aa abridged)

Marinos, Paul G., and George C. Koukis (eds). 1988. **The Engineering Geology of Ancient Works, Monuments and Historical Sites. Preservation and Protection**, vols 1-3. Rotterdam: A.A. Balkema.

This massive three-volume work represents the publication of papers from an international symposium held in Athens in September 1988. The articles cover a wide variety of subjects, organized by theme. Subjects include analysis, provenance, and consolidation studies of building stone; geophysical methods of site investigation,; seismic risk studies; paleogeological reconstructions; etc. The three articles annotated in this bibliography were selected as being most relevant to the present topic. (M.D.)

Mathewson, Christopher C. (compiler). 1989. **Interdisciplinary Workshop on the Physical-Chemical-Biological Processes Affecting Archeological Sites** (Environmental Impact Research Program, Contract Report EL-89-1). Vicksburg, Mississippi: U.S. Army Engineer Waterway Experiment Station.

This interdisciplinary workshop investigated the impacts of burial on archaeological sites. The deterioration of artefacts and disturbance of spatial relationships are examined with respect to changes in soil chemistry, soil compaction, changes in hydrology, and the burrowing of animals as a result of burial or inundation of a site. A qualitative site decay model resulting from the workshop indicates the relative significance of site environment on decay of an archaeological site and can be used as a basis for determining the effects of burial strategies. (M.D.)

Mathewson, Christopher C., and Tania Gonzalez. 1988. *Protection and preservation of archaeological sites through burial.* In Paul G. Marinos and George C. Koukis (eds.), **The Engineering Geology of Ancient Works, Monuments and Historical Sites. Preservation and Protection**, vols 1-3. Rotterdam: A.A. Balkema, vol. 1, 519-526.

Archaeological sites often come into conflict with engineering projects. In cases where the project requires excavation, the archaeological site must be excavated and the information recorded to be preserved. If, however, the site is to be buried below fill, inundated, or crossed by equipment, it is often preferable to protect the site below an engineered cover, rather than to excavate it. However, each of the site components and spatial relationships reacts differently to changes in the physical, biological, and chemical environment induced by burial. The design of a burial project must, therefore, be carried out as a cooperative effort between the archaeologist and engineering geologist: the archaeologists must identify the critical components or relationships to be protected, and the engineering geologist must design the burial to produce the desired environmental conditions. (aa)

Mathewson, Christopher C., Tania Gonzalez, and James Eblen. 1992. **Burial as a Method of Archaeological Site Protection** (Environmental Impact Research Program, Contract Report EL-92-1). Vicksburg, Misssissippi: U.S. Army Engineer Waterway Experiment Station.

This report updates and summarizes research undertaken by the U.S. Army Engineer Waterway Experiment Station and the Center for Engineering Geosciences (Texas A&M University), looking specifically at the physical and chemical changes that take place upon the burial of an archaeological site. It expands on earlier publications by Mathewson et al. (M.D.)

Morrison, W.R., and L.R. Simmons. 1977. **Chemical and Vegetative Stabilization of Soils** (Technical Report no. REC-ERC-76-13). U.S. Department of Interior, Bureau of Reclamation.

This report contains the results of a study on various chemical and vegetative methods of soil stabilization. Three main items of work were accomplished under the study: laboratory studies of 30 liquid soil stabilizers and on materials and methods for waterproofing soils and arresting erosion; discussions of various chemical and vegetative methods in the field; and a survey of chemical stabilization of soils and revegetation methods and materials for erosion control. Results of this study indicate the potential effectiveness of chemical and vegetative stabilization. (aa abridged)

Po-Ming, Lin, Neville Agnew, Li Yunhe and Wang Wanfu. 1997. *Desert-adapted plants for control of windblown sand.* In Neville Agnew (ed.), **Conservation of Ancient Sites on the Silk Road** (Proceedings of an International Conference on the Conservation of Grotto Sites, Mogao Grottoes at Dunhuang, October 1993), 227-234. Los Angeles: The Getty Conservation Institute.

At the Mogao grottoes, a synthetic fabric windbreak fence was designed and installed to mitigate the effects of windblown sand. (See Ling et al., 1997.) To create a more permanent solution, a vegetation windbreak was planted. This paper describes the design of the vegetation windbreak and its associated drip irrigation system. (A.O.)

Rogers Jr., Spencer. 1986. **Artificial Seaweed for Shoreline Erosion Control?** (National Technical Information Service).

Springfield, Virginia: U.S. Department of Commerce.

The use of artificial seaweed to control erosion has not lived up to its expectations. The author reviews the history, theory, and documented projects in both the U.S. and Europe. He concludes that only under certain conditions (e.g., inlet channels) has artificial seaweed proven some effectiveness. Experimentation with the use of seaweed, especially in the U.S., to control shoreline erosion has not been successful, despite initial suggestions to the contrary. (M.D.)

Rutkowski, Bogdan, and Krzysztof Nowicki. 1988. *The problem of preservation of mountainous sites in Crete.* In Paul G. Marinos and George C. Koukis (eds.), **The Engineering Geology of Ancient Works, Monuments and Historical Sites. Preservation and Protection**, vol. 3, 1475–1478.

Archaeological sites situated high in the mountains encounter different problems of preservation those sites in the agricultural or urbanized areas. Erosion is the most important factor that has shaped the appearance of the sites. The balance between a destructive and protective role of erosion is very delicate, and it is always disturbed when the site is unearthed. The author examines the erosion processes as they have affected a number of mountainous sites in Crete. (aa abridged)

Snelson, W.J., M.E. Sullivan, and N.D. Preece. 1986. *Nundera Point—an experiment in stabilizing a foredune shell midden*. **Australian Archaeology** 23 (Dec.), 25–41.

This article describes in detail an experiment in stabilizing a coastal midden site. Working within constraints imposed by an ongoing coastal research program, stabilization measures were implemented: the dune profile was re-established; native grasses were planted; 'Enviromat,' a commercial product consisting of a nylon mesh enclosing aspen wood shavings, was laid over the dune for mulching and protection of the surface; and dune-forming fences were installed in the blowout area. Subsequent evaluation has shown that these measures have been largely successful; problems that were encountered are reviewed. (M.D.)

Steffny, Ernst. 1993. *Versuch einer stabilisierung von grabungs-profilen in einem begehbaren befund.* **Arbeitsblätter für Restauratoren** 26, no. 1, 275–276.

German with English abstract. A stratigraphic profile measuring 10 m^2 in a covered and protected excavation area—dried out and crumbling after 20 years—was stabilized using Casein solution. After six months of observation, this experiment, under the specific climatic conditions, can be regarded as successful. (aa edited)

Thomas, Gordon. 1999. *The role of research and education in site management at the Lemba Experimental Village, Cyprus.* **Conservation and Management of Archaeological Sites** 3, nos. 1 and 2, 109–123.

The Lemba Experimental Village was established in 1988 with a view to understanding site formation processes through the construction of full-scale experimental buildings. Monitoring and recording of construction and erosion processes provides a long-term history of events on the site, which can be related to the deposits and features encountered when excavation is undertaken. Comparative information has been obtained from the structural analysis and excavation of buildings abandoned 25–30 years ago in the village of Souskiou, where similar deposits are encountered. The

results of the work are used as a comparative database for understanding deposits on prehistoric archaeological sites. (aa abridged)

Thorne, Robert M. 1985. **Preservation is a Use: Archaeological Site Stabilization, An Experimental Program in the Tennessee River Valley**. Archaeological papers of the Center for Archaeological Research, no. 5, University of Mississippi, Tennessee Valley Authority Publications in Anthropology no. 40.

This detailed review of erosion control techniques applicable to archaeological site stabilization discusses the advantages and disadvantages of each technique and considers their potential impacts on archaeological sites. Some thirty previous efforts at archaeological site stabilization in the U.S. are then reviewed and evaluated according to the techniques utilized. The study concludes with various experiments at site stabilization and protection undertaken in the Tennessee River Valley. (M.D.)

_____. 1988a. **Filter Fabric: A Technique for Short-Term Site Stabilization** (Archaeological Assistance Program, Technical Brief, no. 1). Washington, D.C.: Department of the Interior, National Park Service.

This report briefly discusses what filter fabrics [geotextiles] are and their usual applications. The advantages and disadvantages of filter fabric are discussed. A specific example of the application of filter fabric to an archaeological site (Huffine Island) is given, and the details of the processes involved in choosing the specific stabilization technology for the site are fully discussed. The actual installation of the filter fabric is described in detail. Installation monitoring is explained. (Thorne 1989b)

_____. 1988b. **Guidelines for the Organization of Archeological Site Stabilization Projects: A Modeled Approach** (Environmental Impact Research Program, Technical Report EL-88-8). Vicksburg, Mississippi: U.S. Army Engineer Waterways Experiment Station.

This set of guidelines is designed to identify a procedure for evaluating technical options for archaeological site preservation technical options and for selecting the proper options to be employed in specific situations. In the absence of any prior guidelines, these guidelines are based on interviews with Federal archaeologists with direct personal experience in specific site preservation situations. The guidelines so developed were tested at a prehistoric mound site on Huffine Island, Tennessee, and those efforts are presented as a case study in site preservation. The solution adopted at Huffine Island to control erosion was the use of geotextile filter fabric. (aa abridged)

_____. 1989a. **Intentional Site Burial: A Technique to Protect Against Natural or Mechanical Loss** (Archaeological Assistance Program, Technical Brief, no. 5). Washington, D.C.: Department of the Interior, National Park Service.

This is the second technical brief in the series on site stabilization and maintenance. The object of this report is to provide guidance on the design of an effective project for intentional site burial. It identifies the processes which must be addressed by an archaeological program manager considering intentional site burial: evaluation of the sites' artifact and ecofact components and their reaction to their physical and chemical environments; the measurement of potential impacts against

the goals for protecting the site; discussion of the actual mechanics of burying a site; establishing a monitoring program; and pricing site burial. (Thorne 1989b abridged)

_____. 1989b. **Archaeological Site Stabilization Bibliography**. National Clearinghouse for Archaeological Site Stabilization, Center for Archaeological Research, University of Mississippi.

This bibliography compiled at the National Clearinghouse for Archaeological Site Stabilization is an ongoing project to collect bibliographic references related to site stabilization. It is important to note that this does not include stabilization of standing structures (i.e., architectural stabilization or consolidation). The bibliography is divided into four sections: philosophy, technical support, management recommendations, and practical applications. The citations are all relevant to the topic of the present bibliography and many are annotated. A copy of the bibliography can be obtained from the Clearinghouse, Center for Archaeological Research, University of Mississippi, University, MS 38677. (M.D.)

_____. 1990. **Revegetation: The Soft Approach to Archaeological Aite Atabilization** (Archaeological Assistance Program, Technical Brief, no. 8). Washington, D.C.: Department of the Interior, National Park Service.

The reintroduction of plants to an archaeological site is a "soft" approach to site stabilization (as compared with engineered solutions such as rip-rap). The author reviews the many benefits of re-vegetation as well as the possible adverse effects caused by root disturbance and bio-chemical changes. Sources of information about plant selection and techniques of re-vegetation are briefly reviewed. (M.D.)

_____. 1996. *Archaeological site preservation as and appropriate and useful management tool.* In **Vestiges Archéologiques, la Conservation *In Situ*** (Actes du deuxiéme colloque international de l'ICAHM, Montréal, Québec, Canada, 11-15 octobre 1994), 195-199. Ottawa: Publications de l'ICAHM.

English with French summary. The author states that in the past, archaeological site management in the United States meant either avoiding the site or recording data and then abandoning the site. But today, to preserve the site in accordance with new legislation and thinking, *in situ* management should and can be a multidisciplinary effort. This approach is illustrated with a case study of the preservation and stabilization of shoreline deposits at Lake Britton, California. (A.O.)

Thorne, Robert M., Patricia M. Fay, and James J. Hester. 1987. **Archaeological Site Preservation Techniques: A Preliminary Review** (Environmental Impact Research Program, Technical Report EL-87-3). Vicksburg, Mississippi: U.S. Army Engineer Waterways Experiment Station.

Archaeological site preservation as a practice is a newly emerging field, which combines a variety of civil engineering techniques with knowledge of the characteristics of archaeological properties. The scope of this report includes a review of techniques that have been employed in attempts to preserve and protect archaeological sites. Divided into techniques termed “natural” and ”man-made,” which have been applied to site situations termed “horizontal" and “vertical,” a total of 29 methods is described. Ranging from earth burial and other vandal-prevention devices to natural and man-made camouflage and stream control structures, the techniques described provide an initial

summary of the technology currently available in archaeological site preservation and protection. (aa abridged)

U.S. Army Corps of Engineers. 1988. **The Archaeological Sites Protection and Preservation Notebook** (Environmental Impact Research Program). Vicksburg, Mississippi: U.S. Army Engineer Waterways Experiment Station.

This loose-leaf format notebook was first issued in 1988 and is periodically updated with supplements. It is one of many U.S. Army Corps of Engineers' contributions to the preservation of archaeological resources, which are published under the auspices of the Environmental Impact Research Program. The topics presently covered in the notebook are impacts, site burial, structural stabilization (of sites), soil and rock stabilization, vegetative stabilization, camouflages and diversionary tactics, site surveillance, stabilization of existing structures, faunal and floral control, signs, and inundation. The contributions are site-specific reports describing and evaluating measures undertaken to preserve archaeological sites. Impacts, site burial, and structural stabilization are the subject areas that have received the most contributions thus far. (M.D.)

Wainwright, John. 1994. *Erosion of archaeological sites: results and implications of a site simulation model.* **Geoarchaeology: An International Journal** 9, no. 3, 173-201.

A computer simulation model was developed to investigate the postdepositional changes on archaeological sites due to soil erosion in a semi-arid environment. The model is applied to a series of hypothetical site configurations on hillsides, using archaeological structures, to observe the morphological changes due to slope form. The results show considerable variation in site preservation potential, relating to different initial spatial patterning of the site and initial slope form. Implications are drawn from the results of the simulations, both in terms of archaeological theory and practice, and in terms of site conservation and management. (aa abridged)

Zallar, S.A., K. Siow, and P.J.F. Coutts. 1979. **Stabilization of Coastal Archaeological Sites in Victoria. A Pilot Study** (A joint publication by the Soil Conservation Authority and the Victoria Archaeological Survey). Victoria, Australia: Ministry for Conservation.

Comparative study of different techniques to stabilize eroding coastal Aboriginal sites in Australia. Techniques discussed include brush matting, tire mattresses, fences, dune re-shaping by machinery, and vegetative and chemical stabilization. (N.S.P.)

Zielinski, Adam. 1989. *In-situ conservation of the Temple of Amun Nakht, Ayn Birbiyeh, Dakhleh Oasis in Egypt.* **Association for Preservation Technology Bulletin** 21, no. 1, 49-60.

This report of conservation measures undertaken at the site of Ayn Birbiyeh includes a brief description of the use of plantings as a permanent windbreak. The planting of trees in a semicircle approximately 100 m from the site is meant to protect it from wind-blown sand carried by the prevailing N-NW winds. (M.D.)

[Bib. ix: 42 ref.]

ANNOTATED BIBLIOGRAPHY IX: Consolidation and Stabilization of Structures

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Adam, Jean-Pierre, and Michel Frizot. 1983. **Degradation et restauration de l'architecture pompéienne**. Paris: Centre National de la Recherche Scientifique.

French. A rare global review for an individual site of construction (materials and techniques), causes of deterioration, mortar analysis, conservation proposals (including wall consolidation, rectification of earthquake damage, elimination of damp, control of vegetation). (J.St.)

Aeschlimann, Hans-Ulrich. 1995. *Instandsetzung des Borobodur-Tempels in Indonesien.* **Internationale Zeitschrift für Bauinstandsetzen** 1, no. 2, 125-134.

German with English summary. The struggle to save Borobodur has been one of the most complex and technically advanced historic preservation projects ever undertaken. Indonesia and UNESCO consulted international experts in architecture, engineering, soil mechanics, and stone conservation. Following their recommendations, the project set four goals: to install a new drainage system, to incorporate layers of epoxy/tar to keep rainwater from the temple's core, to set new reinforced concrete slabs under the balustrades and walls, and to conserve the original stones. (aa abridged)

Agnew, Neville (ed.). 1997. **Conservation of Ancient Sites on the Silk Road** (Proceedings of an International Conference on the Conservation of Grotto Sites, Mogao Grottoes at Dunhuang, October 1993). Los Angeles: The Getty Conservation Institute.

These extensive proceedings focus on the management and conservation of grotto or cave sites, primarily along the Silk Road in China but also at other sites in Asia and around the world. The papers are divided into broad categories of site management, conservation of materials, geotechnical and site stabilization issues, monitoring of the environment and microclimate, and characterization of pigments. The five articles, which discuss various methods of geotechnical stabilization applied to grottoes (grout, bolts and anchors, retaining walls, roof supports, water mitigation, etc.), are of particular relevance to archaeological sites. (A.O.)

Alva Balderrama, Alejandro, and Jeanne Marie Teutonico. 1983. *Notes on the manufacture of adobe blocks of earthen architecture.* In **International Symposium and Training Workshop on the Conservation of Adobe**. (Lima-Cusco, 10-22 September 1983), 41-54. Lima-Cusco: UNDP/UNESCO.

A concise guide for the characterization and analysis of soil types; the preparation of raw materials, and the manufacture of adobe bricks. (J.St.)

Ashurst, John. 1983. **Mortars, Plasters and Renders in Conservation**. London: Ecclesiastical Architects' and Surveys' Association.

Description of the physical properties of binders, reinforcements, supports, aggregates; mortar analysis; maintenance and repair (with technical drawings). Slightly superseded by Ashurst and Ashurst 1988. (J.St.)

_____. 1990. *Methods of repairing and consolidating stone buildings*. In John Ashurst and Francis G. Dimes (eds.), **Conservation of Building and Decorative Stone**. London: Butterworth-Heinemann.

This review of methods of consolidating stone buildings includes a section on the treatment of "monument sites," which refers to excavated or ruined masonry structures. Temporary protective systems, methods of consolidation, capping, and problems caused by vegetation are all considered. Grouting and poulticing are covered under historic masonry. Clear analysis, practical advice, and the recognition of the problems specific to ruins or excavated structures make this chapter especially valuable. (M.D.)

Ashurst, John, and Nicola Ashurst. 1988. **Practical Building Conservation**. 5 vols. Aldershot: Gower Technical Press.

These are comprehensive manuals of modern materials and practices, of which volumes 1-3 are most useful for archaeological site conservation. Vol. 1, "Stone Masonry," covers repair and maintenance (including ruined structures), control of organic growth, grouting, plastic mortar repair, cleaning, desalination, and chemical consolidation. In Vol. 2, "Brick, Terracotta and Earth," the subjects are control of damp, mortar analysis, pointing stone and brick, and repair and maintenance of brick and earth-based materials. Vol. 3, "Mortars, Plasters and Renders," includes information on non-hydraulic lime, hydraulic limes and cements, additives, external renders, gypsum plasters; and detailed case studies of restoration of plasters in a ruined context. (J.St.)

Atzeni, Cirillo, Maria Grazia Cabiddu, Luigi Massidda and Ulrico Sanna. 1996. *The use of 'stabilized earth' in the conservation of megalithic monuments*. **Conservation and Management of Archaeological Sites** 1, no. 3, 161-168.

The authors describe the process of designing and evaluating an earthen mortar, which could be used to impede water ingress into masonry structures and also act as an effective substrate for a water-repellent polymer. Of the seven mortars tested, that composed of earth, lime, sand, latex, and polypropylene fibers gave the desired results and was selected for field application at GennaMaria, a Middle-Late Bronze Age dry-stone tower in Sardinia. (A.O.)

Baldi, Pio. 1982. *Tharros (Oristano Sardinia): Preservation of the Punic ditch; methodological considerations.* In **Mortars, Cements and Grouts used in the Conservation of Historic Buildings**, 249-253. Rome: ICCROM.

Theoretical outline of the role, frequency, and type of maintenance intervention as related to deterioration of an archaeological site. (J.St.)

Barcellona, S., U. Santamaria, E. Borrelli, and M. Laurenzi Tabasso. 1993. *Evaluation of injection grouting for structural strengthening of ancient buildings*. In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 637-643. London: E. and F.N. Spon.

A methodology for evaluating the properties of hydraulic injection grouts was developed, and four commonly used Italian grouts were tested and compared. Chemical, physical, and mechanical properties, including workability, strength, sulfate resistance, porosity, and soluble salt content were evaluated using standardized tests. (A.O.)

Bendakir, Mahmoud, and François Vitoux. 1993. *Methodologie de recherche pour la preservation du site archeologique de Mari (Syrie).* In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 317-323. Lisboa: DGEMN.

French with English summary. The authors present the results of research into the migration of moisture through adobe walls, particularly as it relates to capillary rise and erosion of wall bases. Methods for repair and prevention of further damage are then described. (A.O.)

Berlucchi, N. and R. Ginanni Corradini. 1995. *Experimentation of a chemical-physical methodology for the reconstruction of historic mortars.* In **Methods of Evaluating Products for the Conservation of Porous Building Materials in Monuments** (Preprints: International Colloquium, Rome, 19-21 June 1995), 1-13. Rome: ICCROM.

This paper describes laboratory methods used to analyze historic bedding mortars found in the masonry walls of 16 historic monuments in Campania, Italy. Based upon the results, repair mortars were developed and then analyzed to compare them with the originals; a good correspondence between the historic and repair materials was achieved. (A.O.)

Böttger, K.G. and D. Knöfel. 1993. *Development and testing of injection mortars of high sulfate resistance.* In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 629-636. London: E. and F.N. Spon.

Lime and gypsum plasters in the Heydau Monastery, Germany, had detached from their substrates of sandstone, lime-based mortar, and gypsum-based mortar. To reattach the plasters, injection mortars of high sulfate resistance were developed and tested. (A.O.)

Bouineau, Alain. 1986. *Renforcement des maconneries par injection de coulis*. **ICOMOS Information**, no. 3 (July/September), 3-7.

French with English, Spanish, and Italian summary. The traditional method of reinforcing the masonry of old buildings by injecting a simple cement or hydraulic lime grout poses several problems: collapse during the washing of the masonry, segregation of the grout and subsequent obstruction in the initial stages of the inspection, etc. The author sets out to study the effectiveness of sodium silicate and bentonite cement grouts by conducting a series of tests in which these substances are injected into experimental walls built according to traditional techniques. (aa abridged)

Brown, Gordon E. 1987. *Mortars for tropical archeological sites*. **APT Bulletin** 19, no. 3, 42-50.

The author, president of a concrete materials technology firm, experimented with various mortar mixes for tropical sites, using local material (sascab) and portland cement, in order to develop estimates of the strength and color of mixes. (M.D.)

Burland, J.B. and J.R. Standing. 1997. *Geotechnical monitoring of historic monuments.* In Carlo Viggiani (ed.), **Geotechnical Engineering for the Preservation of Monuments and Historic Sites** (Proceedings of the International Symposium on Geotechnical Engineering for the Preservation of Monuments and Historic Sites, Naples, Italy, 3-4 October 1996), 321-341. Rotterdam/Brookfield: A.A. Balkema.

This paper discusses the role of monitoring in the geotechnical stabilization and protection of historic monuments. Attention is drawn to two important types of monitoring: long-term monitoring, which can be invaluable in determining the need for and deciding upon the most appropriate stabilization measures, and real-time monitoring, which can be used to monitor a structure during nearby construction activity or during stabilization of the monument itself. Measurements of movement of the Leaning Tower of Pisa and the Palace of Westminster, London, are used to illustrate both types of monitoring. (aa edited)

Chiari, Giacomo. 1983. *Characterization of adobe as building material. Preservation techniques.* In **Adobe. International Symposium and Training Workshop on the Conservation of Adobe** (Lima-Cusco, 10-22 September 1983), 31-40. Lima-Cusco: UNDP/UNESCO.

Concise review of adobe preservation, with a classification of soil types, appropriate physical-chemical analysis, deterioration processes and methods of conservation. (J.St.)

Chinchón Yepes, Servando. 1994. *Morteros y hormigones antiguos y de reparacion.* In **Cuadernos 3. Conservación Arqueológica. Reflexión y debate sobre teoría y práctica** (Contenido del Curso-Debate realizado en Sevilla del 30 de noviembre al 4 de diciembre de 1992), 106-112. Sevilla: Consejeria de cultura y medio ambiente.

Spanish. The author describes the common components of ancient and modern mortars, and makes recommendations for materials with which to repair them. (A.O.)

D'Ayala, D. and G. Croci. 1993. *Dynamic analysis of walls reinforced with polymeric fibres.* In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 460-467. London: E. and F.N. Spon.

This paper is concerned with the experimental dynamic analysis of tufa shearwalls reinforced with polymeric ropes. The use of this kind of rope improves the durability of the reinforced masonry by avoiding the problem of corrosion. The design and layout of the reinforcement is simplified and, as the rope acts as a thread tying the wall together, the overall mechanical behaviour may be improved. (aa abridged)

Dayre, Michel, and Emmanuel Kenmogne. 1993. *Comportement de differents systemes de protection superficielle des constructions en terre: resultats d'une campagne d'observation sur murets.* In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 475-479. Lisboa: DGEMN.

French with English summary. Protective coatings were applied to earthen test walls to evaluate their performance in a temperate climate. Coatings included lime or cement washes, lime/sand/cement mortars, paints, and chemical consolidants; the performance of each is evaluated after eight years of exposure. (A.O.)

Frizot, Michel. 1972. **Mortiers et enduits peints antique - étude technique et archéologique**. Dijon: Centre de recherches sur les techniques greco-romaines.

French. Detailed technical discussion of Roman mortars and renders, with comparative review of appropriate methods of analysis: chemical, physical, and geological. (J.St.)

Gallieri, Gianoberto. 1993. *L'uso della terra cruda nella manutenzione del sito archeologico di Monte Bibele.* In Luisa Masetti Bitelli (ed.), **Archeologia: Recupero e Conservazione** (La Conservazione e il Restauro Oggi 3), 151–167. Firenze: Nardini.

Italian. First excavated in the early 1960s, this Etruscan and later Celtic site has not been inhabited since its sudden destruction in the third century B.C.E. It was built of local earth and sandstone. The project of intervention was based on careful investigation of work already applied in a program of comprehensive conservation of the site. Three main goals were identified: to channel and drain rainwater; to construct protective systems for the wall surfaces and rows of crests; and to reconstruct elevations along visitor paths. Preference was given to using local raw earth, and a long corridor was selected for research prior to the intervention. A detailed chronological and methodological account of the intervention concludes the chapter. (AATA)

Gavarini, Carlo. 1994. *Monument safety in seismic areas.* **Earthquake Spectra** 10, no. 1, 189–195.

New buildings must comply with modern safety codes and regulations, and these are often applied to historic monuments with questionable results. In order to reconcile the needs of safety and the needs of building preservation, the author proposes a parallel code for the seismic protection of monuments. A basic outline for the new code is presented and discussed. (A.O.)

Hoyle, Ana Maria, Jose Carcelen, and Federico Saavedra. 1993. *Conservation of the Tomaval Castle.* In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 222–227. Lisboa: DGEMN.

English with French summary. This article describes the stabilization of an ancient adobe brick structure in Peru, in anticipation of damage, which might be caused by construction of a nearby tunnel and by natural seismic activity. Conservation measures included removal of loose fill; construction of wooden scaffolds to reinforce the walls; construction of adobe veneer walls and buttresses, which incorporated the scaffolds for further support; limited anastylosis; and wall capping. (A.O.)

Hughes, Richard. 1988. *Problems and techniques of using fresh soils in the structural repair of decayed wall fabric.* In **5th International Meeting of Experts in the Conservation of Eastern Architecture** (Rome, 22–23 October 1987), 59–69. Rome: ICCROM & CRATERRE.

An explanation of poor performance of fresh soil used in adobe conservation with practical guidelines for the manufacture of improved materials. (J.St.)

ICCROM. 1982. **Mortars, Cements and Grouts used in the Conservation of Historic Buildings** (Symposium, Rome, 3–6 November 1981). Rome: ICCROM.

Conference papers with emphasis on repair mortars (properties and specifications), grouts, and analysis of ancient mortar. (J.St.)

Kimmel, Ross. 1984. *Fort Frederick wall: analysis and stabilization.* **Association for Preservation Technology Bulletin** 16, no. 2, 33-43.

A description of the consolidation (grouting and tieing), pointing, and capping (with a urethane membrane) of a ruined fort. (J.St.)

Koshman, David. 1988. *Stabilizing ruins. Coal mining ruins at Leitch Collieries*. **Association for Preservation Technology Bulletin** 20, no. 4, 55-61.

Historic ruins, constructed of stone and pre-cast concrete, were stabilized employing a number of techniques: a pre-cast concrete, sloped capping for the tops of walls, underpinning of footings with concrete to prevent further settlement, bracing of the structure with glue-laminated beams to resist lateral forces, structural epoxies to mend fractures, and the use of concrete buttresses to stabilize a wall. (M.D.)

Laurenzi Tabasso, M., and P. Sammuri. 1984. *Evaluation of mortars for use in conservation from the standpoint of the release of soluble salts.* In **ICOM Committee for Conservation. 7th Triennial Meeting (**Copenhagen, 10-14 September 1984. Preprints**)**. Paris: ICOM and J. Paul Getty Trust.

Outline of a basic experimental procedure to determine soluble salt content in repair mortar and analyses of salt content in a range of hydraulic and non-hydraulic mixes. (J.St.)

Ndoro, Webber. 1995. *Restoration of dry-stone walls at the Great Zimbabwe archaeological site*. **Conservation and Management of Archaeological Sites** 1, no. 2, 87-96.

The author describes the current program for monitoring and conserving the dry-stone walls of Great Zimbabwe and discusses the philosophy that guided the choice of conservation methods used. These methods include dismantling and reconstructing unstable walls and also reconstructing fallen walls. (A.O.)

Papayianni, I. and K. Theocharidou. 1993. *Efflorescence tendency of mortars used in interventions on old masonry.* In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 621-626. London: E. and F.N. Spon.

To better understand the problem of efflorescence in repair mortars, the authors determined the soluble salt content of common repair materials (portland cement, lime, pozzolans, sand, and brick powder), and then analyzed the physical properties of 14 repair mixtures. Correlations were made between the physical properties of the mortars and their tendency to effloresce. (A.O.)

Paterakis, Alice Boccia. 1987. *The deterioration of ceramics by soluble salts and methods for monitoring their removal.* In **Recent Advances in the Conservation and Analysis of Artifacts**, 67-72. London: University of London, Institute of Archaeology.

A summary of the characteristics and effects of soluble salts, and review of qualitative and quantitative tests for their identification and for monitoring their removal; with reference to archaeological ceramics but also partly applicable to masonry and mortar. (J.St.)

Peroni, Simonetta et al. 1982. *Lime-based mortars for the repair of ancient masonry and possible substitutes.* In **Mortars, Cements and Grouts used in the Conservation of Historic Buildings** (Symposium, Rome, 3-6 November 1981), 63-100. Rome: ICCROM.

A fundamental review and comparative analysis of lime vs. cement mortars, defining ideal mortar characteristics, test results in analytical tables, and concluding with proposed specifications for the optimal mortar mix. (J.St.)

Richert, Roland von S., and R. Gordon Vivian. 1974. **Ruins Stabilization in the Southwestern United States**. Washington, DC: U.S. Department of the Interior.

A practical manual for consolidation of stone and adobe ruins, with detailed examples still of modern relevance. The materials discussed are outdated and need to be reviewed critically. (J.St.)

Rodrigues, J. Delgado. 1988. *Dry-stone wall monuments. Structural behavior, disturbing mechanisms and conservation procedures*. In Paul G. Marinos and George C. Koukis (eds), **Engineering Geology of Ancient Works, Monuments and Historical Sites**, vol. 2, 1001-1006. Rotterdam: A.A. Balkema.

Dry-stone walls are found in some of the more interesting monuments of the sub-Saharan Africa. The dimensions and forms of the stone blocks used and the method of construction are responsible for the structural behavior of the walls. Poor interlocking is a major internal cause of disturbance. External agents such as visitors, vegetation, and wild animals may also promote significant decay. Some remedial measures to improve the structural behavior and to cope with external causes of disturbance are presented and discussed. (aa)

Schuller, M.P., R.H. Atkinson and J.L. Noland. 1995. *Structural evaluation of historic masonry buildings.* **APT Bulletin** 26, no. 2-3, 51-61.

A clear depiction and concise summary of simple, non-destructive techniques for evaluating the structural integrity of historic buildings; most techniques are applicable to archaeological sites as well. Techniques include wave transmission, ultrasonic pulse velocity, mechanical pulse, impact-echo, surface hardness, and *in situ* tests of stress, deformability, shear strength, and tensile strength. (A.O.)

Starosta, Ute. 1999. *Structural concepts of anastylosis.* **Conservation and Management of Archaeological Sites** 3, nos. 1 and 2, 83-90.

In this historical review of the structural implications of anastylosis, the author analyzed and compared 28 projects, both historic and modern, involving anastylosis of classical Greek and Roman structures. The structural properties of the original and new structures are considered, and the supporting systems used are also considered in light of the theories and technical limitations of the time. (A.O.)

Teutonico, Jeanne Marie. 1988. **A Laboratory Manual for Architectural Conservators**. Rome: ICCROM.

A compendium of practical laboratory analyses, with emphasis on masonry materials (stone, brick, adobe, mortar) including: water absorption, porosity, identification of soluble/insoluble salts, particle size analysis, plastic/liquid limit of soils, analysis of lime mortar. (J.St.)

Torraca, Giorgio. 1981. **Porous Building Materials. Materials Science for Architectural Conservation**. Rome: ICCROM.

An elementary but fundamental review of processes of deterioration in porous masonry materials; the composition of mortars and clays; and conservation materials and techniques for stone and adobe. (J.St.)

Walker, P.J. and J.G. Dickens. 1993. *Intervention techniques in the conservation of dry-stone structures.* In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 452-459. London: E. and F.N. Spon.

Dry-stone walls at Great Zimbabwe were analyzed and monitored to determine causes of deterioration. Intervention options and techniques were then considered; these included improving the wall itself (which requires dismantling and relaying the core while maintaining the exterior courses), improving drainage, improving foundations, and introducing lateral supports. (A.O.)

Weaver, Martin E. *Reviewing structural conservation measures for heritage resources in rock.* In **The Safeguard of the Rock-Hewn Churches of the Göreme Valley** (Proceedings of an International Seminar, Ürgüp, Cappadocia, Turkey, 5-10 September 1993), 151-162. Rome: ICCROM.

A review of traditional and current conservation approaches to structural stabilization, especially as they apply to natural rock, and a summary of a new Cintec Harke anchor/Presstec grout system which can be used for structural stabilization of weak materials. (A.O.)

Wimble, Andy, and John Thompson. 1993. *Natural wall cappings*. **English Heritage Scientific and Technical Review** no. 2, 11-12.

After reviewing recent use of various techniques employing turf and other flora ('soft capping') for the consolidation of ruined stone structures at Jervaulx, Bolingbroke, and Tintagel, the article reports on the experiments at the eighteenth-century garrison on the island of St. Mary. Here, in 1992, the authors used a mixture of soil and proprietary material called DANU as a growing medium to help re-establish the natural flora on top of 1-2 m high granite walls of the garrison. (AATA)

[Bib. X: 14 ref.]

ANNOTATED BIBLIOGRAPHY X: Vegetation Control

Adam, Jean-Pierre. 1983. **Dégradation et restauration de l'architecture pompéienne**. Paris: Centre National de la Recherche Scientifique.

French. In his study of Pompeii, the author devotes considerable attention to the problems of vegetation at the site and discusses four herbicides that he feels can be used with minimal environmental risk: simazine, diuron, glyphosate, and the phytohormone 2-4-D. (M.D.)

Caneva, Giulia, and Giovanni De Marco. 1986. *Il controllo della vegetazione nelle zone archeologiche e monumentali.* In **Manutenzione e conservazione del costruito fra tradizione ed innovazione** (Atti del convegno di Studi, Bressanone, 24-27 Giugno 1986), 553-570. Padua: Libreria Progetto Editore.

Italian with English abstract. The traditional and current approaches to the problems of vegetation control in archaeological sites are analysed in relation to the philosophy of conservation and the problems of environmental impact. Various methods of mechanical, physical, biological, and chemical control are described, with particular emphasis on herbicides currently used and tested. (aa abridged)

Catizone, Pietro, Elena Tibiletti, Roberto Miravalle, and Francesco Corallo. 1993. *Gestione della vegetazione nei siti archeologici: le esperienze di Pompei e Selinunte.* In Luisa Masetti Bitelli (ed.), **La Conservazione e il Restauro Oggi 3: Archeologia: Recupero e Conservazione**, 185-203. Firenze: Nardini.

Italian. The authors describe the development and use of a three-phased vegetation management strategy in areas within the archaeological sites of Pompeii and Selinunte. Invasive, undesirable, and/or harmful species are first removed with commercial herbicides, then native or desirable species are planted, and finally a maintenance plan is implemented; initial results are positive. (A.O.)

Fearn, James E. 1978. **The Effects of Herbicides on Masonry**. Washington, D.C.: National Bureau of Standards, U.S. Department of Commerce, National Technical Information Service.

In preserving historic structures, the control of obnoxious vegetation is a serious problem. To deal with this problem, a number of organic herbicides have been developed by industry. The efficacy of herbicides in the control of plant life has been studied to a great degree; but heretofore, very little has been reported about the possible effects of these chemical plant killers on the materials of historic structures. In this work, an exhaustive survey of pertinent literature has been undertaken. Obtaining very little specific information from literature, a correlation has been drawn between the effects on masonry of materials similar in chemistry to herbicides and the effects that would be expected from the herbicides themselves. Methods for checking the validity of conclusions are suggested. (aa)

Hamel, G., and K. Jones. 1982. **Manual of Vegetation Management on New Zealand Archaeological Sites**. Wellington: New Zealand Historic Places Trust.

This manual discusses the problems and sets forth guidelines for the management of vegetation on New Zealand archaeological sites. The emphasis is on proper management strategies, which will depend on how the site is to be used (e.g., public access or protection for future research). While the plant species under discussion may be geographically limited, the principles applied are universally applicable. (M.D.)

Hansen, Gary W., Floyd E. Oliver, and N.E. Otto. 1984. **Herbicide Manual** (A guide to supervise pest management and to train O & M personnel). Denver: Bureau of Reclamation.

This manual was produced for the management personnel in the U.S. Bureau of Reclamation. Particularly valuable is the classification of herbicides. Also discussed are factors affecting chemical control of weeds; calculations and calibrations for herbicide application; and the design and operation of weed sprayers. (M.D.)

Herbicide Handbook of the Weed Science Society of America (6th ed.). Champaign, Il: The Weed Science Society of America. 1989.

Periodically updated, this handbook contains a complete classification of herbicides, which includes their chemical composition, uses, and toxicity levels. (M.D.)

Monte, M., and I. Roncuzzi Fiorentini. 1988. *Traitments par biocides des mosaïques de pavement en plein air: ancien porche sud - Basilique Santa Croce de Ravenna.* In **VIth International Congress on Deterioration and Conservation of Stone. Supplement** (Torun, 12-14 November 1988). Torun: Nicholas Copernicus University, 120-127.

French. Description and assessment of results of a systematic study, over a period of three years, of the application of specific biocides to a mosaic. (J.St.)

Mouga, Teresa M. L. S. and Maria Teresa F. Almeida. 1994. *Excavated monuments as environment for plants. Conimbriga, Portugal: a study case.* In Vasco Fassina, Heinrich Ott and Fulvio Zezza (eds.), **The Conservation of Monuments in the Mediterranean Basin** (Proceedings of the 3rd International Symposium, Venezia, 1994), 323-328. Venezia: Soprintendenza ai beni artistici e storici di Venezia.

The authors conducted a three-year vegetation study on excavated and unexcavated portions of the Roman town. Vegetative types are determined by the microclimate, substrate, human intervention, and age of the excavation, but all are potentially damaging to the resource through mechanical and chemical action, and through alteration of the microclimate. (A.O.)

Otto, N.E. 1970. **Evaluation of Soil-applied Herbicides for Vegetation Control** (Research Report No. 22. A Water Resources Technical Publication). Bureau of Reclamation, U.S. Dept of the Interior.

Twenty-seven soil-applied herbicide formulations were evaluated for ability to provide complete vegetation control in an arid area. Observational ratings of test plots indicate that the herbicides

prometone and isocil consistently produced the best overall plant control at median and high rates of treatment over a period of five years. Diuron provided excellent control at the high rate only. Bromacil was found to be equal to isocil. A summary of overall performance of each herbicide and rate of application is presented. (aa abridged)

Sameño Puerto, Marta, Rosario Villegas Sánchez, and Jorge García Rowe. 1996. *Inventario de la vegetación y estudio de la interferencia biocida con los materiales pétreos del yacimiento del cerro de la plaza de armas de Puente Tablas (JAÉN).* **PH** (Boletín del Instituto Andaluz del Patrimonio Histórico) 4, no. 14, 67–74.

Spanish. The authors describe their research at Puente Tablas, which included an inventory of microflora and higher plant forms affecting the site, selection of herbicides for their effectiveness in removing these species and inhibiting future growth, and instrumental evaluation of the effects of the herbicides on the physical properties of the building stone, including capillary absorption and color. (A.O.)

Speranza, M., E. Tibiletti and P. Catizone. 1993. *Basic study of vegetation management in archaeological sites: experience at Selinunte.* **Science and Technology for Cultural Heritage** 2, 87–98.

English with Italian summary. A study was made of the vegetation in the archaeological area of Selinunte (Trapani, Italy) to collect data, which, along with other information, might be used to control the plant communities on the site. This paper describes the types of vegetation identified and the dynamic links and relationships between the vegetation and the archaeological structures. On the basis of this information, some suggestions are given for the management of the vegetation studied. [See also Catizone et al. 1993.] (aa abridged)

Warnock, Robert A., Lila Fendrick, Barbara E. Hightower, and Terry Denise Tatum. 1983. **Vegetative Threats to Historic Sites and Structures** (Prepared for the National Park Service, National Capital Region, Washington, D.C.). National Technical Information Service.

This study of vegetative threats to buildings, structures, and landscapes within the National Capital Region of the National Park Service attempts to examine the preservation issues relative to the crucial point at which vegetation threatens to overwhelm and damage the integrity of historic resources. The purpose of this report is to provide the National Capital Region with suggestions for the formulation of a philosophy for vegetation management. Using specific site examples, a range of vegetative conditions and problems has been documented. Mitigation measures, preventive maintenance solutions, and management recommendations have been made bearing in mind the interpretive goals of each site. (aa)

Villa, Alberto. 1978. *The removal of weeds from outdoor mosaic surfaces.* In **Mosaics. No. 1. Deterioration and Conservation** (First International Symposium on the Conservation of Mosaics, Rome, November 1977), 49–53. Rome: ICCROM.

A review of the role of herbicides both in pre- and post-conservation maintenance, classification of herbicides and criteria for their selection. (J.St.)

[Bib. XI: 84 ref.]

ANNOTATED BIBLIOGRAPHY XI: Protective Roofing and Shelters

Agnew, Neville, Shin Maekawa, Richard Coffman, and Jeff Meyer. 1996. *Evaluation of the performance of a lightweight modular site shelter: Quantitative meteorological data and protective indices for the 'hexashelter'*. **Conservation and Management of Archaeological Sites** 1(3), 139-150.

The authors describe the rationale behind the development of a prototype shelter, the six-sided 'hexashelter', for protection of archaeological sites. The shelter was designed as a lightweight, modular system, which would be easy to erect and relatively inexpensive. The performance of the shelter was evaluated quantitatively by comparing meteorological parameters inside and outside the shelter, and by the use of adobe test walls for comparative weathering, likewise under and outside the shelter. (M.D.)

Agnew, Neville H., and Mary Wade. 1986. *A case study of a paleontological site—the need for planning and protection*. In **Preventive Measures During Excavation and Site Protection** (Ghent Conference, 6-8 November 1985), 257-270. Rome: ICCROM.

This general discussion of the problems of conserving a fragile fossil site includes a brief description of the metal-framed protective roof over this dinosaur trackway in Australia and the problems associated with its construction and performance. The absence of a fence around the site allowed kangaroos to enter the shelter; the open shelter provided no protection against wind-blown dust and rain. Illus. For a more contextual overview see also Agnew, Neville, Heather Griffin, Mary Wade, Terence Tebble, and Warren Oxnam. 1989. *Strategies and techniques for the preservation of fossil tracksites: an Australian example*. In David D. Gillette and Martin G. Lockley (eds.), **Dinosaur Tracks and Traces**. Cambridge: Cambridge University Press. (M.D.)

Agnew, Neville and Richard Coffman. 1991. *Development and evaluation of the hexashelter*. In N. Stanley-Price (ed.). **The Conservation of the Orpheus Mosaic at Paphos, Cyprus,** 36-41. Los Angeles: The J. Paul Getty Trust.

Description of the materials, design, and construction of a light-weight, modular, temporary shelter, the 'hexashelter', over the Orpheus mosaic in Paphos. The potential advantages of this prototype shelter are its low cost; aesthetic compatibility with the environment and adaptability to irregular terrain; its ease of dismantling, reuse, and extension; and its use of on-ground concrete footings to prevent damage to the archaeology. The disadvantages are that the aerotextile side panels do not exclude water completely and the covering membrane cannot withstand heavy vertical loads. (M.D.)

Altoon and Porter. 1998. **Architects. Context and Conscience**. Milano: L'Arca Edizioni, 62-65.

A brief description with photos of a model and architectural drawings of a proposed shelter design to protect the David Alfaro Siqueiros mural in Los Angeles. The design by a Los Angeles architectural firm was part of a project by the Getty Conservation Institute to conserve the 1932 mural. The design concept (which included seating and audio-visual facilities for interpretation) and innovative use of materials and technology (teflon-coated fiberglass and rotating vertical screens to shield the mural from light) are described. The shelter design was never implemented. (M.D.)

Alva Balderrama, Alejandro, and Giacomo Chiari. 1995. *Protection and conservation of excavated structures of mudbrick*. In N. Stanley Price (ed.), **Conservation on Archaeological Excavations with Particular Reference to the Mediterranean Area** (second edition), 101-112. Rome: ICCROM.

This report includes a restatement of the 1980 Ankara proposals for research into the design and construction of protective shelters and for the requirements of temporary protection, as well as a brief description and evaluation of the metal-framed protective shelter at the Neolithic site of Tenta, Cyprus (Plate 1) and the temporary shelter utilizing traditional materials at Chan Chan, Peru (Plate 2). (M.D.)

Amendolea, Bruno (ed.). 1994. **I siti archeologici: un problema di musealizzazione all'aperto** (Secondo seminario di studi Roma, Gennaio 1994). Rome: Gruppo Editoriale Internazionale.

Italian. This compilation of articles focuses on the *in situ* preservation of the archaeological heritage in Italy, although other sites in the Mediterranean region are presented. At many of the sites, shelters have been proposed and/or erected to protect the ruins; a diverse selection is illustrated and discussed in five of the case studies. See also Amendolea et al. 1988. (A.O.)

Amendolea, Bruno, Rosanna Cazzella, and Laura Indrio (eds.). 1988. **I siti archeologici: un problema di musealizzazione all'aperto** (Primo seminario di studi Roma, Febbraio 1988). Rome: Multigrafica Editrice.

Italian. This is a compilation of articles on the problems of and solutions to preserving sites in the open; most of the sites are in Italy, a few in the UK and elsewhere. Includes discussion and/or photos of various actual and proposed protective schemes, which are presented in the context of the larger efforts to preserve and present these sites. (M.D.)

Aslan, Zaki. 1997. *Protective structures for the conservation and presentation of archaeological sites.* **Journal of Conservation and Museum Studies** (3) 9-26.

This article provides a broad overview of the research the author is undertaking at the Institute of Archaeology, University College, London. Using selected examples mainly from Europe and the Mediterranean, the author explores the types of protective shelters over archaeological sites and offers a general assessment of their effectiveness and common problems. Sheltering is looked at in the overall context of issues of conservation and presentation of archaeological sites. The author concludes with an emphasis on the need to develop a methodology for shelter design. (M.D.)

Bahn, Paul G., Robert G. Bednarik, and Jack Steinbring. 1995. *The Peterborough petroglyph site: reflections on massive intervention in rock art*. **Rock Art Research** 12 (1) 29-41.

The authors offer a critical and extensive assessment of the enclosed shelter constructed over the petroglyph site at Peterborough, Canada. (See Wainwright et al. 1997 for a detailed description of the shelter and rationale for its construction.) The shelter is severely criticized as a massive intervention to a rock art site and its associated environment, without clear criteria or a rationale for construction (i.e., the main threats or causes of deterioration). The authors state the need for objective performance evaluation of shelter interventions and candid reporting if we are to learn from others' experience. Illus. Extensive commentary on the controversy surrounding the

Peterborough shelter in response to this article can be found in *Rock Art Research* 13 (1) 1996, 47–60; 14 (1) 1997, 53–58. (M.D.)

Bahn, Paul G, and Anne-Sophie Hygen. 1996. *More on massive intervention: the Aspeberget structure*. **Rock Art Research** 13 (2) 137–138.

A brief critical review of a structure built to protect temporarily a rock art site in Sweden. The temporary, experimental shelter was built in 1989 after it was clear that the rock art was suffering from exposure to the environment. By 1996 it was recognized as a failure and removed. Further experimentation for sheltering the petroglyph panel was proposed to take place on sites with no rock art. Illus. (M.D.)

Barker, Philip. 1986. *Temporary shelters and site protection*. In **Preventive Measures During Excavation and Site Protection** (Ghent Conference, 6–8 November 1985), 45–50. Rome: ICCROM.

The author describes methods of providing temporary shelter over archaeological remains during excavation, utilizing simple polyethylene-covered "horticultural tunnels". (M.D.)

Bertaux, Jean-Paul, Michel Goutal, Jean-Michel Mechling, Patrick Meistersheim and Jean-Pierre Crevoisier. 1998. *The Gallo-Roman sanctuary at Grand, France. II: The protection and development of the amphitheatre*. **Conservation and Management of Archaeological Sites** 2 (4) 217–228.

An innovative shelter was designed to protect the vulnerable stone remains of the amphitheatre, to partially recreate the original volume and shape of the structure, and to provide a venue for cultural events. The shelter incorporated tiers of seating and was constructed of a metal and reinforced-concrete frame covered with laminated wooden beams (glulam). Conceptual drawings, cross-sections, and photographs are provided. Entertainment types and spectator/production infrastructures are also considered. (A.O.)

Bikai, Pierre M., and Patricia M. Bikai. 1997. *Caring for the cultural heritage: shelters*. **ACOR (American Center of Oriental Research) Newsletter** 9 (1) 1–3.

The authors describe five shelters in Jordan, four at Madaba and one at Petra. The shelters range from an environmentally-controlled, tile-roofed stone building in an urban setting to an open-air space frame construction within a larger archaeological site (Petra). A table is included which lists the final cost and the criteria that influenced the design of each shelter. (A.O.)

Bruno, Andrea. 1987. *Protecting and preserving the column of Marcus Aurelius*. **Museum** 39 (1) 2–7.

Urban pollution is destroying the monuments of Rome, many of which were covered with scaffolding and protective netting. Architect Andrea Bruno discusses the proposal for the protection of the column of Marcus Aurelius, which called for the construction of a glass structure with steel supports and a mobile (elevator) platform. This design allowed for the protection and continued viewing of the monument while restoration work proceeds. Illus. See also Miarelli Mariani 1986 and *Technology Trends* 1985. (M.D.)

Caperton, Thomas J. 1993. Long-term preservation issues related to earthen archeological sites. In **7ª Conferência Internacional sobre o Estudo e Conservação da Arquitectura de Terra** (Silves, Portugal, 24 a 29 de Outubro 1993), 324-329. Lisboa: DGEMN.

This article provides a critical evaluation of past preservation techniques used to stabilize the adobe walls at Fort Selden, New Mexico. These have included alterations to site drainage, repair of wall bases and installation of wall caps using adobe bricks and shelter coats, and test applications of chemical consolidants and amendments for earth. Recent trial techniques are described, including the reburial of several low walls and the protection of taller walls with geotextile shelters. (A.O.)

Carroll, Scott. 1998. *Temporary protection of a tel site excavation in central Turkey*. **Conservation and Management of Archaeological Sites** 2 (3) 155-162.

The shelter used at Kaman-Kalehöyük is a rare example of a temporary structure designed to protect an excavation between seasons. The reusable shelter, an alternative to backfilling, is constructed over the main excavation trench at the end of each season and dismantled at the start of the next. Wooden timbers are used for framing, and vertical members are set on flat boards which serve as footers. The large structure (40 m wide and 120 m long) is roofed with corrugated metal and fitted with gutters to control drainage. After considering the advantages and disadvantages of the system, the author argues in its favor and advocates similar measures at other sites. (A.O.)

Cerulli Irelli, Maria Guiseppina. 1985. *Il Problema delle Coperture dei Complessi Archeologici di Pompei ed Ercolano Attraverso due Secoli e Mezzo di Scavi*. **Restauro** 81, 7-11.

Italian. One of three articles in *Restauro* 81 devoted to "Coperture e protezione di zone archeologiche". This contribution is an historical outline of solutions adopted for the protection of excavated structures in Herculaneum and Pompeii. (M.D.)

Connor, Patricia, and Kenneth Pearson. 1968. *The birth of the Fishbourne Roman Palace Museum*. **Museums Journal** 68 (3), 115-117.

The decision-making process and rationales for the interior design of the Fishbourne Museum, which protects a Roman palace with its mosaics, are discussed by those responsible for much of the interior display. A key element of the interior design was that the visitors should follow a prescribed pathway, along which the history of the site would unfold. The design of the actual shelter is not discussed. (M.D.)

Conservation and Management of Archaeological Sites. **Special Issue on Protective Shelters**. Volume 5, Numbers 1 & 2. 2001.

This entire volume of the journal is devoted to papers on protective shelters for archaeological sites. The majority of papers are the result of a colloquium on protective shelters organized in January 2001 by the US/ICOMOS Specialized Committee on Earthen Architecture, the U.S. National Park Service, New Mexico State Monuments, and the Getty Conservation Institute. The papers cover the decision to shelter, establishing conservation and design criteria, and evaluating shelter

performance. Additional papers on a research project for protective shelters in Italy and a conference on shelters held in Bologna in 2000 are included. The volume consitutes a comprehensive overview of the issues relating to protective shelters. (M/D.)

Cortes, Javier. 1989. *Sistemas de cobertura de mosaicos conservados in situ*. **I coloquio nacional de conservación de mosaicos, Palencia 1989**, 143-149. Palencia: Diputacion Provincial, Departamento de Cultura.

Author discusses shelters for mosaics in Roman villas in the region of Palencia, Spain, in general and in relation to the construction of a permanent shelter over one villa. The main criterion for a shelter is to respect and protect the archaeological remains; all other criteria are subjective. Enclosed shelters are essential for harsh climates such as prevail in Palencia, but control of the internal climate can be problematic depending on selection of construction materials. For mosaics it is suggested that illumination be from the north to avoid shadows. (J.S./M.D.)

De Bussac, G. 1997. *Archi-archéo*. **12 structures de protection de fouilles archéologiques** (Ecole d'Architecture de Clermont-Ferrand). http://www.gdebussac.net/eacf/ (March 2001).

French. This Web site presents a very brief overview of 12 studio design projects of structures to protect and present archaeological sites. The designs, done in 1995, are the work of architectural students of the Ecole d'Architecture Clermont-Ferrand. Illus. See also Archi-Archeo. Douze structures de protection de fouilles archeologiques. (Ecole d'Architecture de Clermont-Ferrand). G. de Bussac, s.a., Clermont-Ferrand (1997). (Available from G. de Bussac, s.a., 2 cours Sablon, 63000 Clermont-Ferrand, France. fax + 33 4 73 92 37 69; email: gdb@gdebussac.fr) (M.D.)

Demas, Martha. 1990. *Chapter IV. Protective Shelters*. **Preserving the Archaeological Record: Post-Excavation Site Conservation,** 231-313. MA thesis, Cornell University.

An overview of the practice of protecting archaeological sites with shelters, based mainly on a review of the literature prior to 1990, with particular reference to Schmidt's 1988 shelter categories and information about the types of materials used for shelters. The overview is arranged by category of shelter: open shelters (metal frame, reinforced concrete, and wood constructions) vs. closed shelters (representational and extra-mural shelters). (M.D.)

De Silva, T.K.N. 1986. *Roof over a monument. Sri Lankan experience*. In **Protective Measures During Excavation and Site Protection** (Ghent Conference, 6-8 November 1985), 271-280. Rome: ICCROM.

The author discusses both temporary and permanent roofing solutions utilized for Sri Lankan monuments. Permanent roofs over stupas (funeral tumuli), statues, and image houses have ranged from traditional designs (e.g., the re-creation of an image house of brick over the Buddha statue at Aukana) to concrete roofs and proposed wood-framed structures. The difficulties of reconciling the religious-cultural-aesthetic values of the monuments with the technical-conservation requirements are underscored. (M.D.)

Dimacopoulos, Jordan E. 1995. *A Shelter in the Style of a Tumulus*. **Vergina, an Underground Archaeological Site and Museum in the Type of a Crypt**. Athens: Archaeological Receipts Fund.

A detailed account of the excavation and elaborate protection of five Macedonian monuments at Vergina, Greece, which were originally buried under a large earthen tumulus. The tumulus was destroyed during the excavations, but to protect the structures and house a museum, four interconnected hexagonal shelters were constructed and buried under a new tumulus. (A.O.)

Doumas, Christos. 1983. **Thera. Pompeii of the Ancient Aegean**. London: Thames and Hudson.

This account of the excavations at Akrotiri includes a brief description (29f.) of the huge metal-framed (Dexion) shelter constructed over the remains. The advantages of the system are its ease of erection, its ability to expand as the excavations proceed, and its wide internal spans. Numerous interior views and one exterior view of the shelter provide a sense of context. (M.D.)

Doumas, Christos. 1997. *Management Considerations at a Mediterranean Site: Akrotiri, Thera*. In Marta de la Torre (ed.), **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995), 27-40. Los Angeles: The J. Paul Getty Trust.

At Akrotiri, metal shed roofs have long protected the site but have required high maintenance, have created less than optimal conditions for visitors and staff, and are considered an intrusion on the landscape. A pilot replacement shelter, sponsored by the European Union, has been constructed that is architecturally more distinguished and more aesthetically compatible with both the ruins and the surrounding landscape. Based on the pilot study, plans are underway to replace the old shelter with a new shelter that is more ecologically and environmentally sensitive. (A.O.)

Ein dach für Ephesos: der schutzbau für das hanghaus 2 / A roof for Ephesos: The shelter for terrace house 2 / Efes için bir çati: yamaç ev 2 korum binasi. Special issue 34. Vienna: Austrian Archaeological Institute. 2000.

German, English, Turkish. An architectural competition for protecting the Terrace Houses at Ephesos resulted in the selection of a shelter design consisting of a metal frame structure with a membrane roof and louvered panel side walls. The shelter replaces an earlier protective structure constructed in the 1980s, which covered only part of Terrace House 2, and provides protection for the remainder of the Terrace House, which contains wall and floor mosaics, mural paintings, and other architectural and decorative elements typical of a wealthy Roman house. The publication covers the design and construction process (see also R. Burch, Recent Publications on Protective Shelters, CMAS volume 6, 2003, 47-48 for a review of the publication). (M.D.)

Falck, Lindsay. 1999. **Shelter and shoring construction**. Lkd. Çatalhöyük Home Page at Çatalhöyük 1999 Archival Report. http://catal.arch.cam.ac.uk/catal (March 2001).

Description of two shelters constructed at the site of Çatalhöyük. The shelter over the south site, under active excavation, employs a cable and net system with minimal impact supports and canvas panels, which allows the wind to pass through to prevent uplift. A second shelter over Building 5,

which is open to the public, is a steel-framed, "double-skin tent" to facilitate ventilation, incorporating display and viewing platforms. (M.D.)

Federico, L.I. Federico. 1985a. *Protective coverings for archaeological sites: the case of Pompeii*. **ICOMOS Information** (Oct./Dec.) (4), 7-12.

English with French, Spanish, and Italian summary. This article is a review of the various roofing types and concepts employed at Pompeii over the last century, beginning with the reconstruction philosophy of the nineteenth century through the 1970s, which witnessed the use of light and reversible structures of metal with asbestos-cement roof panels. The debate continues and the problem of reconciling competing values must be faced calmly. New roofing structures with potential application to archaeological sites are briefly discussed, e.g., membrane structures, wood laminated structures, space-frames. (M.D.)

Federico, L.I. Federico. 1985b. *Pompei Come Caso Emblematico*. **Restauro 81**, 13-19.

Italian. One of three articles in Restauro 81 devoted to "Coperture e protezione di zone archeologiche". This is essentially the same article as Federico 1985a, with different plates. (M.D.)

Fiandra, Enrica. 1960. *A museum amid the ruins of a Minoan villa*. **Museum** 13 (2), 130-32.

English and French. In a rather early example of thoughtful conservation, the Late Minoan villa site at Kannia (Gortyna) was provided with a protective roof. The lightweight, metal-framed structure with green plastic sheathing protects areas of the site where large storage jars were found and can now be preserved *in situ*. The important issue of how various conservation policies affect the researcher is briefly addressed. (M.D.)

Fingerlin, Gerhard. 1987. *Konservierung einer römischen Villa in Grenzach*. **Denkmalpflege in Baden-Württemberg** 16, 87-90.

German. This article describes the enclosed wood-framed shelter with tile roof over Roman ruins at Grenzach, an example of a suburban design for archaeological protection; also included in Schmidt 1988. (M.D.)

Fitch, James Marston. 1982. **Historic Preservation: Curatorial Management of the Built World**. New York: McGraw-Hill.

Chapter 14, Protection and Interpretation of Sites and Ruins, includes a brief discussion of protective structures over archaeological sites. The author presents well-known examples such as Piazza Armerina, as well as lesser-known examples such as the shelter at Dinosaur National Monument in Utah, and oddities such as the protective "shrine" over the log cabin of Abraham Lincoln. (M.D.)

García-Bárcena, Joaquín. 1987a. *Cacaxtla: un proyecto de conservación del patrimonio. Antecedents de las obras de conservacion de Cacaxtla, Tlaxcala*. **Antropología** (suplemento) (12), 1-9.

Spanish. The author reviews well-known protective shelters worldwide, such as that over the tomb of Qin Shi Huang, Fishbourne, Stevens' proposed Babylon project, and Kara Tepe. Less well publicized is the large metal-framed shelter at Kisnana, Hungary. (M.D.)

García-Bárcena, Joaquín. 1987b. *Cacaxtla*. In Henry W.M. Hodges (ed.), **In Situ Archaeological Conservation,** 202-205. Mexico City: Instituto Nacional de Antropología e Historia and the J. Paul Getty Trust.

Roofing options and criteria are discussed in relation to the proposed solution to protect the Great Platform at the site of Cacaxtla, Mexico. Criteria for selection included an analysis of the causes of deterioration and consequent conservation needs, architectural and aesthetic considerations, engineering requirements, and costs. The three options considered were a reconstruction of the original volumes, modular partial roofing, and a single roof covering the whole platform. The last option was judged most feasible and effective. (M.D.)

Gollman, Karl Friedrich. 1987. **Architektur und Archäologie. Schutz von Antiken Ausgrabungen** (Habilitationschrift, Fakultät für Architektur, Technischen Universität Graz).

German. The author explores the concept of protective sheltering of archaeological sites from an historic, functional, technical, and design perspective. Part A investigates the causes of deterioration of archaeological materials left *in situ* and the degrees of protection that can be implemented (e.g., preservation, restoration, anastylosis, reconstruction). Part B examines the requirements of an archaeological shelter, the main types of shelters (during excavation, temporary, permanent), construction methods and materials, and ends with a review of existing shelters. Part C explores the design and presentation of an archaeological site, and Part D presents two case studies: the early Christian church of Teurnia and the amphitheatre at Carnuntum in Austria. (M.D.)

Guiachetti, Maurizio. 1993. *Soluzioni architettoniche per la salvaguardia dei mosaici e aree archeologiche: problema di competenze e non di metodologia*. In **Conservation, Protection, Presentation: Proceedings of the Fifth Conference of the International Committee for the Conservation of Mosaics** (Faro-Conimbriga, 4-8 October 1993), 145-149. Lisbon: Instituto Portugues Museus.

Italian. The article reviews the state of sheltering as a protective device for mosaics, criticizing shelter designs for incompatible use of materials for new constructions in relation to original materials, for impeding the visitor's experience of the site, lack of relationship to the original volumes of the building, and visual intrusion on the environment. The author proposes a change in decision making involving greater collaboration among various disciplines and raising the level of competency and professionalism for those involved in shelter design. (J.S./M.D.)

Hinkel, F. 1968. *Progress report on the removal of endangered monuments from Sudanese Nubia. Kush* (**Journal of the Sudanese Antiquities Service**) 16 (1967/68) 79-84.

This report on the removal and erection of the Semna temples from Nubia to Khartoum includes a description of the shelters erected in 1966 to protect the temples. A moveable shelter, which runs

on rails, was chosen as a means of providing protection only during the rainy season. The arched roofs of the shelters are covered with aluminium sheeting and Perspex panels; the sides are of glass panels. (M.D.)

Holzbau Konstructionen. Detail **2** (1982), March/April, 1-3.

German. This report contains a description, photos, and drawings of the timber-framed, radial-roofed protective enclosure over the Roman ruins at Weißenburg. This enormous free-span structure was chosen as a result of an architectural competition. Visual documentation is more extensive than the Römerbad 1980 article or Schmidt 1988. (M.D.)

Hubeli, Ernst, and Paolo Fumagalli. 1987. *Eine Anschauung der Dinge. Schutzbaute für römische Funde, Welschdörfli bei Chur*. **Werk, Bauen and Wohnen** 10, 40-43.

German.The article contains a brief description and numerous photos and drawings of an enclosed shelter over Roman ruins in Switzerland. Similar in concept to the shelter over the Piazza Armerina mosaics, this structure is an abstract reconstruction in timber, incorporating louvered walls. (M.D.)

Jerome, Pamela. 1995. *Proposed permanent shelter for Building 5 at the Bronze Age site of Palaikastro, Crete*. **Conservation and Management of Archaeological Sites** 1 (1) 35-42.

Presents two proposals for a permanent shelter over the remains of a recently excavated Minoan structure of stone and adobe. In developing the proposals, the author considers the issues of reversibility, low technology/cost/maintenance, microclimatic effects, recreating the form and volume of the original structure without reconstruction, aesthetic compatibility, interpretive function, and separation of the visitor from the ruin. Illus. See also CMAS 1 (2) for correction of illustrations to this article. (A.O.)

Jianzheng, Chen. 1981. *Xian: an archaeological site museum at Banpo*. **Museum** 32 (4) 184-187.

The archaeological site museum at Xian incorporates a barrel-vaulted shelter over 3,000 m^2 of the excavated Neolithic remains. Inside the hall are viewing galleries and didactic exhibits; adjacent is the museum building. Construction details of the shelter are not provided. (M.D.)

Jun, Hu. 1986. *A museum on the site of an ancient copper mine*. **Museum** 38 (2) 115-119.

An enclosed shelter cum museum was constructed over the remains of the ancient copper mine of Tonglushan in China. The building, whose design and materials are not discussed, contains a great hall with viewing gallery where the remains are preserved *in situ*, and an adjoining exhibition room with artefacts and didactic exhibits. This type of structure is characteristic of the Chinese response to site protection; cf. Zilin 1985 and Jianzheng 1981. (M.D.)

Le Coperture di Aree e Strutture Archeologiche (20 ottobre 2000). http://eulero.cineca.it/~seccia/concop.htm (March 2001)

Italian. This Web site is the announcement of a conference organized at the Museo Civico Archeologico on shelters for archaeological sites held in October 2000. It lists the complete program of speakers, papers, and posters, which provides an interesting overview of some of the new work that is being done on this topic, particularly in Italy. (M.D.)

Lewis, Hilary. 1980. *Experiments in mudbrick conservation at Tepe Nush-I Jan*. In **The Third International Symposium on Mudbrick (Adobe) Preservation** (Ankara 1980), 109-118. Ankara: ICOMOS/ICOM.

The metal-framed protective shelters over the mudbrick remains at this site in Iran are described, and the problems encountered are briefly discussed. The gable roof forms were designed to shed snow, but the open construction does not provide adequate protection against high winds and rain, which have caused dehydration and subsequent cracking of the walls. (M.D.)

Lolli-Ghetti, Mario. 1982. *Tharros: Conservation of the Punic Ditch. Diversification of Technologies*. In **Mortars, Cements and Grouts Used in the Conservation of Historic Buildings** (1981 Symposium, Rome), 256-266. Rome: ICCROM.

In this article outlining the conservation principles followed in preserving the fortification wall at the site of Tharros, there is a brief description of the proposed use of 'suspended cloths' for additional protection. While the materials and construction specifications for the proposed shelter are vague, the concepts guiding its design are well articulated. (M.D.)

Marconi, Paolo. 1982. *Contributi progettuali al tema della protezione di monumenti e di scavi archeologici dall'inquinamento atmosferico: l'area della Regia nel Foro Romano, l'arco di Costantino, l'arco di Settimio Severo.* **Ricerche di storia dell'arte** 16, 54-64.

Italian. The author discusses the development of two types of shelters: the 'glass dome' as an individual outer shell to enclose the monuments, and an open lattice structure covered with impermeable transparent sheeting appropriate for large excavation areas. The proposal and design sketches for a latticework structure over parts of the Roman Forum and those for transparent shelters over the Arches of Constantine and Septimius Severus are discussed. (M.D.)

Matero, Frank, 1999. *Lessons from the Great House. Condition and treatment history as prologue to site conservation and management at Casa Grande Ruins National Monument*. **Conservation and Management of Archaeological Sites** 3, 203-224.

In this detailed discussion of the history of interventions and current condition recording and investigation of the earthen ruins of Casa Grande in Arizona, the author briefly describes the venerable shelter designed by Frederick Law Olmstead, Jr. in 1932 and its 1903 predecessor. Interesting are the results of the assessment as they pertain to the performance of the shelter in protecting the ruins from weather (significant reduction in atmospheric weathering of the ruin), as well as from numerous interventions carried out over the years on the unsheltered ruins. (M.D.)

Miarelli Mariani, Gaetano. 1986. *Territorio, città, monumenti*. **Studi Romani 34** (1-2) 152-162.

Italian. The first part deals with urban planning policies in Rome. The second section is devoted to the conservation of ancient monuments, with special reference to the column of Marcus Aurelius and the recent proposal for a protective shelter of transparent glass; see also Bruno 1987 and Technology Trends 1985. (M.D.)

Minissi, Franco. 1961. *Protection of the mosaic pavements of the Roman villa at Piazza Armerina (Sicily).* **Museum** 14 128-132.

English and French. This article is a full description, by its designer, of the enclosed, metal-framed protective shelter, with transparent perspex panes and louvers, over the mosaics of the Roman villa. The design protects the mosaics from inclement weather, reconstructs the spatial volumes of the villa but utilizes entirely modern materials to preclude any confusion between original and new elements and allows viewing of the mosaic by means of walkways. Illus. The Piazza Armerina shelter has been discussed in numerous articles: see Stanley Price 1997 and Ranellucci 1996 cited herein; and Maddalena Biggi, Alla scoperta dei mosaici "coperti" Rassegna Dei Beni Culturi 5 (1) (Jan./Feb.) 1989, 41-43; Cesare Brandi, Archeologia Siciliana, Bollettino Dell'Istituto Centrale Del Restauro 1956, 27-28, 93-100. (M.D.)

Minissi, Franco. 1985. *Ipotesi di Impiego di Coperture Metalliche a Protezione di Zone Archeologiche*. **Restauro** 81, 27-31.

Italian. One of three articles in Restauro 81 devoted to "Coperture a protezione di zone archeologiche". This is a general discussion of the problems inherent in design of protective shelters. Minissi distinguishes four types of shelters: simple, purely functional and inexpensive shelters, often temporary, but usually becoming permanent, which ignore the artistic/architectural values of the original remains; single roofs covering large expanses but without any formal spatial relationship to the protected remains; shelters over particular areas with remains of artistic value that meet museographic requirements of protection and viewing, but create their own quite arbitrary volumes; and shelters over particular remains (as just noted) but which go beyond basic museographic needs and relate directly to the spatial arrangements of the ruins. (M.D.)

Musées de Site Archéologique. UNESCO/ICOM (1982).

French. Included in this study of archaeological site museums is a brief discussion (p. 17f.) of temporary and permanent shelters over *in situ* remains with specific mention of those at Phaistos; Pylos and Lerna; the Maritime Museum in Piraeus (Greece); Konya (Turkey); and Stara Zagora (Bulgaria). (M.D.)

Papageorghiou, Athanasios. 1985. *The mosaics of Cyprus: problems of conservation*. In **Mosaics No. 3: Conservation In Situ**. (Aquileia, 1983), 31-37. Rome: ICCROM.

A brief mention of the shelter over the important Roman mosaics in the House of Dionysus in Paphos, Cyprus. The wood-framed, enclosed structure is partially representational, following original walls of the main part of the villa with walkways for viewing the mosaics. Other mosaics at

the site were protected with very simple sheds. The plans for an ambitious, integrated sheltering and landscape scheme over all the mosaics at the Paphos site are described in Sophocles Hadjisavvas. (forthcoming) Developing a World Heritage site: the case of Paphos, Cyprus (Paper presented at the Sixth Conference of the International Committee for the Conservation of Mosaics, 24-28 October, Nicosia, Cyprus. (M.D.)

Piano, Renzo. 1990. *Renzo Piano. Building Workshop 1980-1990*. **Proyectos para el futuro/Projects for the future: Acondicionamiento de la zona arqueológica/Fitting out of the archaeological sites**. A&V (Monografias de Arquitectura y Vivienda) **23**, 72-73, 88.

Spanish. Included in this issue devoted to Renzo Piano's work is a very brief overview of a proposal to shelter and interpret the site of Pompeii. Although never carried out, it is of interest chiefly as an example of high-end architecture entering the field of archaeological site sheltering. (M.D.)

Planck, Dieter. 1988. *Archäologische Ausgrabungen in Walheim a.N., Kreis Ludwigsburg*. **Denkmalpflege in Baden-Württemberg** 17 (1) 1-8.

German. Included in this excavation report of a Roman settlement in Germany is a brief discussion and sketch of the proposed preservation of the remains by the construction of a shelter. (M.D.)

Ranellucci, Sandro. 1996. **Strutture Protettive e Conservazione dei Siti Archeologici.** Pescara: Carsa Edizioni.

Italian. With an emphasis on theoretical issues of presenting archaeological remains to the public, the author explores a wide variety of architectural projects, implemented and proposed, for protection and interpretation of sites. Sheltering is examined in relation to deterioration phenomena at archaeological sites and numerous examples of protective and interpretive interventions by well-known architects such as Franco Minissi and Renzo Piano are discussed and illustrated. (M.D.)

Roby, Thomas C. 1996. *Site conservation during excavation: stabilization and consolidation of Roman funerary monuments in Carthage*. In Ashok Roy and Perry Smith (eds.), **Archaeological Conservation and its Consequences** (Preprints of the Contributions to the Copenhagen Congress, 26-30 August 1996), 149-152. London: International Institute for Conservation of Historic and Artistic Works (IIC).

As a cheaper and faster alternative to backfilling, an enclosed shelter of brick and corrugated iron was constructed to protect masonry walls decorated with plaster and stucco reliefs between excavation seasons. Vandalism and localized salt efflorescence could not be avoided, and the author argues that backfilling remains the best alternative for site protection between seasons. (A.O.)

'Römerbad' in Weißenburg. **Baumeister** 12 (1980), 1224f.

German with English summary. Description and photos of the radial-roofed protective shelter at Weißenburg; see also Holzbau 1982 and Schmidt 1988. (M.D.)

Sanchèz del Real, Cristina. 1992. *Sauvetage du site archéologique de Cacaxtla-Mexique. Projet de conservation intégrale*. In **Analyses et conservation d'œuvres d'art monumentales.** 139-150. Lausanne: Laboratoire de Conservation de la Pierre.

French. A large shelter was designed to span extensive earthen ruins with well-preserved painted murals at Cacaxtha (see also Garciá-Bárcena 1987a, above). No interior supports were used, and the shelter is anchored by cables that extend from the roof to the ground beyond the roofline. (A.O.)

Schmid, Martin. 1998. *Protective shelters at the archaeological sites of Mallia (Crete) and Kalavasos-Tenta (Cyprus)*. **Conservation and Management of Archaeological Sites** 2 (3) 143-153.

This article describes the design and construction of four permanent shelters to protect excavated archaeological sites. Three of the shelters are composed of low, arching frames of laminated wooden beams (glulam) set in reinforced concrete foundations and covered with translucent polypropylene sheets (at the Late Bronze Age site of Mallia in Crete). The fourth shelter is more monumental, a 12-faceted conical tent composed of a frame of glulam beams covered with a coated PVC membrane. Two of the shelters also incorporate suspended walkways for visitor access (at the Neolithic site of Tenta in Cyprus). Illus. For the Mallia shelter, see also Martin Schmid. 1990. Aménagement, sauvegarde et protection des monuments minoens. Bulletin de correspondance hellénique 114, 930-939. (A.O.)

Schmidt, Hartwig. 1988. **Schutzbauten**. Stuttgart: Konrad Theiss Verlag.

German. Along with Gollman 1987, this is the most complete discussion of protective shelters published to date. The main body of the text is an extensive, though not comprehensive, descriptive and visual catalogue of open and closed shelters in Europe and the Middle East. The catalogue is especially valuable in providing information on shelters not otherwise published and on the types of materials utilized in their construction. Schmidt employs two basic categories of shelter: open shelters (Schutzdächer) and closed shelters (Schutzhäuser); the latter type incorporates two important sub-types: shelters that conform to the plan of ancient walls, and large barn-like halls (Hallenbauten) that bear no relationship to the original form and massing. Each of the approximately 100 examples is illustrated. (M.D.)

Schmidt, Hartwig. 1995. *Schutzbauten auf archäologischen grabungsstätten*. **Restauratoren-blätter 15**, 45-61.

German. A restatement of the Schmidt 1988 book (see above), with the addition of the striking temporary canopy installed to protect the Apollo Epikourios Temple at Bassae in Greece. See also Theoulakis 1993. (A.O.)

Scichilone, Giovanni. 1986. *The site of the cathedral at Atri: a case study of in situ conservation of archaeological remains*. In **Preventive Measures During Excavation and Site Protection** (Ghent Conference, 6-8 November, 1985), 309-314. Rome: ICCROM.

This description of the methods employed to preserve *in situ* excavated Roman structures in the Cathedral courtyard includes the use of glass 'showcases' for protection and display. (M.D.)

Scoppola, F. 1984. *Prima Porta: Villa di Livia, coperture*. **Bollettino dei Musei Comunali** (Rome), 190-191.

Italian. This is a brief description of measures to protect the Villa di Livia at the site of Prima Porta, which include the erection of a metal-framed, dual-level roof over the area of the baths. (M.D.)

Soromenho Marreiros, Luis. 1994. *Meios arquitectonicos de protección de mosaicos os casos de Conimbriga e Torre de Palma*. In **Conservation, Protection, Presentation: Proceedings of the Fifth Conference of the International Committee for the Conservation of Mosaics** (Faro-Conimbriga, 4-8 October 1993), 151-159. Lisbon: Instituto Portugues Museus.

Portugese. Describes two examples of shelters over archaeological ruins in Portugal that fulfill their aim of protecting mosaics while allowing viewing by scholars and visitors. The first is a space-frame shelter constructed over a Roman villa with mosaics at Conimbriga. The shelter is open on three sides, with an enclosure on the fourth to protect the mosaic from sun and rain; some attempt is made to relate the shelter with the original building using a higher roofline over the impluvium. A second shelter at Torre de Palma is simpler in design, less costly and without any reference to the architectural remains, but more intrusive in the environment. (J.S./M.D.)

Stanley-Price, Nicholas. 1997. *The Roman Villa at Piazza Armerina, Sicily*. In Marta de la Torre (ed), **The Conservation of Archaeological Sites in the Mediterranean Region** (Proceedings of an International Conference Organized by the Getty Conservation Institute and the J. Paul Getty Museum, May 1995), 65-84. Los Angeles: The J. Paul Getty Trust.

In the context of a comprehensive history of interventions at Piazza Armerina, the author details the objectives and history of the construction of this well-known shelter over the Roman mosaics designed by architect Franco Minissi and provides insight into its performance, problems, and successes over the 40 years since its construction. Illus. See also Nicholas Stanley-Price and G. Ponti, forthcoming. Protective enclosures for mosaic floors: A review of Piazza Armerina, Sicily, after forty years. (Paper presented at the Sixth Conference of the International Committee for the Conservation of Mosaics, 24-28 October, Nicosia, Cyprus). (M.D.)

Stevens, André. 1981. *Proposition d'aménagement des ensembles architecturaux du parc monumental et natural de Babylone, avec application au Temple d'Ishtar*. In **Conservation Réhabilitation Recyclage**, 619-626. Québec: Les Presses de l'Université Laval.

French. Stevens discusses his proposed tent-like membrane structure to protect mudbrick ruins of the Temple of Ishtar at Babylon. Inspired by the Bedouin tent, the roof form has cultural roots in the region but at the same time would bear an unmistakably contemporary stamp. (M.D.)

Stevens, André. 1984. *La protection des monuments en brique crues*. **Lettre d'Information Archéologie Orientale** 7 19-27.

French. As part of a general discussion of conservation and reconstruction practices on Near Eastern mudbrick sites, the author makes brief mention of new forms of protective structures, as realized at the site of Mari in Syria (a lightweight, metal-framed roof with plastic, molded modules), and as

proposed, by the author, at Babylon (membrane structure); see also Stevens 1981 for more detailed discussion of Babylon. (M.D.)

Stevens, André. 1986. *Structures nouvelles de protection des sites archéologiques du tiers monde*. In **Preventive Measures During Excavation and Site Protection** (Ghent Conference, 6-8 November, 1985), 225-244. Rome: ICCROM.

French. This article comprises description, critical analysis, and selected photos of various traditional protective shelters and contemporary approaches utilizing new materials and structures, including the author's own proposal for Babylon and his imaginative collage of ruins within a geodesic dome. (M.D.)

Stubbs, John H. 1995. *Protection and Presentation of Excavated Structures*. In N. Stanley-Price (ed.) **Conservation on Archaeological Excavations with Particular Reference to the Mediterranean Area** (second edition), 73-89. Rome: ICCROM.

The author describes a number of protective shelters: Fishbourne, Piazza Armerina, Kara Tepe, Roselle. Brief mention is also made of new materials and structures with potential application to archaeological sites. (M.D.)

Sultov, Bogdan. 1985. *A site museum near Pavlikeni, Bulgaria*. **Museum** 37 (3) 136-139.

Efforts to preserve the remains of an ancient ceramics works near Pavlikeni were apparently implemented utilizing buildings of "metal, glass and fibro-cement on concrete foundations." The photographs of the site show open, gable-roofed shelters protecting some of the remains and traditional materials for a structure protecting ceramic kilns. Unfortunately, there is insufficient connection between the text and the photos to provide adequate understanding of these interesting protective devices. (M.D.)

Technology Trends. 'Living' in a Glass House...to Safely Stow Stones. **Technology and Conservation** (Spring) **1** (1985) 12-13.

This brief article describes the encasement approach selected by the Italian superintendency of antiquities to safeguard the column of Marcus Aurelius (Antonine column), Rome. The criteria for the design were no contact between the column and new architectural elements, and transparency and reversibility of the structure; see also Bruno 1987 and Miarelli Mariani 1986. (M.D.)

Theoulakis, P. 1993. *Microclimatic monitoring at the temple of Apollo Epikourios at Bassai, Greece*. In M.-J. Thiel (ed.), **Conservation of Stone and Other Materials**, vol. 2, 808-813. London: E. and F.N. Spon, 808-813.

Deterioration of the temple at Bassai led to the installation of a temporary shelter to protect the limestone (see also Schmidt 1995). To better understand the deterioration factors and also to evaluate the impact of the shelter, climatic conditions both outside and inside the shelter were monitored, including temperature and relative humidity. The shelter has increased the RH but has diminished both humidity and temperature fluctuations; microflora populations have also been reduced. (A.O.)

Toraldo di Francia, Antonio. 1986. *Monumenti sotto vetro?* **Antiqua** 5 (Sept./Oct.) 25-26.

Italian. The author opposes proposals for the protection of outstanding monuments in Rome and Florence against air pollution by encasing them under glass. Particular reference is made to the column of Marcus Aurelius, illustrated with its scaffolding. (M.D.)

Trow, Stephen. 1996. *The exotic mosaics of Brading Roman villa*. **Conservation Bulletin** (English Heritage) 30, 10-11.

A description and history of interventions of the mosaic at Brading (one of the few sites in the UK where mosaics are on their original beds), which was covered by shelters after excavation in the late 19th century and again in the early 20th century (steel-framed barn-like structure with corrugated metal siding) and severely damaged by floods in the 1990s. A more extensive article on the condition of the mosaic and shelter, environmental monitoring and holistic plans for conservation and repair can be found in Carol Edwards, Mike Corfield, Barry Knight, Jeanne Marie Teutonico, and John Adams. forthcoming. The investigation and conservation of fourth century mosaics at Brading Roman villa, Isle of Wight, England (Paper presented at the Sixth Conference of the International Committee for the Conservation of Mosaics, 24-28 October, Nicosia, Cyprus. (M.D.)

Uchida, Akito. 1997. *Conservation of the engraved rock wall in the Temiya Cave, Japan*. In N. Agnew (ed), **Conservation of Ancient Sites on the Silk Road,** 235-243. Los Angeles: The J. Paul Getty Trust.

Engraved characters in the Temiya Cave on Hokkaido, Japan, have been dated to about 1600 years BP. Exfoliation of the tuff comprising the cliff prompted the construction of a new shelter to replace the existing simple one. Various technical and scientific studies are outlined in relation to the geology and hydrology of the site. Computer simulations show the exterior and the interior display of the new steel-reinforced structure, which will be fully air-conditioned. This structure represents a high-tech engineering solution that seems fundamentally incompatible with the simplicity and antiquity of the petroglyphs. (M.D.)

Ulbert, G. and G. Weber (eds.). 1985. *Konservierte Geschichte?* **Antike Bauten und Ihre Erhaltung**. Stuttgart: Konrad Thiess Verlag.

German. Included in these discussions of site and regional studies are examples of some of the large enclosed halls that have become an increasingly common response to the preservation of archaeological sites in Germany, Austria, and Switzerland. (M.D.)

Waane, Simon A.C. 1986. *Roofs and shelters: The Tanzanian experience*. In **Preventive Measures During Excavation and Site Protection** (Ghent Conference, 6-8 November, 1985),245-256. Rome: ICCROM.

This article discusses the difficulties of preserving paleontological sites, including the use of protective shelters, based on the author's experience in Tanzania. (M.D.)

Wainwright, Ian N.M., Henry Sears, and Stefan Michalski. 1997. *Design of a Rock Art Protective Structure at Petroglyphs Provincial Park, Ontario, Canada*. **Journal of the Canadian Association for Conservation** 22 53-76.

A protective structure was constructed over one of Canada's best-known rock art sites. The art, pecked into an outcrop of marble, was being damaged by frost weathering and algal growth. The primary function of the fully enclosed shelter was to eliminate rain, snow and surface run-off while allowing the maximum amount of sunshine on the rock surface. The structure is a seven-sided, column-free building with fully glazed walls. The foundations are of poured concrete, carrying a steel frame superstructure. Particular attention was paid to ventilation of the structure for visitor comfort and conservation of the rock. Illus. See also Wainwright, Ian N.M. 1987. Rock art conservation in Petroglyphs Provincial Park. Canadian Conservation Institute Newsletter, December, 8-9. (M.D.)

Weaver, Martin. 1968. *Some contemporary approaches to the excavation and exhibition of ancient monuments in the field*. In **Proceedings of the Fifth International Congress on Iranian Art and Archaeology** 1 (Tehran), 373-379.

Included in this article is a discussion of the potential uses of air-domes to create a controlled environment, especially for the excavation of mudbrick. This is an early, exploratory article superseded by Weaver 1973, "The use of an inflatable 'air-dome' to produce controlled conditions for an archaeological site". Studies in Conservation 18, 88ff., which is a full discussion of the use of an inflatable air-dome at the site of Can Hasan in Turkey to control the internal environment during excavation. (M.D.)

Weidmann, Denis. 1987. *Problèmes de gestion et de conservation des mosaïques d'Obre-Boscéaz (Vaud-Suisse), abritées depuis 1841*. **Mosaicos No. 4: Conservacion "In Situ"** (Soria. 1986), 7-17. Soria: Servicio de Investigaciones Arqueologicas Diputacion Provincial de Soria.

French. Discusses history of interventions and sheltering at the mosaic site of Obre-Boscéaz, Switzerland, from the mid-nineteenth century through to a conservation program that began in 1976, involving repair of earlier shelters, installation of drainage systems and likelihood of having to modify or construct new shelters. Conditions identified as contributing to decay of mosaic under the closed shelter are increased humidity, winter salts, drainage patterns, and agricultural activity. (J.S./M.D.)

Wiplinger, Gilbert. 1990. *Restaurierungsprojekte in Ephesos*. In **Echo. Festschrift für J.B. Trentini**. Innsbruck: Universität Innsbruck.

German. A short summary of all the restoration projects in Ephesus, including the author's permanent shelter over the Roman Terrace Houses. Excavated over a 25-year period (1960-85), the houses were protected with temporary roofing until construction of a permanent shelter began in 1979. The shelter attempts to reconstruct the space of the original rooms through use of intersecting gabled roofs that make reference to the ground plan. Reinforced concrete pillars support concrete girders and a ring beam defining the perimeter of the complex and supporting a wooden roofing truss with red tiles; new wall construction was carried out in brick. The shelter was completed over only two of the terrace houses because of controversies about its scale and visual intrusiveness. For a very brief description in English with good photographs see also G. Wiplinger

and G. Wlach. 1996. **Ephesus. 100 Years of Austrian Research**. (Österreichisches Archäologisches Institut). Böhlau Verlag: Vienna, 128–35. (M.D.)

Zilin, Wu. 1985. *The museum of Qin Shi Huang terracotta warriors and horses*. **Museum 37** (3) 140–47.

A huge barrel-vaulted, latticework structure was constructed (1974–9) over the remains of the terracotta army of the emperor Qin Shi Huang in Xian province, China. The structure serves the dual purpose of protection and museum. Architectural details of the structure are lacking in this article, which is devoted mainly to a description of the archaeological remains. Plans to expand the excavated area and create a complex of museums and protective shelters to cover about 300,000 m^2. are briefly discussed.

Zumthor, P. 1988. *Schutzbau über Ausgrabungen in Chur, CH*. **Detail** 5 (Sept./Oct.), 499–502.

German with English summary. A brief description of the timber-framed, louvered shelter over Roman remains near Chur is accompanied by full documentation in the form of photographs, plans, and sections. See also Hubeli and Fumagalli 1987. (M.D.)

BACK

EUROPEAN CONVENTION ON THE PROTECTION OF THE ARCHAEOLOGICAL HERITAGE

6 May 1969
Entry into force: 20 November 1970

Note: This Convention has been replaced by the [Revised] European Convention for the Protection of the Archaeological Heritage of Europe of 16 January 1992.

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members for the purpose, in particular, of safeguarding and realising the ideals and principles which are their common heritage;

Having regard to the European Cultural Convention, signed at Paris on 19 December 1954, and inter alia Article 5 of that Convention;

Affirming that the archaeological heritage is essential to a knowledge of the history of civilisations;

Recognising that while the moral responsibility for protecting the European archaeological heritage, the earliest source of European history, which is seriously threatened with destruction, rests in the first instance with the State directly concerned, it is also the concern of European States jointly;

Considering that the first step towards protecting this heritage should be to apply the most stringent scientific methods to archaeological research or discoveries, in order to preserve their full historical significance and render impossible the irremediable loss of scientific information that may result from illicit excavation;

Considering that the scientific protection thus guaranteed to archaeological objects:

a. would be in the interests, in particular, of public collections, and

b. would promote a much-needed reform of the market in archaeological finds;

Considering that it is necessary to forbid clandestine excavations and to set up a scientific control of archaeological objects as well as to seek through education to give to archaeological excavations their full scientific significance,

Have agreed as follows:

BACK

ARTICLE 1

For the purposes of this Convention, all remains and objects, or any other traces of human existence, which bear witness to epochs and civilisations for which excavations or discoveries are the main source or one of the main sources of scientific information, shall be considered as archaeological objects.

ARTICLE 2

With the object of ensuring the protection of deposits and sites where archaeological objects lie hidden, each Contracting Party undertakes to take such measures as may be possible in order:

a. to delimit and protect sites and areas of archaeological interest;

b. to create reserve zones for the preservation of material evidence to be excavated by later generations of archaeologists.

ARTICLE 3

To give full scientific significance to archaeological excavations in the sites, areas and zones designated in accordance with Article 2 of this Convention, each Contracting Party undertakes, as far as possible, to:

a. prohibit and restrain illicit excavations;

b. take the necessary measures to ensure that excavations are, by special authorisation, entrusted only to qualified persons;

c. ensure the control and conservation of the results obtained.

ARTICLE 4

1. Each Contracting Party undertakes, for the purpose of the study and distribution of information on archaeological finds, to take all practicable measures necessary to ensure the most rapid and complete dissemination of information in scientific publications on excavations and discoveries.

2. Moreover, each Contracting Party shall also consider ways and means of:

    a. establishing a national inventory of publicly-owned and, where possible, privately-owned archaeological objects;

    b. preparing a scientific catalogue of publicly-owned and, where possible, privately-owned archaeological objects.

ARTICLE 5

With a view to the scientific, cultural and educational aims of this Convention, each Contracting Party undertakes to:

a. facilitate the circulation of archaeological objects for scientific, cultural and educational purposes;
b. encourage exchanges of information on:
    i. archaeological objects,

ii. authorised and illicit excavations

between scientific institutions, museums and the competent national departments;

c. do all in its power to assure that the competent authorities in the States of origin, Contracting Parties to this Convention, are informed of any offer suspected of coming either from illicit excavations or unlawfully from official excavations, together with the necessary details thereon;

d. endeavour by educational means to create and develop in public opinion a realisation of the value of archaeological finds for the knowledge of the history of civilisation, and the threat caused to this heritage by uncontrolled excavations.

ARTICLE 6

1. Each Contracting Party undertakes to co-operate in the most appropriate manner in order to ensure that the international circulation of archaeological objects shall in no way prejudice the protection of the cultural and scientific interest attaching to such objects.

2. Each Contracting Party undertakes specifically:

    a. as regards museums and other similar institutions whose acquisition policy is under State control, to take the necessary measures to avoid their acquiring archaeological objects suspected, for a specific reason, of having originated from clandestine excavations or of coming unlawfully from official excavations;

    b. as regards museums and other similar institutions, situated in the territory of a Contracting Party but enjoying freedom from State control in their acquisition policy:
        i. to transmit the text of this Convention, and
        ii. to spare no effort to obtain the support of the said museums and institutions for the principles set out in the preceding paragraph;

    c. to restrict, as far as possible, by education, information, vigilance and cooperation, the movement of archaeological objects suspected, for a specific reason, of having been obtained from illicit excavations or unlawfully from official excavations.

ARTICLE 7

In order to ensure the application of the principle of co-operation in the protection of the archaeological heritage which is the basis of this Convention, each Contracting Party undertakes, within the context of the obligations accepted under the terms of this Convention, to give consideration to any question of identification raised by any other Contracting Party, and to co-operate actively to the extent permitted by its national legislation.

ARTICLE 8

The measures provided for in this Convention cannot restrict lawful trade in or ownership of archaeological objects, nor affect the legal rules governing the transfer of such objects.

ARTICLE 9

Each Contracting Party shall notify the Secretary General of the Council of Europe in due course of measures it may have taken in respect of the application of the provisions of this Convention.

ARTICLE 10

1. This Convention shall be open to signature by the member States of the Council of Europe. It shall be subject to ratification or acceptance. instruments of ratification or acceptance shall be deposited with the Secretary General of the Council of Europe.

2. This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification or acceptance.

3. In respect of a signatory State ratifying or accepting subsequently, the Convention shall come into force three months after the date of the deposit of its instrument of ratification or acceptance.

ARTICLE 11

1. After entry into force of this Convention:

    a. any non-member State of the Council of Europe which is a Contracting Party to the European Cultural Convention signed at Paris on 19 December 1954 may accede to this Convention;

    b. the Committee of Ministers of the Council of Europe may invite any other non-member State to accede thereto.

2. Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect three months after the date of its deposit.

ARTICLE 12

1. Each signatory State, at the time of signature or when depositing its instrument of ratification or acceptance, or each acceding State, when depositing its instrument of accession, may specify the territory or territories to which this Convention shall apply.

2. Each signatory State,when depositing its instrument of ratification or acceptance or at any later date, or each acceding State,when depositing its instrument of accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, may extend this Convention to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorised to give undertakings.

3. Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn according to the procedure laid down in Article 13 of this Convention.

ARTICLE 13

1. This Convention shall remain in force indefinitely.

2. Any Contracting Party may,in so far as it is concerned, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

3. Such denunciation shall take effect six months after the date of receipt by the Secretary General of such notification.

ARTICLE 14

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Convention of:

a. any signature;

b. any deposit of an instrument of ratification, acceptance or accession;

c. any date of entry into force of this Convention in accordance with Article 10 thereof;

d. any declaration received in pursuance of the provisions of paragraphs 2 and 3 of Article 12;

e. any notification received in pursuance of the provisions of Article 13 and the date on which denunciation takes effect.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at London, this 6th day of May 1969, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.

BACK

CHARTER FOR THE PROTECTION AND MANAGEMENT OF THE ARCHAEOLOGICAL HERITAGE (1990)

Prepared by the International Committee for the Management of Archaeological Heritage (ICAHM) an approved by the 9th General Assembly in Lausanne in 1990.

INTRODUCTION

It is widely recognised that a knowledge and understanding of the origins and development of human societies is of fundamental importance to humanity in identifying its cultural and social roots.

The archaeological heritage constitutes the basic record of past human activities. Its protection and proper management is therefore essential to enable archaeologists and other scholars to study and interpret it on behalf of and for the benefit of present and future generations.

The protection of this heritage cannot be based upon the application of archaeological techniques alone. It requires a wider basis of professional and scientific knowledge and skills. Some elements of the archaeological heritage are components of architectural structures and in such cases must be protected in accordance with the criteria for the protection of such structures laid down in the 1966 Venice Charter on the Conservation and Restoration of Monuments and Sites. Other elements of the archaeological heritage constitute part of the living traditions of indigenous peoples, and for such sites and monuments the participation of local cultural groups is essential for their protection and preservation.

For these and other reasons the protection of the archaeological heritage must be based upon effective collaboration between professionals from many disciplines. It also requires the co-operation of government authorities, academic researchers, private or public enterprise, and the general public. This charter therefore lays down principles relating to the different aspects of archaeological heritage management. These include the responsibilities of public authorities and legislators, principles relating to the professional performance of the processes of inventorisation, survey, excavation, documentation, research, maintenance, conservation, preservation, reconstruction, information, presentation, public access and use of the heritage, and the qualification of professionals involved in the protection of the archaeological heritage.

The charter has been inspired by the success of the Venice Charter as guidelines and source of ideas for policies and practice of governments as well as scholars and professionals.

The charter has to reflect very basic principles and guidelines with global validity. For this reason it cannot take into account the specific problems and possibilities of regions or countries. The charter should therefore be supplemented at regional and national levels by further principles and guidelines for these needs.

DEFINITION AND INTRODUCTION

Article 1

The "archaeological heritage" is that part of the material heritage in respect of which archaeological methods provide primary information. It comprises all vestiges of human existence and consists of places relating to all

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manifestations of human activity, abandoned structures, and remains of all kinds (including subterranean and underwater sites), together with all the portable cultural material associated with them.

INTEGRATED PROTECTION POLICIES

Article 2.

The archaeological heritage is a fragile and non-renewable cultural resource. Land use must therefore be controlled and developed in order to minimise the destruction of the archaeological heritage.

Policies for the protection of the archaeological heritage should constitute an integral component of policies relating to land use, development, and planning as well as of cultural, environmental and educational policies. The policies for the protection of the archaeological heritage should be kept under continual review, so that they stay up to date. The creation of archaeological reserves should form part of such policies.

The protection of the archaeological heritage should be integrated into planning policies at international, national, regional and local levels.

Active participation by the general public must form part of policies for the protection of the archaeological heritage. This is essential where the heritage of indigenous peoples is involved. Participation must be based upon access to the knowledge necessary for decision-making. The provision of information to the general public is therefore an important element in integrated protection.

LEGISLATION AND ECONOMY

Article 3.

The protection of the archaeological heritage should be considered as a moral obligation upon all human beings; it is also a collective public responsibility. This obligation must be acknowledged through relevant legislation and the provision of adequate funds for the supporting programmes necessary for effective heritage management.

The archaeological heritage is common to all human society and it should therefore be the duty of every country to ensure that adequate funds are available for its protection.

Legislation should afford protection to the archaeological heritage that is appropriate to the needs, history, and traditions of each country and region, providing for in situ protection and research needs.

Legislation should be based on the concept of the archaeological heritage as the heritage of all humanity and of groups of peoples, and not restricted to any individual person or nation.

Legislation should forbid the destruction, degradation or alteration through changes of any archaeological site or monument or to their surroundings without the consent of the relevant archaeological authority.

Legislation should in principle require full archaeological investigation and documentation in cases where the destruction of the archaeological heritage is authorised.

Legislation should require, and make provision for, the proper maintenance, management and conservation of the archaeological heritage. Adequate legal sanctions should be prescribed in respect of violations of archaeological heritage legislation.

If legislation affords protection only to those elements of the archaeological heritage which are registered in a selective statutory inventory, provision should be made for the temporary protection of unprotected or newly discovered sites and monuments until an archaeological evaluation can be carried out.

Development projects constitute one of the greatest physical threats to the archaeological heritage. A duty for developers to ensure that archaeological heritage impact studies are carried out before development schemes are implemented, should therefore be embodied in appropriate legislation, with a stipulation that the costs of such studies are to be included in project costs.

The principle should also be established in legislation that development schemes should be designed in such a way as to minimise their impact upon the archaeological heritage.

SURVEY

Article 4.

The protection of the archaeological heritage must be based upon the fullest possible knowledge of its extent and nature. General survey of archaeological resources is therefore an essential working tool in developing strategies for the protection of the archaeological heritage. Consequently archaeological survey should be a basic obligation in the protection and management of the archaeological heritage.

At the same time, inventories constitute primary resource databases for scientific study and research. The compilation of inventories should therefore be regarded as a continuous, dynamic process. It follows that inventories should comprise information at various levels of significance and reliability, since even superficial knowledge can form the starting point for protectional measures.

INVESTIGATION

Article 5.

Archaeological knowledge is based principally on the scientific investigation of the archaeological heritage. Such investigation embraces the whole range of methods from non-destructive techniques through sampling to total excavation.

It must be an overriding principle that the gathering of information about the archaeological heritage should not destroy any more archaeological evidence than is necessary for the protectional or scientific objectives of the investigation. Non-destructive techniques, aerial and ground survey, and sampling should therefore be encouraged wherever possible, in preference to total excavation.

As excavation always implies the necessity of making a selection of evidence to be documented and preserved at the cost of losing other information and possibly even the total destruction of the monument, a decision to excavate should only be taken after thorough consideration.

Excavation should be carried out on sites and monuments threatened by development, land-use change, looting, or natural deterioration.

In exceptional cases, unthreatened sites may be excavated to elucidate research problems or to interpret them more effectively for the purpose of presenting them to the public. In such cases excavation must be preceded by thorough scientific evaluation of the significance of the site. Excavation should be partial, leaving a portion undisturbed for future research.

A report conforming to an agreed standard should be made available to the scientific community and should be incorporated in the relevant inventory within a reasonable period after the conclusion of the excavation.

Excavations should be conducted in accordance with the principles embodied in the 1956 UNESCO Recommendations on International Principles Applicable to Archaeological Excavations and with agreed international and national professional standards.

MAINTENANCE AND CONSERVATION

Article 6.

The overall objective of archaeological heritage management should be the preservation of monuments and sites in situ, including proper long-term conservation and curation of all related records and collections etc. Any transfer of elements of the heritage to new locations represents a violation of the principle of preserving the heritage in its original context. This principle stresses the need for proper maintenance, conservation and management. It also asserts the principle that the archaeological heritage should not be exposed by excavation or left exposed after excavation if provision for its proper maintenance and management after excavation cannot be guaranteed.

Local commitment and participation should be actively sought and encouraged as a means of promoting the maintenance of the archaeological heritage. This principle is especially important when dealing with the heritage of indigenous peoples or local cultural groups. In some cases it may be appropriate to entrust responsibility for the protection and management of sites and monuments to indigenous peoples.

Owing to the inevitable limitations of available resources, active maintenance will have to be carried out on a selective basis. It should therefore be applied to a sample of the diversity of sites and monuments, based upon a scientific assessment of their significance and representative character, and not confined to the more notable and visually attractive monuments.

The relevant principles of the 1956 UNESCO Recommendations should be applied in respect of the maintenance and conservation of the archaeological heritage.

PRESENTATION, INFORMATION, RECONSTRUCTION

Article 7.

The presentation of the archaeological heritage to the general public is an essential method of promoting an understanding of the origins and development of modern societies. At the same time it is the most important means of promoting an understanding of the need for its protection.

Presentation and information should be conceived as a popular interpretation of the current state of knowledge, and it must therefore be revised frequently. It should take account of the multifaceted approaches to an understanding of the past.

Reconstructions serve two important functions: experimental research and interpretation. They should, however, be carried out with great caution, so as to avoid disturbing any surviving archaeological evidence, and they should take account of evidence from all sources in order to achieve authenticity. Where possible and appropriate, reconstructions should not be built immediately on the archaeological remains, and should be identifiable as such.

PROFESSIONAL QUALIFICATIONS

Article 8.

High academic standards in many different disciplines are essential in the management of the archaeological heritage. The training of an adequate number of qualified professionals in the relevant fields of expertise should therefore be an important objective for the educational policies in every country. The need to develop expertise in certain highly specialised fields calls for international co-operation. Standards of professional training and professional conduct should be established and maintained.

The objective of academic archaeological training should take account of the shift in conservation policies from excavation to in situ preservation. It should also take into account the fact that the study of the history of indigenous peoples is as important in preserving and understanding the archaeological heritage as the study of outstanding monuments and sites.

The protection of the archaeological heritage is a process of continuous dynamic development. Time should therefore be made available to professionals working in this field to enable them to update their knowledge. Postgraduate training programmes should be developed with special emphasis on the protection and management of the archaeological heritage.

INTERNATIONAL CO-OPERATION

Article 9.

The archaeological heritage is the common heritage of all humanity. International co-operation is therefore essential in developing and maintaining standards in its management.

There is an urgent need to create international mechanisms for the exchange of information and experience among professionals dealing with

archaeological heritage management. This requires the organisation of conferences, seminars, workshops, etc. at global as well as regional levels, and the establishment of regional centres for postgraduate studies. ICOMOS, through its specialised groups, should promote this aspect in its medium- and long-term planning.

International exchanges of professional staff should also be developed as a means of raising standards of archaeological heritage management.

Technical assistance programmes in the field of archaeological heritage management should be developed under the auspices of ICOMOS.

First Brazilian Seminar
About the Preservation and Revitalization of Historic Centers

ICOMOS Brazilian Committee, Itaipava, July 1987

BASIC PRINCIPLES

I

Urban historical sites may be considered as those spaces where manifold evidences of the city's cultural production concentrate. They are to be circumscribed rather in terms of their operational value as "critical areas" than in opposition to the city's non-historical places, since the city in its totality is a historical entity.

II

Urban historical sites are part of a wider totality, comprising the natural and the built environment and the everyday living experience of their dwellers as well. Within this wider space, enriched with values of remote or recent origin and permanently undergoing a dynamic process of successive transformations, new urban spaces may be considered as environmental evidences in their formative stages.

III

As a socially produced cultural expression the city adds rather than subtracts. Built space, thus, is the physical result of a social productive process. Its replacement is not justified unless its socio-cultural potentialities are proven exhausted. Evaluation standards for replacement convenience should take into account the socio-cultural costs of the new environment.

IV

The main purpose of preservation is the maintenance and enhancement of reference patterns needed for the expression and consolidation of citizenship. It is through the outlook of the citizen's political appropriation of urban space that preservation may contribute to improve life quality.

V

Considering that one of the characteristics of urban historical sites is their manifold functions, their preservation should not take place at the expense of severe use limitations, even when the allowed uses are of the kind referred to as cultural. They should, in fact, necessarily shelter both the universes of work and of everyday life, through which the more authentic expressions of society's heterogeneity and plurality are brought out. Concerning this heterogeneity, and taking into account the evident housing shortage in Brazil, housing should be the main function of built space. Consequently, the permanence of residents and of traditional activities in urban historical sites, when compatible with those sites, deserves special attention.

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VI

The preservation of urban historical sites must be one of the basic aims of urban planning, seen as a continuous and permanent process, supported by a proper understanding of those mechanisms that generate and influence the formation of spatial structures.

VII

The preservation of urban historical sites demands the integrated action of federal, state and local entities, and also the participation of the community concerned with planning decisions as part of the full exercise of citizenship. In this sense it is essential to favor and encourage institutional mechanisms assuring a democratic management of the city through a strengthened participation of civilian leadership.

VIII

Within the preservation process of urban historical sites and as part of the analysis and evaluation of prevailing conditions, inventories are basic tools leading to a better knowledge of cultural and natural property. The participation of the community in inventorying is revealing as to the value it attaches to the property relevant and stimulates its concern as regards such property.

IX

Legal protection of urban historical sites is to be achieved through different procedures, such as cataloging, inventorying, urbanistic regulations, tax exemptions and incentives, listing as to cultural interest and expropriation.

X

Accompanying the diversification of protective procedures, it is essential that the social value of urban property be made to prevail over its market value.

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United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
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la science et la culture

A New International Instrument: the proposed
UNESCO Recommendation on the Historic Urban Landscape (HUL)

Preliminary Report

INTRODUCTION

Urban conservation is an important part of modern heritage policies. For at least half a century, historic cities have acquired an incomparable status in modern culture and in modern life; a status defined by the quality of the architectural and physical environment, by the persistence of the sense of place, and by the concentration of the historic and artistic events that form the basis for the identity of a people. Last but not least, they have become the icons of global cultural tourism and coveted places for the enjoyment of a different lifestyle and for cultural experiences for millions of people.

But can we say that conservators have the tools they need to ensure the long term protection of the urban historic values? Unfortunately, if we consider the economic and environmental trends, we can easily see new threats emerging for urban historic conservation, with a lack of adequate tools to cope with them.

As the economic and social role of the historic city changes with time, as its own uses and functions are less and less decided by its own inhabitants, but rather by global forces such as the tourism or real estate industries, the meaning of urban conservation changes and needs to be reassessed. The first decade of the XXIst century has already shown which are the emerging challenges for urban historic conservation: global population growth and migrations, the explosion of domestic and international tourism, the growing demand for specific historic "packages" and the increasing pressures for land conversion inside and –most of all– outside the historic precincts.

While many countries have been able in the past decades to develop adequate legislation and regulations for the protection of urban historic areas, the sustainability of public and private efforts towards conservation is far from being demonstrated, in a world where public resources available for cultural investments are scarce and dwindling. The toolkit available today to urban conservators is not small: it is formed by a good system of internationally accepted principles of conservation, reflected in important international Charters and legal tools such as the 1972 World Heritage Convention. Furthermore, the toolkit is supported by a large number of good practices developed over more than a century in different contexts and on an elaborate planning and regulatory framework.

BACK

However, this apparatus is often weak and powerless in front of the forces of change that dominate the world and its urban scenes today and in the foreseeable future. Many of the most important urban historic areas existing in Europe, Asia and Latin America have lost their traditional functions and are under the pressure of tourism and other transformation agents. The planning and regulatory tools put in place are not always adequate to address the new challenges. Urban conservators are increasingly aware of the gap existing between the ideal world of the "Charters" and the practical realities, especially in emerging societies, and are advocating that new principles, approaches and tools have to be identified to cope with the new challenges.

THE INTERNATIONAL DEBATE

The 1972 World Heritage Convention has played an important role in fostering urban historic conservation. Today, historic cities constitute the largest heritage 'category' on the World Heritage List, with over 250 inscribed sites out of more than 900. The World Heritage Committee in the past few years has invested a considerable effort to identify the challenges for the conservation of urban heritage and to develop appropriate policy orientations.

In 2005 a major conference was organised in Vienna to discuss the issue and to define a new approach. The document that was issued by that conference, the "Vienna Memorandum", constituted an initial step to support the action of the Committee and to revise the current conservation policies. Since then, an important debate has taken place in the international conservation community. With the support from the States Parties to the World Heritage Convention, the World Heritage Committee and the Advisory Bodies to the World Heritage Committee, ICOMOS, ICCROM and IUCN, the World Heritage Centre has started a process of regional consultation meetings to receive expert input on concepts, definitions and approaches to urban historic conservation.

Five regional expert meetings, in Jerusalem (June 2006), Saint Petersburg, Russian Federation (January 2007), Olinda, Brazil (November 2007), Zanzibar, Tanzania (November/December 2009) and Rio de Janeiro, Brazil (December 2009), in addition to three planning meetings held at UNESCO Headquarters (in September 2006, November 2008 and February 2010), constitute the core of the debate with identification of issues, approaches and tools. In general a broad support for the ongoing review process has been expressed, in which the 2005 Vienna Memorandum was widely recognized as a useful basis. Furthermore, this debate was at the heart of the approval by the UNESCO General Conference to prepare a new Recommendation on the Historic Urban Landscape for adoption in 2011.

THE ISSUES

Global processes have a direct impact on the identity and visual integrity of historic cities and their broader setting, as well as on the people who live in them. While some cities are growing exponentially, others are shrinking and being radically restructured as a result of shifting economic processes and new patterns of migration. To address these issues, local urban strategies are becoming the key component of urban development planning. The increasing globalization of the economy is radically transforming many contemporary cities, benefiting some groups, whilst marginalizing others. In some countries, centrally controlled planning has given way to decentralization and market-oriented approaches. The result is that cities have been exposed to new pressures, among which the following:

- Rapid urbanization threatening the sense of place and identity of communities
- Uncontrolled, poorly conceived and/or badly implemented urban development
- Intensity and speed of changes, including global warming
- Unsustainable consumption of resources.

THE WAY FORWARD

While most of the issues related to the present and future challenges have been identified, the new Recommendation will have to reflect a great variety of situations and stages of evolution that historic cities face within regions, as well as in different regions of the world. A document with universal value will necessarily encompass the diversity of approaches and value systems of the different cultures, and define concepts and tools that are to be adapted to their specific contexts. The discussion will review the main components of urban conservation and in particular the following:

The system of values and meanings of urban heritage

Recognising the transition of the values associated to urban heritage conservation will open the way to the definition of the present and future value system. The historical transition of urban heritage values from 'monument' to 'social complex' to 'living heritage' needs to be understood to support a new approach.

The definition of Historic Urban Landscape

The Historic Urban Landscape is the urban settlement understood as a historic layering of cultural and natural values, extending beyond the notion of 'historic centre' or 'ensemble' to include the broader urban context and its geographical setting. The Historic Urban Landscape approach suggests that intelligent planning of the larger urban area starts with understanding the evolution of the historic urban landscape at this larger scale, and then seeing the current city as a depositing of many layers over time into that setting. In every case, the history needs to be made known and multiple layers need to be revealed and celebrated.

The Management of Change

Current principles and practices are still inadequate to define the limits of acceptable change, and the assessments tend to be *ad hoc* and based on subjective perceptions. A specific approach has to be developed to define the role of contemporary architecture and contemporary creation in historic places, as the need to respect a continuum has been frequently disregarded or misunderstood.

Sustainable Social and Economic Development

A reflection on the changing role of urban historic areas and on the way to synergize socio-economic development and conservation strategies is necessary, in order to identify the new policies and the resource stream necessary to maintain the historic urban landscape in a sustainable way.

Updated Tools for Urban Conservation

New urban conservation tools for the management of urban values need to be defined. This may include tools to involve the participation of the communities of stakeholders in the definition of the value system of an historic place, tools to define and protect integrity of the urban fabric and the urban landscape, tools to identify the trade-offs and the limits of acceptable change in an historic context.

THE PROCESS

In accordance with the *Rules of Procedure concerning Recommendations to Member States and International Conventions* covered by UNESCO's Constitution, the Director-General presented a proposal to the 35th General Conference to prepare an international standard-setting instrument on the conservation of historic urban landscapes. This instrument should be developed to address the new challenges that have emerged in the field of urban conservation since the adoption of the last UNESCO Recommendation on heritage, i.e. the 1976 *Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas*. It should be emphasized that this proposed new standard-setting instrument would not be specific to World Heritage cities, but broadened to all historic cities.

With the General Conference's approval and adoption of Resolution 35C/42 on 16 October 2009 work on the issues and ways of addressing the new challenges of urban heritage conservation and management has commenced, which has resulted in the Draft Recommendation on the Historic Urban Landscape accompanying this Background Paper. This text is the result of the accumulated wisdom of urban conservation professionals, and urban and national level administrators and managers, brought together by the World Heritage Centre in regional expert meetings and planning sessions (8 in total over the period June 2006 to February 2010) since the World Heritage Committee's recommendation "that the General Conference of UNESCO adopt a new Recommendation to complement and update the existing ones on the subject of conservation of historic urban landscapes, with special reference to the need to link contemporary architecture to the urban historic context" (**Decision 29 COM 5D**). In addition to the Advisory Bodies to the World Heritage Committee, various professional organizations have provided input into the debate and this Draft text, including UN-HABITAT, the World Bank, the Inter-American Development Bank (IDB), the Organisation for Economic Co-operation and Development (OECD), the International Union of Architects (UIA), the International Federation of Landscape Architects (IFLA), the International Federation for Housing and Planning (IFHP), the Aga Khan Trust for Culture (AKTC), the International Society of City and Regional Planners (ISoCaRP), the Getty Conservation Institute (CGI), the Organization of World Heritage Cities (OWHC) and the International Association of Impact Assessment (IAIA).

According to the *Rules of Procedure concerning Recommendations to Member States and International Conventions*, the Member States will need to submit their comments on this Draft text to UNESCO by **25 December 2010 at the latest**. A final draft text shall be presented and discussed at a Category 2 Inter-Governmental Meeting in Spring 2011 (exact dates to be determined), as put forward in Resolution 35C/42, of 16 October 2009, with Representatives of Member States of UNESCO for finalization and eventual adoption by UNESCO's General Conference at its 36th session in October/November 2011.

United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

Recommendation on the Historic Urban Landscape

First Draft

PREAMBLE

Considering that historic urban areas are among the most abundant and diverse manifestations of our common cultural heritage constituting a key testimony to humankind's endeavours and aspirations through the centuries and in all parts of the world,

Further considering that urban heritage is a human and social element, defined by a historic layering of cultural and natural values that have been produced by passing cultures and an accumulation of traditions, recognized as such in their diversity,

Also considering that urbanization is proceeding at an unprecedented scale in the history of humankind and that throughout the world this is driving socio-economic change and growth, which should be harnessed at the local, regional, national and international levels,

Noting, however, that rapid and uncontrolled development is transforming urban areas and their settings, with a fragmentation and deterioration of urban heritage and a deep impact on community values, all over the world,

Considering therefore that, in order to support the protection of natural and cultural heritage, emphasis needs to be put on the integration of urban conservation strategies into local development processes, including contemporary architecture, for which the application of a landscape approach is considered key to urban heritage management and maintaining urban identity,

Recalling that a corpus of standard-setting documents, including Conventions, Recommendations and Charters, exists on the subject of the conservation of historic areas, [1] all of which remain valid,

[1] In particular the 1972 UNESCO *Convention concerning the Protection of the World Cultural and Natural Heritage*, the 2003 UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage*, the 2005 UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*; the 1962 UNESCO *Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites*, the 1968 UNESCO *Recommendation concerning the Preservation of Cultural Property endangered by Public or Private works*, the 1972 UNESCO *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage*, the 1976 UNESCO *Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas*; the 1964

Noting, however, that under processes of global market liberalisation and decentralization, as well as mass tourism, market exploitation of heritage, and climate change, conditions have changed and cities are now subject to new development pressures and challenges not present at the time of adoption of the last UNESCO recommendation on historic areas in 1976 (i.e. the Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas),

Further noting the evolution of the concepts of culture and heritage, and approaches to their management, through key international meetings, [2] which have been useful in guiding policies and practices worldwide,

Desiring to supplement and extend the application of the standards and principles laid down in these international instruments,

Having before it proposals concerning the Historic Urban Landscape as an approach to urban heritage conservation, which question appears on the session's agenda as item […],

Having decided at its thirty-fifth session that this question should take the form of a Recommendation to Member States,

Adopts, [this … day of … 2011], the present Recommendation.

The General Conference recommends that Member States apply the above provisions by adopting, as a national law or in some other form, measures with a view to giving effect to the principles and norms set out in this Recommendation in the territories under their jurisdiction.

The General Conference recommends that Member States bring this Recommendation to the attention of the national, regional and local authorities and of institutions, services or bodies and associations concerned with the safeguarding of urban historic settlements and their wider geographical setting.
The General Conference recommends that Member States report to it, at the dates and in the form determined by it, on action taken by them on this Recommendation.

ICOMOS *International Charter for the Conservation and Restoration of Monuments and Sites* (Venice Charter), the 1982 ICOMOS *International Charter for Historic Gardens* (Florence Charter), and the 1987 ICOMOS *Charter for the Conservation of Historic Towns and Urban Areas* (Washington Charter).

[2] In particular the 1982 *World Conference on Cultural Policies* in Mexico City, the 1994 *Nara Meeting on Authenticity*, the 1995 summit of the *World Commission on Culture and Development*, the 1996 *HABITAT II Conference* in Istanbul with ratification of Agenda 21, the 1998 UNESCO *Intergovernmental Conference on Cultural Policies for Development* in Stockholm, the 1998 joint World Bank-UNESCO *Conference on Culture in Sustainable Development–Investing in Cultural and Natural Endowments*, the 2005 *International Conference on World Heritage and Contemporary Architecture in Vienna*, the 2005 ICOMOS *General Assembly on the Setting of Monuments and Sites* in Xi'an, and the 2008 ICOMOS *General Assembly on the Spirit of Place* in Québec.

INTRODUCTION

1. Our time is witness to the biggest human migration in history: urban areas now shelter more than half of humanity. Urban areas are increasingly important as engines of growth and as centers of innovation and creativity; they provide opportunities for employment and education and respond to people's evolving needs and aspirations.

2. Rapid and uncontrolled urbanization, however, can result in a drastic deterioration of urban environmental quality. This may be due to excessive building density, standardized and monotonous buildings, loss of public space and amenities, inadequate infrastructure, debilitating poverty, social isolation, and an increasing risk of climate related disasters.

3. Urban heritage, including its tangible and intangible components, constitutes a key resource in enhancing the livability of urban areas and sustaining productivity, in a changing global environment. As the future of humanity hinges on an effective management of resources, conservation becomes a strategy to achieve balanced urban growth and quality of life.

4. In the course of the past half century, urban heritage conservation has emerged as an important sector of public policy worldwide. It is a response to the need to preserve shared values and to benefit from the legacy of history. However, the shift from an emphasis on architectural monuments primarily towards a broader recognition of the importance of social, economic and cultural processes in the conservation of urban values, matched by a drive to adapt the existing policies and to create new tools to address this vision, has not yet reached its full potential.

5. This Recommendation addresses the need to better 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 inter-relationships of their physical forms, their spatial organization and connection, their natural features and settings, and their social and cultural values.

6. This approach addresses the policy and management concerns of a variety of stakeholders, including local, national, international, public and private actors in the urban development process.

7. This Recommendation builds upon the four previous UNESCO Recommendations related to heritage preservation, recognizing the importance and the validity of their concepts and principles in the history and practice of conservation. In addition, modern conservation Conventions and Charters address the many dimensions of cultural and natural heritage and constitute the foundations for this Recommendation.

8. To assist Member States in its implementation, this Recommendation is supported by an action plan.

I DEFINITION

9. The Historic Urban Landscape is the urban area understood as a historic layering of cultural and natural values, extending beyond the notion of 'historic centre' or 'ensemble' to include the broader urban context and its geographical setting.

10. This wider context includes the site's topography, geomorphology and natural features; its built environment, both historic and contemporary; its infrastructures above and below ground; its open spaces and gardens; its land use patterns and spatial organization; its visual relationships; and all other elements of the urban structure. It also includes social and cultural practices and values, economic processes, and the intangible dimensions of heritage as related to diversity and identity.

11. This definition provides the basis for a comprehensive approach for the identification, conservation and management of historic urban landscapes within an overall sustainability framework.

12. The Historic Urban Landscape approach aims at preserving the quality of the human environment and enhancing the productivity of urban spaces. It integrates the goals of urban heritage conservation with the goals of social and economic development. It is rooted in a balanced and sustainable relationship between the built and natural environment.

13. The Historic Urban Landscape approach considers cultural creativity as a key asset for human, social and economic development and provides tools to manage physical and social transformation and to promote harmonious integration of contemporary interventions.

14. The Historic Urban Landscape approach learns from the traditions of local communities and promotes respect for their values, while recognizing the legitimate concerns of the national and international communities.

II OPPORTUNITIES and CHALLENGES of URBAN CONSERVATION in the 21st CENTURY

15. The existing UNESCO Recommendations recognise the importance of historic areas in modern societies. They identify a number of specific threats to the conservation of historic areas, and provide general principles, policies and guidelines to meet such challenges.

16. In the past decades, due to the sharp increase in the world's urban population, the scale and speed of development and the changing economy, urban settlements and their historic areas have become drivers of economic growth in many regions of the world and taken on a new role in cultural and social life. They have also been exposed to new pressures. Among these pressures are the following:

Urbanization

17. Rapid urban growth is transforming the face of urban historic areas. Global processes have a deep impact on the integrity and community values of urban areas and their settings, and on the perceptions and realities of inhabitants and users. On the one hand, urbanization provides economic, social and cultural opportunities that can enhance the quality of urban areas; on the other hand, it

carries a threat to the sense of place, the identity of communities, and the integrity of the urban fabric.

Development

18. Global economic processes offer ways and means to alleviate urban poverty and to promote social and human development. The greater availability of innovations, such as information technology and sustainable planning, design and building practices, can improve urban areas and their quality of life. New functions in urban historic settlements, such as services and tourism, are important economic initiatives that can contribute to the well-being of the communities and to the conservation of cultural heritage. However, failing to capture these opportunities leads to unsustainable and unviable cities, while implementing them badly with poorly conceived development results in the destruction of heritage assets.

Environment

19. Human settlements have constantly adapted to climatic and environmental changes. However, the intensity and speed of present changes is challenging our complex urban environments. Concern for the environment, in particular for energy consumption, is giving rise to new approaches and new models for urban living, based on innovative and more ecologically sensitive policies and practices aiming at strengthening sustainability and the quality of urban life. Many of these initiatives, however, do not yet integrate natural and cultural heritage.

20. The Historic Urban Landscape approach reflects the fact that the discipline and practice of urban heritage conservation has evolved significantly in these same decades, enabling policy makers and managers to deal more effectively with the new opportunities and challenges. The Historic Urban Landscape approach supports communities in their quest for development and adaptation, while retaining qualities and values linked to their history and collective memory.

III POLICIES

21. Modern urban conservation policies, as reflected in existing international Recommendations and Charters, have set the stage for the preservation of historic urban areas. However, present and future challenges require the definition and implementation of a new generation of public policies identifying and protecting the historic layering of cultural and natural values in urban environments.

22. Policies for urban heritage conservation should be integrated within a broader urban context, and historic forms and practices should inform sustainable contemporary development. Policies should provide mechanisms for balancing long-term conservation and sustainability with short-term management objectives. An integrated approach allowing conservation practice to be part of distinctive and successful urban design and development should also explore innovative technical and planning practices applicable to historic settings. In particular, the responsibilities of the different actors are the following:

23. Member States should integrate urban heritage conservation strategies into national development policies and agendas according to the Historic Urban Landscape approach. Within this framework, local authorities should prepare urban development plans that are informed by historic forms and practices.

24. Public service providers and the private sector should be aware of their responsibilities and cooperate through public-private partnerships to ensure the successful application of the Historic Urban Landscape approach.

25. International organizations dealing with sustainable development processes should integrate the Historic Urban Landscape approach in their strategies, plans and operations.

26. National and international non-governmental organizations should participate in developing and disseminating tools and best practices.

27. All levels of government, local, national, regional, federal, should be aware of their responsibility and contribute to the definition, development, implementation and assessment of urban heritage conservation policies, coordinated both from an institutional and sectoral viewpoint.

IV TOOLS

28. The successful application of the Historic Urban Landscape approach demands a robust toolkit that includes a range of interdisciplinary and innovative tools, adapted to local contexts. Tools may be organized into the following categories:

29. **Regulatory Systems** should include special ordinances, acts, or decrees to manage tangible and intangible components of the urban heritage, including their social and environmental values. Traditional and customary systems should be recognized and reinforced as necessary.

30. **Community Engagement Tools** should empower a diverse cross-section of stakeholders to identify key values in their urban areas, develop visions, set goals, and agree on actions to safeguard their heritage and promote sustainable development. These tools should facilitate inter-cultural dialogue by learning from communities about their histories, traditions, values, needs, and aspirations and by facilitating the mediation and negotiation between conflicting interests and groups.

31. **Technical Tools** should help protect the integrity and authenticity of the architectural and material attributes of urban heritage. They should also allow for the recognition of cultural significance and diversity, and provide for the monitoring and management of change to improve the quality of life and of urban space. Consideration should be given to the mapping of cultural and natural features, while heritage, social and environmental impact assessments should be used to support sustainability and continuity in planning and design.

32. **Financial tools** should aim to improve urban areas while safeguarding their heritage values. They should aim to build capacities and support innovative income generating development rooted in tradition. In addition to government and global funds from international agencies, financial tools should be effectively employed to promote private investments at the local level. Microcredit and other flexible financing to support local enterprise, as well as a variety of models of public-private partnerships are also central to making the Historic Urban Landscape approach financially sustainable.

V CAPACITY BUILDING, RESEARCH, INFORMATION and COMMUNICATION

33. Capacity building should involve the main stakeholders: communities, decision-makers, and professionals and managers, in order to foster understanding of the Historic Urban Landscape approach and its implementation. Effective capacity building hinges on an appropriate interaction of these main stakeholders, aimed to define strategies and objectives, action frameworks and resource mobilization schemes.

34. Research should target the complex layering of urban settlements, in order to identify values and understand their meaning for the communities. It is essential to document the state of urban areas and their evolution, to facilitate the evaluation of proposals for change and to improve management.

35. State of the art information and communication technology should be used to document, understand and present the complex layering of urban areas and their constituent components, in particular to reach out to women, youth and all underrepresented constituencies to capture their attention and foster their support and participation.

VI INTERNATIONAL CO-OPERATION

36. Member States and international governmental and non-governmental organizations should facilitate public understanding and involvement in the implementation of the Historic Urban Landscape approach, by disseminating best practices and lessons learnt from different parts of the world, in order to strengthen the network of knowledge sharing and capacity building.

37. They should also encourage corporate social responsibility, with a view to making the private sector a full partner in the Historic Urban Landscape approach, and to establish enabling environments for private investment in sustainable management of urban areas and their historic settings.

38. In all cases, global participation and pressure should be balanced against local identity and the desire to respect the goal of historical and cultural continuity within a framework of dynamic and creative evolution.

United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

ACTION PLAN to accompany the
Recommendation on the Historic Urban Landscape

Upon adoption of the new UNESCO Recommendation on the Conservation of Historic Urban Landscape, at the 36th session of the General Conference in the fall of 2011, the Member States commit themselves to taking appropriate steps:

- To Adapt this new instrument to their specific contexts
- To Disseminate it widely across their national territories
- To Facilitate implementation through formulation and adoption of supporting policies
- And to monitor its impact on the conservation and management of historic cities and urban settlements.

While stressing the need to take account of the **singularity of the context** of each historic city and urban settlement, which will result in a different approach to its management, nevertheless six **critical steps** can be identified for Member States to consider when implementing the Historic Urban Landscape approach. They would include the following:

1) Undertake comprehensive surveys and **mapping of the city's natural, cultural and human resources** (such as water catchment areas, green spaces, monuments and sites, viewsheds, local communities with their living cultural traditions);

2) Reach consensus **using participatory planning and stakeholder consultations on what values to protect** and to transmit to future generations and to determine the attributes that carry these values;

3) **Assess vulnerability** of these attributes to socio-economic stresses, as well as impacts of climate change;

4) With these in hand, and only then, develop a city development strategy (CDS) or a city conservation strategy (CCS) **to integrate urban heritage values and their vulnerability status into a wider framework of city development**, the overlay of which will indicate A) strictly no-go areas; B) sensitive areas that require careful attention to planning, design and implementation; and C) opportunities for development (among which high-rise constructions);

5) **Prioritize actions** for conservation and development;

6) Establish the appropriate **partnerships and local management frameworks** for each of the identified projects for conservation and development in the CDS/CCS, as

well as to develop mechanisms for the coordination of the various activities between different actors, both public and private;

To assist the Member States in this exercise, UNESCO aims to establish a **HUL Support Programme** that will draw upon **international and inter-sectoral expertise** in the fostering of cooperation in the further development and implementation of the Historic Urban Landscape approach, the exchange of ideas and practices, and communication and transmission of knowledge to all stakeholders and civil society.

In this vein, the HUL Support Programme would comprise the following **seven actions**:

1. Create a special **website** to facilitate communication and exchange on the Historic Urban Landscape approach related to its development and implementation, in particular as a virtual platform for Local Governments and Site Managers to share views, ideas and knowledge.

2. Establish a **working group** comprised of institutional partners relevant to the development and implementation of the Historic Urban Landscape approach, with a particular focus on those that can provide specialized skills and expertise to Member States requesting technical assistance.

3. Develop **technical assistance packages** which can be sponsored by bilateral donors and private sector parties, with an emphasis on lesser-developed regions, such as Africa, Central Asia and Small Island Developing States, and with a selection of pilot sites that require particular attention, such as historic cities inscribed on the World Heritage List in Danger or other international watch lists.

4. Encourage **scientific research** on specific aspects of the Historic Urban Landscape Approach, including Integrated Heritage Legislation; Urban Heritage and Integrity; Compatibility of Contemporary Interventions; Limits of Acceptable Change; Strategic Assessment and Heritage Impact Assessment; Modern Planning & Design and Traditional Knowledge; Creativity and Making Heritage; Disaster Reduction and Adaptation; Private Sector Involvement; Documentation, Visualization and Presentation, to name but a few.

5. Organize **conferences and symposia** to foster international debate on the further development and implementation of the Historic Urban Landscape Approach and to disseminate the state-of-the-art in research and practice, and also to make them known through publications in the virtual and real domains.

6. Support the development of **didactic materials, curriculum design and teacher training** with regard to courses and modules on urban conservation and the Historic Urban Landscape Approach in synergy with ICCROM and the various category 2 centres established under the auspices of UNESCO around the world.

7. Organize a **review exercise**, once every 6 years, with regard to the implementation of the Recommendation by Member States and its impact on the conservation and management of urban settlements and historic cities, to be used to formulate best practice guidelines and specific advise to the stakeholders, and to report back to UNESCO's General Conference.

BACK

המלצה בנושא נוף אורבני היסטורי

<u>טיוטה ראשונה</u>

הקדמה

- בהתחשב בכך שאזורים עירוניים היסטוריים המבטאים את העושר והמגוון של המורשת התרבותית המשותפת של האנושות, שהינה עדות חשובה לפעילות האנושית ולשאיפותיה במהלך מאות השנים בכל חלקי העולם,

- בהתחשב גם בכך שמורשת אורבנית היא אלמנט אנושי וחברתי, המוגדר באמצעות שכבות היסטוריות של ערכי תרבות וטבע שיצרו תרבויות עבר הצטברות של מסורות המוכרות בתור שכאלה בזכות ההבדלים הקיימים ביניהן,

- בהתחשב בכך שתהליכי העיור (אורבניזציה) מתפתחים בקנה מידה חסר תקדים בהיסטוריה האנושית, וכי ברחבי העולם יש בכך להניע צמיחה ושינוי חברתי-כלכלי, שאותם מן הראוי לרתום ברמה המקומית, הארצית, האזורית, והבינלאומית,

- אולם, ראוי לציין כי התפתחות מהירה ובלתי מבוקרת משנה את האזורים העירוניים ואת סביבותיהם, קוטעת את המורשת האורבנית, מביאה להתדרדרותה ומשפיעה מאוד על ערכי הקהילה בכל העולם,

- לפיכך, בהתחשב בכך שעל מנת לסייע בהגנה על מורשת הטבע והתרבות, יש לשים דגש על שילוב של אסטרטגיות שימור אורבני בתהליכי התפתחות מקומיים, לרבות אדריכלות מודרנית, אשר לגביהם יישום תפיסה נופית חשוב לטיפול במורשת האורבנית ולשמירה על הזהות האורבנית.

- בזוכרנו כי בנושא שימור אזורים היסטוריים[1] קיים קורפוס של מסמכים אמנות לרבות מוסכמות, המלצות ואמנות, שכולם עדיין תקפים,

- נציין, עם זאת, שכחלק מתהליכי הליברליזציה והביזור של השוק הגלובלי, וכן כחלק מתיירות המונית, ניצול המורשת על ידי השוק ושינויי אקלים, השתנו התנאים וערים

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[1] *במיוחד אמנת אונסקו משנת 1972 בנושא הגנה על מורשת התרבות והטבע העולמית, אמנת אונסקו משנת 2003 בנושא שמירה על המורשת התרבותית הבלתי מוחשית, אמנת אונסקו משנת 2005 בנושא הגנה וקידום שונות ביטויי התרבות, המלצת אונסקו משנת 1962 בנושא שמירה על יופיים ואופיים של נופים ואתרים, המלצת אונסקו משנת 1968 לעניין שימור נכסי התרבות הנתונים בסכנה כתוצאה מעבודות ציבוריות או פרטיות, המלצת אונסקו משנת 1972 לעניין הגנה, ברמה הלאומית, על מורשת התרבות והטבע, המלצת אונסקו משנת 1976 לעניין שמירה על אזורים היסטוריים ותפקידם המודרני, אמנה בינלאומית משנת 1964 של ICOMOS לשימור ושיקום מונומנטים ואתרים (אמנת ונציה), אמנה בינלאומית משנת 1982 של ICOMOS לעניין גנים היסטוריים (אמנת פירנצה), ואמנת ICOMOS משנת 1987 לעניין שימור ערים היסטוריות ואזורים אורבנים (אמנת ושינגטון).*

BACK

נתונות כיום ללחצי פיתוח ולאתגרים חדשים שלא היו קיימים במועד אימוץ ההמלצה האחרונה שלאונסקו בנושא אזורים היסטוריים משנת 1976 ותפקידם המודרני,

- יש לציין את ההתפתחות המושגית של תרבות ומורשת, ובגישות לטיפול בהם, בעקבות מפגשים בינלאומיים חשובים, שהועילו בעיצוב מדיניות והניסיון המצטבר במרחבי העולם,

- מתוך רצון להוסיף ולהרחיב את החלתם של התקנים והעקרונות שפורטו במכשירים בינלאומיים אלה,

- כאשר לנגד עיניה הצעות לעניין הנוף האורבני ההיסטורי כגישה לשימור מורשת אורבנית, שהסוגיה הנוגעת לה מופיעה כסעיף [ ] על סדר היום של הישיבה,

- לאחר שבמושב השלושים וחמישה שלה החליטה הוועידה הכללית שסוגיה זו תוגש כהמלצה למדינות החברות,

מאמצת, [ביום זה ה- ..... של חודש ..... לשנת 2011] את ההמלצה הנוכחית.

הועידה הכללית ממליצה למדינות החברות להחיל את ההוראות שלעיל על ידי אימוץ אמצעים, כחוק מקומי או בצורה אחרת כלשהי, מתוך כוונה להוציא לפועל באזורים שבתחום סמכותם את העקרונות והתקנות המפורטים בהמלצה זו.

הועידה הכללית ממליצה למדינות החברות להביא המלצה זו לתשומת לבם של רשויות לאומיות, אזוריות ומקומיות ושל מוסדות, שירותים וגופים ואיגודים העוסקים בשמירה על התיישבויות היסטוריות אורבניות ועל הסביבה הגיאוגרפית הרחבה יותר שלהם.
הועידה הכללית ממליצה למדינות החברות לדווח לה, במועדים ובצורה שקבעה, על פעולות שנקטו בעקבות המלצה זו.

[2] *במיוחד הועידה העולמית משנת 1982 בנושא קווי מדיניות תרבותיים במקסיקו סיטי, מפגש נארה משנת 1994 בנושא אותנטיות, פסגת 1995 של הועדה העולמית לתרבות ופיתוח, כנס הביטאט 2 באיסטנבול עם אשרור סדר היום 21, הכנס הבין-ממשלתי שלאונסקו משנת 1998 בנושא קווי מדיניות תרבותיים לפיתוח שהתקיים בשטוקהולם, הכנס המשותף של הבנק העולמי ואונסק"ו משנת 1998 בנושא תרבות בפיתוח בר קיימא - השקעה במיזמי תרבות וטבע, הכנס הבינלאומי משנת 2005 בנושא מורשת עולמית ואדריכלות מודרנית שהתקיים בווינה, האסיפה הכללית של ICOMOS בשנת 2005 בנושא הגדרת מונומנטים ואתרים בשיאן, והאסיפה הכללית של ICOMOS לשנת 2008 בנושא רוח המקום שהתקיימה בקוויבק.*

מבוא

1. בתקופתנו אנו עדים להגירה האנושית הגדולה מכולן בהיסטוריה: אזורים אורבנים מהווים כיום מקלט ליותר ממחצית האנושות. חשיבותם של אזורים אורבנים כמנועי צמיחה וכמרכזי חדשנות ויצירתיות הולכת וגוברת. אזורים אלה מספקים הזדמנויות לתעסוקה וחינוך, ומימוש צרכים ושאיפות אישיות.

2. עם זאת, עיור מהיר ובלתי מבוקר עלול להביא להתדרדרות באיכות הסביבה האורבנית. כתוצאה מצפיפות יתר בבנייה, בניינים סטנדרטיים ומונוטוניים, אובדן שטחים ציבוריים ושירותי תשתית בלתי הולמים, עוני מתיש, בידוד חברתי וסיכון הולך וגובר לאסונות אקלימיים.

3. מורשת אורבנית, על מרכיביה המוחשיים והבלתי מוחשיים, מהווה משאב חשוב בשיפור יכולת המחייה באזורים עירוניים ותמיכה בפרודוקטיביות בסביבה גלובלית משתנה. מאחר שעתיד האנושות תלוי בניהול אפקטיבי של המשאבים, השימור הופך לאסטרטגיה להשגת צמיחה עירונית מאוזנת ואיכות חיים.

4. במהלך חמישים השנים האחרונות, שימור המורשת העירונית מתגלה כתחום חשוב בעיצוב מדיניות ציבורית ברחבי העולם. שמטרתה לשמר ערכים משותפים ולהפיק תועלת ממורשת ההיסטורית. עם זאת, המעבר ממתן דגש בעיקר על מונומנטים אדריכליים אל הכרה רחבה יותר בחשיבותם של תהליכים חברתיים, כלכליים ותרבותיים בשימור מרקמים של ערכים אורבנים, בתוספת המגמה להתאים את המדיניות הקיימת וליצור כלים חדשים שבאמצעותם ניתן לטפל בחזון הזה, שטרם מימש את מלוא הפוטנציאל הטמון בו.

5. המלצה זו מתייחסת לצורך ליצור מסגרת מתאימה יותר לאסטרטגיות לשימור מורשת אורבנית במסגרת היעדים העיקריים של פיתוח בר קיימא, על מנת לתמוך בפעולות ציבוריות ופרטיות שמטרתן שימור ושיפור איכות הסביבה האנושית. ההמלצה מציעה גישה נופית לזיהוי, שימור וניהול אזורים היסטוריים בהקשרים אורבנים רחבים ביותר, תוך התחשבות בקשרי הגומלין בין תצורותיהם הפיזיות, הארגון שלהם במרחב והקשר ביניהם, תכונותיהם הטבעיות וסביבתם, והערכים החברתיים והתרבותיים שלהם.

6. גישה זו עוסקת במדיניות, ממשק וניהול, שמעסיקים מגוון של בעלי עניין, מקומיים, לאומיים, בינלאומיים, ציבוריים ופרטיים, בתהליך הפיתוח האורבני.

7. המלצה זו מבוססת על ארבע המלצות קודמות של אונסקו שעסקו בשימור מורשת, זיהוי חשיבותם ותקפותם של המושגים והעקרונות שלהם בהיסטוריה והעיסוק בשימור. זאת ועוד, צ׳רטרים ואמנות שימור מודרניות העוסקות בממדיה הרבים של מורשת התרבות והטבע הן הבסיס להמלצה זו.

8. כדי לסייע ביישום ברמה המקומית (למדינות החברות) המלצה זו כוללת תוכנית פעולה.

1. הגדרה

9. הנוף האורבני העירוני הוא האזור האורבני המתייחס לשכבה היסטורית של ערכי תרבות וטבע, שמתפרשת מעבר למושג ׳מרכז היסטורי׳ או ׳אנסמבל׳ וכולל את ההקשר האורבני הרחב יותר ואת סביבתו הגיאוגרפית.

10. בהקשר הרחב יותר של האתר נכללים הטופוגרפיה, הגיאומורפולוגיה תכונותיו הטבעיות, סביבתו הבנויה, ההיסטורית והמודרנית כאחד, תשתיותיו מעל ומתחת לפני השטח; המרחבים הפתוחים, הגנים, דפוסי השימוש בקרקע והארגון המרחבי, הקשרים הויזואליים וכל האלמנטים האחרים של המבנה האורבני. בנוסף הוא כולל שימושים חברתיים, תרבותיים וערכים, תהליכים כלכליים, והממדים הבלתי מוחשיים של המורשת כפי שהם מתייחסים לשונות ולזהות.

11. הגדרה זו מספקת את הבסיס לגישה כוללת לשימור, לזיהוי ולניהול נופים אורבנים היסטוריים כתפיסת קיימות כוללת.

12. גישה זו שמה לה למטרה לשמר את איכות הסביבה האנושית ולשפר את התועלות של המרחבים האורבנים. היא משלבת את מטרות שימור המורשת העירונית עם מטרות הפיתוח החברתי והכלכלי. ומושרשת בקשר מאוזן ובר קיימא בין הסביבה הבנויה ובין הסביבה הטבעית.

13. גישת זו רואה ביצירתיות התרבותית נכס חשוב לפיתוח אנושי, חברתי וכלכלי, ומספקת כלים לניהול שינוי פיזי וחברתי ולעידוד שילוב הרמוני של התערבות רשויות.

14. גישת הנוף האורבני ההיסטורי לומדת מהמסורות של הקהילות המקומיות ומעודדת כבוד לערכיהן, תוך שהיא מכירה בסוגיות הלגיטימיות שמטרידות את מנוחתן של הקהילות הלאומיות והבינלאומיות.

2. הזדמנויות ואתגרים של שימור אורבני במאה ה- 21

15. ההמלצות הקיימות של אונסקו מכירות בחשיבותם של אזורים היסטוריים בחברות מודרניות. הן מזהות איומים ספציפיים על השימור של אזורים היסטוריים, ומפרטת עקרונות כלליים, מדיניות וקווים מנחים כדי לתת מענה לאתגרים אלה.

16. בעשורים האחרונים, לאור הגידול החד שנרשם באוכלוסיה העירונית בעולם, מידת וקצב ההתפתחות והכלכלה המשתנה באזורים רבים בעולם הפכו ההתיישבויות העירוניות והאזורים ההיסטוריים שלהן לגורמים המניעים את הצמיחה הכלכלית ונטלו על עצמם תפקיד חדש בעיצוב חיי התרבות והחברה. הם גם נחשפו ללחצים חדשים.

נמנה אחדים מן הלחצים האלה:

אורבניזציה

17. צמיחה אורבנית מהירה משנה את פניהם של אזורים היסטוריים אורבנים. תהליכים גלובליים משפיעים עמוקות על שלמותם ועל ערכי הקהילה של אזורים אורבנים על סביבותיהם, התפיסות והמציאויות של התושבים והמשתמשים. מחד, אורבניזציה מספקת הזדמנויות כלכליות, חברתיות ותרבותיות שעשויות לשפר את איכותם של האזורים האורבנים. מאידך, היא מאיימת על תחושת המקום, זהותן של קהילות ושלמותו של המרקם העירוני.

פיתוח

18. תהליכים כלכליים גלובליים הם דרך ואמצעי להקלה על העוני האורבני ולעידוד פיתוח חברתי ואנושי. זמינותם הרבה יותר של חידושים, דוגמת טכנולוגית מידע ושיטות תכנון, עיצוב ובנייה בנות קיימא יש בה כדי לשפר אזורים עירוניים ואת איכות חייהם. פונקציות חדשות בהתיישבויות היסטוריות אורבניות, דוגמת שירותים ותיירות, הן יוזמות כלכליות חשובות שיכולות לתרום לרווחתן של הקהילות ולשימור המורשת התרבותית. עם זאת, כישלון "ללכוד" ולנצל הזדמנויות אלה מניב ערים ללא יכולת קיימות ובלתי אפשריות, ואילו יישום גרוע שלהן שמניב תוצאות פיתוח גרועות ומביא להרס של נכסי מורשת.

סביבה

19. התיישבויות האדם התאימו את עצמן תדיר לשינויים אקלימיים וסביבתיים. עם זאת, עוצמתם של השינויים בימינו ומהירותם מאתגרות את הסביבות העירוניות המורכבות שלנו. דאגה לסביבה, ובמיוחד לצריכת האנרגיה, מניבה גישות ומודלים חדשים לחיים אורבנים, בהתבסס על מדיניות ושיטות חדשניים ובעלי רגישות אקולוגית מוגברת, ששמים

להם למטרה לחזק את הקיימות ואת איכות החיים העירוניים. עם זאת, רבות מיוזמות אלה אינן משלבות עדיין מורשת טבע ותרבות.

20. גישת הנוף האורבני ההיסטורי משקפת את העובדה שהדיסציפלינה והפרקטיקה של שימור המורשת האורבנית התפתחה במידה ניכרת באותם עשרות שנים, ואפשרה למעצבי המדיניות ולמנהלים להתמודד באפקטיביות רבה יותר עם ההזדמנויות והאתגרים החדשים. גישה זו תומכת בקהילות בחיפושיהם אחר פיתוח והסתגלות, בעודה שומרת על איכויות וערכים הקשורים לזיכרון ההיסטורי והקולקטיבי שלהן.

3. מדיניות

21. מדיניות מודרנית בנושא שימור אורבני, כפי שהיא משתקפת בהמלצות ובאמנות בינלאומיות קיימות, הכינו את הקרקע לשימור אזורים אורבנים היסטוריים. עם זאת, האתגרים בהווה ובעתיד דורשים הגדרה ויישום של דור חדש של מדיניות ציבורית שמזהה ומגנה על השכבות ההיסטוריות של ערכי התרבות והטבע בסביבה אורבניות.

22. מן הראוי לשלב את מדיניות שימור המורשת האורבנית בהקשר אורבני רחב יותר. צורות ושימושים היסטוריים צריכים להתממשק עם פיתוח מודרני בר קיימא. מדיניות צריכה לספק מנגנונים לאיזון בין שימור וקיימות לטווח ארוך ובין יעדי ניהול לטווח קצר. גישה זו משלבת של ניסיון וידע שמאפשרת לשיטות שימור להיות חלק מתכנון ופיתוח אורבני ייחודי ומוצלח, צריכה גם לחקור שיטות טכניות ותכנון חדשניות שניתן להשתמש בהן באתרים היסטוריים.

תחומי האחריות של בעלי העניין הנם כדלקמן:

23. מדינות חברות צריכות לשלב אסטרטגיות לשימור מורשת אורבנית במדיניות הפיתוח הלאומית ועל סדר היום הציבורי שלהן בהתאם לגישת הנוף האורבני ההיסטורי. במסגרת זו, רשויות מקומיות צריכות להכין תוכניות לפיתוח אורבני מבוססות מידע על הניסיון ההיסטורי.

24. ספקי שירותים ציבוריים והסקטור הפרטי צריכים להיות מודעים לאחריותם ועליהם לשתף פעולה באמצעות שותפויות ציבוריות – פרטיות כדי להבטיח את יישומה המוצלח של גישת הנוף האורבני ההיסטורי.

25. ארגונים בינלאומיים שעוסקים בתהליכי פיתוח בר קיימא צריכים לשלב את גישת הנוף האורבני ההיסטורי באסטרטגיות שלהם, בתוכניותיהם ובפעולותיהם.

26. ארגונים לא-ממשלתיים לאומיים ובינלאומיים צריכים להשתתף בפיתוח כלים והפצת הניסיון והידע שהצטברו.

27. כל רמות הממשל – המקומי, הארצי, האזורי והפדראלי – צריכות להיות מודעות לאחריותן ולתרום להגדרה, לפיתוח, ליישום ולהערכה של המדיניות לשימור המורשת האורבנית, תוך תיאום נקודת מבט מוסדית ומבנית כאחד.

4. כלים

28. ליישום מוצלח של גישת הנוף האורבני ההיסטורי נדרש ארגז כלים יציב שכולל מגוון כלים אינטר-דיסציפלינאריים וחדשניים, המותאמים להקשרים המקומיים.

אפשר לארגן את הכלים בקטגוריות הבאות:

29. **מערכות רגולציה:** צריכות לכלול תקנות, חוקים או צווים מיוחדים כדי לנהל רכיבים מוחשיים ובלתי מוחשיים של המורשת האורבנית, ובכלל זה את ערכיהם החברתיים והסביבתיים. יש לזהות את המערכות המסורתיות הנהוגות ולחזק אותן לפי הצורך.

30. **כלים למעורבות קהילתית:** צריכים להעצים חתכים שונים של בעלי עניין כדי לזהות ערכי מפתח באזורים העירוניים שלהם, לפתח חזון, לקבוע יעדים, ולהסכים על פעולות לשמירה על מורשתם ולקדם פיתוח בר קיימא. כלים אלה צריכים לעודד דו-שיח בין-תרבותי על ידי למידת הניסיון וההיסטוריה של קהילות, מסורות, ערכים, צרכים, ושאיפות ועל ידי עידוד גישור ומשא ומתן בין קבוצות ואינטרסים סותרים.

31. **כלים טכניים**: צריכים לסייע בהגנה על השלמות והאותנטיות של התכונות הארכיטקטוניות והחומריות של המורשת האורבנית. עליהם לאפשר זיהוי של משמעות תרבותית ושוני, ולדאוג לפיקוח ולניהול השינוי כדי לשפר את איכות החיים והמרחב האורבני. יש להביא בחשבון מיפוי של מאפייני מורשת תרבותית וטבעית, ובהערכת ההשפעות החברתיות והסביבתיות כדי לתמוך בקיימות וברצף תכנוני ועיצובי.

32. **כלים פיננסיים**: צריכים לשפר מאפיינים אזורים אורבנים תוך שמירה על ערכי המורשת שלהם, ולהקנות יכולות מקצועיות ותמיכה בפיתוחים מניבי הכנסה חדשה שתהיה מושרשת במסורת. בנוסף למשאבים ממשלתיים וגלובליים מסוכנויות בינלאומיות, יש לעשות שימוש יעיל בכלים הפיננסיים כדי לעודד השקעות פרטיות ברמה המקומית. כדי להפוך את גישת הנוף האורבני ההיסטורי לאפשרית מבחינה כלכלית, חשובים גם מיקרו-אשראי וסוגים אחרים של מימון גמיש שיינתנו לחברות פרטיות, כמו גם מגוון מודלים של שותפויות פרטיות.

5 פיתוח יכולות מקצועיות, מחקריות, מידע ותקשורת

33. מן הראוי שבבניית יכולות מקצועיות יהיו מעורבים בעלי העניין העיקריים; קהילות, מקבלי החלטות, אנשי מקצוע ומנהלים, וזאת במטרה לטפח הבנה של גישת הנוף האורבני ההיסטורי ואת יישומה. בניית יכולת מקצועית אפקטיבית מתבססת על אינטראקציה נאותה בין בעלי העניין העיקריים הנ"ל, ומטרתה להגדיר אסטרטגיות ויעדים, מסגרות פעולה ותוכניות לגיוס משאבים.

34. מחקרים צריכים לשים להם למטרה את הריבוד המורכב של התיישבות עירונית, על מנת לזהות ערכים ולהבין את משמעותם לקהילות. חשוב מאד לתעד את מעמדם של האזורים האורבנים ואת התפתחותם, כדי "לאפשר" בדיקת ההצעות לשינוי וכדי לשפר את הממשק הניהולי.

35. יש להשתמש במידע ובטכנולוגיות תקשורת עדכניים כדי לתעד, להבין ולהציג את הריבוד המורכב של אזורים עירוניים ואת הרכיבים שמרכיביהם, במיוחד כדי לסייע לנשים, לצעירים ולציבורים שאינם מיוצגים כראוי כדי "ללכוד" את תשומת ליבם ולעודד את תמיכתם והשתתפותם.

6. שיתוף פעולה בינלאומי

36. מדינות, חברות, ארגונים ממשלתיים ולא ממשלתיים בינלאומיים צריכים לעודד הבנה ציבורית ומעורבות ביישום גישת הנוף האורבני ההיסטורי. לשם כך עליהם לפרסם ברבים את הניסיון ואת הלקחים שנלמדו בעולם על מנת לחזק את רשת שיתוף המידע ובניית היכולות המקצועיות.

37. כמו כן, עליהם לעודד אחריות חברתית, מתוך כוונה להפוך את הסקטור הפרטי לשותף מלא בגישת הנוף האורבני ההיסטורי, וכדי לבסס סביבות שמאפשרות השקעה פרטית בניהול בר קיימא של אזורים עירוניים וסביבתן ההיסטורית.

38. בכל המקרים, יש למצוא איזון בין מעורבות ולחצים גלובליים לבין זהות מקומית והרצון לכבד את הרצף ההיסטורי והתרבותי כחלק מההתפתחות הדינאמית והיצירתית.

תוכנית פעולה ליישום ההמלצה של נוף עירוני היסטורי

עם אימוץ ההמלצה החדשה שלאונסקו בנושא שימור הנוף האורבני ההיסטורי במושב ה-36 של הועידה הכללית בסתיו של שנת 2011, המדינות החברות מתחייבות לנקוט בצעדים הנאותים כדי:

- להתאים את הכלי החדש להקשרים הספציפיים שלהן
- להפיץ את ההמלצות וליידע את כל בעלי העניין
- לעודד את יישומן באמצעות ניסוח מדיניות תומכת ולאמצה
- לעקוב על השפעתן בשימור ערים היסטוריות ובהתיישבויות אורבניות ובטיפול בהן.

כחלק מהדגשת הצורך להתייחסות לייחודיותו של ההקשר של כל עיר היסטורית ושל כל התיישבות אורבנית, שתניב גישה שונה לניהולן, אפשר לזהות, בכל זאת, שישה צעדים קריטיים שמן הראוי שיובאו בחשבון על ידי המדינות החברות בבואן ליישם את גישת הנוף האורבני ההיסטורי.

ואלו הם:

1) עריכת סקרים מקיפים ומיפוי משאבי הטבע, התרבות והאדם של העיר (כגון אזורים לאגירת מים, מרחבים ירוקים, מונומנטים ואתרים, נקודות תצפית, קהילות מקומיות עם מסורות התרבות החיות שלהן);
2) השגת קונצנזוס תוך שימוש בתכנון שכולל שיתוף פעיל של כל בעלי העניין והתייעצות בנוגע לערכים שיש
3) להנחיל לדורות הבאים וקביעת התכונות (attribates) שנושאות ערכים אלה;
4) הערכת הרגישות והפגיעות של תכונות אלה ללחצים חברתיים-כלכליים וכן השפעות של שינויי אקלים;
5) עם אלה ביד, ורק אז, לפתח אסטרטגיה לפיתוח העיר (CDS) או אסטרטגיה לשימור העיר (CCS) שתשתלב בערכי מורשת אורבנית ומעמדן הרגיש בתוך מסגרת רחבה יותר של פיתוח עיר, שישורטטו בה: (א) אזורים מחוץ לתחום; (ב) אזורים רגישים שדורשים תשומת לב זהירה לתכנון, לעיצוב וליישום; (ג) הזדמנויות לפיתוח (ביניהן בניינים גורדי שחקים);
6) קביעת קדימויות לשימור ולפיתוח;
7) יצירת שותפויות נאותות ומסגרות ניהול מקומיות לכל אחד מהפרויקטים לשימור ולפיתוח שזוהו במסגרת האסטרטגיות השונות לפיתוח העיר או לשימורה, וכן פיתוח מנגנונים לתיאום הפעילויות השונות בין בעלי העניין, הציבוריים והפרטיים כאחד;

כדי לסייע למדינות החברות אונסקו שמה לה למטרה ליצור תוכנית לתמיכה בגישת הנוף האורבני ההיסטורי שתהיה מבוססת על מומחיות בינלאומית ובין-סקטוריאלית בטיפוח שיתוף פעולה לפיתוח וליישום של גישת הנוף האורבני ההיסטורי, חילופי רעיונות וניסיון מצטבר, והפצה של ידע לכל בעלי העניין ולחברה האזרחית.

בנושא זה, מן הראוי שתוכנית התמיכה בגישת הנוף האורבני ההיסטורי תכלול את שבע הפעולות הבאות:

א. יצירת אתר אינטרנט מיוחד שיקל על התקשורת ועל חילופי מידע המתייחסים לפיתוחו וליישומו, כפלטפורמה וירטואלית שתשמש את הממשל המקומי ואת מנהלי האתרים לחילופי דעות, רעיונות וידע.

ב. הקמת קבוצת עבודה שתכלול שותפים מוסדיים רלבנטיים לפיתוח גישת הנוף האורבני ההיסטורי וליישומה, תוך שימת דגש מיוחד על השותפים שיכולים לספק כישורים מקצועיים ומומחיות למדינות החברות המבקשות סיוע טכני.

ג. פיתוח חבילות סיוע טכני שיזכו לחסות מצד תורמים בילטראליים ומהסקטור הפרטי, עם דגש על אזורים פחות מפותחים, כגון אפריקה, מרכז אסיה ומדינות איים מתפתחות קטנות, ועם מבחר של אתרי פיילוט שדורשים תשומת לב מיוחדת, כגון ערים היסטוריות שנכללות ברשימת אתרי מורשת עולמית בסכנה או ברשימות בינלאומיות אחרות.

ד. לעודד מחקר מדעי על היבטים ספציפיים של גישת הנוף האורבני ההיסטורי, לרבות חקיקה בנושא מורשת משולבת, מורשת אורבנית ושלמות של פעולות מודרניות, גבולות של שינוי מתקבל על דעת; הערכה אסטרטגית והערכת ההשפעה על המורשת; תכנון ועיצוב מודרניים וידע מסורתי, יצירתיות ויצירת מורשת; הפחתת אסונות והסתגלות; מעורבות הסקטור הציבורי; תיעוד; ויזואליזציה והצגה, ואלה רק כדי להזכיר כמה מהם.

ה. ארגון כנסים וסימפוזיונים כדי לעודד דיון בינלאומי בנושא פיתוח ויישום נוספים של גישת הנוף האורבני ההיסטורי וכדי להפיץ את המחקרים והניסיון העדכניים ביותר וכדי לפרסם אותם ברמה הווירטואלית והמציאותית.

ו. תמיכה בפיתוח חומרים דידקטיים, תכנון תוכניות לימוד, והכשרת מורים בקורסים ומודולות בנושא שימור אורבני וגישת הנוף האורבני ההיסטורי בתיאום עם ICCROM ועם מרכזי אונסקו (2) השונים שהוקמו בחסות אונסקו ברחבי העולם.

ז. לבצע הערכה, אחת לשש שנים, שתבחן את יישום ההמלצות על-ידי המדינות החברות והשפעתן על שימור התיישבויות אורבניות וערים היסטוריות וניהולן, שתשמשנה לנסח קווים מנחים מבוססים על הניסיון והידע שהצטברו לבעלי עניין, ודווח לוועידה הכללית של אונסקו.

יום שלישי כ"א אדר תשס"ו

21 מרץ 2006

ארגון אונסקו

המרכז למורשת עולמית

מזכר וינה*

"המורשת העולמית והאדריכלות בת-זמננו –

ניהול הנוף ההיסטורי העירוני"

מבוא

1. בזכרה כי מזכר וינה הוא תוצאה של כנס בין-לאומי בנושא "המורשת העולמית והאדריכלות בת-זמננו", שיזמה הוועדה למורשת עולמית במושבה ה-27 (פאריס, 30 ביוני – 5 ביולי 2003, החלטה 27COM 7B.108) והתקיים ב-12-14 במאי 2005 בווינה, אוסטריה, בחסות אונסקו ובהשתתפות יותר מ-600 מומחים ואנשי מקצוע מ-55 מדינות;

2. בהתייחסה לאמנת אונסקו *להגנה על המורשת העולמית התרבותית והטבעית* (אמנת המורשת העולמית, 1972, סעיפים 4 ו-5), קוראת לשיתוף פעולה ולדיונים מקיפים על הדינמיקה הכלכלית והשינויים המבניים שעברו באחרונה על ערים הרשומות ברשימת המורשת העולמית של אונסקו;

3. בהכירה כי אתרים הרשומים ברשימת המורשת העולמית על סמך הצהרת הערך האוניברסלי יוצא מהכלל שלהם וששימור ערכם צריך לעמוד במרכזה של כל מדיניות שימור ואסטרטגיית ניהול;

* תורגם ע"י הוועד הישראלי לאונסקו

BACK

4. בהתייחסה במיוחד ל"צ'רטר הבין-לאומי לשימור ושיקום מונומנטים ואתרים" (1964 צ'רטר ונציה), המלצת אונסקו לשימור נכס תרבותי הניצב בסכנה מפאת עבודות ציבוריות או פרטיות" (1968), "המלצת אונסקו להגנה ותפקיד בן-זמננו של אזורים היסטוריים" (1976), "הצ'רטר הבין-לאומי לגנים היסטוריים" של ICOMOS-IFLA (1982, אמנת פירנצה), "האמנה לשימור ערים היסטוריות ואזורים עירוניים" של ICOMOS (1987, אמנת וושינגטון), מסמך נארה "על אותנטיות" (1994), וכן HABITAT II ו-Agenda 21, שאושררו על-ידי המדינות החברות (איסטנבול, טורקיה, יוני 1996);

5. במטרה שמזכר וינה ישתלב עם המסמכים שהוזכרו לעיל והדיון העכשווי אודות שימור בר-קיימא של מונומנטים ואתרים, כהצהרת מפתח לגישה משולבת המקשרת אדריכלות בת-זמננו, פיתוח עירוני בר-קיימא ושלמות נוף תרבותי מבוסס על דפוסים היסטוריים, בנייה והקשרה.

הגדרות

6. המזכר הנוכחי מתייחס לערים היסטוריות שרשומות או מוצעות לרישום ברשימת מורשת עולמית של אונסקו, וכן לערים גדולות בעלות מונומנטים ואתרים של מורשת עולמית בגבולותיהן העירוניים.

7. הנוף העירוני ההיסטורי, על פי "המלצת אונסקו ביחס להגנה ולתפקיד בן-זמננו של אזורים היסטוריים" (1976), מתייחס למקבצים של כל קבוצת בניינים, מבנים או חללים פתוחים, בהקשר הטבעי והאקולוגי שלהם, לרבות אתרים ארכיאולוגיים ופלאונטולוגיים, המהווים יישובים אנושיים בסביבה עירונית לאורך פרק זמן רלוונטי, אשר הרצף והערך שלהם מוערך מבחינה ארכיאולוגית, ארכיטקטונית, פרה-היסטורית, היסטורית, מדעית, אסתטית, סוציו-תרבותית או אקולוגית. נוף תרבותי זה עיצב את החברה המודרנית ויש לו ערך רב בהבנת אורח החיים שלנו כיום.

8. הנוף ההיסטורי העירוני מעוגן בביטויים חברתיים מן העבר ובני זמננו ובהתפתחויות ייחודיות למקום. הוא מורכב מאלמנטים שמגדירים את אופיו, הכוללים דפוסי ושימושי קרקע, ארגון מרחבי, יחסים חזותיים, טופוגרפיה וקרקעות, צמחייה וכל המרכיבים של תשתית טכנית, לרבות פריטים בקנה מידה קטן ופרטי בנייה (אבני שפה, ריצוף, מרזבים, תאורה וכו').

9. אדריכלות בת-זמננו בהקשר נתון מתייחסת לכל ההתערבויות המתוכננות המשמעותיות בסביבה ההיסטורית הבנויה, לרבות חללים פתוחים, מבנים חדשים, תוספות או הרחבות של מבנים ואתרים היסטוריים ושימור.

10. התפשטות הרעיון של מורשת תרבותית, במיוחד בעשור האחרון, כוללת פרשנות רחבה מאוד המובילה להכרה בדו-קיום של האדם עם האדמה ושל בני-אדם והחברה, מצריכה גישות ושיטות חדשות לשימור עירוני ולפיתוח בהקשר הטריטוריאלי. האמנות וההמלצות הבין-לאומיות עדיין אינן משולבות באופן מלא בהתפתחות זו.

11. מזכר וינה מתמקד בהשפעת ההתפתחות העכשווית על הנוף העירוני כמכלול בעל חשיבות מורשתית, כאשר הרעיון של נוף היסטורי עירוני משתרע מעבר למונחים המסורתיים של "מרכזים היסטוריים", "מקבצים" או "סביבות", המשמשים, לעתים קרובות, באמנות ובחוקי ההגנה, וההקשר הטריטוריאלי והנופי הרחב יותר.

12. הנוף ההיסטורי העירוני מקבל את חשיבותו האוניברסלית ויחיד במינו מהתפתחות הדרגתית, וכן מהתפתחות טריטוריאלית מתוכננת על פני פרק זמן רלוונטי באמצעות תהליכי עיור, המשלבים תנאים סביבתיים וטופוגרפיים המבטאים ערכים כלכליים וסוציו-תרבותיים רלוונטיים לחברה. משום כך, ההגנה והשימור של נוף היסטורי עירוני מכילה מונומנטים אינדיבידואליים ברשימות ההגנה, וכן מקבצים והקשרים החשובים שלהם – פיזיים, תפקודיים, חזותיים, חומריים ואסוציאטיביים – עם הטיפולוגיות והמורפולוגיות ההיסטוריות.

עקרונות ומטרות

13. שינויים מתמשכים בשימוש הפונקציונלי, במבנה החברתי, בהקשר הפוליטי ובפיתוח הכלכלי, הבאים לידי ביטוי בצורת ההתערבויות המבניות בנוף ההיסטורי העירוני מימים עברו, עשויים להיחשב כחלק מן המסורת של העיר, ודורשים חזון של העיר כמכלול, עם פעולה בעלת כוונה עתידית מצד מקבלי ההחלטות, והידברות עם בעלי עניין אחרים רלוונטיים.

14. האתגר המרכזי של האדריכלות בת-זמננו בנוף ההיסטורי העירוני מחד, הוא להגיב לדינמיקה של הפיתוח כדי לאפשר שינויים חברתיים-כלכליים וצמיחה ומאידך, תוך מתן כבוד למורשת העירונית ולסביבת הנוף. ערים היסטוריות חיות, במיוחד ערי מורשת עולמית, מצריכות מדיניות של תכנון עירוני וניהול אשר מתייחסת לשימור כנושא מפתח. בתהליך זה, אין להתפשר על האותנטיות והשלמות של העיר ההיסטורית, שנקבעו על ידי הנסיבות.

15. עתידו של הנוף ההיסטורי העירוני קורא להבנה הדדית בין קובעי המדיניות, מתכנני הערים, העוסקים בפיתוח עירוני, האדריכלים, העוסקים בשימור, בעלי הנכסים, המשקיעים והאזרחים, כדי לפעול במשותף לשמר את המורשת העירונית תוך התחשבות במודרניזציה ובפיתוח של העיר באופן רגיש תרבותי והיסטורי, וכדי לחזק את הזהות והלכידות החברתית.

16. ההתייחסות לקשר הרגשי בין בני האדם לסביבתם ותחושת המקום שלהם, חשובה להבטחת איכות חיים סביבתית עירונית התורמת להצלחה הכלכלית של העיר ולחיוניות החברתית והתרבותית שלה.

17. אחת הדאגות המרכזיות של ההתערבויות הפיזיות והפונקציונליות היא לשפר את איכות החיים על ידי שיפור תנאי המחייה, העבודה והפנאי תוך התאמת השימושים מבלי להתפשר על הערכים הקיימים הנובעים מהאופי והחשיבות של המרקם והאופי ההיסטורי העירוני. הכוונה, לא רק לשפר סטנדרטים טכניים, אלא גם לשקם ולפתח את הסביבה ההיסטורית בהתבסס על רשימת מצאי נאותה ועל בדיקת ערכיה, וכן להוסיף ביטויים תרבותיים מאיכות גבוהה.

קווים מנחים לניהול שימור

18. קבלת החלטות להתערבויות והאדריכלות בת-זמננו בנוף היסטורי עירוני דורשים שיקול דעת קפדני, גישה בעלת רגישות תרבותית והיסטורית, התייעצות עם בעלי עניין וידע של מומחים. תהליך שכזה מאפשר פעולה נאותה והולמת במקרים פרטניים, תוך בחינת ההקשר המרחבי בין הישן לחדש, ומתן התייחסות לאותנטיות ולשלמות של המרקם ההיסטורי ומצבור המבנים.

19. הבנה מעמיקה של ההיסטוריה, התרבות והאדריכלות של *המקום*, בניגוד לבניינים בלבד, הנה חיונית לפיתוח מסגרת שימור. ועדות האדריכלות צריכות להיות מודעות לאורבניזם ולכלים שלו לניתוח טיפולוגיות ומורפולוגיות.

20. גורם חיוני בתהליך תכנון ופיתוח מאוזן הוא ההכרה והתמודדות מתאימה עם הסיכויים והסיכונים. הבסיס לכל ההתערבויות המבניות הוא סקר וניתוח מקיף של הנוף ההיסטורי העירוני כאמצעי לבטא ערכים וחשיבות. חקר השפעות ארוכות-טווח וקיימות של ההתערבויות המתוכננות הוא חלק בלתי נפרד מתהליך התכנון והצבת המטרות בהגנה על המארג ההיסטורי, מצבור המבנים וההקשר.

21. בהתחשב בהגדרה הבסיסית (סעיף 7 לעיל), התכנון העירוני, האדריכלות בת-זמננו והשימור של הנוף ההיסטורי העירוני צריכים להימנע מצורות של תכנון פסודו-היסטורי, שכן הוא מהוות הכחשה של ההיסטורי והעכשווי כאחד. ראייה היסטורית אחת אינה צריכה לבוא במקום האחרות, שכן ההיסטוריה חייבת להישאר קריאה, בעוד המשכיות התרבותית על-ידי התערבויות איכותיות היא המטרה העיקרית.

קווים מנחים לפיתוח עירוני

22. תנאים מוקדמים לתהליך התכנון הם סטנדרטים אתיים ודרישה לתכנון וביצוע ברמה גבוהה, תוך גילוי רגישות להקשר התרבותי-היסטורי. אדריכלות איכותית באזורים היסטוריים צריכה לתת את הדעת למדדים הנתונים, במיוחד תוך התייחסות לנפחי הבנייה ולגבהים. חשוב שהפיתוח החדש יצמצם השפעות ישירות על האלמנטים ההיסטוריים החשובים, כגון מבנים בעלי חשיבות או מרבצים ארכיאולוגיים.

23. אפשר לקדם מבנים מרחביים בערים היסטוריות וסביבתן על ידי תכנון עירוני ואמנות, שכן הם מהווים מרכיבי מפתח בתחיית הערים ההיסטוריות: התכנון העירוני והאמנות מבטאים את המרכיבים ההיסטוריים, החברתיים והכלכליים ומנחילים אותם לדורות הבאים.

24. שימור אתרי מורשת עולמית כרוך גם בתכנון המרחב הציבורי: יש להקדיש תשומת לב מיוחדת לפונקציונליות, לאמות המידה, לחומרים, לתאורה, לריהוט רחוב, לפרסום, לצמחיה ועוד. תשתית התכנון העירוני באזורי מורשת חייבת לכלול את כל הצעדים הדרושים להתחשבות במארג ההיסטורי, במצבור המבנים ובהקשר, ולנטרל את ההשפעות השליליות של התחבורה והחנייה.

25. נופים עירוניים, נופי גגות, צירים חזותיים עיקריים, מגרשי בנייה וסוגי אדריכלות הם חלקים בלתי נפרדים של זהות הנוף ההיסטורי העירוני. בנוגע להתחדשות, נופי הגגות ההיסטוריים ומגרשי הבנייה המקוריים משמשים בסיס לתכנון ולעיצוב.

26. כעיקרון כללי, הפרופורציה והתכנון חייבים להתאים לסוג הספציפי של הדפוס ההיסטורי ולאדריכלות, ואילו הסרת עיקר מצבור המבנים הראויים להגנה ולשימור ("façadism") אינה מהווה אמצעי נאות להתערבות מבנית. יש להקדיש תשומת לב מיוחדת כדי להבטיח שפיתוח האדריכלות העכשווית בערי מורשת עולמית משלים את הערכים של הנוף ההיסטורי העירוני ונותר בתוך הגבולות כדי לא להתפשר על האופי ההיסטורי של העיר.

דרכים ואמצעים

27. ניהול השינויים הדינמיים וההתפתחויות בנופים היסטוריים עירוניים של מורשת עולמית כולל ידע מדויק אודות השטח ומרכיבי חשיבות המורשת שלו, אשר זוהו באמצעות שיטות מדעיות של רשימות מצאי, חוקים רלוונטיים, תקנות, כלים ונהלים, המנוסחים בתכנית ממשק, על פי *ההנחיות התפעוליות ליישום אמנת מורשת עולמית*.

28. פיתוח ויישום תכנית ממשק לנופים היסטוריים עירוניים דורשים השתתפות של צוות מומחים ואנשי מקצוע בין-תחומי, וכן התייעצות ציבורית מקיפה, ושקופה.

29. ניהול איכותי של נוף היסטורי עירוני שואף לשימור קבוע ושיפור הערכים המרחביים, התפקודיים והעיצוביים.מבחינה זו, יש להקדיש תשומת לב מיוחדת להתאמה להקשר האדריכלי בן זמננו בנוף ההיסטורי העירוני, ורצוי שמחקרי הערכת השפעה חזותית או תרבותית ילוו את ההצעות להתערבויות בנות-זמננו.

30. ההיבטים הכלכליים של הפיתוח העירוני צריכים להיות קשורים ביעדי שימור המורשת לטווח ארוך.

31. מבנים היסטוריים, חללים פתוחים ואדריכלות בת-זמננו תורמים באופן משמעותי לערכה של העיר ומשמרים את אופייה. האדריכלות בת-זמננו יכולה להוות כלי תחרותי חזק לערים שכן היא מושכת תושבים, תיירים והון. האדריכלות ההיסטורית והאדריכלות בת-זמננו מהוות נכס לקהילות מקומיות, והדבר צריך לשמש למטרות חינוך, פנאי, תיירות והבטחת ערך השוק של נכסים.

המלצות

השיקולים שלהלן מופנים לוועדת מורשת עולמית ולאונסקו:

א. בנוגע לאזורים היסטוריים עירוניים שכבר רשומים ברשימת מורשת עולמית, מושג הנוף ההיסטורי העירוני וההמלצות המובאות במזכר זה צריכים להילקח בחשבון כאשר בוחנים השפעה פוטנציאלית או ודאית כלשהי על שלמות נכס מורשת עולמית. יש להרחיב ולהחיל עקרונות אלה באמצעות תכניות שמדגישות את הצעדים הספציפיים שצריך לנקוט לשם הגנה על הנוף ההיסטורי העירוני.

ב. כאשר שוקלים רישום של נכסים ואתרים חדשים של אזורים היסטוריים עירוניים ברשימת מורשת עולמית, מומלץ לכלול את המושג "נוף היסטורי עירוני" בתהליך הגשת המועמדות וההערכה.

ג. ארגון אונסקו מוזמן לבחון ולגבש המלצה חדשה אשר תשלים ותעדכן את ההמלצות הקיימות בנושא "נוף היסטורי עירוני", תוך התייחסות מיוחדת להתאמה להקשר האדריכלי בן זמננו, ואשר תוגש בעתיד לאסיפה הכללית של אונסקו.

(וינה, 20 במאי 2005)

BACK

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FIFTEENTH GENERAL ASSEMBLY OF STATES PARTIES
TO THE CONVENTION CONCERNING THE PROTECTION
OF THE WORLD CULTURAL AND NATURAL HERITAGE

Paris, UNESCO Headquarters, Room IV
10-11 October 2005

Item 7 of the Provisional Agenda: Adoption of a Declaration on the Conservation of Historic Urban Landscapes

Vienna Memorandum on "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" and Decision 29 COM 5D

SUMMARY

This document contains the Vienna Memorandum adopted by the International Conference "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" held from 12 to 14 May 2005 in Vienna, Austria, under the patronage of UNESCO and welcomed by the 29th session of the World Heritage Committee (Durban, 2005) (Decision **29 COM 5D**, see Point II).

BACK

I. Vienna Memorandum

The following document presents the Memorandum adopted by the International Conference on "World Heritage and Contemporary Architecture – Managing the Historic Urban Landscape" as it was presented to the 29th session of the World Heritage Committee (Durban, 2005) (see Document *WHC-05/29.COM/5)*:

VIENNA MEMORANDUM

on

"World Heritage and Contemporary Architecture – Managing the Historic Urban Landscape"

A. PREAMBLE

1. Recalling that the *Vienna Memorandum* is the result of an international conference on the subject of "World Heritage and Contemporary Architecture", which was requested by the World Heritage Committee at its 27th session (UNESCO, 2003) (Decision **27 COM 7B.108**) and held from 12 to 14 May 2005 in Vienna, Austria, under the patronage of UNESCO and attended by more than 600 experts and professionals from 55 countries;

2. Bearing in mind the scope of UNESCO's Convention concerning the Protection of the World Cultural and Natural Heritage (*World Heritage Convention*, 1972), and recalling its Articles 4 and 5, striving for global collaboration and the need for global discussions on the subject of the strong economic dynamic and recent structural changes in cities inscribed on UNESCO's World Heritage List;

3. Further recalling that sites are inscribed on the World Heritage List on the basis of the Statement of Outstanding Universal Value and that the preservation of this value should be at the centre of any conservation policy and management strategy;

4. Considering in particular the 1964 "International Charter for the Conservation and Restoration of Monuments and Sites" (Venice Charter), the 1968 "UNESCO Recommendation concerning the Preservation of Cultural Property endangered by Public or Private works", the 1976 "UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas", the 1982 ICOMOS-IFLA "International Charter for Historic Gardens" (Florence Charter), the 1987 ICOMOS "Charter for the Conservation of Historic Towns and Urban Areas" (Washington Charter), the 1994 Nara Document on Authenticity, as well as the

HABITAT II Conference and Agenda 21, which was ratified by Member States in Istanbul (Turkey) in June 1996;

5. Desiring that the *Vienna Memorandum* be seen, within the continuum of these afore-mentioned documents and the current debate on the sustainable conservation of monuments and sites, as a key statement for an integrated approach linking contemporary architecture, sustainable urban development and landscape integrity based on existing historic patterns, building stock and context.

B. DEFINITIONS

6. The present Memorandum refers to historic cities already inscribed or proposed for inscription on the UNESCO World Heritage List, as well as to larger cities that have World Heritage monuments and sites within their urban territories.

7. The historic urban landscape, building on the 1976 "UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas", refers to ensembles of any group of buildings, structures and open spaces, in their natural and ecological context, including archaeological and palaeontological sites, constituting human settlements in an urban environment over a relevant period of time, the cohesion and value of which are recognized from the archaeological, architectural, prehistoric, historic, scientific, aesthetic, socio-cultural or ecological point of view. This landscape has shaped modern society and has great value for our understanding of how we live today.

8. The historic urban landscape is embedded with current and past social expressions and developments that are place-based. It is composed of character-defining elements that include land uses and patterns, spatial organization, visual relationships, topography and soils, vegetation, and all elements of the technical infrastructure, including small scale objects and details of construction (curbs, paving, drain gutters, lights, etc.).

9. Contemporary architecture in the given context is understood to refer to all significant planned and designed interventions in the built historic environment, including open spaces, new constructions, additions to or extensions of historic buildings and sites, and conversions.

10. The expanding notion of cultural heritage in particular over the last decade, which includes a broader interpretation leading to recognition of human coexistence with the land and human beings in society, requires new approaches to and methodologies for urban conservation and development in a territorial context. The international charters and recommendations have not yet fully integrated this evolution.

11. The *Vienna Memorandum* focuses on the impact of contemporary development on the overall urban landscape of heritage significance, whereby the notion of

historic urban landscape goes beyond traditional terms of “historic centres”, “ensembles” or “surroundings”, often used in charters and protection laws, to include the broader territorial and landscape context.

12. The historic urban landscape acquires its exceptional and universal significance from a gradual evolutionary, as well as planned territorial development over a relevant period of time through processes of urbanization, incorporating environmental and topographic conditions and expressing economic and socio-cultural values pertaining to societies. As such, protection and conservation of the historic urban landscape comprises the individual monuments to be found in protection registers, as well as ensembles and their significant connections, physical, functional and visual, material and associative, with the historic typologies and morphologies.

C. PRINCIPLES and AIMS

13. Continuous changes in functional use, social structure, political context and economic development that manifest themselves in the form of structural interventions in the inherited historic urban landscape may be acknowledged as part of the city's tradition, and require a vision on the city as a whole with forward-looking action on the part of decision-makers, and a dialogue with the other actors and stakeholders involved.

14. The central challenge of contemporary architecture in the historic urban landscape is to respond to development dynamics in order to facilitate socio-economic changes and growth on the one hand, while simultaneously respecting the inherited townscape and its landscape setting on the other. Living historic cities, especially World Heritage cities, require a policy of city planning and management that takes conservation as one key point for conservation. In this process, the historic city’s authenticity and integrity, which are determined by various factors, must not be compromised.

15. The future of our historic urban landscape calls for mutual understanding between policy makers, urban planners, city developers, architects, conservationists, property owners, investors and concerned citizens, working together to preserve the urban heritage while considering the modernization and development of society in a culturally and historic sensitive manner, strengthening identity and social cohesion.

16. Taking into account the emotional connection between human beings and their environment, their sense of place, it is fundamental to guarantee an urban environmental quality of living to contribute to the economic success of a city and to its social and cultural vitality.

17. A central concern of physical and functional interventions is to enhance quality of life and production efficiency by improving living, working and recreational

conditions and adapting uses without compromising existing values derived from the character and significance of the historic urban fabric and form. This means not only improving technical standards, but also a rehabilitation and contemporary development of the historic environment based upon a proper inventory and assessment of its values, as well as adding high-quality cultural expressions.

D. GUIDELINES for CONSERVATION MANAGEMENT

18. Decision-making for interventions and contemporary architecture in a historic urban landscape demand careful consideration, a culturally and historic sensitive approach, stakeholder consultations and expert know-how. Such a process allows for adequate and proper action for individual cases, examining the spatial context between old and new, while respecting the authenticity and integrity of historic fabric and building stock.

19. A deep understanding of the history, culture and architecture of *place*, as opposed to object buildings only, is crucial to the development of a conservation framework and single architectural commissions should be informed by urbanism and its tools for analyses of typologies and morphologies.

20. An essential factor in the planning process is a timely recognition and formulation of opportunities and risks, in order to guarantee a well-balanced development and design process. The basis for all structural interventions is a comprehensive survey and analysis of the historic urban landscape as a way of expressing values and significance. Investigating the long-term effects and sustainability of the planned interventions is an integral part of the planning process and aims at protecting the historic fabric, building stock and context.

21. Taking into account the basic definition (according to Article 7 of this Memorandum), urban planning, contemporary architecture and preservation of the historic urban landscape should avoid all forms of pseudo-historical design, as they constitute a denial of both the historical and the contemporary alike. One historical view should not supplant others, as history must remain readable, while continuity of culture through quality interventions is the ultimate goal.

E. GUIDELINES FOR URBAN DEVELOPMENT

22. Ethic standards and a demand for high-quality design and execution, sensitive to the cultural-historic context, are prerequisites for the planning process. Architecture of quality in historic areas should give proper consideration to the given scales, particularly with reference to building volumes and heights. It is important for new development to minimize direct impacts on important historic elements, such as significant structures or archaeological deposits.

23. Spatial structures in and around historic cities are to be enhanced through urban design and art as they are key elements of the renaissance of historic cities: urban design and art express their specific historical, social and economic components and transmit them to forthcoming generations.

24. Preservation of World Heritage sites also involves the design of public space: particular attention is to be paid to functionality, scale, materials, lighting, street furniture, advertising, and vegetation, to name a few. Urban planning infrastructure in heritage zones must include all measures to respect the historic fabric, building stock and context, and to mitigate the negative effects of traffic circulation and parking.

25. Townscapes, roofscapes, main visual axes, building plots and types are integral parts of the identity of the historic urban landscape. With regard to renewal, the historic roofscape and the original building plots serve as the basis for planning and design.

26. As a general principle, proportion and design must fit into the particular type of historic pattern and architecture, while removing the core of building stock worthy of protection ("façadism") does not constitute an appropriate mean of structural intervention. Special care should be taken to ensure that the development of contemporary architecture in World Heritage cities is complementary to values of the historic urban landscape and remains within limits in order not to compromise the historic nature of the city.

F. WAYS AND MEANS

27. Management of the dynamic changes and developments in World Heritage historic urban landscapes encompasses precise knowledge of the territory and its elements of heritage significance identified through scientific methods of inventory, the relevant laws, regulations, tools and procedures, which are formalized in a Management Plan, according to the *Operational Guidelines for the Implementation of the World Heritage Convention*.

28. The development and implementation of a Management Plan for historic urban landscapes requires the participation of an interdisciplinary team of experts and professionals, as well as timely initiation of comprehensive public consultation.

29. Quality management of the historic urban landscape aims at permanent preservation and improvement of spatial, functional and design-related values. In this respect, special emphasis is to be placed on the contextualization of contemporary architecture in the historic urban landscape and Cultural or Visual Impact Assessment studies should accompany proposals for contemporary interventions.

30. Economic aspects of urban development should be bound to the goals of long-term heritage preservation.

31. Historic buildings, open spaces and contemporary architecture contribute significantly to the value of the city by branding the city's character. Contemporary architecture can be a strong competitive tool for cities as it attracts residents, tourists, and capital. Historic and contemporary architecture constitute an asset to local communities, which should serve educational purposes, leisure, tourism, and secure market value of properties.

G. RECOMMENDATIONS

32. The following considerations are directed to the World Heritage Committee and UNESCO:

a) With regard to historic urban areas already inscribed on the World Heritage List, the concept of the historic urban landscape and the recommendations expressed in this Memorandum need to be taken into account when reviewing any potential or ascertained impact on the integrity of a World Heritage property. These principles should be enhanced by plans which delineate the specific measures to be taken for the protection of the historic urban landscape.

b) When considering the inscription of new properties and sites of historic urban areas on the World Heritage List, it is recommended that the concept of the historic urban landscape be included in the nomination and evaluation process.

c) UNESCO is invited to study the possibility for formulating a new recommendation to complement and update the existing ones on the subject of historic urban landscapes, with special reference to the contextualization of contemporary architecture which should be submitted, at a future date, to the General Conference of UNESCO.

(20 May 2005)

II. Decision adopted by the 29th session of the World Heritage Committee (Durban, 2005)

Decision 29 COM 5D

The World Heritage Committee,

1. Having examined Annex 2 of Document ***WHC-05/29.COM/5,***
2. Expresses its sincere appreciation to the State Party of Austria, the City of Vienna, the World Heritage Centre, ICOMOS and ICCROM, and to the partner organizations: Organization of World Heritage Cities (OWHC), International federation of Landscape Architects (IFLA), International Union of Architects (IUA) and International Federation for Housing and Planning (IFHP), for their successful collaboration in the organisation of the international conference on "World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape" (Vienna, 12 -14 May 2005);
3. Takes note of the report and welcomes the Vienna Memorandum adopted at the above-mentioned international conference;
4. Encourages States Parties to integrate the notion of historic urban landscape in nomination proposals and in the elaboration of management plans of properties nominated for inscription on the World Heritage List;
5. Also encourages States Parties to integrate the principles expressed in the Vienna Memorandum into their heritage conservation policies;
6. Requests the Advisory Bodies and the World Heritage Centre to take into account the conservation of the historic urban landscape when reviewing any potential impact on the integrity of an existing World Heritage property, and during the nomination evaluation process of new sites;
7. Recommends that the General Assembly of States Parties to the *Convention* at its 15th session (UNESCO, 2005) adopt, on the basis of the Vienna Memorandum, a Declaration on the Conservation of Historic Urban Landscapes;
8. Also recommends that the General Conference of UNESCO adopt a new recommendation to complement and update the existing ones on the subject of conservation of historic urban landscapes, with special reference to the need to link contemporary architecture to the urban historic context.

BACK

Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas

26 November 1976

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi at its nineteenth session, from 26 October to 30 November 1976,

Considering that historic areas are part of the daily environment of human beings everywhere, that they represent the living presence of the past which formed them, that they provide the variety in life's background needed to match the diversity of society, and that by so doing they gain in value and acquire an additional human dimension,

Considering that historic areas afford down the ages the most tangible evidence of the wealth and diversity of cultural, religious and social activities and that their safeguarding and their integration into the life of contemporary society is a basic factor in town-planning and land development,

Considering that in face of the dangers of stereotyping and depersonalization, this living evidence of days gone by is of vital importance for humanity and for nations who find in it both the expression of their way of life and one of the corner-stones of their identity,

Noting that throughout the world, under the pretext of expansion or modernization, demolition ignorant of what it is demolishing and irrational and inappropriate reconstruction work is causing serious damage to this historic heritage,

Considering that historic areas are an immovable heritage whose destruction may often lead to social disturbance, even where it does not lead to economic loss,

Considering that this situation entails responsibilities for every citizen and lays on public authorities obligations which they alone are capable of fulfilling,

Considering that in order to save these irreplaceable assets from the dangers of deterioration or even total destruction to which they are thus exposed, it is for each State to adopt, as a matter of urgency, comprehensive and energetic policies for the protection and revitalization of historic areas and their surroundings as part of national, regional or local planning,

Noting the absence in many cases of a legislation effective and flexible enough concerning the architectural heritage and its interconnexion with town-planning, territorial, regional or local planning,

Noting that the General Conference has already adopted international instruments for the protection of the cultural and natural heritage such as the Recommendation on International Principles Applicable to Archaeological Excavations (1956), the Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites (1962), the Recommendation Concerning the. Preservation of Cultural Property En-dangered by Public or Private Works (1968), and the Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage (1972),

Desiring to supplement and extend the application of the standards and principles laid down in these international instruments,

Having before it proposals concerning the safeguarding and contemporary role of historic areas, which question appears on the agenda of the session as item 27,

Having decided at its eighteenth session that this question should take the form of a Recommendation to Member States,

Adopts, this twenty-sixth day of November 1976, the present Recommendation.

The General Conference recommends that Member States apply the above provisions by adopting, as a national law or in some other form, measures with a view to giving effect to the principles and norms set out in this Recommendation in the territories under their jurisdiction.

The General Conference recommends that Member States bring this Recom-mendation to the attention of the national, regional and local authorities and of institutions, services or bodies and associations concerned with the safeguarding of historic areas and their environment.

The General Conference recommends that Member States report to it, at the dates and in the form determined by it, on action taken by them on this Recommendation.

BACK

I. Definitions

1. For the purposes of the present recommendation:

(a) `Historic and architectural (including vernacular) areas' shall be taken to mean any groups of buildings, structures and open spaces including ar-chaeological and palaeontological sites, constituting human settlements in an urban or rural environment, the cohesion and value of which, from the archaeological, architectural, prehistoric, historic, aesthetic or sociocultural point of view are recognized. Among these `areas', which are very varied in nature, it is possible to distinguish the following 'in particular : prehistoric sites, historic towns, old urban quarters, villages and hamlets as well as homogeneous monumental groups, it being understood that the latter should as a rule be carefully preserved unchanged.

(b) The `environment' shall be taken to mean the natural or man-made setting which influences the static or dynamic way these areas are perceived or which is directly linked to them in space or by social, economic or cultural ties.

(c) `Safeguarding' shall be taken to mean the identification, protection, con-servation, restoration, renovation, maintenance and revitalization of historic or traditional areas and their environment.

II. General principles

2. Historic areas and their surroundings should be regarded as forming an irreplaceable universal heritage. The governments and the citizens of the States in whose territory they are situated should deem it their duty to safeguard this heritage and integrate it into the social life of our. times. The national, regional or local authorities should be answerable for their performance of this duty in the interests of all citizens and of the international community, in accordance with the conditions of each Member State as regards the allocation of powers.

3. Every historic area and its surroundings should be considered in their totality as a coherent whole whose balance and specific nature depend on the fusion of the parts of which it is composed and which include human activities as much as the buildings, the spatial organization and the surroundings. All valid elements, including human activities, however modest, thus have a significance in relation to the whole which must not be disregarded.

4. Historic areas and their surroundings should be actively protected, against damage of all kinds, particularly that resulting from unsuitable use, unnecessary additions and misguided or insensitive changes such as will impair their authenticity, and from damage due to any form of pollution. Any restoration work undertaken should be based on scientific principles. Similarly, great at tention should be paid to the harmony and aesthetic feeling produced by the linking or the contrasting of the various parts which make up the groups of buildings and which give to each group its particular character.

5. In the conditions of modern urbanization, which leads to a considerable increase in the scale and density of buildings, apart from the danger of direct destruction of historic areas, there is a real danger that newly developed areas can ruin the environment and character of adjoining historic areas. Architects and town-planners should be careful to ensure that views from and to monuments and historic areas are not spoilt and that historic areas are integrated harmoniously into contemporary life.

6. At a time when there is a danger that a growing universality of building techniques and architectural forms may create a uniform environment throughout the world, the preservation of historic areas can make an outstanding contribution to maintaining and developing the cultural and social values of each nation. This can contribute to the architectural enrichment of the cultural heritage of the world.

III. National, regional and local policy

7. In each Member State a national, regional and local policy should be drawn up, in conformity with the conditions of each State as regards the allocation of powers, so that legal, technical, economic and social measures may be taken by the national, regional or local authorities with a view to safeguarding historic areas and their surroundings and adapting them to the requirements of modern life. The policy thus laid down should influence planning at national, regional or local level and provide guidelines for town-planning and regional and rural development planning at all levels, the activities stemming from it forming an essential component in the formulation of aims and programmes, the assignment of responsibilities and the conduct of operations. The co-operation of individuals and private associations should be sought in implementing the safeguarding policy.

IV. Safeguarding measures

8. Historic areas and their surroundings should be safeguarded in conformity with the principles stated above and with the methods set out below, the specific measures being determined according to the legislative and constitutional competence and the organizational and economic structure of each State.

Legal and administrative measures

9. The application of an overall policy for safeguarding historic areas and their surroundings should be based on principles which are valid for the whole of each country. Member States should adapt the existing provisions, or, where necessary, enact new laws and regulations, so as to secure the protection of historic areas and their surroundings taking into account the provisions contained in this chapter and in the following chapters. They should encourage the adaptation or the adoption of regional or local measures to ensure such protection. Laws concerning town and regional planning and housing policy should also be reviewed so as to co-ordinate and bring them into line with the laws concerning the safeguarding of the architectural heritage.

10. The provisions establishing a system for safeguarding historic areas should set out the general principles relating to the establishment of the necessary plans and

documents and, in particular: the general conditions and restrictions applicable to the protected areas and their surroundings ;a statement as to the programmes and operations to be planned for the purpose of conservation and provision of public services; maintenance to be carried out and the designation of those to be responsible for it; the fields to which town-planning, redevelopment and rural land management are applicable; the designation of the body responsible for authorizing any restoration, modification, new construction or demolition within the protected perimeter; the means by which the safeguarding programmes are to be financed and carried out.

11. Safeguarding plans and documents should define: the areas and items to be protected; the specific conditions and restrictions applicable to them; the standards to be observed in the work of maintenance, restoration and improvements ; the general conditions governing the establishment of the supply systems and services needed in urban or rural life; the conditions governing new constructions.

12. These laws should also in principle include provisions designed to prevent any infringement of the preservation laws, as well as any speculative rise in property values within the protected areas which could compromise protection and restoration planned in the interests of the community as a whole. These provisions could involve town-planning measures affording a means of influencing the price of building land, such as the establishment of neighborhood or smaller development plans, granting the right of pre-emption to a public body, compulsory purchase in the interests of safeguarding or rehabilitation or automatic intervention in the case of failure to act on the part of the owners, and could provide for effective penalties such as the suspension of operations, compulsory restoration and/or a suitable fine.

13. Public authorities as well as individuals must be obliged to comply with the measures for safeguarding. However, machinery for appeal against arbitrary or unjust decisions should be provided.

14. The provisions concerning the setting up of public and private bodies and concerning public and private work projects should be adapted to the regulations governing the safeguarding of historic areas and their surroundings.

15. In particular, provisions concerning slum property and blocks and the construction of subsidized housing should be planned or amended both to fit in with the safeguarding policy and to contribute to it. The schedule of any subsidies paid should be drawn up and adjusted accordingly, in particular in order to facilitate the development of subsidized housing and public construction by rehabilitating old buildings. All demolition should in any case only concern buildings with no historic or architectural value and the subsidies involved should be carefully controlled. Further, a proportion of the funds earmarked for the construction of subsidized housing should be allocated to the rehabilitation of old buildings.

16. The legal consequences of the protection measures as far as buildings and land are concerned should be made public and should be recorded by a competent official body.

17. Making due allowance for the conditions specific to each country and the allocation of responsibilities within the various national, regional and local authorities, the following principles should underlie the operation of the safeguarding machinery:

(a) there should be an authority responsible for ensuring the permanent co-ordination of all those concerned, e.g. national, regional and local public services or groups of individuals;

(b) safeguarding plans and documents should be drawn up, once all the necessary advance scientific studies have been carried out, by multidisciplinary teams composed, in particular, of:
specialists in conservation and restoration, including art historians; architects and town-planners;
sociologists and economists;
ecologists and landscape architects ;
specialists in public health and social welfare;
and, more generally, all specialists in disciplines involved in the protection and enhancement of historic areas ;

(c) the authorities should take the lead in sounding the opinions and organizing the participation of the public concerned;

(d) the safeguarding plans and documents should be approved by the body designated by law;

(e) the public authorities reponsible for giving effect to the .safeguarding provisions and regulations at all levels, national, regional and local, should be provided with the necessary staff and given adequate technical, administrative and financial resources.

Technical, economic and social measures

18. A list of historic areas and their surroundings to be protected should be drawn up' at national, regional or local level. It should indicate priorities so that the limited resources available for protection may be allocated judiciously. Any protection measures, of whatever nature, that need to be taken as a matter of urgency should be taken without waiting for the safeguarding plans and documents to be prepared.

19. A survey of the area as a whole, including an analysis of its spatial evolution, should be made. It should cover archaeological, historical, architectural, technical and economic data. An analytical document should be drawn up so as to determine which buildings or groups of buildings are to be protected with great care, conserved under certain conditions, or, in quite exceptional and thoroughly documented circumstances, destroyed. This would enable the authorities to call a halt to any work incompatible with this recommendation. Additionally, an inventory of public and private open spaces and their vegetation should be drawn up for the same purposes.

20. In addition to this architectural survey, thorough surveys of social, economic, cultural and technical data and structures and of the wider urban or regional context are necessary. Studies should include, if possible, demographic data and an analysis of economic, social and cultural activities, ways of life and social relationships, land-tenure problems, the urban infrastructure, the state of the road system, communication networks and the reciprocal links between protected areas and surrounding zones. The authorities concerned should attach the greatest importance to these studies and should bear in mind that valid safeguarding plans cannot be prepared without them.

21. After the survey described above has been completed and before the safeguarding plans and specifications are drawn up, there should in principle be a programming operation in which due account is taken both of town-planning, architectural, economic and social considerations and of the ability of the urban and rural fabric to assimilate functions that are compatible with its specific character. The programming operation should aim at bringing the density of settlement to the desired level and should provide for the work to be carried out in stages as well as for the temporary accommodation needed while it is proceeding, and premises for the permanent rehousing of those inhabitants who cannot return to their previous dwellings. This programming operation should be undertaken with the closest possible participation of the communities and groups of people concerned. Because the social, economic and physical context of historic areas and their surroundings may be expected to change over time, survey and analysis should be a continuing process. It is accordingly essential that the preparation of safeguarding plans and their execution be undertaken on the basis of studies available, rather than being postponed while the planning process is refined.

22. Once the safeguarding plans and specifications have been drawn up and approved by the competent public authority, it would be desirable for them to be executed either by their authors or under their authority.

23. In historic areas containing features from several different periods, preservation should be carried out taking into account the manifestations of all such periods.

24. Where safeguarding plans exist urban development or slum clearance programmes consisting of the demolition of buildings of no architectural or historic interest and which are structurally too unsound to be kept, the removal of extensions and additional storeys of no value, and sometimes even the demolition of recent buildings which break the unity of the area, may only be authorized in conformity with the plan.

25. Urban development or slum clearance programmes for areas not covered by safeguarding plans should respect buildings and other elements of architectural or historic value as well as accompanying buildings. If such elements are likely to be adversely affected by the programme, safeguarding plans as indicated above should be drawn up in advance of demolition. -

26. Constant supervision is necessary to ensure that these operations are not conducive to excessive profits nor serve other purposes contrary to the objectives of the plan.

27. The usual security standards applicable to fire and natural catastrophes should be observed in any urban development or slum clearance programme affecting a historic area, provided that this be compatible with the criteria applicable to the preservation of the cultural heritage. If conflict does occur, special solutions should be sought, with the collaboration of all the services concerned, so as to provide the maximum security, while not impairing the cultural heritage.

28. Particular care should be devoted to regulations for and control over new buildings so as to ensure that their architecture adapts harmoniously to the spatial organization and setting of the groups of historic buildings. To this end, an analysis of the urban context should precede any new construction not only so as to define the general character of the group of buildings but also to analyse its dominant features, e.g. the harmony of heights, colours, materials and forms, constants in the way the facades and roofs are built, the relationship between the volume of buildings and the spatial volume, as well as their average proportions and their position. Particular attention should be given to the size of the lots since there is a danger that any reorganization of the lots may cause a change of mass which could be deleterious to the harmony of the whole.

29. The isolation of a monument through the demolition of its surroundings should not generally be authorized, neither should a monument be moved unless in exceptional circumstances and for unavoidable reasons.

30. Historic areas and their surroundings should be protected from the disfigurement caused by the erection of poles, pylons and electricity or telephone cables and the placing of television aerials and large-scale advertising signs. Where these already exist appropriate measures should be taken for their removal. Bill-posting, neon signs and other kinds of advertisement, commercial signs, street pavements and furniture, should be planned with the greatest care and controlled so that they fit harmoniously into the whole. Special efforts should be made to prevent all forms of vandalism.

31. Member States and groups concerned should protect historic areas and their surroundings against the increasingly serious environmental damage caused by certain technological developments-in particular the various forms of pollution-by banning harmful industries in the proximity of these areas and by taking preventive measures to counter the destructive effects of noise, shocks and vibrations caused by machines and vehicles. Provision should further be made for measures to counter the harm resulting from overexploitation by tourism.

32. Member States should encourage and assist local authorities to seek solutions to the conflict existing in most historic groupings between motor traffic on the one hand and the scale of the buildings and their architectural qualities on the other. To solve the conflict and to encourage pedestrian traffic, careful attention should be paid to the placing of, and access to, peripheral and even central car parks and routing systems established which will facilitate pedestrian traffic, service access and public transport alike. Many rehabilitation operations such as putting electricity and other cables underground, too expensive if carried out singly, could then be co-

ordinated easily and economically with the development of the road system.

33. Protection and restoration should be accompanied by revitalization activities. It would thus be essential to maintain appropriate existing functions, in particular trades and crafts, and establish new ones, which, if they are to be viable, in the long term, should be compatible with. the economic and social context of the town, region or country where they are introduced. The cost of safeguarding operations should be evaluated not only in terms of the cultural value of the buildings but also in relation to the value they acquire through the use made of them. The social problems of safeguarding cannot be seen correctly unless reference is made to both these value scales. These functions should answer the social, cultural and economic needs of the inhabitants without harming the specific nature of the area concerned. A cultural revitalization policy should make historic areas centers of cultural activities and give them a central role to play in the cultural development of the communities around them.

34. In rural areas all works which cause disturbances and all changes of economic and social structure should be carefully controlled so as to preserve the integrity of historic rural communities within their natural setting.

35. Safeguarding activities should couple the public authorities' contribution with the contribution made by the individual or collective owners and the inhabitants and users, separately or together, who should be encouraged to put forward suggestions and generally play an active part. Constant co-operation between the community and the individual should thus be established at all levels particularly through methods such as :"information adapted to the types of persons concerned; surveys adapted to the persons questioned; establishment of advisory groups attached to planning teams; representation of owners, inhabitants and users in an advisory function on bodies responsible for decision-making, management and. the organization of operations connected with plans for safeguarding, or the creation of public corporations to play a part in the plan's implementation.

36. The formation of voluntary conservation groups and non-profit-making associations and the establishment of honorary or financial rewards should be encouraged so that specially meritorious work in all aspects of safeguarding may be recognized.

37. Availability of the necessary funds for the level of public investment provided for in the plans for the safeguarding of historic areas and their surroundings should be ensured by including adequate appropriations in the budgets of the central, regional and local authorities. All these funds should be centrally managed by public, private or semi-public bodies entrusted with the co-ordination of all forms of financial aid at national, regional or local level and with the channelling of them according to an overall plan of action.

38. Public assistance in the forms described below should be based on the principle that, wherever this is appropriate and necessary, the measures taken by the authorities concerned should take into account the `extra cost' of restoration, i.e. the additional cost imposed on the owner as compared with the new market or rental value of the building.

39. In general, such public funds should be used primarily to conserve existing buildings including especially buildings for low rental housing and should not be allocated to the construction of new buildings unless the latter do not prejudice the use and functions of existing buildings.

40. Grants, subsidies, loans at favourable rates, or tax concessions should be made available to private owners and to users carrying out work provided for by the safeguarding plans and in conformity with the standards laid down in those plans. These tax concessions, grants-and loans could be made first and foremost to groups of owners or users of living accommodation and commercial property, since joint operations are more economical than individual action. The financial concessions granted to private owners and users should, where appropriate, be dependent on covenants requiring the observance of certain conditions laid down in the public interest, and ensuring the integrity of the buildings such as allowing the buildings to be visited and allowing access to parks, gardens or sites, the taking of photographs, etc.

41. Special funds should be set aside in the budgets of public and private bodies for the protection of groups of historic buildings endangered by large scale public works and pollution. Public authorities should also set aside special funds for the repair of damage caused by natural disasters.

42. In addition, all government departments and agencies active in the field of public works should arrange their programmes and budgets so as to contribute to the rehabilitation of groups of historic buildings by financing work, which is both in conformity with their own aims and the aims of the safeguarding plan.

43. To increase the financial resources -available to them, Member States should encourage the setting up of public and/or private financing agencies for the safeguarding of historic areas and their surroundings. These agencies should have corporate status and be empowered to receive gifts from individuals, foundations and industrial and commercial concerns. Special tax concessions may be granted to donors.

44. The financing of work of any description carried out for the safeguarding of historic areas and their surroundings by setting up a loans corporation, could be facilitated by public institutions and private credit establishments, which would be responsible for making loans to owners at reduced rates of interest with repayment spread out over a long period.

45. Member States and other levels of government concerned could facilitate the creation of non-profit-making associations responsible for buying and, where appropriate after restoration, selling buildings by using revolving funds established for the special purpose of enabling owners of historic buildings who wish to safeguard them and preserve their character to continue to reside there.

46. It is most important that safeguarding measures should not lead to a break in the social fabric. To avoid hardship to the poorest inhabitants consequent on their having to move from buildings or groups of buildings due for renovation,

compensation for rises in rent could enable them to keep their homes, commercial premises and workshops and their traditional living patterns and occupations, especially rural crafts, small-scale agriculture, fishing, etc. This compensation, which would be income-related, would help those concerned to pay the increased rentals resulting from the work carried out.

V. Research education and information

47. In order to raise the standard of work of the skilled workers and craftsmen required and to encourage the whole population to realize the need for safeguarding and to take part in it, the following measures should be taken by Member States, in accordance with their legal and constitutional competence.

48. Member States and groups concerned should encourage the systematic study of, and research on: town-planning aspects of historic areas and their environment; the interconnexions between safeguarding and planning at all levels; methods of conservation applicable to historic areas; the alteration of materials ; the application of modern techniques to conservation work; the crafts techniques indispensable for safeguarding.

49. Specific education concerning the above questions and including practical training periods should be introduced and developed. In addition, it is essential to encourage the training of skilled workers and craftsmen specializing in the safeguarding of historic areas, including any open spaces surrounding them. Furthermore, it is necessary to encourage the crafts themselves, which are jeopardized by the processes of industrialization. It is desirable that the institutions concerned co-operate in this matter with specialized international agencies such as the Center for the Study of the Preservation and Restoration of Cultural Property, in Rome, the International Council of Monuments and Sites (ICOMOS) and the International Council of Museums (ICOM).

50. The education of administrative staff for the needs of local development in the field of safeguarding of historic areas should be financed where applicable and needed and directed by the appropriate authorities according to a long-term programme.

51. Awareness of the need for safeguarding work should be encouraged by education in school, out of school and at university and by using information media such as books, the press, television, radio, cinema and travelling exhibitions. Clear, comprehensive information should be provided as to the advantages-not only aesthetic, but also social and economic-to be reaped from a well-conducted policy for the safeguarding of historic areas and their surroundings. Such information should be widely circulated among specialized private and government bodies and the general public so that they may-know why and how their surroundings can be improved in this way.

52. The study of historic areas should be included in education at all levels, especially in history teaching, so as to inculcate in young minds an understanding of and respect for the works of the past and to demonstrate the role of this heritage in modern life. Education of this kind should make wide use of audio-visual media and of visits to groups of historic buildings.

53. Refresher courses for teachers and guides and the training of instructors should be facilitated so as to aid, groups of young people and adults wishing to learn about historic areas.

VI. International co-operation

54. Member States should co-operate with regard to the safeguarding of historic areas and their surroundings, seeking aid, if it seems desirable, from international organizations, both intergovernmental and non-governmental, in particular that of the UNESCO-ICOM-ICOMOS Documentation Centre. Such multilateral or bilateral cooperation should be carefully co-ordinated and should take the form of measures such as the following:

(a) exchange of information in all forms and of scientific and technical publications;

(b) organization of seminars and working parties on particular subjects;

(c) provision of study and travel fellowships, and the dispatch of scientific,technical and administrative staff, and equipment;

(d) joint action to combat pollution of all kinds;

(e) implementation of large-scale conservation, restoration and rehabilitation projects for historic areas and publication of the experience acquired. In frontier areas where the task of developing and safeguarding historic areas and their surroundings gives rise to problems jointly affecting Member States on either side of the frontier, they should co-ordinate their policies and activities to ensure that the,-cultural heritage is used and protected in the best possible way;

(f) mutual assistance between neighboring countries for the preservation of areas of common interest characteristic of the historic and cultural development of the region.

55. In conformity with the spirit and the principles of this recommendation, a Member State should not take any action to demolish or 'change the character of the historic quarters, towns and sites, situated in territories occupied by that State. The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

The President of the General Conference
The Director-General

BACK

Resolutions of the International Symposium on the Conservation of Smaller Historic Towns, at the 4th ICOMOS General Assembly.

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1. The general principles set forth in the *Bruges Resolutions* (1975) can be applied more or less universally to the conservation of smaller historic towns; the implementation of these resolutions must however take into account the specific social, economic and political problems of the different regions of the world.

Smaller historic towns can be classified into different types which are characterized by problems in common and by specific features which vary, among other things according to their size, cultural context and economic function. Measures adopted to revitalize and rehabilitate such towns must respect the rights, customs and aspirations of their inhabitants and must be responsive to communal aims and objectives. Consequently, as regards both strategy and tactics, each case must be judged on its own merits.

2. Often, in industrialised countries, the smaller historic town was formerly an important centre which was bypassed by the wave of 19th century industrialisation and urban growth. As a rule, such towns' economic role is as the centre of an agricultural area which gives them characteristics which distinguish them from larger cities:

- the smaller town has not yet expanded beyond its historic core (which is still visually dominant) and has sometimes kept its walls,
- the town's historic core still marks the centre of social life and business and contains a large proportion of residences,
- the surrounding landscape is still very largely unspoilt and is an integral part of the image of the town,
- in many cases there is still a balanced and diversified community structure in terms of population and employment: very few smaller historic towns are economic monostructures depending on mass-production processes.

3. Such smaller towns are subject to specific dangers of various sorts:

- they may suffer from a lack of economic activity leading to the emigration of their populations to larger centres and the resultant abandonment and decay.
- even when the population is numerically stable, there may still be a tendency, due to traffic and other inconveniences, for the inhabitants, to move to modern quarters on the fringes of the town, leading to dereliction of the historic town centre.
- on the other hand, too much economic activity may cause disruption of the old structure and the insertion of new elements which upset the harmony of the urban environment.
- measures to adapt the town to modern activities and uses may have similar effects. For example, tourism, which can be a legitimate means to economic revitalization, can also have a negative impact on the appearance and structure of the town.

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- the increasing unit size of the social infrastructure such as schools and hospitals tends to destroy the scale of the town and to reduce the level of its services.

4. In the countries of the developing world, the rapid expansion of population and the accelerating influx of people to the towns threaten to destroy the existing settlement structure. The national and cultural identity of these countries will be irremediably impoverished if the surviving links with their past are allowed to atrophy. None of these links is of greater importance than the indigenous architectural environment which has evolved over centuries in response to local physical and climatic conditions, in terms of settlement structure, house form, building technique and the use of local materials.

Governments should be made aware of the need both to intensify their efforts to maintain the positive qualities of the indigenous urban and rural environment and to provide planning authorities with the responsibility and the authority for protecting their historic towns against the pressures of excessive expansion and industrialisation.

5. To counteract the dangers threatening smaller historic towns, strategies and measures on various levels are necessary:

- (i) Regional policy must take into account the specific needs of smaller historic towns and must ensure their conservation by assigning them a role in keeping with their special structure: above all, the economic function of smaller towns should be selected so as to imply neither disruption nor dereliction of the historic substance and structure;

- (ii) In order to accomplish this, there must be coordination at the planning stage of all public authority policies which affect the town including, for example, industrial location, transportation network and other regional facilities.

- (iii) On the local level, too, planning must recognize the need to retain and to enhance the specific values of the town, and should aim:
    - a) to observe the existing scale of the town in all new developments, to respect its character, its dominant buildings and its relation to the landscape,
    - b) to retain the specific visual qualities of urban spaces, streets and squares not only in isolated "tradition islands" but throughout the town's fabric, so as to provide, at the very least, a continuous network linking the main points of interest,
    - c) to avoid the destruction of historic elements which, at first sight, might seem to be of minor importance but whose cumulative loss would be irretrievable,
    - d) to search for appropriate new uses for empty buildings which would otherwise be threatened with decay.

- (iv) Methods for surveying, assessing and protecting the character of smaller historic towns must be developed, as a premise to their conservation. Technical, legal and financial problems should be taken fully into account. The exchange of experiences is an important aid. The UNESCO-ICOMOS Documentation Centre might undertake the collection of relevant information to put at the disposal of all.

- (v) It is, finally, essential to stimulate a sense of pride in their historic environment and a sense of responsibility for its maintenance among the inhabitants of smaller towns and among their political representatives, as a basic condition for the long-term success of conservation Policy.

6. In many places, the preservation of smaller towns has largely been the result of local initiative and such worthwhile activities must be encouraged and supported. The problems of urban conservation are, however, growing too complex for private action and purely local initiative. The future must see stronger and more comprehensive national and regional legislation to encourage the conservation of smaller historic towns, and to protect them from the threat of property speculation.

Rothenburg ob der Tauber, 29-30th May 1975.

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INTERNATIONAL COUNCIL ON MONUMENTS AND SITES ICOMOS CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES
DOCUMENTATION CENTRE UNESCO - ICOMOS CENTRE DE DOCUMENTATION

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CHARTER FOR THE CONSERVATION OF HISTORIC TOWNS AND URBAN AREAS
(*Washington Charter - 1987*)

Adopted by ICOMOS General Assembly in Washington D.C., October 1987

PREAMBLE AND DEFINITIONS

All urban communities, whether they have developed gradually over time or have been created deliberately, are an expression of the diversity of societies throughout history.

This charter concerns historic urban areas, large and small, including cities, towns and historic centres or quarters, together with their natural and man-made environments. Beyond their role as historical documents, these areas embody the values of traditional urban cultures. Today many such areas are being threatened, physically degraded, damaged or even destroyed, by the impact of the urban development that follows industrialisation in societies everywhere.

Faced with this dramatic situation, which often leads to irreversible cultural, social and even economic losses, the International Council on Monuments and Sites (ICOMOS) deems it necessary to draw up an international charter for historic towns and urban areas that will complement the "International Charter for the Conservation and Restoration of Monuments and Sites," usually referred to as "The Venice Charter." This new text defines the principles, objectives, and methods necessary for the conservation of historic towns and urban areas. It also seeks to promote the harmony of both private and community life in these areas and to encourage the preservation of those cultural properties, however modest in scale, that constitute the memory of mankind.

As set out in the UNESCO "Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas" (Warsaw - Nairobi, 1976), and also in various other international instruments, "the conservation of historic towns and urban areas" is understood to mean those steps necessary for the protection, conservation and restoration of such towns and areas as well as their development and harmonious adaptation to contemporary life.

PRINCIPLES AND OBJECTIVES

1. In order to be most effective, the conservation of historic towns and other historic urban areas should be an integral part of coherent policies of economic and social development and of urban and regional planning at every level.

2. Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially:

a) Urban patterns as defined by lots and streets;

b) Relationships between buildings and green and open spaces;

c) The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration;

d) The relationship between the town or urban area and its surrounding setting, both natural and man-made; and

e) The various functions that the town or urban area has acquired over time.

Any threat to these qualities would compromise the authenticity of the historic town or urban area.

3. The participation and the involvement of the residents are essential for the success of the conservation programme and should be encouraged. The conservation of historic towns and urban areas concerns their residents first of all.

4. Conservation in a historic town or urban area demands prudence, a systematic approach and discipline. Rigidity should be avoided since individual cases may present specific problems.

METHODS AND INSTRUMENTS

5. Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies.

Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics.

The principal objectives of the conservation plan should be clearly stated as should the legal, administrative and financial measures necessary to attain them.

The conservation plan should aim at ensuring a harmonious relationship between the historic urban areas and the town as a whole.

The conservation plan should determine which buildings must be preserved, which should be preserved under certain circumstances and which, under quite exceptional circumstances, might be expendable.

Before any intervention, existing conditions in the area should be thoroughly documented.

The conservation plan should be supported by the residents of the historic area.

6. Until a conservation plan has been adopted, any necessary conservation activity should be carried out in accordance with the principles and the aims of this Charter and the Venice Charter.

7. Continuing maintenance is crucial to the effective conservation of a historic town or urban area.

8. New functions and activities should be compatible with the character of the historic town or urban area.

Adaptation of these areas to contemporary life requires the careful installation or improvement of public service facilities.

9. The improvement of housing should be one of the basic objectives of conservation.

10. When it is necessary to construct new buildings or adapt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size.

The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an area.

11. Knowledge of the history of a historic town or urban area should be expanded through archaeological investigation and appropriate preservation of archaeological findings.

12. Traffic inside a historic town or urban area must be controlled and parking areas must be planned so that they do not damage the historic fabric or its environment.

13. When urban or regional planning provides for the construction of major motorways, they must not penetrate a historic town or urban area, but they should improve access to them.

14. Historic towns should be protected against natural disasters and nuisances such as pollution and vibrations in order to safeguard the heritage and for the security and well-being of the residents.

Whatever the nature of a disaster affecting a historic town or urban area, preventative and repair measures must be adapted to the specific character of the properties concerned.

15. In order to encourage their participation and involvement, a general information programme should be set up for all residents, beginning with children of school age.

16. Specialised training should be provided for all those professions concerned with conservation.

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Derni re mise jour: 05/06/2003 -

Charter for the Conservation of Historic Towns and Settlements of Japan
The 'Machinami Charter'

Adopted by the Japanese Association for Machi-nami Conservation and Regeneration, in Otcober 2000.
Assented to by ICOMOS Japan National Committee, in December 2000.

Preamble

Those of us who wish to uphold the tradition of historic towns and settlements for future generations hereby proclaim a 'Charter for the Conservation of Historic Towns and Settlements of Japan'. Herein the term 'Historic Towns' refers not only to those towns whose streets are lined with traditional buildings, but includes settlements and surrounding settings where such traditional buildings are found.

To conserve historic towns means to respect, protect and foster the historic and cultural characteristics of a specific area, which also leads to protecting and fostering the history and culture of Japan. Historic towns are the cultural heritage of all Japanese people, and therefore, all Japanese people are responsible for their continuing existence.

The conservation of historic towns in Japan began in local cities with a rich historic background, at a time when the natural and historic environments were being destroyed on a wide scale. This has grown to full-scale in places such as Kyoto and Tsumago, and rapidly expanded into a movement of residents and citizens in several other regions. In 1975 the Law for the Protection of Cultural Properties was revised, and the system of Preservation Districts for Groups of Historic Buildings was established.

The Japanese Association for Machi-nami Conservation and Regeneration, was founded in 1974 as a liaison and co-operation organisation for local residents' movements, in all regions that promote the conservation of historic towns. It has held the National General Meeting for Historic 'Machinami' Towns every year since 1978. The Japanese Association for Machi-nami Conservation and Regeneration has proposed conservation of historic towns as an effective method and way of thinking for *machizukuri* 'community building', and has encouraged activities led mainly by residents' and citizens' movements.

We believe that the right to live in a generous and comfortable environment is included in the fundamental human rights acknowledged by the Japanese Constitution, and that historic towns are an important structural component of such an environment. In respect to working out urban and regional planning, we ask that the value of historic heritage be acknowledged, and that the historic context of the region be given serious consideration.

At the present time, various projects related to the conservation of historic towns are being developed. However, although the value of historic towns is becoming more widely acknowledged than it has in the past, the risk of invaluable towns disappearing still persists in various places. This charter has been written out to encourage the rediscovery of history and culture in areas that contain historic heritage, and to promote *machizukuri* with pride and attachment. It is our desire that the theory and principles of town conservation presented here will be shared by a wide range of people, and that the charter will become useful in *machizukuri* that takes into account the individual character of each location.

1. Definition of historic towns

Historic towns specify a group of houses and the surrounding artificial and natural environments, which compose the living space of an area. The term also refers to the complete overview of the life and activities of residents within this space. As much of the contemporary Japanese daily life environment moves towards a trend of urbanisation and homogenization, historic towns play an increasingly significant role in recounting the history of Japanese life, and furthermore, as bridges linking the past and the future.

Historic towns today have inherited from the distinctive qualities of former times, when the local community was lively and the people living in an area shared a common set of values. These people had pride, and felt responsibility and obligation in keeping their towns. Historic towns can thus be regarded as the expression of a comprehensive system of such values.

2. Elements composing historic towns

Elements such as the house and its surrounding settings, along with the life that develops within it, can be considered as one indivisible whole.

The material elements that compose historic towns are not only restricted to houses, architecture and built structures, but also include agricultural

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land, forests and vegetation, mountains, landforms such as rivers, lakes, and seaside. These do not only compose the nearby and distant landscape, but were as a whole, the stage for the daily life and activities of the residents. The harmony created between man-made structures including houses, and the natural landscape extending around them, is the source of attraction held by historic towns.

3. Conservation of historic towns

The aim of conserving historic towns is not only to save groups of houses and the surrounding landscape as material objects, but to attempt to reconstruct the relationships between the daily life of the residents, the houses, and the surrounding settings. In contemporary civilisation where everything changes rapidly, it is extremely difficult to keep things looking exactly as they have in the past. By carefully protecting our historic heritage, we reveal the intrinsic system of values specific to a given area, and continue the endeavour to hand these on accurately to following generations.

4. Traditional Japanese houses and characteristics of their organisation

Generally speaking, traditional Japanese houses as material objects and their grouping have the following characteristics.

a. The main structure is composed of timber posts and beams. The concept of the wall as a weight-bearing structure has not been utilised. In order to respond to climatic conditions, large openings that ensure ventilation and keep exposure to sunshine at a minimum have always been required.

b. The house combines working and living spaces. The *doma* (beaten earth-floored area) which occupies nearly half of the ground floor, parts of the *toori-niwa* (*doma* that extends through the house), as well as those rooms facing the street, can be considered as space used for vocation or housekeeping work.

c. The inner living space with boarded or *tatami* floor, has several successive rooms separated by light partitions. The order of *omote* (front, or formal) to *oku* (back, or domestic) is determined by the relationship of the rooms to the entrance, or the presence of simple fittings. This order is bound to an expression of formality and social relationships, more than functionality.

d. These houses are placed under similar environmental conditions, which give their style homogeneity. Houses with the aforementioned characteristics, grouped according to certain rules (e.g. alignment alongside roads) compose historic towns and settlements.

5. Composition and characteristics of historic towns

In the case of historic towns, at the time when a town or settlement was founded, the topography and natural conditions were skilfully read so that the boundaries could be fixed, and the road network, waterways and distribution of the site could be set. A hierarchical relationship between buildings and roads, as well as the distribution of large or small sites and buildings were determined. This position of roads and site allotments remain even today. In many cases, even though there might have been changes in the style or appearance, ditches and waterways have kept their former position and function. In other words, historic towns, because they retain the important elements that make up the frame of a town, transmit the layout of the town. These traditional architectural groups or structures, together with the regional heritage, are the artefacts that show the layout and history of the town and the settlement. These then become the main core of *machizukuri*.

6. The importance of conservation

The topography and the nature of ground, a climate with high temperature and high humidity, and the fact that architectural structures are built of mainly vegetal material, can all be the cause of severe disasters. Due to such conditions, the typical life span of traditional Japanese housing is short. In spite of this, what has formed historic towns rich in local character, is a continuous practice of conservation, which includes the transmission of techniques to replace decayed material with new material, and is the result of a cycle that has been repeated many times over the course of centuries. Moreover, techniques, customs, and a set of values locally held in common, are integrated into daily life and the traditional events of the year. The role that these have fulfilled in maintaining historic towns is not small. In terms of historic towns' conservation, it is necessary to appreciate the importance of maintenance of the buildings and their surroundings.

7. Towns to keep living in

Conservation of historic towns differs from the conservation of historic monuments, mainly because it is impossible to restrict the object of conservation to the material elements within given limits, as it would be for historic monuments. The continued use of traditional techniques linked to architecture, and daily living within certain standards, are also considered important actions leading directly to conservation. In other words, conservation of traditional houses or structures -as material objects- is an important element in the conservation of

historic towns, but not its final purpose. That people should remain living there, that a vibrant life should develop, and that traditions be given new life and revive, is the aim of the conservation of historic towns.

8. Adapting to changes

Conservation of historic towns is compatible with the respect of authenticity (composed of factors such as design, material, techniques, setting, tradition, function, etc.) that has become the international standard in cultural heritage conservation. To keep living in historic towns is to keep questioning the meaning and contents of authenticity within life, and is even a necessary condition to bring dynamism into tradition.

As long as life and vocational occupations continue, changes are impossible to avoid. Accepting changes while respecting the authenticity of historic towns is a challenge that the local district should address collectively. These changes come in such forms as inevitable exchange of material, addition of new functions, reuse of design or space from the past, and influence of overwhelming foreign culture. For such changes not to have a destructive impact on traditions it is necessary to be prepared to constantly rediscover and confirm historic values.

9. Residents-led *machizukuri*

The main constituents of the conservation of historic towns are the residents of that district and the local community. This is because historic towns are the record of how the ancestors of the residents have lived, and the fruit of their labours. That residents become conscious of local history and cultural uniqueness -including intangible performing arts, religions, and festivals, transmit them orally, inherit and emphasize them is the basis of future local development.

Every local charter for the conservation of historic towns has so far played a great role in forming mutual agreement among the local community. Local residents should make express provision of theories, rules, and aims for historic towns' conservation that reflect cultural uniqueness in charters or norms, and make the most of them in their daily conservation action. This practice, in conjunction with the process of harmonious teamwork, is effective in *machizukuri* conducted by local residents. It is expected that this charter will henceforth be useful in every region as a common reference for this aim.

In conservation plans made on the basis of long-term perspectives, issues such as: characteristics that the area should enforce and take over, acceptable limits of alterations, their concrete guiding principles, functionality of houses or fire prevention, must be defined after thorough independent discussion of residents.

10. Residents' movements and education

The movement for the conservation of historic towns was initially aimed at conservation of cultural properties, but progressively deepened and expanded as a movement by which residents themselves reassess culture, and even characterise local features. In present times this movement can be expected to have numerous faces, as one of many environmental movements of the 21st century.

In order to encourage understanding and pride towards conservation among residents, sustained environmental education is necessary. More specifically, one should be aware of the risks present in periods of change from one generation to the next. The main tenets of conservation of historic towns have not yet been established. Within the environmental problems that have expanded into planetary scale, conservation of historic towns is one of the key issues that must be asserted, and repositioned continually. It is also necessary to make the effort to include the problem of historic towns' conservation as a part of environmental education programs for children.

11. Duties and co-operation of administration, scholars and experts

We acknowledge that measures and assistance by the central government and regional municipalities in the conservation of historic towns, apart from those in the system of Protection of Cultural Properties are gradually becoming more numerous. Regional municipalities are expected to provide both administrative and financial support to *machizukuri* based on the conservation of historic towns led by residents. This *machizukuri* having a comprehensive character, support that goes beyond the frame of vertically divided administration and free from established practice is necessary.

Scholars and experts are expected to provide their point of view, and consult the residents through survey and evaluation of historic towns. It is important that residents, public administration, scholars and experts, while appreciating each other's fields, specialities and positions, cooperate in the comprehensive and continuous activity that is the conservation of historic towns.

When promoting the conservation of historic towns, it is not possible to do so without the support and co-operation of various professional associations or organisations whose aim is historic heritage conservation. Support from organisations having an international scope is especially sought after.

12. Disaster prevention

Historic towns are very often areas with a high density of wooden buildings that are susceptible to fire. Damage also occurs from rising rivers, landslides, typhoons, earthquakes and other natural disasters. A vast amount of wisdom has been passed down from the ancient times, such as how to set up buffer zones for protection from fires, improvement of fire resistance of houses, or the selection of place of residence to prevent water damage. Against any disaster or danger, a strategy should be established in order to limit damages to the historical heritage to a minimum. Likewise, it is expected that techniques to reinforce structural weak points inherent to wooden buildings be established and propagated. On these occasions, it is important to learn from the wisdom of our ancestors.

Municipalities and specialists must be concerned that methods for solving the problems of buildings are not comprehensive, and are asked to quickly prepare an effective plan for fire and disaster prevention, that respects the characteristics to be inherited by historic towns.

13. Tourism and activation of local economy

To be in contact with historic heritage, to learn from it and to be moved by it, is a pleasure shared in common by a great number of people. There are an increasing number of cases where tourism is undertaken based upon traditional industries, and encourages the activation of the area. Tourists and local residents discovering and letting traditional culture grow in mutual communication are to be the new form of tourism in historic towns.

To accept a more than adequate number of tourists prompts historic towns into becoming places 'excessively dominated by tourists', be it only locally. Due to a lack of organisation in external investments and too much emphasis placed on tourists' demands, the phenomenon by which places become 'excessively dominated by tourists' continues. This may, in many cases, cause the loss of characteristics of historic towns. Furthermore, it can also turn tourism into 'pollution', threatening residential life.

We seek to realise harmony between historic towns and tourism, and aspire to an ideal cultural tourism.

14. Securing traditional techniques and material

Historic towns are composed of buildings and structures constructed with traditional techniques and materials, that are prone to damage and changes. The techniques accumulated so far in the repair of cultural property, and trained craftsmen, are equally indispensable to conservation of historic towns and cultural heritage in Japan. Securing materials and techniques that indicate the specificity of the area is becoming an urgent task for the conservation of traditional buildings. We support training courses for craftsmen, mastering of techniques, and so forth.

No effort will be spared in order to secure materials or promote talents that compose elements of traditional Japanese architecture.

15. Cooperation and requests to architects involved in town conservation, and other related associations

In Japan, it has been pointed out that architects have been building without consideration for the surrounding environment. Architects require a deep insight into the surroundings of the place where the construction of the building is planned. In recent years, examples of buildings that evaluate and use the characteristics of traditional buildings, and give consideration to the characteristics of towns have increased. We welcome such activities of architects rooted in local culture, and show solidarity with them.

It is the duty of urban planners to make plans such that the history of the area is not interrupted.

Respect for the specific character of historic towns is also required on the part of housing developers.

We ask each related association and organisation for co-operation in the search relating to the design of buildings, urban planning, and regional planning worthy of historic towns' conservation.

16. Respect of international standards and international communication

Conservation of historic towns in one country simultaneously attracts other countries' attention. As indicated by the 'World Heritage', a large number of cultural properties have characteristics that transcend one country, as heritage common to humankind. Representing international general principles concerning conservation of cultural heritage are documents such as the Venice Charter, and the Nara Document. Concerning conservation of historic towns, are the Washington Charter, the Tlaxcala Declaration, etc. We have great respect for these international principles.

We make efforts so that all people from the world can enjoy prosperous and attractive Japanese historic towns. At the same time, we pay respect to residents, citizens and experts who make efforts to conserve historic heritage in all countries, and wish to have fruitful communication with these people. It is also our wish that within the international community where diverse sets of values intermingle, people from every country appreciate each other's conservation of historic towns, and sympathise.

17. Hope for the 21st century

The 21st century is a century within which we may overcome the 20th century's hardships such as wars, poverty, and racial discrimination. It is a century of hope in which to build a generous society where humankind is equal.

Conservation of historic towns necessitates peace, and is incompatible with thinking that denies the diversity of countries' and peoples' values. The very action of conserving historic towns and handing them on to the next generations is a means of communication that does not require the use of media such as words or images. We are confident that this is an accurate transmission of our message. We promote the conservation of historic towns not only within Japan, but also through international activities and communication in conservation of historic towns, by supporting and learning from one another.

We believe that conservation of historic towns becomes a continuous, worthy and pleasant activity for local residents, where they themselves are the leading figures of *machizukuri*. It is with hope that we welcome the 21st century, and promote the conservation of historic towns.

The secretarial board of the Japanese Association for Machi-nami Conservation and Regeneration, which is its highest legislative body, has held its autumn secretarial board meeting on 6th October, 2000 in Nichinan City (Miyazaki Prefecture), and has approved this 'Charter for the Conservation of Historic Towns and Settlements of Japan'. The Charter was then adopted at the 23rd General Meeting of 'Machinami' Towns held on the 8th of the same month.

Hereby undersigning, on behalf of all people who love Japanese historic towns,

President of the Japanese Association for Machi-nami Conservation and Regeneration

Daisuke IGARASHI (signature)

The Japan ICOMOS National Committee, in its General Assembly held 16th December 2000, has decided to show deference to the Japanese Association for Machi-nami Conservation and Regeneration for having completed and adopted this Charter as a result of long years of thorough debate. The Committee has also decided to assent to the intent of this Charter.

And as a testimony to this, the President of the Committee hereby undersigns:

Japan ICOMOS National Committee, the President of the Committee

Akira ISHII (signature)

Note about the English translation

The aim of this English translation of the Machinami Charter is to bring to light the way Japanese people approach and feel about the conservation of their historic living environment, and to help promote exchange and dialogue among people of all countries who are concerned about similar issues. Therefore, it is the intent of this translation to stay as close as possible to the original Japanese text. While at times the English may appear to be somewhat awkward, the translator believes that keeping to the substance and nuance of the original Japanese text, is the best way for the Charter to raise questions and become the basis of fruitful discussion, dialogue and exchange.

Glossary of some key terms of this Charter:

Machinami Shuuraku 町並み・集落 – Historic towns and Settlements

Machinami, usually translated as 'Historic Town', is a Japanese word that includes a nuance of the historic core, in both its tangible and intangible factors, its physical and spiritual aspects, that would be created by a 'bond of spirits'. It also contains the tone of making a line, hand-in-hand, that applies both to buildings and to people. *Shuuraku*, the Japanese word for 'settlement', is often translated as village. In this Charter it also contains an idea of a community's surrounding natural and cultural environment.

Machizukuri まちづくり – Community building

Machizukuri translated 'Community Building' in this Charter, is a Japanese word that contains a range of concepts that can lead to a variety of actions related to economical, spiritual, and physical community planning and building. These could also be articulated by different expressions according to the particular context, such as community revitalisation, neighbourhood preservation, or planning with community involvement.

Translation from Japanese to English Yumi Isabelle AKIEDA
Tokyo National University of Fine Arts and Music, September 2001

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European Landscape Convention

Florence, 20.X.2000

Explanatory Report
Français

Non-official translations are available here :
Heritage and Landscape - Website

Preamble

The member States of the Council of Europe signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage, and that this aim is pursued in particular through agreements in the economic and social fields;

Concerned to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment;

Noting that the landscape has an important public interest role in the cultural, ecological, environmental and social fields, and constitutes a resource favourable to economic activity and whose protection, management and planning can contribute to job creation;

Aware that the landscape contributes to the formation of local cultures and that it is a basic component of the European natural and cultural heritage, contributing to human well-being and consolidation of the European identity;

Acknowledging that the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas;

Noting that developments in agriculture, forestry, industrial and mineral production techniques and in regional planning, town planning, transport, infrastructure, tourism and recreation and, at a more general level, changes in the world economy are in many cases accelerating the transformation of landscapes;

Wishing to respond to the public's wish to enjoy high quality landscapes and to play an active part in the development of landscapes;

Believing that the landscape is a key element of individual and social well-being and that its protection, management and planning entail rights and responsibilities for everyone;

Having regard to the legal texts existing at international level in the field of protection and management of the natural and cultural heritage, regional and spatial planning,

local self-government and transfrontier co-operation, in particular the Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 19 September 1979), the Convention for the Protection of the Architectural Heritage of Europe (Granada, 3 October 1985), the European Convention on the Protection of the Archaeological Heritage (revised) (Valletta, 16 January 1992), the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid, 21 May 1980) and its additional protocols, the European Charter of Local Self-government (Strasbourg, 15 October 1985), the Convention on Biological Diversity (Rio, 5 June 1992), the Convention concerning the Protection of the World Cultural and Natural Heritage (Paris, 16 November 1972), and the Convention on Access to Information, Public Participation in Decision-making and Access to Justice on Environmental Matters (Aarhus, 25 June 1998);

Acknowledging that the quality and diversity of European landscapes constitute a common resource, and that it is important to co-operate towards its protection, management and planning;

Wishing to provide a new instrument devoted exclusively to the protection, management and planning of all landscapes in Europe,

Have agreed as follows:

Chapter I – General provisions

Article 1 – Definitions

For the purposes of the Convention:

a "Landscape" means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors;

b "Landscape policy" means an expression by the competent public authorities of general principles, strategies and guidelines that permit the taking of specific measures aimed at the protection, management and planning of landscapes;

c "Landscape quality objective" means, for a specific landscape, the formulation by the competent public authorities of the aspirations of the public with regard to the landscape features of their surroundings;

d "Landscape protection" means actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity;

e "Landscape management" means action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes;

f "Landscape planning" means strong forward-looking action to enhance, restore or create landscapes.

Article 2 – Scope

Subject to the provisions contained in Article 15, this Convention applies to the entire territory of the Parties and covers natural, rural, urban and peri-urban areas. It includes land, inland water and marine areas. It concerns landscapes that might be considered outstanding as well as everyday or degraded landscapes.

Article 3 – Aims

The aims of this Convention are to promote landscape protection, management and planning, and to organise European co-operation on landscape issues.

Chapter II – National measures

Article 4 – Division of responsibilities

Each Party shall implement this Convention, in particular Articles 5 and 6, according to its own division of powers, in conformity with its constitutional principles and administrative arrangements, and respecting the principle of subsidiarity, taking into account the European Charter of Local Self-government. Without derogating from the provisions of this Convention, each Party shall harmonise the implementation of this Convention with its own policies.

Article 5 – General measures

Each Party undertakes:

a to recognise landscapes in law as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity;

b to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of the specific measures set out in Article 6;

c to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b above;

d to integrate landscape into its regional and town planning policies and in its cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape.

Article 6 – Specific measures

A Awareness-raising

Each Party undertakes to increase awareness among the civil society, private organisations, and public authorities of the value of landscapes, their role and changes to them.

B Training and education

Each Party undertakes to promote:

a training for specialists in landscape appraisal and operations;

b multidisciplinary training programmes in landscape policy, protection, management and planning, for professionals in the private and public sectors and for associations concerned;

c school and university courses which, in the relevant subject areas, address the values attaching to landscapes and the issues raised by their protection, management and planning.

C Identification and assessment

1 With the active participation of the interested parties, as stipulated in Article 5.c, and with a view to improving knowledge of its landscapes, each Party undertakes:

a i to identify its own landscapes throughout its territory;

ii to analyse their characteristics and the forces and pressures transforming them;

iii to take note of changes;

b to assess the landscapes thus identified, taking into account the particular values assigned to them by the interested parties and the population concerned.

2 These identification and assessment procedures shall be guided by the exchanges of experience and methodology, organised between the Parties at European level pursuant to Article 8.

D Landscape quality objectives

Each Party undertakes to define landscape quality objectives for the landscapes identified and assessed, after public consultation in accordance with Article 5.c.

E Implementation

To put landscape policies into effect, each Party undertakes to introduce instruments aimed at protecting, managing and/or planning the landscape.

Chapter III – European Co-Operation

Article 7 – International policies and programmes

Parties undertake to co-operate in the consideration of the landscape dimension of international policies and programmes, and to recommend, where relevant, the inclusion in them of landscape considerations.

Article 8 – Mutual assistance and exchange of information

The Parties undertake to co-operate in order to enhance the effectiveness of measures taken under other articles of this Convention, and in particular:

a to render each other technical and scientific assistance in landscape matters through the pooling and exchange of experience, and the results of research projects;

b to promote the exchange of landscape specialists in particular for training and information purposes;

c to exchange information on all matters covered by the provisions of the Convention.

Article 9 – Transfrontier landscapes

The Parties shall encourage transfrontier co-operation on local and regional level and, wherever necessary, prepare and implement joint landscape programmes.

Article 10 – Monitoring of the implementation of the Convention

1 Existing competent Committees of Experts set up under Article 17 of the Statute of the Council of Europe shall be designated by the Committee of Ministers of the Council of Europe to be responsible for monitoring the implementation of the Convention.

2 Following each meeting of the Committees of Experts, the Secretary General of the Council of Europe shall transmit a report on the work carried out and on the operation of the Convention to the Committee of Ministers.

3 The Committees of Experts shall propose to the Committee of Ministers the criteria for conferring and the rules governing the Landscape award of the Council of Europe.

Article 11 – Landscape award of the Council of Europe

1 The Landscape award of the Council of Europe is a distinction which may be conferred on local and regional authorities and their groupings that have instituted, as part of the landscape policy of a Party to this Convention, a policy or measures to protect, manage and/or plan their landscape, which have proved lastingly effective and can thus serve as an example to other territorial authorities in Europe. The distinction may be also conferred on non-governmental organisations having made particularly remarkable contributions to landscape protection, management or planning.

2 Applications for the Landscape award of the Council of Europe shall be submitted to the Committees of Experts mentioned in Article 10 by the Parties. Transfrontier local and regional authorities and groupings of local and regional authorities concerned, may apply provided that they jointly manage the landscape in question.

3 On proposals from the Committees of Experts mentioned in Article 10 the Committee of Ministers shall define and publish the criteria for conferring the Landscape award of the Council of Europe, adopt the relevant rules and confer the Award.

4 The granting of the Landscape award of the Council of Europe is to encourage those receiving the award to ensure the sustainable protection, management and/or planning of the landscape areas concerned.

Chapter IV – Final clauses

Article 12 – Relationship with other instruments

The provisions of this Convention shall not prejudice stricter provisions concerning landscape protection, management and planning contained in other existing or future binding national or international instruments.

Article 13 – Signature, ratification and entry into force

1 This Convention shall be open for signature by the member States of the Council of Europe. It shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

2 The Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date on which ten member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of the preceding paragraph.

3 In respect of any signatory State which subsequently expresses its consent to be

bound by it, the Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 14 – Accession

1 After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite the European Community and any European State which is not a member of the Council of Europe, to accede to the Convention by a majority decision as provided in Article 20.d of the Council of Europe Statute, and by the unanimous vote of the States parties entitled to hold seats in the Committee of Ministers.

2 In respect of any acceding State, or the European Community in the event of its accession, this Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 15 –Territorial application

1 Any State or the European Community may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which the Convention shall apply.

2 Any Party may, at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. The Convention shall take effect in respect of such territory on the first day of the month following the expiry of a period of three months after the date of receipt of the declaration by the Secretary General.

3 Any declaration made under the two paragraphs above may, in respect of any territory mentioned in such declaration, be withdrawn by notification addressed to the Secretary General of the Council of Europe. Such withdrawal shall become effective on the first day of the month following the expiry of a period of three months after the date of receipt of the notification by the Secretary General.

Article 16 – Denunciation

1 Any Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2 Such denunciation shall become effective on the first day of the month following the expiry of a period of three months after the date of receipt of the notification by the Secretary General.

Article 17 – Amendments

1 Any Party or the Committees of Experts mentioned in Article 10 may propose amendments to this Convention.

2 Any proposal for amendment shall be notified to the Secretary General of the Council of Europe who shall communicate it to the member States of the Council of Europe, to the others Parties, and to any European non-member State which has been invited to accede to this Convention in accordance with the provisions of Article 14.

3 The Committees of Experts mentioned in Article 10 shall examine any amendment proposed and submit the text adopted by a majority of three-quarters of the Parties' representatives to the Committee of Ministers for adoption. Following its adoption by the

Committee of Ministers by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the States parties entitled to hold seats in the Committee of Ministers, the text shall be forwarded to the Parties for acceptance.

4 Any amendment shall enter into force in respect of the Parties which have accepted it on the first day of the month following the expiry of a period of three months after the date on which three Council of Europe member States have informed the Secretary General of their acceptance. In respect of any Party which subsequently accepts it, such amendment shall enter into force on the first day of the month following the expiry of a period of three months after the date on which the said Party has informed the Secretary General of its acceptance.

Article 18 – Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, any State or the European Community having acceded to this Convention, of:

a any signature;

b the deposit of any instrument of ratification, acceptance, approval or accession;

c any date of entry into force of this Convention in accordance with Articles 13, 14 and 15;

d any declaration made under Article 15;

e any denunciation made under Article 16;

f any proposal for amendment, any amendment adopted pursuant to Article 17 and the date on which it comes into force;

g any other act, notification, information or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Florence, this 20th day of October 2000, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe and to any State or to the European Community invited to accede to this Convention.

BACK

האמנה האירופית לנוף

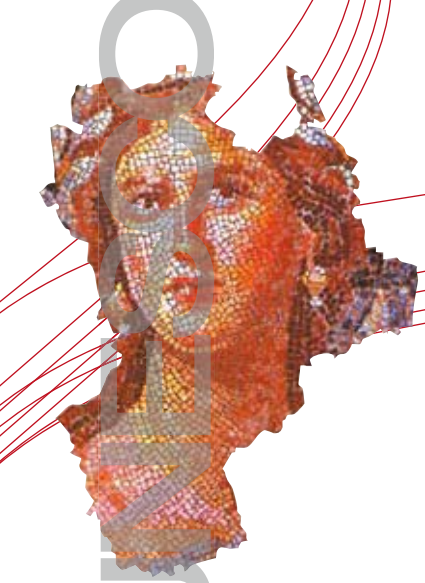
ICOMOS

האמנה האירופית לנוף

אומצה במושב ה-31 של הוועידה הכללית של אונסקו, 2 בנובמבר 2001

* תורגם על-ידי הוועד הישראלי לאונסקו 2003

BACK



האמנה האירופית לנוף

פירנצה, 20 באוקטובר, 2000

פתח דבר

המדינות החברות במועצת אירופה והחתומות בזה,

מתוך הכרה בשאיפתה של מועצת אירופה להגיע לאחדות גדולה יותר בין החברות בה למען המטרה של ההבטחה והמימוש של האידיאלים והעקרונות שהם מורשתן המשותפת, ומאחר שהחתירה לקראת מימוש של שאיפה זו מתבצעת בפועל באמצעות הסכמים בתחומים הכלכלי והחברתי;

מתוך דאגה להשיג פיתוח בר קיימא המבוסס של מערכת יחסים מאוזנת והרמונית בין צרכים חברתיים, פעילות כלכלית והסביבה;

מתוך ידיעה שנוף מבטא אינטרס ציבורי בתחומי התרבות, האקולוגיה, הסביבה והחברה, והנוף הוא משאב נוח לפעילות כלכלית ושההגנה עליו, ניהולו ותכנונו יכולים לתרום ליצירת מקומות עבודה;

מתוך מודעות לתרומת הנוף לעיצוב תרבויות מקומיות ולהיותו מרכיב בסיסי במורשת הטבעית והתרבותית של אירופה ולתרומתו לרווחה האנושית ככל ל ולגיבוש הזהות האירופית בפרט;

מתוך הכרה בחשיבות הנוף כמרכיב באיכות החיים של אנשים בכל מקום: בסביבות עירוניות ובאזורים הכפריים, בשטחים מוזנחים כמו בשטחים בעלי איכות גבוהה, באזורים הנודעים לכל ביופיים כמו גם באזורים רגילים וחסרי ייחוד;

מתוך ראייה כי התפתחויות בטכנולוגיה של החקלאות, הייעור , התעשייה והפקת המחצבים ובפיתוח אזורי, תכנון עירוני, תעבורה, תשתיות, תיירות ונופש וברמה הכללית יותר - בשינויים בכלכלה העולמית – מביאים במקרים רבים לשינויים מואצים בנוף;

מתוך שאיפה להיענות למאווי הציבור ליהנות מנופים באיכות גבוהה ולמלא תפקיד פעיל בפיתוחם של נופים;

מתוך אמונה כי הנוף הוא אבן יסוד של הרווחה האישית והחברתית ומתוך הבנה כי הצורך בהגנתו, בניהולו ובתכנונו פירושו זכויות ואחריות המוטלות על כולנו;

מתוך הערכה לטקסטים חוקיים ברמה הבין-לאומית בתחום של הגנה וניהול המורשת הטבעית והתרבותית, תכנון אזורי ומרחבי, שלטון עצמי מקומי ושיתוף פעולה חוצה גבולות, ובפרט- "האמנה להגנה על חיות הבר ועל בתי הגידול הטבעיים" (ברן, 19 בספטמבר,1979), " האמנה לשימור המורשת הארכיטקטונית של אירופה" (גרנדה, 3 באוקטובר 1985), "האמנה האירופית להגנה על המורשת הארכיאולוגית", (התיקון) (ולטה, 16 בינואר, 1992), "האמנה בראשי פרקים

על שיתוף פעולה חוצה גבולות בין קהילות טריטוריאליות" והפרוטוקולים הנלווים אליה (מדריד, 21 במאי, 1980), "מנשר הזכויות האירופית לממשל עצמי מקומי" (שטרסבורג, 15 באוקטובר 1985), "האמנה לשוני ביולוגי" (ריו, 5 ביוני 1992), "האמנה להגנה על המורשת התרבותית והטבעית של העולם", (פריז, 16 לנובמבר 1972), ו"האמנה בעניין הנגישות למידע, ההשתתפות הציבורית בתהליכי קבלת – החלטות והנגישות למערכת המשפט בנושאים הסביבתיים" (ארהוס, 25 ליוני 1998);

מתוך ההכרה שהאיכות והשונות של הנופים האירופיים הן משאב משותף וכי חשוב לשתף פעולה למען הגנתם של נופים אלו, ניהולם ותכנונם;

מתוך רצון לספק כלי חדש שיוקדש בלעדית להגנה של כל תצורת הנוף באירופה, לניהולם ולתכנונן.

הגענו להסכמות שלהלן:

פרק -1 תנאים כלליים-

סעיף 1 הגדרות

לצורכי האמנה:

I. "נוף" פירושו שטח, כפי שבני אדם מבינים אותו, שאופיו נובע מפעולתם של גורמים טבעיים ואנושיים ומפעולות גומלין ביניהם;

II. "מדיניות נוף" פירושה שהרשויות הציבוריות המוסמכות מבטאות עקרונות כליים, אסטרטגיות וקווים מנחים המאפשרים נקיטת צעדים מוגדרים במטרה להגן על נופים, לנהלם ולתכננם;

III. "יעד איכות נוף" פירושו, במה שנוגע לנוף מסוים, שהרשויות הציבוריות המוסמכות לכך ינסחו את מאווי הציבור בקשר עם תצורות הנוף שבסביבתם;

IV. "הגנה על הנוף" פירושה פעולות לשימור ותחזוקה של תווי נוף משמעותיים או אופניים, לאור ערכם כמורשת, הנובע מתבניתם הטבעית ו.או מפעילות אנוש;

V. "ניהול נוף" פירושו פעילות, מעוגנת בפרספקטיבה של פיתוח בר-קיימא, שמטרתה להבטיח את תחזוקתו השוטפת של נוף באופן שיבטא שיוניים הנובעים מתהליכים חברתיים, כלכליים וסביבתיים ויתאמם;

VI. "תכנון נוף" פירושו פעולה נמרצת במבט –קדימה כדי לשפר נופים, לשקמם או ליצור אותם.

סעיף 2 – היקף

בהתאם לתנאים שבסעיף (15), אמנה זו נוגעת לכלל הטריטוריה של הצדדים המיוצגים בה וחלה על אזורים טבעיים, כפריים, עירוניים ופרבריים, ובהם אזורי יבשה, שטחי מים פנימיים ושטחים ימיים. היא חלה על נופים שיכולים להיחשב מרשימים ויוצאי דופן אך גם על נופים "רגילים" או כאלה שמצבם מוזנח.

סעיף 3 – מטרות

מטרות האמנה הן לקדם הגנה, ניהול ותכנון של נופים, ולארגן שיתוף פעולה תוך- אירופי בנושאים אלו.

פרק -2 אמצעים ברמה הלאומית

סעיף 4 - חלוקת האחריות

כל צד יישם אמנה זו, בפרט את סעיפים (5) ו-(6), על פי מבנה הכוחות שלו, ובהתאמה לעקרונות החוק הקיים והנהלים המנהליים המקובלים בו והתייחסות לחקיקה משנית, והתחשבות במגילת הזכויות האירופית לשלטון עצמי מקומי. מבלי לגרוע מתנאי אמנה זו, על כל אחד מהצדדים לדאוג ליישם את האמנה על פי מדיניותו הוא.

סעיף 5 – אמצעים כלליים

כל צד מקבל עליו:

I. להכיר בנופים במסגרת החוק כמרכיב חיוני בסביבה האנושית, כביטוי לשונות של המורשה התרבותית והטבעית של עמים וכאבן יסוד של זהותם;

II. לקבוע מדיניות נוף וליישמה במטרה להגן על נופים, לנהלם ולתכננם על פי הצעדים המוגדרים להלן בסעיף (6)

III. להגדיר נהלים לשיתוף כלל הציבור, רשויות מקומיות ואזוריות וצדדים אחרים בעלי עניין של מדיניות נוף כפי שתוארה בסעיף (ב) שלעלי וביישומה.

IV. להביא את הנוף בחשבון בתכנון עירוני ואזורי ובמדיניות התרבותית, הסביבתית, החקלאית החברתית והכלכלית, ובכל מדיניות אחרת שיכולה להיות לה השפעה ישירה או בלתי ישירה על הנוף.

סעיף 6 – אמצעים מוגדרים

I. העלאת מודעות

כל צד מקבל עליו להעלות את המודעות בקרב האוכלוסייה האזרחית, ארגונים פרטיים ורשויות ציבוריות באשר לערכם של נופים, תפקידם והשינויים החלים בהם.

II. הכשרה וחינוך

כל צד מקבל עליו לקדם:

א. הכשרה למומחים בהערכת נופים ופעולות הנעשות בהם;

ב. תוכניות הכשרה רב-תחומיות במדיניות נופים, הגנה, ניהול ותכנון, לאנשי מקצוע מהמגזר הפרטי והציבורי ולארגונים המעורבים בתחום;

ג. קורסים בבתי ספר ובאוניברסיטאות שבהם יעסקו בערכים הקשורים בנופים ובשאלות העולות בקשר להגנתם, ניהולם ותכנונם, במסגרת המקצועות הרלוונטים לתחום.

III. זיהוי והערכה

1. בהשתתפות פעילה של הצדדים בעלי העניין, לפי התנאים שנקבעו בסעיף (5(ג)), ומתך רצון לשפר את הידע על הנופים בתחומיו, כל צד מקבל עליו:

I. 1. לזהות את אתרי הנוף ברחבי הטריטוריה שלו;

2. לנתח את המאפיינים שלהם ואת הכוחות והלחצים הפועלים לשנותם;

3. לעקוב אחר שינויים;

II. להעריך את הנופים שזוהו ועם זאת להתחשב בערכים הייחודיים שצדדים בעלי עניין והאוכלוסייה מייחסים להם.

2. תהליכי זיהוי והערכה אלו יכוונו למטרת חילופי ידע ושיטות עבודה שיארגנו הצדדים ביניהם ברמה האירופית, בהתאם לסעיף (8).

IV. יעדי איכות נוף

כל צד מקבל עליו להגדיר את יעדי איכות הנוף לנופים שהוגדרו והוערכו, לאחר התייעצות ציבורית לפי סעיף (5(ג)).

V. יישום

כדי ליישם את מדיניות הנוף בפועל, כל צד מקבל עליו להשתמש בכלים שמטרתם היא הגנה של נופים, ניהולם ו.או תכנונם.

פרק 3 - שיתוף פעולה אירופי

סעיף -7 מדיניות ותכניות בין- לאומיות

הצדדים מקבלים עליהם לשתף פעולה בקביעת ממד הנוף במדיניות ותכניות ברמה הבין-לאומית, ולהמליץ, לפי העניין , על שילוב שיקולים הנוגעים לנוף בתוכניות אלו.

סעיף 8 - עזרה הדדית וחילופי מידע

הצדדים מקבלים עליהם לשתף פעולה כדי להגביר את האפקטיביות של הצעדים הננקטים בסעיפים אחרים של אמנה זו, ובפרט:

I. להגיש זה לזה עזרה מדעית וטכנית בענייני נוף באמצעות יצירת מאגרי מידע ושיתוף בניסיון ובתוצאות תוכניות מחקר;

II. לעודד חילופי מומחים בתחום הנוף, בפרט לצרכי הכשרה וידע;

III. לחלוק מישע בכל הנושאים שהאמנה חלה עליהם.

סעיף 9 - נופים חוצי גבולות

הצדדים יעודדו שיתוף פעולה חוצה-גבולות ברמה המקומית והאזורית, ובמידת הצורך יכינו ויישמו בצוותא תכניות עבודה.

סעיף -10 ניטור יישום האמנה

1. ועדת השרים של מועצת אירופה תייסד ועדות מומחים מוסמכות הקיימות כיום על פי סעיף (17) של חוקת מועצת אירופה להיות אחראיות לניטור יישום האמנה.

2. בעקבות כל פגישה של ועדות המומחים, יעביר המזכיר הכללי של מועצת אירופה לוועדת השרים דין וחשבון על העבודה המתבצעת בשטח ועל יישום האמנה בפועל.

3. ועדות המומחים ימליצו לוועדת השרים על אמות המידה להענקת "פרס הנוף של מועצת אירופה", ועל החוקים שיחולו עליו.

סעיף 11 - "פרס הנוף של מועצת אירופה"

1. פרס הנוף של מועצת אירופה הוא פרס מצוינות שיוענק לרשויות מקומיות ואזוריות ולקבוצות שהנהיגו, ברוח מדיניות הנוף של אמנה זו ובתוקף היותם חתומים עליה, מדיניות או אמצעים להגנה, ניהול ו/או תכנון של הנופים שבחסותם, באופן שהוכח כיעיל לטווח ארוך ויכול על-כן לשמש דוגמה לרשויות טריטוריאליות אחרות באירופה. את מענק המצוינות יכולים לקבל גם ארגונים לא-ממשלתיים שתרמו תרומות יוצאות דופן להגנת הנוף, ניהולו או תכנונו.

2. הצגת מועמדות ל"פרס הנוף של מועצת אירופה" יש להגיש לוועדות המומחים הנזכרות בסעיף (10). רשויות מקומיות ואזוריות ואיגודים מקומיים ואזוריים של רשויות כאלה העובדים על בסיס חוצה-גבולות יכולים להציג מועמדות בתנאי שהם מנהלים בצוותא את הנוף שמדובר בו.

3. על פי המלצות של ועדות מומחים הנזכרות בסעיף (20) תגדיר ועדת השרים ותפרסם את אמות המידה להענקת "פרס הנוף של מועצת אירופה", תאמץ את החוקים המתאימים ותעניק את הפרס.

4. הענקת "פרס הנוף של מועצת אירופה" מיועדת לעודד את מקבלי הפרס לדאוג להגנה בר-קיימא, ניהול ו/או תכנון של אזורי הנוף שמדובר בהם.

פרק 50 חתימה

סעיף 12 - קשרים עם חקיקה אחרת

תנאי אמנה זו לא יחרגו מתנאים חמורים יותר להגנה, ניהול ותכנון של נופים כפי שהם מוגדרים במסמכים תקפים ברמה הלאומית או הבין- לאומית, הקיימים כיום או שהיו קיימים בעתיד, ולא יפגעו בהם.

סעיף 13 - חתימה, אשרור ומתן תוקף

1. המדינות החברות במועצת אירופה יוכלו לחתום על אמנה זו. היא תהיה כפופה לאשרור (ratification), קבלה (acceptance) או הסכמה (approval). מסמכים של אשרור, קבלה או הסכמה יופקדו בידי המזכיר הכללי של מועצת אירופה.

2. האמנה תיכנס לתוקף ביום הראשון בחודש שלאחר תום שלושה חודשים מהתאריך שבו עשר מדינות לברות של מועצת אירופה יביעו את הסכמתן להיות מחויבות על ידי האמנה בהתאם לתנאים המצוינים בפסקה הקודמת.

3. ביחס לכל מדינה חתומה שתביע את נכונותה להיות מחויבת על ידי האמנה, תיכנס האמנה לתוקף ביום הראשון בחודש לאחר תום שלושה חודשים מתאריך ההפקדה של מסמך האשרור הקבלה או ההסכמה.

סעיף 14 - הצטרפות

1. לאחר הכניסה לתוקף של אמנה זו, ועדת השרים של מועצת אירופה יכולה להזמין את הקהילה האירופית וכל מדינה אירופית שאיננה חברה במועצת אירופה, להצטרף לאמנה על פי החלטת רוב כמתואר בסעיף (20 (ד)) של חוקת מועצת אירופה ועל פי הצבעה פה אחד של המדינות החברות בעלות הזכאות להחזיק מושבים בוועדת השרים.

2. ביחס לכל מדינה מצטרפת או לקהילה האירופית, אם תצטרף, תיכנס אמנה זו לתוקף ביום הראשון בחודש לאחר תום שלושה חודשים מתאריך ההפקדה של מסמך ההצטרפות בידי המזכיר הכללי של מועצת אירופה.

סעיף 15 - החלה טריטוריאלית

1. כל מדינה או הקהילה האירופאית רשאים בעת החתימה או בזמן הפקדת משמך האשרור, הקבלה ההסכמה או ההצטרפות, לציין את הטריטוריה או הטריטוריות שעליהן תחול האמנה.

2. כל צד רשאי, בכל תאריך עתידי, להרחיב את הכלת האמנה לכל טריטוריה נוספת שתצוין בהצהרה שתימסר למזכיר הכללי של מועצת אירופה. האמנה תחול על כל טריטוריה החל מהיום הראשון בחודש לאחר תום שלושה החודשים מהתאריך שבו קיבל המזכיר הכלל את ההצהרה.

3. ניתן לבטל כל הצהרה שתיעשה לפי שתי הפסקות שלעיל בקשר על כל טריטוריה הנזכרת בהצהרה כזו באמצעות הודעה שתימסר למזכיר הכללי של מועצת אירופה. ביטול כזה יכנס לתוקף ביום הראשון בחודש לאחור תום שלושה חודשים מהתאריך שבו קיבל המזכיר הכלל את ההודעה.

סעיף 16 - פרישה

1. כל צד רשאי בכל זמן לפרוש מאמנה זו באמצעות הודעה שתימסר למזכיר הכללי של מועצת אירופה.

2. פרישה כזו תיכנס לתוקף מהיום הראשון של החודש לאחר תום תקופה של שלושה חודשים מהתאריך שהמזכיר הכללי קיבל את ההודעה.

סעיף 17 - תיקונים

1. כל צד או ועדת המומחים הנזכרת בסעיף (10) רשאים להציע שינויים לאמנה זו.

2. כל הצעה לתיקון תובא לידיעת המזכיר הכללי של מועצת אירופה, והוא יעבירה לידיעת כל המדינות החברות בה, לצדדים האחרים ולכל מדינה אירופית לא-חבירה שהוזמנה להצטרף לאמנה זו בהתאם לתנאים של סעיף (14).

3. ועדות המומחים הנזכרות בסעיף (10) יבחנו כל הצעת תיקון לגופה ויגישו לאישור ועדת השרים את הטקסט שאימץ רוב של שני שלישים מבין נציגויות הצדדים. בעקבות אישור ועדת השרים על פי רוב המצוין בסעיף (20(ד)) של חוקת מועצת אירופה ובהצבעה פה אחד של המדינות החברות בעלות הזכות להחזיק מושבים בוועדת השרים, יועבר הטקסט לקבלה על-ידי הצדדים (acceptance).

4. כל תיקון יכנס לתוקף מבחינת הצדדים שקיבלו אותו ביום הראשון בחודש לאחר תום שלושה חודשים מהמועד שבו יידעו שלושה מדינות חברות במועצת אירופה את המזכיר הכללי על קבלתו מבחינתן. במה שנוגע לכל צד אחר שיקבל אותו מאוחר יותר, ייכנס תיקון כזה לתוקף ביום הראשון לאחר תום שלושה חודשים מהתאריך שבו יידע אותו צד את המזכיר הכלל באשר לקבלתו מבחינתו.

סעיף 18 – הודעות

המזכיר הכללי של מועצת אירופה יודע למדינות החברות במועצת אירופה, לכל מדינה אירופית או לאיחוד האירופי בהצטרפם לאמנה זו, על:

I. כל חתימה;

II. כל הפקדה של מסמך אשרור, קבלה, הסכמה או הצטרפות;

III. כל תאריך כניסה לתוקף של האמנה בהתאם לסעיפים (13), (14) ו- (15).

IV. כל הצהרה שתיעשה על פי סעיף (15);

V. כל פרישה שתיעשה על פי סעיף (16);

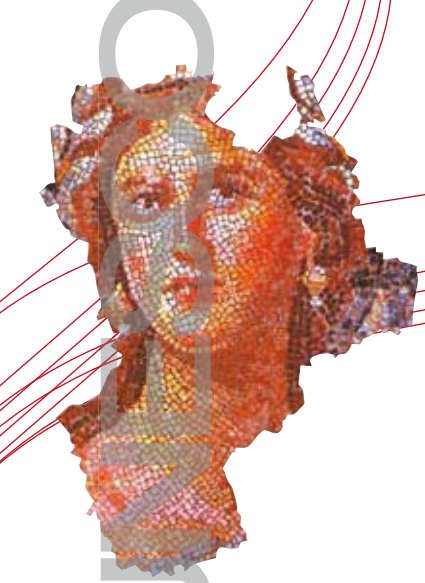
VI. כל הצעה לתיקון, כל תיקון שיאומץ על פי ההליך המפורט בסעיף (17) והתאריך שבו ייכנס התיקון לתוקף;

VII. כל פעולה אחרת, הודעה, מידע או מסר הקשורים באמנה זו.

בנוכחות החתומים מטה, המוסמכים לכך ושחתמו על אמנה זו.

נחתם בפירנצה, ביום 20 באוקטובר 2000, באנגלית ובצרפתית – לשני הטקסטים מהימנות זהה – בעותק יחיד שיופקד בארכיבים של מועצת אירופה.

המזכיר הכללי של מועצת אירופה יעביר עותקים מאושרים לכל מדינה חברה במועצת אירופה ולכל מדינה או לאיחוד האירופי המוזמנים להצטרף לאמנה זו.



הנחיות לצ'רטר בורה - אתרי תרבות 1999

הנחיות אלו לביסוס משמעות וחשיבות תרבותית אומצו בידי הוועדה האוסטרלית הלאומית למועצה הבין-לאומית למונומנטים ואתרים (ICOMOS אוסטרליה) ב-14 באפריל 1984, ותוקנו ב-23 באפריל 1988. יש לקרוא אותן לצד צ'רטר בורה.

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האמנה האירופית לנוף

להנחיות 5 פרקים:

א. משמעות וחשיבות תרבותית

ב. מדיניות שימור

ג. הליכים לביצוע מחקרים ודוחות

ד. תקנון אתי לדו-קיום בשימור מקומות בעלי משמעות וחשיבות

ה. הערות לשינויים שבוצעו בצ'רטר בורה

* תורגם על ידי הוועד הישראלי לאונסקו (2003)

א. משמעות וחשיבות תרבותית

תוכן העניינים

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   - 1.2 תחולה
   - 1.3 הצורך בביסוס משמעות וחשיבות תרבותית
   - 1.4 הכישורים הדרושים
   - 1.5 סוגיות שאינן נשקלות

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   - 2.2 ערך אסתטי
   - 2.3 ערך היסטורי
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3. ביסוס משמעות וחשיבות תרבותית
   - 3.1 הקדמה
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   - 3.3 הערכת המשמעות והחשיבות התרבותית
     - 3.3.1 היקף התיעוד
     - 3.3.2 התערבות במרקם
     - 3.3.3 השערות
   - 3.4 הצהרת המשמעות והחשיבות התרבותית

4. הדוח
   - 4.1 תוכן
   - 4.2 חומר כתוב

4.3 שרטוטים

4.4 מקורות

4.5 הצגה ואימוץ

ICOMOS

האמנה האירופית לנוף

1. מבוא

1.1 כוונת ההנחיות

הנחיות אלה נועדו להבהיר את טיב העבודה המקצועית עפ"י צ'רטר בורה. הן ממליצות על נוהל שיטתי להערכת המשמעות והחשיבות התרבותית של מקום, להכנת הצהרת משמעות וחשיבות תרבותית ולפרסום מידע כזה בציבור.

1.2 תחולה

ההנחיות חלות על כל מקום שעשוי להיות בעל חשיבות ומשמעות תרבותית, אם בסוגו ואם בגודלו.

1.3 הצורך בביסוס חשיבות ומשמעות תרבותית

הערכת החשיבות והמשמעות התרבותית והכנת הצהרת משמעות וחשיבות תרבותית, כפי שהן מופיעות בדוח בחלק 4, הן תנאים מקדימים לקבלת החלטות בעניין עתידו של מקום מסוים.

1.4 הכישורים הדרושים

לפי סעיף 4 בצ'רטר בורה, לצורך חקר המקום צריך להשתמש בכל תחומי הידע הרלוונטיים. הכישורים המקצועיים הנדרשים לביצוע חקר כזה אינם שכיחים. אין להניח שכל איש מקצוע יהיה בעל מלוא הכישורים הדרושים להערכת המשמעות והחשיבות התרבותית ולהכנת הצהרה. לעתים, במהלך ביצוע המשימה יתעורר צורך לערב אנשי מקצוע נוספים בעלי מומחיות מיוחדת.

1.5 סוגיות שאינן נשקלות

הערכת המשמעות והחשיבות התרבותית והכנת ההצהרה אינן כוללות ואינן מביאות בחשבון סוגיות כגון הנחיצות שבפעולת שימור, אילוצים משפטיים, שימושים אפשריים, יציבות המבנה או עלויות והכנסות. בסוגיות אלו יש לעסוק במסגרת ההנחיות לפיתוח מדיניות השימור.

2. מושג המשמעות והחשיבות התרבותית

2.1 הקדמה

* בצ'רטר בורה, משמעות וחשיבות תרבותית פירושה "ערך אסתטי, היסטורי, מדעי או חברתי לדורות העבר, ההווה או העתיד".
* משמעות וחשיבות תרבותית היא מושג שעוזר לאמוד את ערכם של מקומות. המקומות שעשויה להיות להם חשיבות ומשמעות הם המקומות העוזרים לשפוך אור על העבר או המעשירים את ההווה ושיהיה להם ערך לדורות הבאים.
* אף כי ישנן מילות תואר רבות המשמשות להגדרת החשיבות והמשמעות התרבותית באוסטרליה, מילות תואר כגון 'אסתטי', 'היסטורי', 'מדעי' ו'חברתי', המובאות על פי סדר אלפביתי [באנגלית] בצ'רטר בורה, יכולות להכיל את כל הערכים האחרים.
* משמעות המונחים הללו בהקשר של משמעות וחשיבות תרבותית תידון להלן. יש לציין שהם אינם מוציאים זה את זה; לדוגמה, לסגנון ארכיטקטוני יש היבטים היסטוריים ואסתטיים כאחד.

2.2 ערך אסתטי

* ערך אסתטי כולל היבטים של תפיסה חושית שאפשר ורצוי לקבוע בעבורם קריטריונים. קריטריונים כאלה עשויים לכלול שיקולים של צורה, גודל, צבע, מרקם וחומר המארג; ריחות וצלילים הקשורים במקום ובשימושיו.

2.3 ערך היסטורי

* ערך היסטורי כולל את ההיסטוריה של האסתטיקה, המדע והחברה, ולפיכך במידה מרובה הוא קיים בבסיס כל המונחים המובאים בחלק זה. למקום יכול להיות ערך היסטורי משום שהשפיע על דמות היסטורית, אירוע, שלב או פעילות – או הושפע מהם. ייתכן שיש לו גם ערך היסטורי בתור אתר של אירוע משמעותי וחשוב.
* משמעותו וחשיבותו של מקום מסוים רבה יותר אם עדיין קיימות עדויות לקשר או לאירוע, או אם האתר נותר בשלמותו, מאשר אם השתנה או שכבר אין עדויות.
* ואולם, אירועים או קשרים מסוימים עשויים להיות משמעותיים וחשובים כל-כך שמשמעות וחשיבות המקום נשמרת בלי קשר לאופן שבו טופל.

2.4 ערך מדעי

הערך המדעי או המחקרי של מקום יהיה תלוי במשמעות וחשיבות הנתונים הרלוונטיים, בנדירותו, באיכותו או בייצוגיות שלו, וכן במידה שבה המקום עשוי לתרום מידע מהותי נוסף.

2.5 ערך חברתי

הערך החברתי כולל איכויות שבזכותן היה המקום למוקד רוחני, פוליטי, לאומי או תרבותי אחר לקבוצת רוב או לקבוצת מיעוט.

2.6 גישות אחרות

* החלוקה לקטגוריות של ערך אסתטי, היסטורי, מדעי וחברתי היא אחת הגישות להבנת מושג המשמעות והחשיבות התרבותית.
* עם זה, ייתכן שיגובשו קטגוריות מדויקות יותר ככל שהבנת מקום מסוים הולכת ומעמיקה.

3. ביסוס משמעות החשיבות התרבותית

3.1 הקדמה

* בקביעת משמעות וחשיבות תרבותית של מקום, צריך להעריך את כל המידע הרלוונטי להבנת המקום והמרקם שלו.
* משימה זו כוללת דוח המשלב חומרים כתובים וחומרים חזותיים. תוכן הדוח צריך להיות מאורגן באופן שיתאים למקום ולמגבלות המשימה, אולם ככלל הוא יהיה מאורגן בשני חלקים:
* החלק הראשון – הערכת המשמעות והחשיבות התרבותית (ראו 3.2 ו-3.3), והחלק השני – הצהרת המשמעות והחשיבות התרבותית (ראו 3.4).

3.2 איסוף המידע

יש לאסוף את המידע הרלוונטי להערכת המשמעות והחשיבות התרבותית. מידע זה כולל:

1. רצף ההתפתחות של המקום וקשריו למרקם ששרד;
2. קיומו וטיבו של מרקם אבוד או נשכח;
3. נדירות ו/או עניין טכני בכל המקום או בחלק ממנו;
4. התפקודים של המקום ושל חלקיו;
5. קשרי של המקום וחלקיו עם סביבתו;
6. ההשפעות התרבותיות שהשפיעו על הצורה והמרקם במקום;
7. משמעות וחשיבות המקום לאנשים שהשתמשו בו או שעדיין משתמשים בו, או לצאצאיהם של אנשים אלו;
8. התוכן ההיסטורי של המקום בבחינה ספציפית של דרכים שבהן הושפע המרקם מהכוחות ההיסטוריים או השפיע בעצמו על מהלך ההיסטוריה;
9. הפוטנציאל המדעי או המחקרי של המקום;
10. הקשרים של המקום עם מקומות אחרים, למשל מבחינת עיצוב, טכנולוגיה,

שימוש, מקומיות או מוצא;

11. כל גורם אחר שיש לו רלוונטיות להבנת המקום.

3.3 הערכת המשמעות והחשיבות התרבותית

* הערכת המשמעות והחשיבות התרבותית מתבצעת לאחר איסוף המידע.
* תקפות ההערכה תהיה תלויה בהקפדה על איסוף הנתונים ובהנמקות הנלוות.
* בעת הערכת המשמעות והחשיבות התרבותית, על איש המקצוע לקבוע מסקנות. צריך לזהות היבטים לא-פתורים.
* בלא קשר למה שנחשב לחשיבות העיקרית של המקום, צריך להביא בחשבון את שאר היבטי החשיבות.

3.3.1 היקף התיעוד

* בהערכת עניינים אלו, על איש המקצוע לתעד את המקום תיעוד מספיק ליצירת בסיס לדיון ההכרחי בעובדות.
* במהלך תיעוד זה, חשוב לדווח ללקוח על כל בעיה דחופה וברורה שעלולה לסכן את המקום, כגון יציבות ובטיחות.

3.3.2 התערבות במרקם

* התערבות במרקם או הסרתו בשלב זה תיעשה אך ורק על-פי תנאי צ'רטר בורה.

3.3.3 השערות

* אין להציג השערות, יהיו מלומדות או מיודעות ככל שיהיו, כאילו היו עובדה מוגמרת.
* ראוי להציב השערות אפשריות או סבירות ואת העדויות התומכות בהן והסותרות אותן וכן את ההיגיון שלפיו נקבעו.
* חשוב לתעד כל ניסיון שנעשה לבדוק את ההשערה, כדי להימנע מחזרה על מחקר עקר.

3.4 הצהרת משמעות וחשיבות תרבותית

* איש המקצוע צריך להכין הצהרה תמציתית על המשמעות והחשיבות התרבותית ולהפנות לחומר חזותי מספק או להסתמך עליו לצורך זיהוי המרקם של המשמעות והחשיבות התרבותית.
* חשוב שההצהרה תהיה ברורה וממצה ותפרט בפשטות מדוע יש למקום ערך, בלי לחזור ולהציג את העדויות הפיזיות והתיעודיות.

4. הדוח

4.1 תוכן

* הדוח יהיה מורכב מחומרים כתובים וחזותיים ויציג הערכה של המשמעות והחשיבות התרבותית והצהרה של המשמעות והחשיבות התרבותית.
* כדי להימנע מגודש שאין בו צורך, ייכללו רק חומרים בעלי רלוונטיות ישירה לתהליך הערכת המשמעות והחשיבות התרבותית ולעריכת הצהרת המשמעות והחשיבות התרבותית. (ההנחיות לצ'רטר בורה: נהלים לעריכת מחקרים ודיווחים.)

4.2 חומר כתוב

עריכת הטקסט צריכה להיות ברורה וקלה להבנה. נוסף על ההערכה והצהרת המשמעות והחשיבות התרבותית המפורטות בסעיפים 3.2, 3.3 ו-3.4, יש לכלול את:

1. שם הלקוח
2. שמות כל אנשי המקצוע שהשתתפו במשימה
3. שם כותב הדוח
4. תאריך
5. תקציר או מתווה לתקציר
6. אילוצים שחלו על המשימה, לדוגמה – זמן, כסף, מומחיות
7. מקורות (סעיף 4.4)

4.3 חומר חזותי

* החומר החזותי עשוי לכלול מפות, תכניות, שרטוטים, דיאגרמות, מתווים, תצלומים וטבלאות, ועליו להיות מופק באיכות מספקת לצורכי פרשנות.
* כל הרכיבים הנדונים בדוח צריכים להיות מזוהים בחומר החזותי. חשוב לזהות רכיבים אלו ולתארם בשיטתיות.
* אפשר שלא יהיה צורך בשרטוטים מפורטים. דיאגרמה עשויה להיות הדרך הטובה ביותר למטרות הדוח.
* אין לכלול חומר חזותי שאינו משרת מטרה ספציפית.

4.4 מקורות

* יש לציין את כל המקורות לדוח בדיוק מספיק שאחרים יוכלו לאתרם.
* יש לכלול ברשימה את כל המקורות שכותבי הדוח נעזרו בהם, גם אם לא ציטטו מהם.
* יש לכלול ברשימה את המקורות העיקריים או האוספים שלא נעזרו בהם, אך מניחים שיש בהם תועלת פוטנציאלית לקביעת המשמעות והחשיבות

התרבותית.

* אשר למקור פרטי, יש למסור את שמו וכתובתו של בעל המקור, אך רק בהסכמתו.

4.5 הצגה ואימוץ

הדוח צריך להיות מוצג ויש לאמץ את ההצהרה לפי הנחיות צ'רטר בורה: נהלים לעריכת מחקרים ודיווחים.

ב. מדיניות שימור

הנחיות אלה, אשר עוסקות בפיתוח מדיניות שימור ואסטרטגיה ליישום מדיניות זו, אומצו על ידי הוועדה הלאומית האוסטרלית של המועצה הבינלאומית לאנדרטאות ואתרים (ICOMOS אוסטרליה) ביום 25 במאי 1985, ותוקנו ביום 23 באפריל 1988. יש לקרוא אותן בקשר עם בורה צ'רטר.

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1. מבוא

1.1 מטרת ההנחיות

* הנחיות אלה יועדו להבהרת אופי העבודה המקצועית המבוצעת במסגרת תנאי צ'רטר בורה.
* הם ממליצים על תהליך מתודולוגי לפיתוח מדיניות שימור של מקום, להכנת הצהרת מדיניות השימור ולקביעת האסטרטגיה ליישום המדיניות האמורה.

1.2 משמעות וחשיבות תרבותית

קביעת משמעות וחשיבות תרבותית והכנת הצהרת משמעות וחשיבות תרבותית הם תנאים מוקדמים חיוניים לפיתוח מדיניות השימור (ראה הנחיות לצ'רטר בורה: משמעות וחשיבות תרבותית).

1.3 הצורך בפיתוח מדיניות שימור

* פיתוח מדיניות שימור, המגולמת בדוח כפי שהוגדר בפרק 4.0 , הוא תנאי מוקדם חיוני לקבלת החלטות על עתידו של מקום.

1.4 הכישורים הדרושים

* במחקר על מקום יש להשתמש בכל התחומים הנוגעים לעניין, בהתאם לבורה צ'רטר.
* הכישורים המקצועיים הנדרשים למחקר כזה אינם נפוצים.
* לא ניתן להבטיח שאיש מקצוע אחד ישלוט בכל הכישורים הדרושים להערכת המשמעות והחשיבות התרבותית ולהכנת ההצהרה.
* לעתים ייווצר הצורך, במהלך משימה כזאת, להעסיק אנשי מקצוע נוספים בעלי מומחיות מיוחדת.

2. היקף מדיניות השימור

2.1 הקדמה

* מטרת מדיניות השימור היא לקבוע כיצד ניתן להגיע לשימורו של מקום בטווח הארוך והקצר. המדיניות תהיה ספציפית למקום.

* מדיניות השימור תכלול את הנושאים שלהלן.

2.2 מבנה וסביבה

* על מדיניות השימור לזהות את הדרך המתאימה ביותר לטיפול במרקם ובסביבה במקום, אשר נובעים מהצהרת המשמעות והחשיבות ומגבלות אחרות.
* יש לזהות שילוב ספציפי של פעולות שימור שיחייבו או לא שינויים במרקם.

2.3 שימוש

* על מדיניות השימור לזהות שימוש או שילוב של שימושים, או מגבלות על שימוש, אשר תואמים לשמירה על משמעות וחשיבות תרבותית של מקום, והם ברי ביצוע.

2.4 פרשנות

* על מדיניות השימור לזהות דרכים מתאימות להבהרת משמעותו של מקום, בצורה עקבית עם השמירה על משמעות וחשיבות זו.
* ניתן לבצע זאת על ידי שילוב הטיפול במרקם והשימוש במקום ובחומר פרשני מיובא.
* במקרים מסויימים המשמעות והחשיבות התרבותית ומגבלות אחרות עלולים למנוע יבוא שימושים וחומרים כאלה.

2.5 ניהול/ממשק

* על מדיניות השימור לזהות מבנה ניהולי, אשר באמצעותו ניתן ליישם את מדיניות השימור. היא אמורה לזהות גם את הפרטים הבאים:
  (א) האנשים והגופים האחראים להחלטות השימור והניהול ולניהול יום יומי של המקום;
  (ב) המנגנון אשר באמצעותו מקבלים ומתעדים החלטות;
  (ג) האמצעים להבטחת ביטחון ותחזוקה שגרתית למקום.

2.6 פיקוח על התערבות פיסית במרקם

* על מדיניות השימור לכלול הוראות בכל הנוגע לפיקוח על התערבות פיסית לצורך:
  (א) הגדרה של התערבות בלתי נמנעת;

(ב) זיהוי ההשלכות האפשריות של כל התערבות על המשמעות והחשיבות התרבותית;
(ג) הגדרה של ההיקף ואופי ההתערבות;
(ד) קביעה של הצעות מחקר;
(ה) הערכה ברורה של הצעות מחקר;
(ו) קביעה של התנאים לשימור מרקם משמעותי והתוכן אשר הוצאו מהמקום;
(ז) קביעה של התנאים לבדיקת החומר;
(ח) קביעה של התנאים להפצת המידע שינבע מכך;
(ט) הגדרה של הטיפול באתר לאחר סיום ההתערבות.

2.7 מגבלות על הבדיקה

* על מדיניות השימור לזהות מגבלות חברתיות, דתיות, משפטיות או תרבותיות אשר עלולות להגביל את הגישה או הבדיקה של המקום.

2.8 פיתוחים עתידי

* על מדיניות השימור לקבוע הנחיות לפיתוח עתידי אשר יוגדרו מצרכים משתנים.

2.9 אימוץ ובדיקה

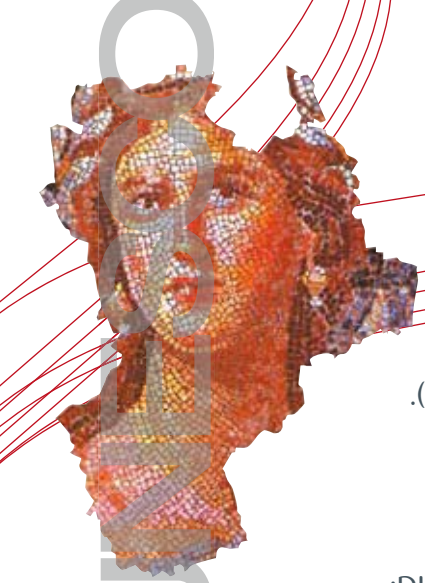
על מדיניות השימור לכלול תנאים לאימוץ ובדיקה.

3. פיתוח מדיניות שימור

3.1= הקדמה

* כאשר מפתחים מדיניות שימור עבור מקום, יש להעריך את כל המידע הנוגע לטיפול בעתיד במקום ובמרקמים שבו.
* הצהרת המשמעות והחשיבות התרבותית היא מרכזית למשימה זו.
* המשימה כוללת דיווח כפי שנקבע בפרק 5.0. יש לארגן את תוכנו של הדוח כך שיתאים למקום ולמגבלות המשימה, אולם בדרך כלל הוא יכלול שלושה פרקים:

(א) פיתוח מדיניות השימור (סעיפים 3.2 ו-3.3);



(ב) הצהרת מדיניות השימור (סעיפים 3.4 ו-3.5);

(ג) פיתוח אסטרטגיה מתאימה ליישום מדיניות השימור (סעיף 4).

3.2 איסוף מידע

על מנת לפתח את מדיניות השימור יש לאסוף מידע מספיק הנוגע לסעיפים הבאים:

3.2.1 מרקם משמעותי

* יש לקבוע או לאשר את אופיו של מרקם משמעותי, ואת מידת ורמת השלמות שלו, כולל תוכנו (הנחיות לצ'רטר בורה: משמעות וחשיבות תרבותית).

3.2.2 דרישות ומשאבי הלקוח, הבעלים והמשתמש

* יש לבדוק צרכים, שאיפות, הצעות שוטפות, מימון זמין בכל הנוגע למקום.

3.2.3 דרישות ונושאים אחרים

* יש לבדוק דרישות ונושאים אחרים אשר עשויים להשפיע על עתיד המקום והסביבה שלו, כולל:

(1) צווים פדרליים, לאומיים ומקומיים, ופיקוח על תכנון;

(2) צרכים וציפיות קהילתיים;

(ג) הקשר מקומי וחברתי.

3.2.4 מצבו של מרקם

* יש לבדוק את המרקם בצורה מספקת על מנת לקבוע עד כמה מצבו הפיסי ישפיע על אפשרויות לטיפול במרקם.

3.2.5 שימושים

* יש לאסוף מידע מספיק על שימושים על מנת לקבוע האם שימושים אלה תואמים למשמעותו של המקום, או לא, והאם הם ברי ביצוע או לא.

3.2.6 מידע השוואתי

* יש לזהות מידע אשר אינו זמין, ואשר עשוי להיות חיוני לקביעת מדיניות השימור או היישום שלה.

3.3 הערכת מידע

* יש להעריך את המידע שנאסף על פי הסעיפים הנ"ל, יחסית למגבלות הנובעות

מהצהרת המשמעות והחשיבות התרבותית, על מנת לפתח את מדיניות השימור.
במהלך ההערכה יתכן וייווצר הצורך לאסוף מידע נוסף.

3.4 הצהרת מדיניות השימור

* על מנהלי המקום להכין הצהרה של מדיניות השימור העוסקת בנושאים המפורטים בסעיף 2., לדוגמה:
  * מרקם וסביבה;
  * שימוש;
  * פרשנות;
  * ניהול;
  * פיקוח על התערבות במבנה;
  * מגבלות על בדיקה;
  * פיתוח עתידי;
  * אימוץ ובדיקה.

* יש לבחון את מדיניות השימור מול חומר תיעודי וגרפי מספיק על מנת להסביר את הנושאים שנבדקו.

3.5 תוצאות מדיניות השימור

על מנהלי המקום לקבוע את הדרך אשר בה מדיניות השימור תבצע או לא את הדברים הבאים:

(א) תשנה את המקום, כולל את הסביבה שלו;
(ב) תשפיע על המשמעות והחשיבות שלו;
(ג) תשפיע על המיקום והנלווים לו;
(ד) תשפיע על הלקוח, הבעלים והמשתמש;
(ה) תשפיע על אחרים המעורבים בו.

4. יישום מדיניות השימור

* בהמשך להכנת מדיניות השימור יש להכין אסטרטגיה ליישומה עם הלקוח. על

האסטרטגיה להתייחס למידע כלהלן:

(א) המשאבים הפיננסיים;

(ב) כוח אדם טכני;

(ג) רצף האירועים;

(ד) תזמון האירועים;

(ה) מבנה הניהול והממשק.

* על האסטרטגיה לאפשר יישום של מדיניות השימור בהתאם לנסיבות המשתנות.

4.1 הדוח

4.2 הקדמה

* הדוח הוא אמצעי לביטוי מדיניות השימור שעליו מתבססת פעולת השימור. (הנחיות לצ'רטר בורה: הליכים לביצוע מחקרים ודוחות.)

4.3 חומר כתוב

* חומר כתוב יכלול:

(א) הצהרת המשמעות והחשיבות התרבותית;

(ב) פילוח מדיניות השימור;

(ג) הצהרת מדיניות השימור;

(ד) האסטרטגיה ליישום מדיניות השימור;

* והוא צריך לכלול גם:

(א) שם הלקוח;

(ב) שמות כל אנשי המקצוע העוסקים במשימה, העבודה שבצעו, ודוחות נפרדים שהוכנו על ידם;

(ג) כותב הדוח;

(ד) תאריך;

(ה) תקציר או תמצית;

(ו) מגבלות על המשימה, לדוגמה, מגבלות זמן, כסף, מומחיות.

(ז) מקורות (סעיף 4.5).

4.4 חומר גרפי

* חומר גרפי יכלול מפות, תוכניות, שרטוטים, דיאגרמות, תרשימים, צילומים וטבלות, בצורה ברורה.
* אין לכלול חומר שאינו משרת מטרה מסויימת.

4.5 מקורות

* יש לצטט באופן מדויק את כל המקורות ששימשו את הכנת הדוח.
* יש לפרט את כל מקורות המידע, ממסמכים או מקורות בעל פה, אשר נעשה בהם שימוש במהלך השימוש, בין אם הוכחו כיעילים או לא.
* יש לציין את שמו של הבעלים במקרה של מקור פרטי, אולם אך ורק בהסכמתו של הבעלים.

4.6 תצוגה ואימוץ

* יש להציג את הדוח ויש לאמץ את הצהרת מדיניות השימור עפ"י הנחיות צ'רטר בורה: הליכים לביצוע מחקרים ודוחות.

ג. הליכים לביצוע מחקרים ודוחות

הנחיות אלה להכנת מחקרים ודוחות מקצועיים אומצו על ידי הועדה הלאומית האוסטרלית של המועצה הבינלאומית לאנדרטאות ואתרים (ICOMOS אוסטרליה) ביום 23 באפריל 1988. יש להתייחס אליהן בהקשר לצ'רטר בורה.

ICOMOS

האמנה האירופית לנוף

תוכן העניינים

1. מבוא
2. הסכמים בין הלקוח ואיש המקצוע.
3. אחריות לתוכן הדוח
4. טיוטת דוח
5. פעולת חירום
6. עבודה נוספת
7. המלצות לבדיקה נוספת
8. תצוגה והערות
9. אימוץ ובדיקה של דוח
10. עדות נוספת
11. נגישות למידע

1. מבוא

* הנחיות אלה מציגות המלצות לפעילות המקצועית בהכנת המחקרים והדוחות במסגרת תנאי צ'רטר בורה.
* יש להתייחס למרכיבים הנוגעים לאתיקה, הליכים ועניינים משפטיים, הניתנים בהערות המעשיות אשר הוצאו על ידי כמה גופים מקצועיים.

2. הסכמים בין הלקוח ואיש המקצוע

* לפני ביצוע מחקר או הוצאת דוח, על הלקוח ואיש המקצוע להסכים על הנושאים הבאים:

(א) היקף המשימה, לדוגמה, עד להכנת הצהרת המשמעות, עד להכנת הצהרת מדיניות השימור, או עד להכנת האסטרטגיה ליישום;

(ב) גבולות המקום;

(ג) היבטים אשר דורשים בדיקה מעמיקה;

(ד) התאריכים להתחלת המשימה, מסירת טיוטת הדוח, ומסירת הדוח הסופי;

(ה) השכר והבסיס על פיו יש לשלם את השכר והתשלומים השונים;

(ו) שימוש ביועץ שותף, יועץ משנה או איש מקצוע אחר בעל מומחיות מיוחדת;

(ז) הבסיס לבדיקה נוספת אשר עשויה להידרש, לדוגמה, במסגרת תנאי סעיף 7.0 להלן, או סעיף 3.3 להנחיות לצ'רטר בורה: מדיניות שימור;

(ח) נציג הלקוח אשר מנהל את האתר יהיה אחראי כלפיו במהלך המשימה:

(ט) משאבים, חומרים או שירותים שעל הלקוח לספק, כולל מחקרים או דוחות קודמים;

(י) דרישות הנוגעות לצורת או הפקת הדוח;

(יא) מספר עותקי הדוח שיש לספק בכל שלב;

(יב) זכויות יוצרים וסודיות;

(יג) כללי ציטוט נאותים;

(יד) התנאים שהלקוח, מנהל האתר או אחרים יוכלו לפרסם או להפיץ את הדוח;

(טו) הליך הצגת הדוח;

(טז) הבסיס למתן הערות לדוח ותיקונים שינבעו מכך;

(יז) האחריות לביצוע אחסון בארכיון בהתאם לסעיף 28 ו- 32 לצ'רטר בורה (1999).

3. אחריות לתוכן הדוח

* תוכן הדוח מצוי באחריותו של מנהל האתר. אין לתקן את הדוח ללא הסכמת איש המקצוע.

4. טיוטת דוח

* עדיף להציג את הדוח ללקוח כטיוטה, על מנת להבטיח שהוא מובן, ועל מנת לאפשר הערות של הלקוח.

5. פעולת חירום

* אם מנהל האתר חושב שיתכן ויהיה צורך בפעולת חירום על מנת למנוע איום למרקם, הכרוך, לדוגמה ביציבות או בטחון, עליו לייעץ מיד ללקוח לפנות לעצת מומחה.

6. עבודה נוספת

* כאשר מתברר שהיבט מסויים של העבודה ידרוש בדיקה נוספת או מומחיות רבה יותר מכפי שהתאפשר במסגרת התקציב או תנאי ההסכם, על מנהל האתר להודיע על כך מיד ללקוח.

7. המלצות לבדיקות בעתיד

* בכל הנוגע להיבטים של המשמעות והחשיבות התרבותית שלא טופלו, מדיניות השימור או אסטרטגיות ליישום מדיניות השימור, יש להציג המלצות לבדיקות נוספות, כאשר:

(א) הלקוח קיבל מידע על הצורך בבדיקה נוספת, בשלב המתאים, ולא ניתן היה לבצע אותה בשל מגבלות התקציב והזמן של המשימה;

(ב) קיים צפי למידע נוסף כתוצאה מהתערבות במרקם, אשר אינו מתאים בשלב זה, אולם ייעשה מתאים בעתיד.

* על המלצות אלה לציין מהן התועלות שתצמחנה מהיבטים מהמשמעות

והחשיבות התרבותית, מדיניות השימור או היישום של בדיקה נוספת.

8. תצוגה והערות

* יש להציג דוח של כל פרויקט בעל עניין ציבורי על מנת שגופים בעלי עניין והציבור יוכלו להעיר עליו.
* יש לאפשר זמן מספיק לקבלה ולבדיקת ההערות.
* כאשר הדוח אינו מפורסם לציבור, יש לבקש הערות מאישים, מומחים, ארגונים ומומחים הנוגעים לדבר.

9. אימוץ ובדיקת הדוח

* יש להציג המלצות לאימוץ רשמי של הדוח ולבדיקה בעתיד.

10. עדות נוספת

* אם אחרי השלמת הדוח מתגלה עדות נוספת, לדוגמה, על ידי התערבות במבנה או מידע ממקורות אחרים.
* רצוי להפנות עדות נוספת זו אל מנהל האתר, על מנת שיוכל לתקן את הדוח אם יש צורך בכך.

11. נגישות למידע

* יש לאפשר גישה חופשית לכל החומר הנוגע למשמעות והחשיבות התרבותית של מקום, על מנת להגדיל את מאגר הידע. יש לעודד פרסום על ידי הלקוח ו/או מנהל האתר.

ד. תקנון אתי לדו-קיום בשימור מקומות בעלי משמעות וחשיבות*

ICOMOS

האמנה האירופית לנוף

מבוא

תקנון זה הוכן בקונטקסט של כמה הסכמים ותקנונים לאומיים ובינלאומיים, כגון:

* אמנת ICOMOS אוסטרליה לשימור מקומות בעלי משמעות וחשיבות תרבותיים (צ'רטר בורה 1981, שעודכנה בשנת 1988);
* התקנון האתי של האגודה הארכאולוגית האוסטרלית, 1991;
* צו האפליה הגזעית 1975 (אוסטרליה);
* צו ועדת המורשת האוסטרלית 1975;
* הצהרת אונסקו על עקרונות שיתוף הפעולה התרבותי הבינלאומי 1996; ו –
* עשור האו"ם לפיתוח תרבותי (1988 – 1997).

הנחות

התקנון מניח ש:

א. ניהול בריא של הבדלים תרבותיים הוא אחריותה של החברה ככלל;

ב. בחברה פלורליסטית, קיימים הבדלי ערכים והם מכילים את הפוטנציאל לעימות; ו –

ג. יש צורך בנוהל אתי על מנת להבטיח ניהול צודק ויעיל של מקומות בעלי משמעות וחשיבות תרבותית מגוונת.

הגדרות (סעיף 1)

למטרות תקנון זה:

סעיף 1.

1.1 ערכים - משמעותם אותן אמונות אשר יש להן משמעות וחשיבות בעיני קבוצה תרבותית – ואלה כוללות לעתים קרובות, אולם אינן מוגבלות לאמונה פוליטית, דתית ורוחנית,

* אומץ על ידי ICOMOS אוסטרליה בשנת 1998

ומוסרית;

1.2 קבוצה תרבותית – משמעותה קבוצת אנשים אשר דוגלים בערכים משותפים, אשר מבוטאים על ידי שותפות באמונות, מסורות, מנהגים ו/או נהלים;

1.3 נכס לאומי – משמעותו "אותם מקומות באוסטרליה אשר יש בהם ערך מיוחד אסתטי, היסטורי, מדעי, חברתי או אחר עבור הקהילה בהווה ועבור הדורות בעתיד" **

1.4 משמעות וחשיבות תרבותית – משמעותה "ערך אסתטי, היסטורי, מדעי או חברתי עבור דורות העבר, הדור בהווה או דורות בעתיד" ***

1.5 עימות – משמעו קשר אשר "לדעת שני צדדים או יותר אינו תואם את הערכים או הצרכים שלהם" ****

1.6 מחלוקת - משמעה קשר אשר לדעת שני צדדים או יותר אינו תואם את יעדיהם, האינטרסים, או הצרכים שלהם, ואשר בו כל אחד מנסה להגשים מקסימום יעדים, אינטרסים וצרכים שלו; ו-

1.7 יישוב עימות, כמונח כללי, כולל ניהול עימות באמצעות יישוב מחלוקת בתיווך וקבלת ערך הדו – קיום.

עקרונות אתיים (סעיפים 2-7)

סעיף 2.

* דו קיום של תרבויות שונות דורש הכרה בערכיה של כל קבוצה.

סעיף 3.

* שימור נכס לאומי דורש הכרה ורגישות לערכי כל קבוצות התרבות הקשורות בו.

סעיף 4.

* לכל קבוצה תרבותית יש זכות בסיסית לזיהוי מקומות בעלי משמעות וחשיבות תרבותית עבורה, וזכות זה עשויה לכלול הסתרת מידע מסוים.

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* על בסיס צו ועדת המורשת האוסטרלית 1975, פיסקה 4

*** ICOMOS אוסטרליה, אמנת ICOMOS אוסטרליה לשימור מקומות בעלי משמעות תרבותית (אמנת בורה סעיף 1.2).

**** ג. טלרט, "יישוב עימות", 1991

סעיף 5.

* לכל קבוצה תרבותית יש הזכות לגישה למידע חשוב ולכל תהליך קבלת החלטות אשר משפיע על מקומות שהיא מזהה כמשמעותיים.

סעיף 6.

* בעת זיהוי מקומות בעלי משמעות, קבוצה תרבותית לוקחת אחריות כלפי מקומות אלה.

סעיף 7.

* בכל הנוגע לילדים, ועמים אחרים, הזכות לזיהוי מקומות בעלי משמעות וחשיבות עשויה לחול גם על זכות לאחזקה מלאה שלהם.

נוהל אתי (סעיפים 8-11)

* בעת הערכת או ניהול מקום בעל משמעות וחשיבות לקבוצות תרבותיות שונות, על המנהלים:

סעיף 8.

* לאמץ גישה מתואמת רב – תחומית על מנת להבטיח גישה פתוחה למגוון תרבותי, וזמינות של כל הכישורים המקצועיים הנחוצים.

סעיף 9.

* לזהות ולהכיר כל קבוצה תרבותית הקשורה למקום ובערכיה, תוך קבלת הזכות התרבותית של קבוצות להסתיר מידע מסויים.

סעיף 10.

* לאפשר לכל קבוצה תרבותית גישה למידע חשוב ולהקל על חלופי מידע בין קבוצות.

סעיף 11.

* לאפשר לכל קבוצה תרבותית גישה והשתתפות בתהליכי קבלת החלטות המשפיעות על המקום.

ישום (סעיפים 12-15)

סעיף 12.

* ליישם תהליך קבלת החלטות אשר מתאים לעקרונות תקנון זה.

תהליך זה יכלול:

* אחריות משותפת של קבוצות תרבותיות להערכה וניהול של המשמעות והחשיבות התרבותית של המקום;
* קבלת נהלים ליישוב עימותים בכל שלב אשר בו יידרשו; ו –
* מתן זמן מספיק להתייעצות עם כל הצדדים, כולל הקבוצות בעלות הייצוג המועט ביותר, ואם יש צורך בכך, תיקון ההליכים הקיימים בשיטות השימור.

סעיף 13.

* במהלך הניסיון לזהות נושאים וקבוצות תרבותיות הקשורות, יש לקבל נושאים וקבוצות חדשים בהתאם להופעתם, ולהתייחס לעמדות וערכים מתפתחים.

סעיף 14.

* בהתאם לצורך יש לדאוג לדו-קיום של תפיסות שונות של משמעות וחשיבות תרבותית במקום החלטות; ו-

סעיף 15.

* יש לקבל פיצוי כמרכיב אפשרי בניהול הבדלים תרבותיים שלא ניתן ליישב ביניהם.

ה. הערות לשינויים שבוצעו בשנת 1999 בצ׳רטר בורה

* הערות אלה נוגעות לשינויים שבוצעו בצ׳רטר בורה בשנת 1999, והן נועדו לאותם הקוראים המכירים את הגרסאות הקודמות. הן אינן מהוות חלק מהצ׳רטר.

שינויים מהותיים

1. מרקם, שימוש, הקשרים ומהויות

* השנויים מרחיבים את הבנת המשמעות והחשיבות התרבותית, על ידי ההכרה שמשמעות וחשיבות תרבותית יכולה להימצא ביותר מאשר רק מרקם במקום.
* ולכן, משמעות "מגולמת במקום עצמו, סביבתו, השימוש בו, ההקשרים שלו, המהויות, המסמכים, מקומות הקשורים בו וחפצים הקשורים בו" (סעיף 1.2).
* ניתנת הגדרה של שימוש, הקשרים, ומהויות (סעיפים 1.10, 1.15, 1.16), וניתן להסבר לצורך לשמור על שימוש בעלי משמעות, הקשרים ומהויות (סעיפים 7.1, 23 ו-24).
* מקומות קשורים וחפצים קשורים מוגדרים בסעיפים 1.13 ו-1.14, והצורך לשמור על תרומתם למשמעות ולחשיבות מוסבר בסעיף 11.

2. הסברת תהליך התכנון

* סעיף 6 ותרשים הזרימה מספקים הסבר ברור לרצף ההחלטות והפעולות בתהליך תכנון השימור, כלומר:
* הבנת המשמעות;
* פיתוח מדיניות;
* ניהול בהתאם למדיניות.

3. התאמת האמנה לאנשים

* הדרך בה הצ׳רטר מטפל בערכים חברתיים שופרה (באמצעות ההכרה שהמשמעות והחשיבות יכולה להתגלם בשימוש, הקשרים ומהויות);

נכלל ערך רוחני (סעיף 1.2); והצורך להתייעץ ולערב אנשים הובהר (סעיפים 12 ו-26.3).

4. דו-קיום של ערכים

* האמנת מעודדת דו-קיום של ערכים תרבותיים, בעיקר במקרה של עימות ביניהם (סעיף 13).

5. פרשנות

* השינויים מכירים בחשיבות הפרשנות, וגם ששיקום ושחזור הם פעולות של פרשנות (סעיפים 17 ו-25).

6. מבוא להסבר

* המבוא הורחב על מנת להקל על הגישה למסמך, והוא כולל פרקים על "עבור מי האמנה", "שימוש באמנה", "על איזה מקומות חלה האמנה".

7. מדוע לשמר

* ההצהרה הקצרה במבוא מסבירה מדוע יש לשמר מקומות בעלי משמעות וחשיבות תרבותית.

8. שפה

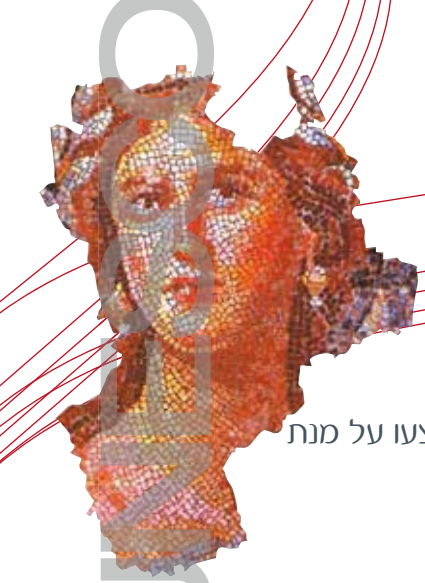
* במסגרת המגבלות של שמירה על "המראה והתחושה" של המסמך הקודם, השינויים מאריכים את הצ'רטר, אולם קל יותר להבין אותו.

9. יש לשמר על מקומות בעלי מורשת

* שינויים בסעיף 2 קובעים התחייבות שימור, וחשוב עוד יותר, מכירים בכך שהשימור הוא חלק בלתי נפרד של ניהול טוב.

10. הכותרת

* שינויים בכותרת משקפים את השימוש הנפוץ שבה, ומאפשרים יישום הצ'רטר בכל המקומות בעלי המשמעות והחשיבות התרבותית, ולא רק במקומות שנשמרים בצורה פעילה.



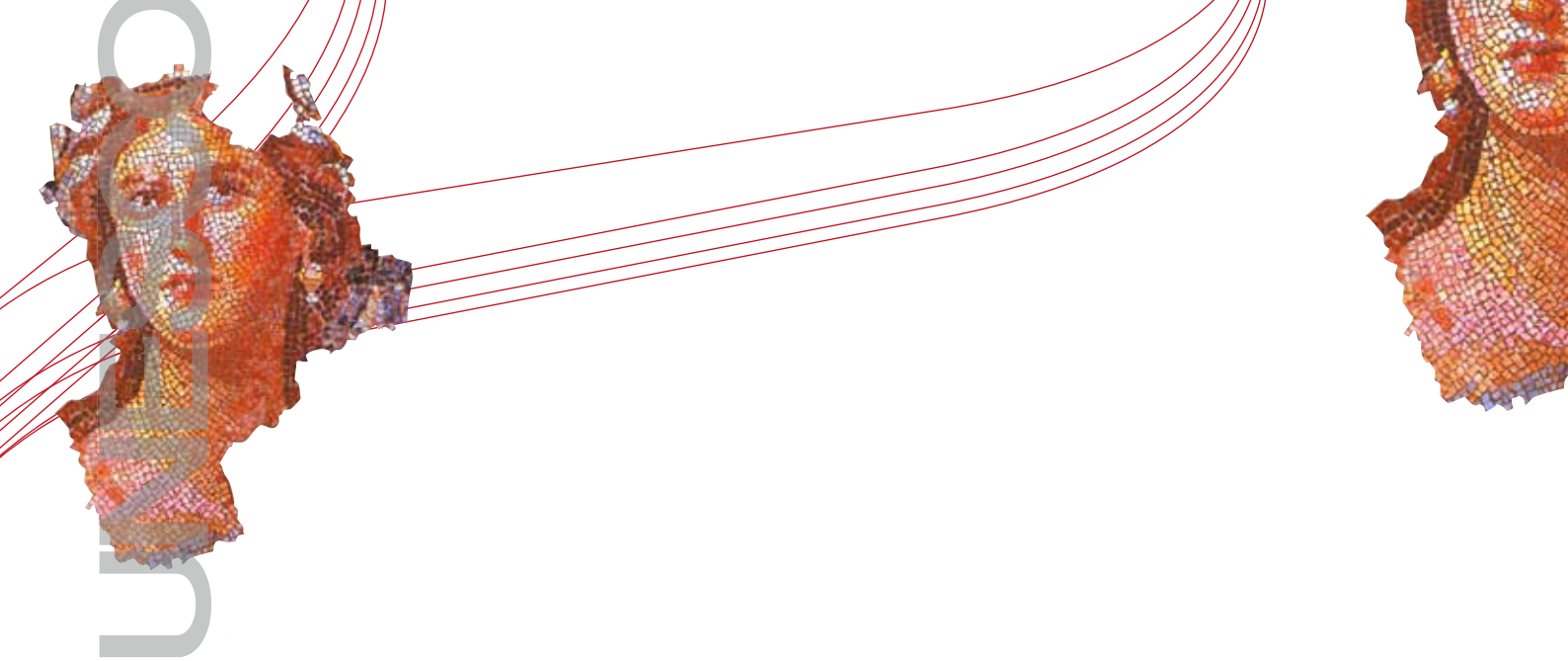
דברים שלא השתנו

* התפיסות היסודיות של צ'רטר בורה לא השתנו. השינויים משנת 1999 בוצעו על מנת לעדכן את הצ'רטר, לא לשנות את המסר המהותי שלו.
* השינויים משנת 1999 שומרים על מבנה הגרסאות הקודמות.
* אחרי המבוא ניתנים שלושה חלקים עיקריים: עקרונות שימור, תהליכי שימור ושיטות שימור.
* בחלקים אלה קיימת היררכיה, כאשר העקרונות בחלק הראשון, מורחבים בחלק השני והשלישי: * לדוגמה, עקרון הסדר הקובע בסעיף 12 (השתתפות) מורחב עוד יותר ביחס לשיטה בסעיף 26.3; סעיף 5.1 (ערכים) מורחב עוד יותר בסעיף 15.4; סעיף 6.1 (תהליך) מורחב עוד יותר בסעיף 26.1, 26.2 ו-26.3; וסעיף 10 (תוכן) מורחב עוד יותר בסעיף 33.

טבלת סימוכין: צ׳רטר בורה (1999) והגירסה הקודמת (1988)

טבלה זו מייחסת מספרי סעיפים נושאים בגירסה הנוכחית (1999) של האמנת, לגירסה הקודמת (1988). הטבלה אינה מהווה חלק מהאמנה.

1999	נושא	1988
1	הגדרות	1
1.1	מקום	1.1
1.2	משמעות וחשיבות תרבותית	1.2
1.3	מרקם	1.3
1.4	שימור	1.4
1.5	תחזוקה	1.5
1.6	קיום	1.6
1.7	שחזור	1.7
1.8	שיקום	1.8
1.9	התאמה	1.9
1.10	שימוש	--
1.11	שימוש תואם	1.10
1.12	סביבה	--
1.13	מקום קשור	--
1.14	חפץ קשור	--
1.15	הקשרים	--
1.16	מהויות	--
1.17	פרשנות	--
עקרונות שימור		
2	שימור וניהול	
3	גישה זהירה	3
4	ידע, כישורים וטכניקות	4
5	ערכים	5
6	תהליך צ׳רטר בורה	6
7	שימוש	7
8	סביבה	8
9	מיקום	9
10	תכנים	10
11	מקומות וחפצים קשורים	--



ICOMOS

האמנה האירופית לנוף

צ׳רטר בורה לאתרי תרבות סטנדרטים ועקרונות לשימור אתרי תרבות (1999)

תורגם על-ידי הוועד הישראלי לאונסקו

THE BURRA CHARTER 1999 - הצ'רטר של בורה 1999

צ'רטר ICOMOS של אוסטרליה עבור מקומות בעלי משמעות וחשיבות תרבותית 1999

ICOMOS אוסטרליה

מועצה בין-לאומית לאנדרטאות ואתרים

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צילום השער: יאן סטיפלטון.

הוצאה לאור: ICOMOS אוסטרליה

הפקולטה לאומנות

אוניברסיטת דיקין

www.icomos.org/australia

אוסטרליה.

ICOMOS אוסטרליה מודה על עזרתה של ועדת המורשת האוסטרלית ומחלקת התקשורת והאומנויות (היום מחלקת טכנולוגית התקשורת והמידע, והאומנויות) בהכנת מסמך זה ופרסומו.

נתוני קיטלוג - פרסום של הספריה הלאומית של אוסטרליה:

הצ'רטר של בורה: אמנת ICOMOS אוסטרליה למקומות בעלי משמעות וחשיבות תרבותית

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1. נכס תרבותי – הגנה – אוסטרליה. 2. אתרים היסטוריים – אוסטרליה – שימור ושחזור. 3. מבנים היסטוריים – אוסטרליה – שימור ושחזור. 4 – אנדרטאות – אוסטרליה – שימור ושחזור.

הערה חשובה

גרסת 1988 של צ'רטר בורה שונתה והיא מצטרפת לגרסאות של 1981 ו-1979 כמסמכי ארכיון המתעדים את ההתפתחות של פילוסופית השימור באוסטרליה.

ציטוט צ'רטר בורה

השם המלא הוא צ'רטר בורה: אמנת ICOMOS אוסטרליה עבור מקומות בעלי משמעות וחשיבות תרבותית 1999

(The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 1999).

ICOMOS

ICOMOS (המועצה הבין-לאומית לאנדרטאות ואתרים – International Council on Monuments and Sites) היא ארגון מקצועי לא ממשלתי שהוקם בשנת 1956, ואשר מטהו הראשי שוכן בפריס. ICOMOS עוסקת בראש ובראשונה בפילוסופיה, טרמינולוגיה, מתודולוגיה וטכניקות שימור המורשת התרבותית. היא קשורה באופן הדוק לאונסקו, בעיקר בתפקידה בהתאם לאמנת המורשת העולמית משנת 1972, כיועצת עיקרית למרכז מורשת עולמית באונסקו בנושאי אתרי תרבות הנוגעים למורשת העולמית. בין 5,000 החברים ב- ICOMOS נכללים אדריכלים, מתכנני ערים, דמוגרפים, ארכיאולוגים, גיאוגרפים, היסטוריונים, משמרי אתרים, אנתרופולוגים ומנהלי מורשת. ב- 84 מדינות פועלות ועדות לאומיות, והחברים משתתפים במגוון של פרויקטים לשימור, עבודת מחקר, חלופין בין-תרבותיים ושיתוף פעולה. ל- ICOMOS יש גם מספר ועדות מדעיות בין-לאומיות אשר מתמקדות בהיבטים מיוחדים בתחום השימור. החברים נפגשים מידי שלוש שנים באסיפה כללית.

ICOMOS אוסטרליה בע"מ

הוועדה הלאומית האוסטרלית של ICOMOS הוקמה בשנת 1976. לוועדה יש ועד מנהל (15 חברים) האחראי לביצוע תוכניות לאומיות ומשתתף בקבלת החלטות של ICOMOS כארגון בין-לאומי, בעיקר מול ועדת המורשת העולמית. ICOMOS אוסטרליה פועל בהקשר הלאומי והבין לאומי בין רשויות ציבוריות, מוסדות ופרטים אשר מעורבים במחקר ובשימור של כל המקומות בעלי המשמעות והחשיבות התרבותיים. חברי ICOMOS אוסטרליה משתתפים במגוון פעילויות שימור, כולל ביקורים לאתרים, הכשרה, כנסים ומפגשים.

שינוי צ'רטר בורה

צ'רטר בורה אומץ לראשונה בשנת 1979 בעיר המכרות ההיסטורית בורה, בדרום אוסטרליה; בשנת 1981 ובשנת 1988 הוכנסו בה שינויים מזעריים. אחרי בדיקה של חמש שנים הוכנסו שינויים מהותיים יותר, וכך נוצרה הגרסה הנוכחית ואומצה על ידי ICOMOS אוסטרליה בנובמבר 1999. כל מסמכי ICOMOS אוסטרליה נבדקים תקופתית ו-ICOMOS אוסטרליה תקבל בברכה הערות.

חוברת זו מכילה גם שלוש הנחיות הנוגעות לצ'רטר בורה והתקנון האתי לדו-קיום. את אלה יש עדיין לתקן בהתאם לצ'רטר 1999, אולם הם נכללים לצורך שמירת שלמות המסמך. ICOMOS

אוסטרליה מתכננת לעדכן אותם על מנת להשלים סדרת מסמכים שיטתית כאשר הצ'רטר עצמו ייבדק בפעם הבאה.

על מנת לסייע למי שמכיר את הגרסאות הקודמות של הצ'רטר, חוברת זו מכילה גם הערות המסבירות את השינויים העיקריים שבוצעו, וטבלת התאמה המשווה סעיפים בצ'רטר 1999 לאלה שבגרסה הקודמת.

הצ'רטר של בורה - עבור מקומות בעלי משמעות וחשיבות תרבותית

ICOMOS אוסטרליה

מבוא

תוך התייחסות לאמנה הבין-לאומית לשימור ושיקום אנדטראות ואתרים (ונציה 1964), והחלטות האסיפה הכללית החמישית של המועצה הבין-לאומית לאנדרטאות ואתרים (ICOMOS מוסקבה 1978), אומץ צ'רטר בורה על ידי ICOMOS אוסטרליה (הוועדה הלאומית של אוסטרליה של ICOMOS) ביום 19 באוגוסט 1979 בבורה, דרום אוסטרליה. (שינויים עודכנו ב- 23 בפברואר 1981, ב- 23 באפריל 1988 וב- 26 בנובמבר 1999.)

צ'רטר בורה מספק הנחיה לשימור וניהול מקומות בעלי משמעות וחשיבות תרבותית (אתרי מורשת תרבות), והוא מבוסס על הידע והניסיון של חברי ICOMOS אוסטרליה. שימור הוא חלק בלתי ניפרד מניהול מקומות בעלי משמעות וחשיבות תרבותית, והוא מהווה אחריות מתמדת.

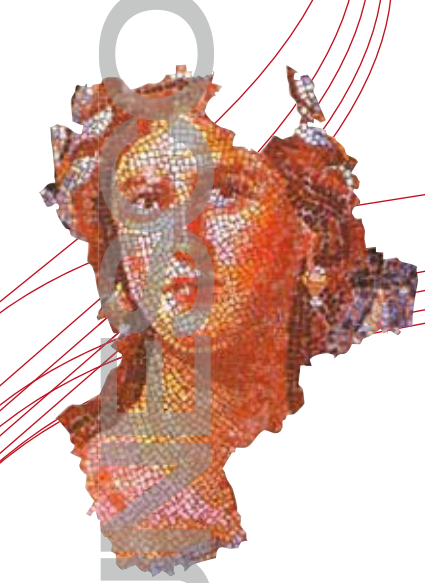
עבור מי נועד הצ'רטר?

הצ'רטר קובע נורמה מעשית עבור מי שמספק ייעוץ, מקבל החלטות או מבצע עבודות במקומות בעלי משמעות וחשיבות תרבותית, כולל בעלים, מנהלים ונאמנים.

שימוש בצ'רטר

יש לקרוא את הצ'רטר כיחידה אחת. הסעיפים תלויים זה בזה. סעיפים בחלק העוסק בעקרונות השימור מפותחים לעתים קרובות עוד יותר בחלקים העוסקים בתהליכי השימור ושיטות השימור. הכותרות נועדו להקל על הקריאה.

הצ'רטר עומד בפני עצמו, אולם היבטים של השימוש בו ויישומים שלו מוסברים בהרחבה



במסמכים הבאים של ICOMOS אוסטרליה:

* הנחיות למשמעות תרבותית.
* הנחיות למדיניות שימור.
* הנחיות להליכים לביצוע מחקרים ודוחות
* תקנון אתי לדו קיום בשימור מקומות בעלי חשיבות.

ICOMOS

האמנה האירופית לנוף

על איזה מקומות חל הצ'רטר?

ניתן ליישם את הצ'רטר בכל סוגי המקומות בעלי חשיבות ומשמעות תרבותית, כולל מקומות טבעיים, מקומיים (indigenous) היסטוריים בעלי ערכים תרבותיים.

גם סטנדרטים של ארגונים אחרים הם רלוונטיים. אלה כוללים את אמנת המורשת הטבעית האוסטרלית וטיוטת ההנחיות להגנה, ניהול ושימוש באתרי מורשת תרבות אבורג'יניים ובאיי מיצרי טורז.

מדוע לשמר?

מקומות בעלי משמעות היסטורית מעשירים את חיי האנשים, ולעתים מספקים תחושה עמוקה ורבת השראה של קשר עם הקהילה והנוף, עם העבר ועם חוויות בהווה. זהו תיעוד היסטורי, החשוב לביטוי המוחשי של הזהות והחוויה האוסטרלית. מקומות בעלי משמעות תרבותית משקפים את המגוון בקהילות שלנו, ומספרים לנו מי אנו ועל העבר אשר גיבש אותנו ואת הנוף האוסטרלי. הם חסרי תחליף ויקרים מפז.

יש לשמור על מקומות אלה בעלי המשמעות התרבותית, למען הדור בהווה ולמען הדורות בעתיד.

צ'רטר בורה תומך בגישה זהירה לשינוי: עשה כל מה שנחוץ על מנת לטפל במקום ולהפוך אותו לבר שימוש, אולם שנה אותו מעט ככל האפשר, על מנת לשמור על משמעותו התרבותית.

תוכן העניינים

חלק א - הגדרות

חלק ב - עקרונות שימור

חלק ג - תהליכי שימור

חלק ד - שיטות שימור

תהליך צ'רטר בורה

סעיף 1. הגדרות

למטרות צ'רטר זה:

1.1 *מקום* (place) משמעותו אתר, אזור, קרקע, נוף, מבנה או כל יצירה אחרת, קבוצת מבנים או יצירות אחרות, והוא עשוי לכלול מרכיבים, תכנים, מרחבים ונופים.

יש להרחיב את הפרשנות של תפיסת המקום. המרכיבים שתוארו בסעיף 1.1 עשויים לכלול מצבות זכרון, עצים, גנים, פארקים, מקומות בהם אירעו אירועים היסטוריים, אזורים עירוניים, עיירות, מקומות תעשייתיים, אתרים ארכאולוגיים ומקומות רוחניים ודתיים.

1.2 *משמעות תרבותית* (cultural significance) – משמעותה ערך אסתטי, היסטורי, מדעי, חברתי או רוחני של דורות העבר, לדור בהווה ולדורות בעתיד.

משמעות תרבותית מגולמת ב*מקום* עצמו, ב*מבנה* שלו, *בסביבה*, *בשימוש*, *בהקשרים*, *במשמעויות*, בתיעוד, *במקומות הקשורים ובחפצים הקשורים בו*.

ייתכן שלמקומות יהיה טווח של ערכים עבור פרטים או קבוצות שונות.

המונח משמעות תרבותית מקביל למשמעות ולערך מורשת תרבותית.

משמעות תרבותית עשויה להשתנות כתוצאה מההיסטוריה המתמשכת של מקום.

הבנת המשמעות התרבותית עשויה להשתנות כתוצאה ממידע חדש.

1.3 *מרקם* (fabric) - משמעותו כל החומר הפיסי ש*במקום*, כולל מרכיבים קבועים, תכולה וחפצים

מרקם כולל פנים מבנים ושרידים על פני הקרקע, כמו גם חפירות.

מרקם מגדיר חללים ואלה עשויים להיות מרכיבים חשיבות במשמעות המקום.

1.4 *שימור* (conservation) - משמעותו כל ההליכים אשר עוסקים בטיפול ב*מקום* על מנת לשמור על *המשמעות התרבותית* שלו.

1.5 *תחזוקה (maintenance)* - משמעותה טיפול הגנתי מתמיד *במרקם ובסביבת המקום*, והיא שונה מתיקון. התיקון כרוך בשיחזור ושיקום.

ההבדלים שהוזכרו, לדוגמה ביחס למרזבי גג:
* תחזוקה – בדיקה וניקוי שגרתיים של המרזבים;
* תיקון הכרוך בשחזור – החזרת מרזבים שנותקו;
* תיקון הכרוך בשיקום – החלפת מרזבים שהתבלו.

1.6 *שימור (preservation)* - משמעותו שמירת *המרקם* של *המקום* במצבו הנוכחי ומניעת התדרדרות.

מקובל שכל המקומות והמרכיבים שלהם משתנים במהלך הזמן בקצב שונה.

1.7 *שחזור (restoration)* – משמעותו החזרת *המרקם* הקיים של *מקום* למצב ידוע מהעבר, על ידי הסרת צמחיה או ארגון מחדש למרכיבים קיימים מבלי לשלב חומר חדש.

חומר חדש עשוי לכלול חומר ממוחזר אשר ניצל ממקומות אחרים. דבר זה אינו פוגם במקום בעל משמעות תרבותית.

1.8 *שיקום (reconstruction)* – משמעותו החזרת *מקום* למצבו הידוע מהעבר, והוא שונה משיחזור בשל הכנסת חומר חדש *למבנה*.

1.9 *התאמה (adaptation)* - משמעותה שינוי *מקום* על מנת שיתאים לשימוש הקיים או לשימוש המוצע.

1.10 *שימוש (use)* – משמעותו פעילותו של מקום, כמו גם הפעילויות והשיטות אשר עשויים להופיע במקום זה.

1.11 שימוש *תואם (compatible)* – משמעותו שימוש אשר מכבד את *המשמעות התרבותית של מקום*. שימוש כזה אינו משפיע כלל על המשמעות התרבותית, או שהשפעתו מינימלית.

1.12 *סביבה (setting)* – משמעותה האזור מסביב *למקום*, והיא יכולה לכלול מאפיינים בסביבה

1.13 *מקום קשור (related place)* – משמעו מקום אשר תורם *למשמעות התרבותית של* מקום אחר

1.14 *חפץ קשור (related object)* – משמעו חפץ אשר תורם *למשמעות התרבותית* של *מקום* אולם אינו מצוי במקום.

1.15 *הקשרים (association)* – משמעו הקשרים המיוחדים שקיימים בין אנשים ומקום.

> הקשרים עשויים לכלול ערכים חברתיים או רוחניים, ותחומי אחריות תרבותיים במקום.

1.16 *מהות* – מציינת את משמעותו של *המקום*, מסמלת אותה, מעוררת אותה או מבטאת אותה.

> בדרך כלל מהות מתייחסת להיבטים לא מוחשיים כגון תכונות סמליות וזיכרונות.

1.17 *פרשנות(interpretation)* - משמעותה כל הדרכים להצגת *המשמעות התרבותית* של *מקום*.

> פרשנות עשויה להיות שילוב של טיפול במבנה (לדוגמה, תחזוקה, שיקום, שחזור); שימוש במקום ופעילויות בו; והשימוש בחומר הסברתי שמוכנס למקום.

עקרונות שימור

סעיף 2. שימור וניהול

2.1 יש לשמור על *מקומות* בעלי *משמעות תרבותית*.

2.2 מטרת *השימור* היא לשמור על *המשמעות התרבותית* של *מקום*.

2.3 *שימור* הוא חלק בלתי נפרד מניהול טוב של *מקומות* בעלי *משמעות תרבותית*.

2.4 יש להגן על *מקומות* בעלי *משמעות תרבותית* ואסור לסכנם או להשאירם במצב פגיע.

סעיף 3. גישת הזהירות

3.1 *שימור* מבוסס על כבוד *למרקם, לשימוש, להקשרים ולמהות* הקיימים. הוא דורש גישה זהירה של שינוי בהתאם לצורך אולם מעט ככל האפשר.

> עקבות של תוספות, שינויים וטיפול מוקדם במבנה במקום מהווים עדות להיסטוריה והשימושים שלו, אשר מהווים חלק מהמשמעות שלו. על פעולת השימור לסייע ולא להפריע בהבנתם.

3.2 אסור לשינוי *במקום* לעוות את העדות הפיסית או האחרת שיש בו, ואסור לו להתבסס על הנחות.

סעיף 4. ידע, כישורים וטכניקות

4.1 על *שימור* להשתמש בידע, בכישורים ובתחומים אשר יוכלו לתרום למחקר ולטיפול *במקום*.

4.2 טכניקות מסורתיות וחומרים מסורתיים עדיפים *בשימור מרקם* משמעותי. בנסיבות מסויימות יתאימו טכניקות מודרניות וחומרים מודרניים אשר מציעים תועלות שימור מתאימות.

> יש לתמוך בשימוש בחומרים מודרניים וטכניקות מודרניות בעדות מדעית מוצקה או בניסיון.

סעיף 5. ערכים (values)

5.1 על *שימור* של *מקום לזהות* ולקחת בחשבון את כל היבטי המשמעות התרבותית והטבעית, ללא דגש בלתי מוצדק על ערך אחד על חשבון אחרים.

> שימור של מקומות בעלי משמעות טבעית מוסבר באמנת המורשת הטבעית האוסטרלית. צ'רטר זה מגדיר משמעות טבעית בחשיבותן של מערכות אקולוגיות, בחשיבותם של המגוון הביולוגי והגיאולוגי עבור הערך הקיומי שלהם, או עבור הדור בהווה או הדורות בעתיד, במונחי הערך המדעי, החברתי, האסתטי ותומך החיים שלהם.

5.2 רמות יחסיות של *משמעות תרבותית* עשויות לגרום לפעולות *שימור* שונות במקום.

> יש צורך בגישה זהירה, משום שהבנת המשמעות התרבותית עשויה להשתנות. אין להשתמש בסעיף זה על מנת להצדיק פעולות אשר אינן שומרות על המשמעות התרבותית.

סעיף 6. תהליך צ'רטר בורה

6.1 ניתן להבין בצורה הטובה ביותר *משמעות תרבותית* של *מקום* ונושאים אחרים אשר משפיעים על העתיד שלו באמצעות איסוף וניתוח רציף של מידע לפני קבלת החלטות; ראשית, הבנת המשמעות התרבותית, ואחריה פיתוח מדיניות, ולבסוף ניהול המקום בהתאם למדיניות.

> תהליך צ'רטר בורה, או רצף הבדיקות, ההחלטות והפעולות מודגם בתרשים הזרימה המצורף.

6.2 על מדיניות ניהול המקום *להתבסס* על הבנת *המשמעות התרבותית* שלו.

6.3 פיתוח מדיניות צריך לכלול גם שיקול גורמים אחרים, אשר משפיעים על עתיד *המקום*, כגון צרכי הבעלים, משאבים, מגבלות חיצוניות והתנאים הפיסיים בו.

סעיף 7. שימוש (use)

7.1 כאשר *השימוש במקום* הוא בעל *משמעות תרבותית*, יש להמשיך בו.

7.2 *מקום* חייב שהשימוש בו *יתאים* לו.

על המדיניות לזהות שימוש או שילוב של שימושים או מגבלות על שימושים, אשר שומרים על המשמעות התרבותית של המקום. שימוש חדש במקום חייב לגרום לשינוי מינימלי במרקם המשמעותי ובשימושים שבו; הוא חייב לכבד הקשרים ומהות; וכאשר נכון הדבר הוא חייב להבטיח המשכת שיטות אשר תורמות למשמעות התרבותית של המקום.

סעיף 8. סביבה (setting)

שימור דורש שמירה על *הסביבה* החזותית המתאימה, ויחסים אחרים אשר תורמים *למשמעות התרבותית* של *המקום*.

היבטי הסביבה החזותית עשויים לכלול שימוש, אתרים, אבנים, צורות, אופי, צבע, מבנה וחומרים.

מרקם חדש, הרס, חדירה או שינויים אחרים אשר עלולים להשפיע לרעה על הסביבה או היחסים אינם מקובלים.

יחסים אחרים, כגון הקשרים היסטוריים, יתרמו לפרשנות, ההערכה, ההנאה או החווייה במקום.

סעיף 9. מיקום (location)

9.1 המיקום הפיסי של *מקום* הוא חלק *מהמשמעות התרבותית* שלו. מבנה, יצירה או מרכיב אחר של המקום חייבים להישאר במקום ההיסטורי שלהם. העברת מקום אינה מקובלת בדרך כלל, אלא אם זהו האמצעי המעשי היחיד להבטחת הישרדותו.

9.2 יש בניינים, יצירות ומרכיבים אחרים *במקום* אשר נועדו להיות ניידים או שכבר יש להם היסטוריה של ניידות. הזזת בניינים, יצירות ומרכיבים אלה מותרת בתנאי שאין להם קשרים משמעותיים עם המיקום הנוכחי שלהם.

9.3 אם מזיזים מבנה, יצירה או כל מרכיב אחר, יש להזיזו לאתר המתאים, ויש להעניק לו את השימוש הנאות. אסור שפעולה מעין זו תזיק *למקום* בעל *משמעות תרבותית*.

סעיף 10. תכנים (contents)

יש לשמור על תכנים, קבועות (*fixtures*) או חפצים אשר תורמים *למשמעות התרבותית* של *מקום*, במקומם. הזזתם אינה מקובלת אלא אם היא מהווה את האמצעי היחיד להבטחת ביטחונם *וקיומם*; אם היא מבוצעת בצורה זמנית לצורך טיפול או תצוגה; למטרות תרבותיות; למטרות בריאות ובטיחות; או על מנת להגן על המקום. יש להחזיר תכנים כאלה, קבועות או חפצים כאשר הנסיבות מאפשרות זאת והדבר מתאים מבחינה תרבותית.

סעיף 11. מקומות וחפצים קשורים (related places/objects)

יש לשמור על תרומת *מקומות וחפצים קשורים למשמעות התרבותית* של *מקום*.

סעיף 12. השתתפות (participation)

על *שימור*, *פרשנות* וניהול של *מקום* לאפשר השתתפותם של אנשים אשר עבורם יש למקום *הקשרים ומהות* מיוחדים, או שהם נושאים באחריות חברתית, רוחנית או תרבותית אחרת למקום.

סעיף 13. דו קיום של ערכים תרבותיים (co-existing culture values)

יש להכיר בדו-קיום של ערכים תרבותיים, לכבדו ולעודדו, בעיקר במקרי עימות.

במקומות מסוימים ערכים תרבותיים סותרים עלולים להשפיע על פיתוח המדיניות ועל החלטות הניהול. בסעיף זה, המונח ערכים תרבותיים מתייחס לאותן אמונות החשובות לקבוצה תרבותית, כולל אולם לא מוגבל לנטייה פוליטית, אמונה דתית, רוחנית או מוסרית. הגדרה זו נרחבת יותר מהערכים הקשורים במשמעות התרבותית.

תהליכי שימור

סעיף 14. תהליכי שימור (preservation)

בהתאם לנסיבות, *שימור* יכול לכלול את התהליכים הבאים: המשכת שימוש או חידוש *שימוש*; שמירה על *הקשרים ומהות; תחזוקה, קיום, שיקום, שחזור, התאמה ופרשנות*; ובדרך כלל הוא כולל שילוב של אחד או יותר מהם.

> יתכנו נסיבות אשר בהן לא יהיה צורך בכל פעולה שהיא על מנת להגיע לשימור.

סעיף 15. שינוי (change)

15.1 יתכן שיידרש שינוי על מנת לשמור על *משמעות תרבותית*, אולם הוא אינו רצוי כאשר הוא מפחית מהמשמעות התרבותית. יש לקבוע את היקף השינוי ב*מקום* בהתאם *למשמעות התרבותית* של המקום ו*הפרשנות* המתאימה שלו.

> כאשר שוקלים שינוי, יש לבחון כמה אפשרויות, על מנת למצוא את האפשרות אשר מפחיתה למינימום את הפגיעה במשמעות התרבותית.

15.2 שינויים אשר עלולים להפחית מ*המשמעות התרבותית* חייבים להיות הפיכים, ויש לבטלם כאשר הנסיבות מאפשרות זאת.

> יש לראות שינויים הפיכים כזמניים. יש להשתמש בשינוים לא הפיכים אך ורק כמוצא אחרון, ואסור להם למנוע פעולת שימור בעתיד.

15.3 בדרך כלל אסור להרוס *מרקם* בעל משמעות של *מקום*. אולם במקרים מסויימים יתכן שיידרש הרס מזערי כחלק *מהשימור*. יש להחזיר למקומו מרקם משמעותי שהוסר כאשר הנסיבות מאפשרות זאת.

15.4 יש לכבד את תרומת כל היבטי *המשמעות התרבותית* של *מקום*. אם מקום כולל

בתוכו *מרקם, שימושים, הקשרים או מהויות* מתקופות שונות, או היבטים שונים ושל משמעות תרבותית, ניתן להצדיק הדגשה או פרשנות של תקופה אחת או של היבט אחד על חשבון האחר, אך ורק כאשר כל מה שהושאר בצד, הוסר או צומצם הוא בעל משמעות תרבותית מועטה ביותר, והמודגש או המפורש הוא בעל משמעות תרבותית רבה יותר.

סעיף 16. תחזוקה (maintenance)

תחזוקה היא פעולה בסיסית *בשימור*, ויש לבצעה כאשר *למרקם* יש *משמעות תרבותית*, והתחזוקה שלו הכרחית על מנת לשמור על *משמעות תרבותית* זו.

סעיף 17. שימור (preservation)

"שימור" מתאים כאשר *מרקם* קיים או מצבו מהווה עדות *למשמעות תרבותית*, או כאשר לא קיימת עדות מספקת אשר מאפשרת ביצוע הליכי *שימור* אחרים.

"השימור" מגן על מרקם מבלי להסתיר את העדות לבנייתו והשימוש בו. יש ליישם תמיד את התהליך:
בהתאם לסעיפים 26 עד 28.

* כאשר העדות הקשורה במבנה היא בעלת משמעות כזאת שאסור לשנותה;
* כאשר לא בוצעה בדיקה מספקת המאפשרת קבלת החלטות מדיניות

ניתן לבצע עבודה חדשה (כמו, ייצוב), בקשר עם "שימור", כאשר המטרה שלה היא הגנה פיסית על המרקם וכאשר היא עקבית עם הוראות סעיף 22.

סעיף 18. שחזור ושיקום

(restoration and reconstruction)

שיקום ושחזור אמורים לגלות היבטים משמעותיים מבחינה תרבותית של מקום.

סעיף 19. שחזור (restoration)

שחזור אפשרי כאשר קיימת עדות מספקת למצבו הקודם של *המרקם*.

סעיף 20. שיקום (reconstruction)

20.1 *שיקום* אפשרי רק כאשר *מקום* אינו מושלם בשל נזקים או שינויים, ורק כאשר קיימת עדות מספקת להעתקת מצבו הקודם של *המרקם*. במקרים נדירים מותר לבצע שחזור כחלק משימוש או שיטה אשר שומרים על *המשמעות התרבותית* של *המקום*.

20.2 יש להבטיח יכולת זיהוי של *שיקום* בעת ביצוע בדיקה מדוקדקת או באמצעות *פרשנות* נוספת.

סעיף 21. התאמה (adaptation)

21.1 *התאמה* מקובלת אך ורק כאשר יש לה השפעה מינימלית על *המשמעות התרבותית* של המקום.

> התאמה עשויה לכלול הכנסת שירותים חדשים, או שימוש חדש, או שינויים על מנת להגן על המקום.

21.2 על *התאמה* להתייחס לשינוי מינימלי במרקם משמעותי, שיבוצע רק אחרי שיקול כל החלופות.

סעיף 22. עבודה חדשה (new work)

22.1 עבודה חדשה כגון תוספות *למקום*, מותרת אך ורק כאשר אינה מעוותת *או מסתירה את המשמעות התרבותית* של המקום, וכאשר אינה גורעת *מהפרשנות* וההערכה שלו.

> עבודה חדשה יכולה להועיל אם הביצוע, הצורה, האבן, האופי, הצבע, המרקם והחומרים זהים למרקם הקיים, אולם יש להימנע מחיקוי.

22.2 יש לאפשר זיהוי קל של עבודה חדשה ככזאת.

סעיף 23. שימור שימוש (conserving use)

המשכת *השימוש*, שינויו או חידוש עשויות צורות נאותות ומועדפות של *שימור*

> ייתכן שיידרשו שינויים משמעותיים במרקם, אולם יש להפחיתם למינימום. במקרים מסויימים המשכת שימוש משמעותי או שיטה משמעותית דורשים עבודה חדשה מהותית.

סעיף 24. שמירת הקשרים ומהויות (relating (association and meaning

24.1 יש לכבד *הקשרים* משמעותיים בין אנשים *ומקום*, יש לשמור עליהם ולהימנע מלהסתירם. יש לבדוק וליישם הזדמנויות *לפרשנות*, הנצחת וחגיגת הקשרים אלה.

בהרבה מקומות ההקשרים הנוגעים לשימוש.

24.2 יש לכבד *מהות* משמעותית של *מקום*, כולל ערכים רוחניים. יש לבדוק וליישם הזדמנויות להמשכת מהויות אלה או החייאתן.

סעיף 25. פרשנות (interpretation)

לא תמיד ניתן להבחין בקלות *במשמעות התרבותית* של מקום, ויש להסבירה באמצעות *פרשנות*. על הפרשנות לקדם את ההבנה וההנאה, והיא חייבת להיות מתאימה מבחינה תרבותית.

שיטות שימור

סעיף 26. יישום תהליך צ'רטר בורה

26.1 לפני ביצוע עבודה על *מקום* יש לבצע מחקרים על מנת להבין את המקום. על מחקרים אלה לכלול ניתוח עדות פיסית, תיעודית, מילולית ואחרת, תוך הסתמכות על ידע מתאים, כישורים ותחומים מתאימים.

על תוצאות המחקרים להיות מעודכנות, יש לבחון אותן דרך שגרה ולשנות בהתאם לצורך.

26.2 יש להכין הצהרות כתובות על *המשמעות התרבותית* והמדיניות של *המקום*, יש להצדיקן וללוותם בעדות תומכת. יש לשלב הצהרות על משמעות ומדיניות בתוכנית הניהול של המקום.

יש לעדכן הצהרות משמעות ומדיניות באמצעות בדיקה שגרתית ושינוי בהתאם לצורך. תוכנית הניהול עשויה לעסוק בנושאים אחרים הנוגעים לניהול המקום.

26.3 יש לספק לקבוצות ופרטים בעלי *הקשרים* למקום, כמו גם לאותם המעורבים בניהול שלו, הזדמנות לתרום ולהשתתף בהבנת *המשמעות התרבותית* של המקום. בהתאם לצורך יש לאפשר להם הזדמנות להשתתף ב*שימור* והניהול שלו.

סעיף 27. ניהול שינוי

27.1 יש לנתח את השפעות השינויים המוצעים על *המשמעות התרבותית* של המקום, תוך התייחסות להצהרת המשמעות והמדיניות שנועדו לניהול המקום. בעקבות ניתוח, יתכן שיידרש תיקון בשינויים המוצעים, על מנת לשמור טוב יותר על המשמעות התרבותית.

27.2 יש לתעד בצורה הנאותה *מרקמים, שימוש, הקשרים ומהויות* קיימים, לפני ביצוע כל שינוי שהוא ב*מקום*.

סעיף 28. הפרעה למרקם

28.1 יש להפחית למינימום הפרעה משמעותית *למרקם* לצורך מחקר, או על מנת לאסוף עדות. יש לבצע מחקר של *מקום* על ידי הפרעה למרקם, כולל חפירה ארכיאולוגית, אך ורק על מנת להשיג נתונים חיוניים לקבלת החלטות על *שימור* המקום, או על מנת להשיג עדות חשובה אשר עלולה ללכת לאיבוד או לאבד את נגישותה.

28.2 בדיקת *מקום* אשר דורשת הפרעה *למרקם*, פרט לבדיקה הנחוצה על מנת לקבל החלטות, תורשה בתנאי שהיא עומדת במדיניות המקום. בדיקה כזו חייבת להתבסס על שאלות מחקר חשובות, אשר יש בהן פוטנציאל להוספה מהותית לידע, ואשר לא ניתן לענות עליהן בדרך אחרת, בתנאי שבדיקה זו מפחיתה למינימום הפרעה למבנה משמעותי.

סעיף 29. אחריות להחלטות

יש לציין מי הם הארגונים והפרטים האחראים להחלטות הניהול, ולפרט את האחריות המוטלת על כל אחד מהם בקבלת החלטות אלה.

סעיף 30. הכוונה, פיקוח ויישום

יש להקפיד על הכוונה ופיקוח מתאימים בכל השלבים. יישום יבוצע אך ורק על ידי אנשים בעלי הידע והכישורים המתאימים.

סעיף 31. תיעוד עדויות והחלטות

יש לתעד ביומן עדויות חדשות והחלטות נוספות.

סעיף 32. תיעוד

32.1 יש לאחסן את המסמכים הקשורים ב*שימור מקום* בארכיון קבוע, ויש להעמידם לרשות הציבור, בכפוף לדרישות הבטחון והפרטיות, כאשר אלה חלים מבחינה תרבותית.

32.2 יש להגן על מסמכים הנוגעים להיסטוריה של *מקום*, ויש להעמידם לרשות הציבור, בכפוף לדרישות הביטחון והפרטיות, כאשר אלה חלים מבחינה תרבותית.

סעיף 33. מרקם שהוסר

יש לקטלג *מבנה* משמעותי שהוצא *ממקום*, כולל תכנים, קבועות וחפצים, ויש להגן עליו בהתאם *למשמעות התרבותית* שלו.

כאשר אפשרי הדבר ונאות מבחינה תרבותית, יש להגן על מרקם משמעותי שהוסר, כולל תכנים, קבועות וחפצים, במקום עצמו.

סעיף 34. משאבים

יש לספק משאבים מספיקים *לשימור*.

לעתים קרובות כרוך השימור הטוב ביותר בכמות העבודה הפחותה ביותר, והוא זול מאד.

תהליך צ'רטר בורה

רצף בדיקות, החלטות ופעולות

הבנת המשמעות

זהה את המקום וההקשרים

אבטח את המקום וודא את בטיחותו

↓

אסוף ותעד מידע על המקום, אשר יספיק להבנת המשמעות

תיעודית מילולית פיסית

↓

הערך את המשמעות

↓

הכן הצהרת משמעות

↓

זהה התחייבויות הנובעות מהמשמעות

פיתוח מדיניות

↓

אסוף מידע על גורמים אחרים אשר משפיעים על עתיד המקום

צרכי ומשאבי הבעלים/המנהל

גורמים חיצוניים מצב פיסי

↓

פתח מדיניות

זהה אופציות

שקול אופציות ובדוק את השלכתן על המשמעות

↓

הכן הצהרת מדיניות

↓

ניהול

נהל את המקום בהתאם למדיניות

פתח אסטרטגיות

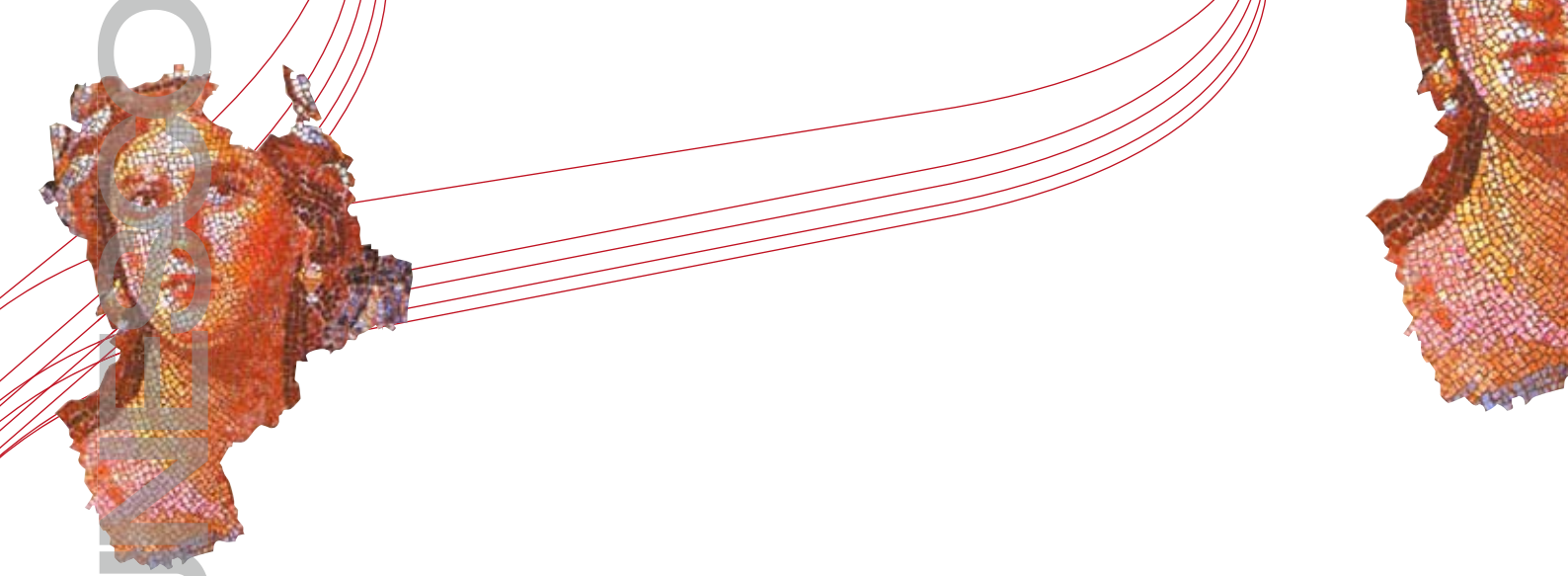
יישם אסטרטגיות באמצעות תוכנית ניהול

תעד את המקום לפני כל שינוי

↓

פיקוח והערכה

התהליך כולו חוזר על עצמו. יתכן שיהיה צורך לחזור על חלקים ממנו. יתכן שיידרשו מחקר והתייעצות נוספים.



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האמנה האירופית לנוף

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UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 9 November to 12 December 1962, in its twelfth session:

Considering that at all periods men have sometimes subjected the beauty and character of landscapes and sites forming part of their natural environment to damage which has impoverished the cultural, aesthetic and even vital heritage of whole regions in all parts of the world,

Considering that by the cultivation of virgin land, the sometimes ill-regulated development of urban centres, 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,

Considering that, on account of their beauty and character, the safeguarding of landscapes and sites, as defined in this recommendation, is necessary to the life of men for whom they represent a powerful physical, moral and spiritual regenerating influence, while at the same time contributing to the artistic and cultural life of peoples, as innumerable and universally known examples bear witness,

Considering furthermore that landscapes and sites are an important factor in the economic and social life of many countries, and are largely instrumental in ensuring the health of their inhabitants,

Recognizing, however, that due account should be taken of the needs of community life, its evolution and the rapid development of technical progress,

Considering, therefore, that it is highly desirable and urgent to consider and adopt the necessary steps with a view to safeguarding the beauty and character of landscapes and sites everywhere, whenever it is still possible to do so,

Having before it proposals concerning the safeguarding of the beauty and character of landscapes and sites, this question forming item 17.4.2 of the session's agenda,

Having decided at its eleventh session that proposals on this item should be the subject of an international instrument in the form of a recommendation to Member States,

Adopts on this eleventh day of December 1962, this recommendation.

The General Conference recommends that Member States should apply the following provisions by adopting, in the form of a national law or in some other way, measures designed to give effect in the territories under their jurisdiction to the norms and principles embodied in this recommendation.

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The General Conference recommends that Member States should bring this recommendation to the attention of the authorities and bodies concerned with the protection of landscapes and sites and with regional development, and of bodies entrusted with the protection of nature and the development of the tourist trade, together with youth organizations.

The General Conference recommends that Member States should, on dates and in a form to be determined, submit to it reports concerning the implementation of this recommendation.

I. Definition

1. For the purpose of this recommendation, the safeguarding of the beauty and character of landscapes and sites is taken to mean the preservation and, where possible, the restoration of the aspect of natural, rural and urban landscapes and sites, whether natural or man-made, which have a cultural or aesthetic interest or form typical natural surroundings.

2. The provisions of this recommendation are also intended to supplement measures for the protection of nature.

II. General principles

3. The studies and measures to be adopted with a view to the safeguarding of landscapes and sites should extend to the whole territory of a State, and should not be confined to certain selected landscapes or sites.

4. In choosing the measures to be adopted, due account should be taken of the relative significance of the landscapes and sites concerned. These measures might vary in accordance with the character and size of the landscapes and sites, their location and the nature of the dangers with which they are threatened.

5. Protection should not be limited to natural landscapes and sites, but should also extend to landscapes and sites whose formation is due wholly or in part to the work of man. Thus, special provisions should be made to ensure the safeguarding of certain urban landscapes and sites which are, in general, the most threatened, especially by building operations and land speculation. Special protection should be accorded to the approaches to monuments.

6. Measures taken for the safeguarding of landscapes and sites should be both preventive and corrective.

7. Preventive measures should be aimed at protecting sites from dangers which may threaten them. These measures should include, in particular, the supervision of works and activities likely to damage landscapes and sites, for example:

a) The construction of all types of public and private buildings. These should be designed so as to meet certain aesthetic requirements in respect of the building itself and, while avoiding a facile imitation of certain traditional and picturesque forms, should be in harmony with the general atmosphere which it is desired to safeguard;
(b) The construction of roads;
(c) High or low tension electric lines, power production and transmission plant and equipment, aerodromes, broadcasting and television stations, etc.;

(d) Petrol filling stations;
(e) Advertising hoardings and illuminated signs;
(f) Deforestation, including the destruction of trees contributing to the beauty of the landscape, particularly those lining thoroughfares or avenues;
(g) Pollution of the air and water;
(h) Working of mines and quarries and the disposal of their waste products;
(i) Piping of spring water, irrigation works, dams, channels, aqueducts, river regulation works, etc.;
(j) Camping;
(k) Dumping of worn-out material and waste, and domestic, commercial or industrial scrap.

8. In safeguarding the beauty and character of landscapes and sites, allowance should also be made for the dangers resulting from certain forms of work and certain activities of present-day life, by reason of the noise which they occasion.

9. Activities likely to mar landscapes or sites in areas that are scheduled or protected in some other way should be sanctioned only if the public or social welfare imperatively requires it.

10. Corrective measures should be aimed at repairing the damage caused to landscapes and sites and, as far as possible, restoring them to their original condition.

11. In order to facilitate the task of the various public services responsible for the safeguarding of landscapes and sites in each State, scientific research institutes should be set up to co-operate with the competent authorities with a view to the alignment and codification of the laws and regulations applicable in this matter. These provisions and the results of the work carried out by the research institutes should be published in a single administrative publication brought periodically up to date.

III. Protective measures

12. The safeguarding of landscapes and sites should be ensured by use of the following methods:

(a) General supervision by the responsible authorities;
(b) Insertion of obligations into urban development plans and planning at all levels: regional, rural and urban;
(c) Scheduling of extensive landscapes 'by zones';
(d) Scheduling of isolated sites;
(e) Creation and maintenance of natural reserves and national parks;
(f) Acquisition of sites by communities.

General supervision

13. General supervision should be exercised over works and activities likely to damage landscapes and sites throughout the whole territory of the State.

Town planning and rural planning schemes

14. Urban and rural planning schemes should embody provisions defining the obligations which should be imposed to ensure the safeguarding of landscapes and sites, even unscheduled ones, situated on the territory affected.

15. Urban and rural planning schemes should be drawn up in order of urgency, specifically for towns or regions in process of rapid development, where the protection of the aesthetic or picturesque character of the town or region justifies the establishment of such schemes.

Scheduling of extensive landscapes 'by zones'

16. Extensive landscapes should be scheduled 'by zones'.

17. When, in a scheduled zone, the aesthetic character is of prime importance, scheduling 'by zones' should involve control of plots and observation of certain general requirements of an aesthetic order covering the use of materials, and their colour, height standards, precautions to be taken to conceal disturbances of the soil resulting from the construction of dams and the operation of quarries, and regulations governing the cutting down of trees, etc.

18. Scheduling 'by zones' should be publicized, and general rules to be observed for the safeguarding of scheduled landscapes should be enacted and made public.

19. Scheduling 'by zones' should not, as a rule, involve payment of compensation.

Scheduling of isolated sites

20. Isolated small sites, whether natural or urban, together with portions of a landscape of particular interest, should be scheduled. Areas which provide a fine view, and areas and buildings surrounding an outstanding monument should also be scheduled. Each of these scheduled sites, areas and buildings should be the subject of a special administrative decision of which the owner should be duly notified.

21. Scheduling should mean that the owner is prohibited from destroying the site, or altering its condition or aspect, without permission from the authorities responsible for its protection.

22. When such permission is granted, it should be accompanied by all the conditions necessary to the safeguarding of the site. No permission should be needed. however, for normal agricultural activities, nor for normal maintenance work on buildings.

23. Expropriation by the authorities, together with the carrying out of public works in a scheduled site, should be subject to the agreement of the authorities responsible for its protection. No-one should be able to acquire, by prescription, within a scheduled site, rights likely to change the character or aspect of the site. No conventionary rights should be granted by the owner without the agreement of the responsible authorities.

24. Scheduling should involve a prohibition on the pollution of the ground, air or water in any way whatsoever, while the extraction of minerals should likewise be subject to special permission.

25. All advertising should be forbidden in a scheduled area and its immediate surroundings, or be limited to special emplacements to be decided by the authorities responsible for the protection of the site.

26. Permission to camp in a scheduled site should, in principle, be refused. or granted only within an area fixed by the responsible authorities and subject to their inspection.

27. Scheduling of a site may entitle the owner to compensation in cases of direct and definite prejudice resulting therefrom.

Natural reserves and national parks

28. When conditions are suitable, Member States should incorporate in the zones and sites to be protected, national parks intended for the education and recreation of the public, or natural reserves, strict or special. Such natural reserves and national parks should form a group of experimental zones intended also for research into the formation and restoration of the landscape and the protection of nature.

Acquisition of sites by communities

29. Member States should encourage the acquisition by communities of areas forming part of a landscape or site which it is desired to protect. When necessary, it should be possible to effect such acquisition by expropriation.

IV. Application of protective measures

30. The fundamental norms and principles governing the protection of landscapes and sites in each Member State should have the force of law, and the measures for their application should be entrusted to the responsible authorities within the framework of the powers conferred on them by law.

31. Member States should set up specialized bodies of an administrative or advisory nature.

32. The administrative bodies should be specialized central or regional departments entrusted with carrying out protective measures. Accordingly, those departments should be in a position to study problems of protection and scheduling, to undertake surveys on the spot, to prepare decisions to be taken and to supervise their implementation. They should likewise be entrusted with proposing measures designed to reduce the dangers which may be involved in carrying out certain types of work or repairing damage caused by such work.

33. The advisory bodies should consist of commissions at national, regional or local level, entrusted with the task of studying questions relating to protection and giving their opinion on those questions to the central or regional authorities or to the local communities concerned. The opinion of these commissions should be sought in all cases and in good time, particularly at the stage of preliminary planning, in the case of large-scale works of public interest, such as the building of highways, the setting up of hydro-technical or new industrial installations, etc.

34. Member States should facilitate the formation and operation of national and local non-governmental bodies, one of whose functions would be to collaborate with the bodies mentioned in paragraphs 31, 32 and 33, particularly by informing the public and warning the appropriate departments of dangers threatening landscapes and sites.

35. Violation of the rules governing the protection of landscapes and sites should involve payment of damages or the obligation to restore the site to its former condition, as far as possible.

36. Administrative or criminal prosecutions should be provided for in the case of deliberate damage to protected landscapes and sites.

V. Education of the public

37. Educational action should be taken in school and out of school with a view to arousing and developing public respect for landscapes and sites and publicizing the regulations laid down to ensure their protection.

38. Teachers to be entrusted with this task in schools should undergo special training in the form of specialized courses in institutions of secondary and higher education.

39. Member States should also facilitate the work of existing museums, with a view to intensifying the educational action they have already undertaken to this end, and should consider the possibility of establishing special museums, or specialized departments in existing museums, for the study and display of the natural and cultural features of particular regions.

40. The education of the public outside schools should be the task of the press, of private associations for the protection of landscapes and sites or for the protection of nature, of bodies concerned with the tourist trade and of youth or popular education organizations.

41. Member States should facilitate the education of the public and promote the work of associations, bodies and organizations devoted to this task by the supply of material assistance and by making available to them and to educationists in general appropriate publicity media such as films, radio and television programmes, material for permanent, temporary or mobile exhibitions. pamphlets and books suitable for wide distribution and planned on educational lines. Wide publicity could be provided through journals and magazines and regional periodicals.

42. National and international 'days', competitions and similar occasions should be devoted to encouraging the appreciation of natural or man-made landscapes and sites in order to direct public attention to the fact that the protection of their beauty and character is of prime importance to the community.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its twelfth session, which was held in Paris and declared closed the twelfth day of December 1962.

IN FAITH WHEREOF we have appended our signatures this eighteenth day of December 1962.

`The President of the General Conference` `The Director-General`

BACK

THE ICOMOS CHARTER ON CULTURAL ROUTES	CHARTE ICOMOS DES ITINERAIRES CULTURELS
Prepared by the International Scientific Committee on Cultural Routes (CIIC) of ICOMOS Ratified by the 16th General Assembly of ICOMOS, Québec (Canada), on 4 October 2008	Elaboré par le Comité scientifique international des itinéraires culturels (CIIC) de l'ICOMOS Ratifiée par la 16e Assemblée Générale de l'ICOMOS, Québec (Canada), le 4 octobre 2008
Preamble As a result of the development of the sciences of conservation of cultural heritage, the new concept of Cultural Routes shows the evolution of ideas with respect to the vision of cultural properties, as well as the growing importance of values related to their setting and territorial scale, and reveals the macrostructure of heritage on different levels. This concept introduces a model for a new ethics of conservation that considers these values as a common heritage that goes beyond national borders, and which requires joint efforts. By respecting the intrinsic value of each individual element, the Cultural Route recognizes and emphasizes the value of all of its elements as substantive parts of a whole. It also helps to illustrate the contemporary social conception of cultural heritage values as a resource for sustainable social and economic development. This more extensive notion of cultural heritage requires new approaches to its treatment within a much wider context in order to describe and protect its significant relationships directly associated with its natural, cultural and historical setting. Within this advance, the concept of the Cultural Route is innovative, complex and multidimensional. It introduces and represents a qualitatively new approach to the theory and practice of conservation of the cultural heritage. Cultural Routes represent interactive, dynamic, and evolving processes of human intercultural links that reflect the rich diversity of the contributions of different peoples to cultural heritage. Though Cultural Routes have resulted historically from both peaceful and hostile encounters, they present a number of shared dimensions which transcend their original functions, offering an exceptional setting for a culture of peace based on the ties of shared history as well as the tolerance, respect, and appreciation for cultural diversity that characterize the communities involved. The consideration of Cultural Routes as a new concept or category does not conflict nor overlap with other categories or types of cultural properties—monuments, cities, cultural landscapes, industrial heritage, etc.—that may exist within the orbit of a given Cultural Route. It simply includes them within a joint system which enhances their significance.	**Préambule** Comme résultat du développement des sciences reliées à la conservation du Patrimoine Culturel la nouvelle catégorie patrimoniale représentée par les Itinéraires Culturels rend compte de l'évolution des idées concernant le concept du patrimoine culturel, du rôle croissant des valeurs attribués à son milieu et à sa signification à l'échelle territoriale et révèle sa macrostructure à des niveaux différents. Cette catégorie lance le modèle d'une nouvelle morale de conservation qui envisage les valeurs culturelles comme un patrimoine commun, ouvert, au-delà des frontières et exigeant des efforts unifiés. En respectant la valeur inhérente à chacun de ses éléments, l'Itinéraire Culturel enrichisse le message spirituel du passé de tous ceux qui le composent comme des pièces appartenant à un ensemble qui renforce leur sens. Il illustre également la conception contemporaine des valeurs du patrimoine pour la société en tant que ressource d'un développement social et économique durable. Cette notion élargie du patrimoine suggère aussi de nouvelles approches de traitement à l'intérieur d'un contexte beaucoup plus ample afin d'expliquer et de sauvegarder les relations significatives directement associées à son milieu culturel et historique, ainsi qu'à son environnement naturel ou créé par l'homme. Dans ce contexte, le concept d'Itinéraire Culturel est innovateur, complexe et multidimensionnel. Il introduit et représente un apport qualitatif à la notion du patrimoine et à sa conservation. Les Itinéraires Culturels représentent des processus évolutifs, interactifs et dynamiques des relations humaines interculturelles détachant la riche diversité des apports des différents peuples au patrimoine culturel. Bien qu'ils soient le résultat de confrontations historiques ou de rencontres pacifiques entre des peuples, aujourd'hui les Itinéraires Culturels présentent une pluralité de dimensions partagées qui au-delà de leur fonction primitive, offrent un cadre privilégié pour construire une culture de paix inspirée non seulement dans les liens communs, mais aussi dans l'esprit de tolérance, le respect et l'estime de la diversité culturelle des différents communautés humaines qui ont contribué à leur existence. La considération des Itinéraires Culturels comme nouvelle catégorie patrimoniale s'harmonise avec les autres catégories consacrées et reconnues. Elle les reconnaît et les met en valeur, en enrichissant leur signification dans un cadre intégrateur, multidisciplinaire et partagé. Elle ne se confond pas non plus avec d'autres catégories et types de

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This integrated, interdisciplinary and shared framework creates new relationships among them by means of an innovative scientific perspective that provides a multilateral, more complete, and more accurate vision of history. This approach stimulates not only understanding and communication among the peoples of the world, but also increases cooperation to preserve cultural heritage.	biens (monuments, villes, paysages culturels, patrimoine industriel, etc.) qui peuvent exister dans son sein. Elle les relie au sein d'un système uni et les met en rapport dans une perspective scientifique qui apporte une vision plurielle, plus complète et juste de l'histoire. Elle favorise non seulement la compréhension et la communication entre les peuples, mais aussi la coopération pour la conservation du patrimoine.
The innovation introduced by the concept of "Cultural Routes" reveals the heritage content of a specific phenomenon of human mobility and exchange that developed via communication routes that facilitated their flow and which were used or deliberately served a concrete and peculiar purpose. A Cultural Route can be a road that was expressly created to serve this purpose or a route that takes advantage either totally of partially of preexisting roads used for different purposes. But beyond its character as a way of communication or transport, its existence and significance as a Cultural Route can only be explained by its use for such specific purpose throughout a long period of history and by having generated heritage values and cultural properties associated to it which reflect reciprocal influences between different cultural groups as a result of its own peculiar dynamics.	Le concept d'Itinéraire Culturel nous découvre le contenu patrimonial d'un phénomène spécifique de mobilité et d'échanges humains qui s'est développé à travers les voies de communication qui ont facilité son expansion et qui ont été utilisées ou délibérément mises au service d'un but concret et déterminé. Il peut s'agir d'un chemin qui fut tracé expressément pour atteindre cette fin ou d'une voie qui a utilisé, entièrement ou en partie, des chemins déjà existants et qui ont servi à des fins diverses. Mais au-delà de sa fonction comme voie de communication ou de transport, son existence et son sens en tant qu'Itinéraire Culturel proprement dit s'explique uniquement par son utilisation historique pour une telle fin concrète et déterminée et pour avoir favorisé la création des éléments patrimoniaux associés à celle-ci et qui, étant le résultat de sa propre et singulière dynamique, reflètent l'existence d'influences réciproques entre des groupes culturels divers pendant une longue période de l'histoire.
Therefore, Cultural Routes are not simple ways of communication and transport which may include cultural properties and connect different peoples, but special historic phenomena that cannot be created by applying one's imagination and will to the establishment of a set of associated cultural assets that happen to possess features in common.	Donc, les Itinéraires Culturels ne sont pas des simples voies historiques de communication qui possèdent des éléments patrimoniaux ou qui servent comme liaison entre ceux-ci, mais des phénomènes historique singuliers qui ne peuvent pas être crées avec l'imagination ou la volonté d'établir ensembles de biens à travers d'une association d'éléments ayant des caractéristiques communes.
Cultural Routes have sometimes arisen as a project planned a priori by the human will which had sufficient power to undertake a specific purpose (for example, the Incan and the Roman Empire Routes). On other occasions, they are the result of a long evolutionary process in which the collective interventions of different human factors coincide and are channeled towards a common purpose (such as in the Route to Santiago, the African trade caravan routes, or the Silk Route). In both cases, they are processes arising from the human will to achieve a specific objective.	Parfois, les Itinéraires Culturels ont surgi comme un projet tracé *a priori* par la volonté humaine qui a compté sur un pouvoir suffisant pour atteindre un but déterminé (par exemple, le Chemin des Inca ou les Chaussées de l'Empire Romain). D'autres fois, ils sont le résultat d'un long processus évolutif dans lequel interviennent de façon collective différents facteurs humains qui coïncident et se dirigent vers un même but (cas du Chemin de Santiago, les routes caravanières commerciales d'Afrique ou la Route de la Soie). Dans les deux cas, il s'agit de processus surgis délibérément de la volonté humaine pour accomplir un but spécifique.
Given the cultural richness and variety of both the interrelationships and the characteristic assets directly associated with the reason for the existence of Cultural Routes (such as monuments, archaeological remains, historic towns, vernacular architecture, intangible, industrial and technological heritage, public works, cultural and natural landscapes, transportation means and other examples of the application of specific knowledge and technical skills), their study and management requires a multidisciplinary approach that illustrates and reinvigorates scientific hypotheses and stimulates increased historic, cultural, technical and artistic knowledge.	Etant donné la richesse et la variété que peuvent offrir les relations mutuelles ainsi que les différents éléments directement associés à la raison d'être des Itinéraires Culturels (comme les monuments, sites archéologiques, villes historiques, architecture vernaculaire, patrimoine intangible, industriel et technologique, travaux publics, paysages culturels et naturels, moyens de transport, savoir faire et application des techniques traditionnelles spécifiques, etc.), leur étude et traitement exigent une approche pluridisciplinaire capable d'illustrer et renouveler les hypothèses scientifiques et de permettre l'accroissement des connaissances historiques, culturelles, techniques, et artistiques.
Objectives of the Charter	**Objectifs de la Charte :**
• To establish the basic principles and methods of research specific to the category of Cultural Route as they relate to other previously established and studied categories of cultural heritage assets.	• Etablir les fondements conceptuels et la méthodologie de la recherche propres de la catégorie "Itinéraire Culturel" par rapport aux autres catégories des biens antérieurement étudiées et reconnues.

- To propose the basic mechanisms for the development of knowledge about, evaluation, protection, preservation, management and conservation of Cultural Routes.
- To define the basic guidelines, principles and criteria for correct use of Cultural Routes as resources for sustainable social and economic development, respecting their authenticity and integrity, appropriate preservation and historical significance.
- To establish the bases for national and international cooperation that will be essential for undertaking research, conservation and development projects related to Cultural Routes, as well as the financing required for these efforts.

Definition

Any route of communication, be it land, water, or some other type, which is physically delimited and is also characterized by having its own specific dynamic and historic functionality to serve a specific and well-determined purpose, which must fulfill the following conditions:

a) It must arise from and reflect interactive movements of people as well as multi-dimensional, continuous, and reciprocal exchanges of goods, ideas, knowledge and values between peoples, countries, regions or continents over significant periods of time;
b. It must have thereby promoted a cross-fertilization of the affected cultures in space and time, as reflected both in their tangible and intangible heritage;
c) It must have integrated into a dynamic system the historic relations and cultural properties associated with its existence.

Defining elements of Cultural Routes: context, content, cross-cultural significance as a whole, dynamic character, and setting.

1. *Context:* Cultural Routes occur in a natural and /or cultural context upon which they exert an influence and which they help to characterize and enrich with new dimensions as part of an interactive process.

2. *Content:* A Cultural Route must necessarily be supported by tangible elements that bear witness to its cultural heritage and provide a physical confirmation of its existence. Any intangible elements serve to give sense and meaning to the various elements that make up the whole.

   1. The indispensable physical element that determines the existence of a Cultural Route is the communication route itself as an instrument serving a project designed or arising through human activity to accomplish specific goals.

   2. Other basic substantive elements are the tangible heritage assets related to its functionality as a historic route (staging posts, customs offices, places for storage, rest, and lodging, hospitals, markets, ports, defensive fortifications, bridges, means of communication and transport; industrial, mining or other establishments, as well as those linked to

- Présenter les mécanismes fondamentaux pour développer la connaissance, la mise en valeur, la protection, la conservation et la gestion des Itinéraires Culturels.
- Définir les orientations, les principes et les critères principaux pour une correcte utilisation des Itinéraires Culturels en tant que ressource d'un développement social et économique durable, en respectant leur authenticité et intégrité, leur conservation adéquate et leur sens historique.
- Consigner les bases de la coopération nationale et internationale indispensable à la réalisation des projets de recherche, sauvegarde, conservation et développement relatifs aux Itinéraires Culturels, ainsi que des orientations concernant l'établissement des mécanismes pour le financement de ces projets.

Définition

Un Itinéraire Culturel est une voie de communication terrestre, aquatique, mixte ou autre, déterminée matériellement, et possédant une dynamique et des fonctions historiques propres au service d'un but concret et déterminé. L'Itinéraire Culturel doit aussi réunir les conditions suivantes :

a) apporter le témoignage de mouvements interactifs de personnes et d'échanges pluridimensionnels continus et réciproques des biens, des idées, des connais-sances et des valeurs sur des périodes significatives entre peuples, pays, régions ou continents ;
b) avoir apporté une fécondation mutuelle, dans l'espace et dans le temps, des cultures impliquées, qui se manifeste tant dans son patrimoine tangible comme intangible.
c) avoir intégré dans un système dynamique les liaisons historiques et les biens culturels associés à son existence.

Eléments définitoires : Contexte, contenu, valeur d'ensemble partagé, caractère dynamique et milieu des Itinéraires Culturels

1. *Contexte naturel:* Les Itinéraires Culturels s´inscrivent dans un contexte naturel dans lequel ils ont une influence et qu'ils contribuent à caractériser et à enrichir de dimensions nouvelles, dans le cadre d'un processus interactif.

2. *Contenu:* Ils doivent s´appuyer nécessairement sur des éléments patrimoniaux tangibles qui constituent les témoins et la confirmation physique de leur existence. Les éléments intangibles donnent à l´ensemble des éléments concrets, un sens et une signification.

   1. L'élément physique indispensable qui détermine l'existence d'un Itinéraire Culturel est la voie de communication en soi comme instrument matériel au service d'un projet dessiné ou résultant de l'activité humaine pour accomplir un but spécifique.

   2. D'autres éléments substantifs sont les manifestations patrimoniales tangibles relatives à sa fonctionnalité en tant que route historique – tels que relais, douanes, entrepôts, auberges, points de ravitaillement, hôpitaux, marchés, ports, constructions défensives, ponts, moyens de communication et de transport, établissements industriels, miniers ou de toute autre nature,

manufacturing and trade, that reflect the technical, scientific and social applications and advances in its various eras; urban centers, cultural landscapes, sacred sites, places of worship and devotion, etc.) as well as intangible heritage elements that bear witness to the process of exchange and dialogue between the peoples involved along its path.	comme ceux liés à la production et au commerce, reflétant les applications et les avancées techniques, scientifiques et sociales de leurs différentes époques, centres urbains, paysages culturels, des lieux de dévotion, lieux cultuels et sacrés, etc. – ainsi que des éléments culturels intangibles qui témoignent du processus de communication et dialogue entre les peuples résidant au long de leurs parcours.
3. *Cross-cultural significance as a whole:* The concept of Cultural Route implies a value as a whole which is greater than the sum of its parts and gives the Route its meaning.	3. *Valeur d'ensemble partagé:* Le concept Itinéraire Culturel se réfère à un ensemble d´une valeur supérieure à la somme des éléments qui le constituent et qui lui donne son sens.
1. The cultural route constitutes a cultural asset enriched by the different cultures it has fertilized and which transcends them in overall value by offering a substantial number of shared characteristics and value systems.	1. Un Itinéraire Culturel constitue un bien culturel enrichi par diverses cultures auxquelles s'ajoute une valeur d'ensemble présentant une série substantielle de caractéristiques et d'échelles de valeur partagées.
2. Within its overall identity, the value of its parts resides in their common, shared, multi-faceted significance.	2. Au sein de son identité globale, la valeur de ses contenus réside en son intérêt commun, plural et participatif.
3. Its wider scale permits a cultural linking of peoples, countries, regions, and continents.	3. Sa transcendance d'échelle permet un lien culturel entre les peuples, les pays, les régions et les continents.
4. This breadth of scale is important from the point of view of both the territory included and of the comprehensive management of the various heritage elements included in it. At the same time the cultural diversity it implies provides an alternative to a process of cultural homogenization.	4. Cette ampleur est importante du point de vue territorial et du traitement intégral des divers éléments patrimoniaux qui le composent mais, à son tour, la diversité des cultures qu'il représente constitue une alternative aux processus d'homogénéisation culturelle.
4. *Dynamic character:* In addition to presenting physical evidences of its historic path, along with cultural heritage elements, Cultural Routes include a dynamic factor that acts as a conductor or channel through which the reciprocal cultural influences have flowed.	4. *Caractère dynamique:* En plus de s'affirmer à travers d'un tracé historique de caractère physique et d'éléments patrimoniaux , les Itinéraires Culturels impliquent un facteur de dynamisme qui agit comme un fil conducteur ou un cours à travers duquel ont agi les influences culturelles réciproques.
1. The dynamic of a Cultural Route does not obey natural laws or casual phenomena, but rather exclusively human processes and interests, and is therefore understandable only as a cultural phenomenon.	1. La dynamique de la route ne répond pas aux lois naturelles ou à des phénomènes fortuits, sinon au processus et aux intérêts proprement humains, par conséquent compréhensibles seulement en tant que phénomènes culturels.
2. This vital fluid of culture is manifested not only in material or tangible aspects, but also in the spirit and traditions making up the intangible heritage of Cultural Routes.	2. Près des biens patrimoniaux de caractère matériel ou tangible, ce flux vital de la culture se manifeste dans l'esprit et les traditions qui constituent le patrimoine intangible des Itinéraires Culturels.
3. By understanding a Cultural Route as a set of dynamic elements of cultural communication between peoples, its cultural heritage assets can be appreciated in their true spatial and historical dimensions, which allows for a comprehensive and sustainable approach to the conservation of the Route as a whole.	3. A travers les Itinéraires Culturels entendus en tant qu'éléments dynamiques de la communication culturelle entre les peuples, le patrimoine peut être considéré dans son authentique dimension spatiale et historique, ce qui contribue à la conservation intégrale et durable de l'ensemble.
5. *Setting:* The Cultural Route is closely linked to its setting and forms an inseparable part of it.	5. *Milieu :* L'Itinéraire Culturel est étroitement lié à son milieu, dont il fait inséparablement partie.
1. The geographical setting has helped to shape the Cultural Route, either determining its path or	1. Le milieu géographique a contribué à l'élaboration du tracé de l'Itinéraire Culturel en le conditionnant

influencing its development over time.	et en l'influençant au cours des âges.
2. The territorial setting, whether natural or cultural (urban or rural), provides the framework of the Cultural Route, gives it its particular atmosphere, characterized by elements and values of both physical and intangible nature, and is fundamental for the comprehension, conservation and enjoyment of the route.	2. Le milieu territorial, qu'il soit naturel ou culturel (urbain ou rural), encadre l'itinéraire Culturel, lui fournit une ambiance particulière, caractérisée par des éléments et des valeurs de nature physique et immatérielle, et est fondamental pour sa compréhension, sa conservation et sa jouissance.
3. A Cultural Route connects and interrelates geography and very diverse heritage properties, forming a unified whole. Cultural Routes and their setting are related to their different landscapes, natural or cultural, which are but just one of their components and have their own distinctive characteristics and identity depending on the different areas and regions they pass through in their course. The different landscapes contribute to characterize the diverse sections of the Route as a whole, enriching it with their diversity.	3. Un Itinéraire Culturel connecte et relie la géographie et des biens patrimoniaux très divers, pour former un tout unitaire. Les Itinéraires Culturels et leur milieu incluent plusieurs paysages naturels ou culturels qui ne sont que l'une des nombreuses composantes de l'Itinéraire et ne doivent pas être confondus avec lui. Les différents paysages, qui présentent des caractéristiques spécifiques et distinctives selon les différentes zones, régions et contrées, contribuent à caractériser les différents tronçons de l'ensemble de l'Itinéraire pour l'enrichir par leur diversité.
4. The relationship with nature is especially sensitive in some sections, in others it is the relationship with the urban or rural environment, and in the areas with monuments that are isolated from other buildings (such as chapels, monasteries, fountains, bridges, boundary crosses, etc.), it is the relationship of these monuments with their landscape setting which shapes the nature of that section of the Cultural Route.	4. La relation avec la nature est tout particulièrement sensible sur certains tronçons ; sur d'autres, c'est l'ambiance urbaine ou rurale du milieu qui prédomine ; et dans les zones possédant des monuments à l'écart d'autres constructions (comme des ermitages, monastères, fontaines, ponts, symboles commémoratifs, etc.), c'est la relation entre ceux-ci et le milieu paysager qui forme le caractère de ce tronçon de l'Itinéraire Culturel.
5. The protection and conservation of the Cultural Routes requires a profound knowledge of the historic, natural and cultural characteristics of their surroundings. Any interventions that may be necessary must fit in with this context and respect its defining features by facilitating their understanding and not distorting the traditional landscape, whether it is natural, cultural or combined.	5. La protection et la conservation des Itinéraires Culturels exigent une connaissance approfondie des caractéristiques historiques, naturelles et culturelles de leur milieu. Les interventions à réaliser doivent s'inscrire dans ce contexte en respectant leurs caractères définitoires et faciliter leur lecture sans déformer le paysage traditionnel, qu'il soit naturel, culturel ou mixte.
6. A delineation of the setting must be provided for the Cultural Route, clearly marking the boundaries of a well-defined, regulated buffer zone, which should allow the material and immaterial cultural values included in it to be preserved in their full authenticity and integrity. Such protection must include the values of the different landscapes forming part of the Cultural Route and providing its characteristic atmosphere.	6. Il convient de procéder à la délimitation du milieu de l'Itinéraire Culturel, en marquant clairement les limites d'une zone tampon, bien définie et réglementée, qui permette de préserver, dans leur authenticité et intégrité, les valeurs culturelles, matérielles et immatérielles qu'elle contient. Cette protection doit inclure les valeurs des différents paysages qui font partie de l'Itinéraire Culturel et qui lui confèrent une ambiance caractéristique.
Specific indicators	**Indicateurs spécifiques**
As basic differentiating indicators applicable to the category of Cultural Route, the following should be considered: the structure of the route and its physical substratum as well as historical data about its use to accomplish a specific goal; any physical structures associated with the concrete purpose and functionality of the Cultural Route; communication elements, and the existence of cultural manifestations of shared origin along (or at given points of) the route such as practices, traditions, customs, and common uses of a religious, ritual, linguistic, festival, culinary, or similar nature; reciprocal influences in music,	Quant aux indicateurs fondamentaux et différenciés applicables à la catégorie d'Itinéraire Culturel, on doit considérer la structure du réseau routier et son substrat matériel ainsi que les renseignements historiques de son usage au service de l'Itinéraire, l'existence de manifestations culturelles d'origine partagée au cours (ou en certains points) de la voie et les constructions associées à son utilisation pour accomplir un but spécifique, les pratiques, traditions, les us et coutumes partagés de caractère religieux, rituel, linguistique, de festivité, culinaire, etc., l'influence réciproque dans des domaines comme la musique, la littérature,

literature, architecture, fine arts, handicrafts, scientific advances, technical and technological skills, and other material and immaterial cultural assets whose full understanding derives from the historic function of the Cultural Route.	l'architecture, les arts plastiques, l'artisanat, la science, la technique, la technologie, et d'autres biens matériels et immatériels dont la pleine compréhension ait une relation avec la fonction historique de l'Itinéraire.
Types of Cultural Routes Cultural routes can be classified as follows: • According to their territorial scope: local, national, regional, continental, or intercontinental. • According to their cultural scope: within a given cultural region or extended across different geographical areas that have shared or continue to share a process of reciprocal influences in the formation or evolution of cultural values. • According to their goal or function: social, economic, political, or cultural. These characteristics can be found shared across a multi-dimensional context. • According to their duration in time: those that are no longer used versus those that continue to develop under the influence of socio-economic, political, and cultural exchanges. • According to their structural configuration: linear, circular, cruciform, radial or network. • According to their natural environment: land, aquatic, mixed, or other physical setting.	**Classification des Itinéraires Culturels** Les Itinéraires Culturels peuvent être classés de la façon suivante: • En tenant compte de leur dimension territoriale: local, national, régional, continental ou intercontinental. • En accord avec leur dimension culturelle: dans une région culturelle déterminée ou au cours de diverses zones géographiques qui ont partagé ou qui continuent à partager un processus d'influences réciproques dans la formation ou l'évolution de leurs valeurs culturelles. • Par leur objectif ou fonction : social, économique, politique ou culturel. Ces caractéristiques peuvent avoir une nature partagée dans un contexte multidimensionnel. • Pour leur durée temporelle: ceux qui ne s'utilisent plus, ou ceux qui continuent à se développer sous les influences des échanges socio-économiques, politiques et culturels. • Quant à leur configuration structurale : linéaire, circulaire, cruciforme, radiale, ou celle d'un réseau routier. • Quant à leur cadre naturel: terrestre, aquatique, mixte ou d'une autre nature physique.
Identification, Integrity and Authenticity • *Prima facie indicators* For identification and assessment purposes, the following aspects may initially be considered as *prima facie*, non-conclusive evidence of the existence of a Cultural Route: • Expressions of dynamic social, economic, political, and cultural processes which have generated exchanges between different cultural groups of related areas; • Distinguishing characteristics that are shared by different geographical and cultural areas connected by historical bonds; • Evidences of mobility and of relationships forged between peoples or ethnic groups of different cultures; • Specific cultural features rooted in the traditional life of different communities; • Heritage elements and cultural practices—such as ceremonies, festivals and religious celebrations representative of shared values for different communities within (a) specific cultural and historic area(s)—related to the significance and functionality of the Route. • *Identification process* The process for identifying a Cultural Route will necessarily take into account its specific functionality to serve a concrete and well-determined purpose, the tangible and intangible values of its heritage dynamically generated as a results of reciprocal cultural influences, its structural configuration, its whole geographic and historic context, its natural and cultural setting, whether the latter is urban or rural, and its	**Identification, Authenticité et Intégrité.** • *Orientations préliminaires* En vue de l'identification et la valorisation d'un Itinéraire Culturel, les indications suivantes seront retenues comme des orientations préliminaires, bien que non concluantes : • Expressions de processus dynamiques sociaux, économiques, politiques et culturels qui aient favorisé l'existence d'échanges entre des groupes culturels divers ayant des liens entre eux; • Caractéristiques distinctives et partagées en différentes zones géographiques et culturelles ayant des relations historiques; • Manifestations de mobilité et relations entre peuples ou groupes ethniques de différentes cultures; • Traits culturels spécifiques intégrés dans la vie traditionnelle de différentes communautés; • Biens culturels et pratiques culturelles - telles que des cérémonies, festivals et célébrations religieuses représentatives de valeurs partagées entre différentes communautés dans une ou diverses régions culturelles et historiques - en rapport avec le sens et la fonction du propre Itinéraire. • *Identification* Dans le processus d'identification d'un Itinéraire Culturel, il sera nécessaire de prendre en compte sa fonctionnalité au service d'un but concret et déterminé, les valeurs patrimoniales tangibles et intangibles générées par sa dynamique en tant que résultat des influences culturelles réciproques, sa configuration structurelle, son contexte géographique et historique, son milieu naturel et culturel, qu'il soit urbain ou rural, et ses valeurs

corresponding characteristic environmental values, its relationships to the landscape, its duration in time, and its symbolic and spiritual dimension, all of which will contribute to its identification and to the understanding of its significance.	environnementales caractéristiques, ses relations avec le paysage, sa durée temporelle, et sa dimension symbolique et spirituelle, ce qui contribuera à identifier et expliquer sa signification.
The intangible assets of a Cultural Route are fundamental for understanding its significance and its associative heritage values. Therefore, material aspects must always be studied in connection with other values of an intangible nature.	Les aspects intangibles des Itinéraires Culturels sont fondamentaux pour comprendre leur signification et leurs valeurs patrimoniales associatives. De ce fait, les aspects matériels doivent être considérés comme étant toujours en relation avec d'autres valeurs de nature intangible.
For the purpose of its comparative evaluation, the temporal duration and historic significance of the different sections of the Route in relation to the whole should also be taken into account.	Du point de vue comparatif, on devra tenir compte également de la durée dans le temps et de l'importance historique que comprennent ses différents tronçons par rapport à l'ensemble de l'Itinéraire.
In the case of a living Cultural Route, the relationships and dynamic functions associated with the specific and well-determined purpose that gave rise to its existence and serves to define and identify the route should be maintained, even if the historic processes have undergone change over time and new elements have been incorporated. These new elements should be evaluated within the framework of their functional relationship to the Cultural Route, and the case may occur where properties that have heritage values in themselves cannot be considered as components of the Cultural Route because they do not form part of it.	Dans le cas d'un Itinéraire Culturel vivant, les relations et les fonctions dynamiques au service de l'objectif concret et déterminé ayant donné lieu à son existence et servant à le caractériser et à l'identifier doivent avoir persisté au cours du temps et être toujours évidentes aujourd'hui, même dans le cas où les processus lui ayant donné lieu ont subit une évolution par l'incorporation de nouvelles composantes. Ces nouvelles composantes devront être évaluées dans le cadre de leur relation fonctionnelle avec l'Itinéraire Culturel, et il est possible que des biens possédant une valeur patrimoniale en soi ne puissent pas être considérés comme des composantes de l'Itinéraire Culturel parce qu'ils n'en font pas partie.
• *Authenticity*	• *Authenticité*
Every Cultural Route should fulfill authenticity criteria demonstrably and credibly expressing its value in terms of both its natural and cultural environment, and concerning both its defining elements and its distinctive features of a material and immaterial nature: • These criteria should be applied to each section under study to assess its significance in relation to the overall meaning of the Route throughout its historical development, and to verify the authenticity of its structural layout through the vestiges of its path. • Authenticity should also be evident in the natural and cultural context of each stretch of the Route subject to analysis and assessment, as well as in the other tangible and intangible heritage elements included within its historic functionality and its setting. • Even if in certain sections the material traces of a Cultural Route are not clearly preserved, its existence in these areas could be shown through historiography, intangible elements and immaterial sources of information that prove their real meaning as integral components of that Route and evidence its authenticity. • The techniques and methodologies used for the protection, conservation and management of the Cultural Routes, whether traditional or newly implemented, must respect the authenticity criteria.	Tout Itinéraire Culturel doit répondre aux critères d'authenticité, qui expriment sa valeur de façon véridique et crédible, dans son milieu naturel et bâti, et tant en ce qui concerne ses éléments définitoires que ses composantes distinctives d'ordre matériel et immatériel : • Ces critères doivent être appliqués à démontrer la signification acquise par chaque tronçon en étude par rapport au sens global de l'Itinéraire au cours de son développement historique, ainsi qu'à vérifier l'authenticité de sa configuration structurale à travers des vestiges matériels de son tracée. • L'authenticité doit aussi être évidente dans le contexte naturel et culturel de chaque tronçon de l'Itinéraire faisant l'objet d'analyse et d'évaluation et dans les autres éléments patrimoniaux tangibles et intangibles insérés dans le cadre de la fonctionnalité historique de l'ensemble et leur milieu. • Même si quelques tronçons matériels de l'Itinéraire Culturel ne semblent pas clairement conservés, son existence dans ces zones peut être évidente à travers la documentation historiographique, les sources et les éléments immatériels conservés s'ils servent à démontrer la signification de ces tronçons dans le sens global de l'Itinéraire et leur authenticité. • Les techniques et les méthodes employées pour la protection, la conservation et la gestion des Itinéraires Culturels, qu'ils soient traditionnels ou d'implantation nouvelle, doivent respecter les critères d'authenticité.
• *Integrity*	• *Intégrité*
The verification of the integrity of a Cultural Route must necessarily be based on a sufficiently representative set of both tangible and intangible evidences and elements that witness to its global significance and values as a whole and ensure the complete representation of the	La constatation de l'intégrité d'un Itinéraire Culturel doit être fondée nécessairement sur un ensemble d'évidences et d'éléments tangibles et intangibles qui représentent un témoignage suffisant et représentatif du

features and importance of the historic processes which generated the Cultural Route.

Evidences of the historic relationships and dynamic functions essential to the distinctive character of the Cultural Route should be maintained. In addition, regard must be had for whether its physical fabric and/or its significant features are in good condition and the impact of deterioration processes controlled, and whether or not the Route reflects any possible side effects of development, abandonment or neglect.

Methodology

The concept of Cultural Route requires a specific methodology for its research, assessment, protection, preservation, conservation, use and management. Given its breadth and its value as a whole, as well as its territorial dimensions, this methodology requires the establishment of a system of coordinated and integrally managed activities.

It is essential to start with the identification both of the Route as a whole and of its individual sections, along with an inventory of the assets that comprise it and an analysis of their state of conservation which will facilitate the elaboration of a strategic plan for its preservation. This plan should necessarily include measures for raising awareness of the Route and creating interest in it among public and private entities. It also requires the formulation of coordinated measures and specific legal instruments for the protection, use and management of all of its elements as substantive parts of the value and significance of the Route as a whole.

1. *Research*

The study of cultural routes may extend across different geographical areas, possibly widely separated from each other. It is therefore advisable to set up several research teams located at the main characteristic points of the Route under study.

The research methodology, along with the adoption of practices and the attachment of indicators for proper identification and assessment of the heritage values in the different sections of a Cultural Route, should never lose sight of the meaning of the Route as a whole, in order to avoid any loss in the meaning or historic significance of the route.

Research teams working on this cultural heritage category should be of a multidisciplinary and co-operative nature. Common working criteria should be established based on the principle of starting with an investigation of the parts, but without losing sight of the project as a whole. Similarly, common methodological instruments—standardized in advance—should be used for the collection of data. The project plan should include coordinating mechanisms that will facilitate communication and cooperation among the researchers in order to make it possible to transmit data about the work and achievements of each team.

sens global de l'Itinéraire, permettant une représentation complète des caractéristiques et de l'importance des processus historiques l'ayant généré, et transmettant la totalité des valeurs que représente l'Itinéraire.

Il est également nécessaire d'observer si le témoignage des relations et des fonctions dynamiques essentielles à son caractère distinctif est maintenu, si son tissu physique et / ou ses caractéristiques significatives sont conservées en bon état, et si l'impact des processus de détérioration est contrôlé ou si l'Itinéraire souffre les éventuels effets négatifs du développement, de l'abandon et de la négligence.

Méthodologie

Le nouveau concept d'Itinéraires Culturels exige une nouvelle méthodologie de leur recherche, valorisation, préservation, conservation, usage et gestion. Etant donné leur nature d'envergure et leur valeur d'ensemble, ainsi que leurs dimensions territoriales, la méthodologie présuppose un système d'activités liées entre elles et gérées dans leur intégrité.

Il est fondamental commencer par l'identification globale de l'Itinéraire et ses différents tronçons et par la confection d'un inventaire des biens qu'il comprenne accompagné d'un rapport préliminaire sur leur état de conservation et protection qui puisse servir à l'élaboration ultérieure d'un diagnostique et à établir un plan stratégique de sauvegarde et conservation. Ce plan doit inclure nécessairement des mesures adressées à promouvoir la connaissance de l'Itinéraire et la sensibilisation sociale et des institutions publiques. Il doit exister aussi des mécanismes qui garantissent la coordination des actions et des instruments légaux spécifiques pour la protection, le bon usage et la gestion de tous les éléments comme parts substantives de la valeur et le sens global de l'Itinéraire.

1. *Recherche*

L'étude des Itinéraires Culturels peut comprendre des divers points géographiques, même s'ils sont très séparés entre eux. Pour cela, l'organisation de plusieurs équipes de recherche est nécessaire dans les principaux endroits caractérisant la route.

La méthodologie de la recherche, ainsi que le développement des mesures et la définition d'indicateurs pour l'identification et l'estimation des valeurs d'un Itinéraire Culturel dans leurs différents tronçons, ne devra pas perdre de vue son valeur d'ensemble, évitant ainsi de perdre le sens et la signification historique de l'Itinéraire.

Les équipes de recherche qui travaillent sur cette catégorie patrimoniale doivent être de nature multidisciplinaire et participative. On doit fixer des règles communes de travail, sous le principe de mettre en marche les différentes parties de la recherche sans perdre de vue la totalité du projet. De même, on devra utiliser des instruments méthodologiques en commun, normalisés au préalable, pour le recueil des renseignements. Il doit exister des mécanismes de coordination qui facilitent la communication et la coopération des différents chercheurs afin de rendre possible la transmission de renseignements sur la marche des travaux de chaque équipe.

Researchers should keep in mind that the presence of various types of cultural heritage properties along the path of a Cultural Route does not, in and of itself, imply that they are necessarily integral components of that route or are appropriate objects of study in relation to it. The only elements that should be highlighted in the scientific investigation of a Cultural Route are those related to the specific goal of the Route and any influences arising from its functional dynamic.

2. *Funding*

Given the scope of the tasks involved in identifying and highlighting the value of a vast Cultural Route, funding should be obtained in stages that will allow for balanced, coordinated progress in the research projects as well as the preservation, use, and management projects related to its various sections. It is advisable to establish a joint estimation of the values to be preserved so as to allow the setting of a scale of priorities for action and the implementation of the corresponding strategies. This requires that funding be obtained through bilateral or multilateral cooperation agreements, as well as through the creation of bodies specifically devoted to researching and highlighting the value of the Route. Along the same lines, regional bodies whose jurisdictions coincide totally or partially with the historic path of a Cultural Route should determine how they can best gain the interest of the States involved and obtain their cooperation. It is also important to attract, if possible, the cooperation of philanthropic institutions and private donors.

3. *Protection – Assessment – Preservation / Conservation*

Cultural Routes and their setting require new instruments for their assessment, protection, conservation and evaluation. It is not sufficient to guarantee protection of their heritage elements on a partial or random basis. The preparation of rigorous inventories of these elements, as well as an assessment of their authenticity and integrity should take place in order to identify impacts on the values of the Cultural Route and therefore impacts on its significance. It is also necessary to control the impact of deterioration processes, and to develop a strategy to prevent the adverse effects of development and neglect. All of this requires the establishment of a system of coordinated legal measures and appropriate instruments that guarantee that the Route will be preserved and its value and significance highlighted in a holistic fashion. Understanding heritage values is fundamental prior to any intervention on Cultural Routes that may impact/change their significance.

4. *Sustainable Use – Relationship to Tourist Activities*

With regard to its use, a Cultural Route can be used to promote an activity of social and economic interest of extraordinary importance for stable development.

Les chercheurs doivent être conscients que le fait qu'il existe une diversité de classes de biens patrimoniaux sur le tracé d'un Itinéraire Culturel ne veut pas dire que ceux-ci, en soi, fassent partie intégrante de ce dernier et doivent faire l'objet spécifique de leur recherche. Les seuls éléments que l'on doit détacher dans la recherche scientifique concernant un Itinéraire Culturel sont ceux qui sont liés à sa finalité spécifique et les influences surgies de sa dynamique fonctionnelle historique.

2. *Financement*

Etant donné l'ampleur des travaux nécessaires pour la correcte identification et la mise en valeur des Itinéraires Culturels d'une vaste extension, leur financement doit se faire par étapes, ce qui permettrait d'obtenir un niveau similaire dans la progression des recherches sur leurs différents tronçons ainsi que dans les projets relatifs à leur conservation, utilisation et gestion. Il est conseillé d'établir une base estimative conjointe des valeurs à conserver permettant d'élaborer une échelle de priorités d'action et de mettre en œuvre les stratégies correspondantes. Cela exige d'établir des mécanismes de financement à travers d'accords de coopération bilatérale ou multilatérale, ainsi que la création d'organismes spécifiquement consacrés à leur recherche et mise en valeur. Les organismes d'intégration régionale dont les juridictions coïncident totalement ou partiellement avec le tracé historique d'un Itinéraire Culturel devraient étudier aussi la façon de provoquer l'intérêt des Etats impliqués afin d'obtenir leur collaboration. On doit chercher aussi la coopération des institutions philanthropiques et des personnes qui puissent contribuer à ce but.

3. *Valorisation – protection – conservation*

L'Itinéraire Culturel exige de nouveaux instruments de valorisation, de protection et de préservation. Il ne suffit pas d'assurer seulement une protection de ses composantes patrimoniales de façon partielle ou aléatoire. Encore faut-il réaliser des inventaires rigoureux de ces éléments, ainsi que constater leur authenticité et intégrité, afin de pouvoir identifier d'éventuels impacts négatifs sur les valeurs de l'Itinéraire Culturel qui constitueraient également un impact sur sa signification. Il est également nécessaire de contrôler les processus de détérioration et de développer une stratégie contre les effets adverses du développement et de la négligence. Tout ceci exige l'établissement d'un système coordonné de mesures légales et d'instruments adéquats qui garantissent la conservation et valorisation de sa structure intégrale et de son système de valeurs authentiques dans leur ensemble. Il est fondamental de comprendre les valeurs patrimoniales avant de réaliser des interventions susceptibles de produire des impacts négatifs sur les Itinéraires Culturels ou de changer leur signification.

4. *Usage durable – relation avec l'activité touristique*

Au cours de son utilisation, l'Itinéraire Culturel peut promouvoir une activité d'intérêt social et économique d'une importance exceptionnelle pour le développement stable.

Special care should be taken to avoid confusion between the concepts of tourist routes—even including those of cultural interest—and Cultural Routes. However, it should also be recognized that a Cultural Route is a reality that can have great importance for territorial cohesion and sustainable development. From this point of view, efforts should be made to promote knowledge about Cultural Routes, along with their appropriate and sustainable use for tourism purposes, always with the adoption of appropriate measures aimed at eliminating risks. For this purpose, protection and promotion of a Cultural Route should harmoniously integrate a supplementary infrastructure – for tourist activities, access routes, information, interpretation and presentation – with the essential condition that it does not jeopardize the meaning, authenticity and integrity of the historic values of the Cultural Route as key elements to be conveyed to visitors.	On doit apporter une attention spéciale pour éviter la confusion conceptuelle entre routes touristiques, même celles d'intérêt culturel, et les Itinéraires Culturels. Cependant, il faut reconnaître aussi que l'Itinéraire Culturel est une réalité qui peut avoir une très grande importance pour la cohésion territoriale et pour le développement durable. De ce point de vue, on doit encourager la connaissance, ainsi que le bon et durable usage des Itinéraires Culturels, en adoptant des mesures relatives à l'élimination des risques et la bonne préparation de la visite touristique. A cette fin, la protection et la promotion de l'Itinéraire Culturel doivent intégrer de façon harmonieuse une infrastructure supplémentaire - touristique, routière, d'information, d'interprétation et de présentation - à la condition essentielle de ne pas porter atteinte à l'authenticité, l'intégrité, et le sens des valeurs historiques et culturelles de l'Itinéraire, comme les éléments essentiels à transmettre aux visiteurs.
Tourist visits should be managed on a rational basis in accordance with prior environmental impact studies and with plans for public use and community participation, as well as control and monitoring measures intended to prevent the negative impacts of tourism.	La visite touristique devra être administrée rationnellement en accord avec des études préalables d'impact environnemental, et d'une réglementation d'usage public et de participation sociale, ainsi qu'avec des mesures de contrôle et de suivi destinées à éviter les impacts négatifs du tourisme.
The development of a Cultural Route for tourism purposes should guarantee in any case that priority is given to the participation of the local community and to local and regional tourist companies. Every effort should be made to prevent the creation of monopolies by large international companies or by powerful companies based in the more developed countries through which the historic path of the Cultural Route passes.	La promotion touristique d'un Itinéraire Culturel devra assurer en tout cas la participation prioritaire de la population locale et des compagnies touristiques locales et régionales. On doit éviter que son exploitation touristique soit gérée exclusivement par des grandes entreprises multinationales ou des pays développés concernés par le tracé historique de l'Itinéraire.
Given the fact that a Cultural Route is an instrument for cooperation and understanding which provides a holistic reading of the encounter of cultures and civilization that form that Route, we should also keep in mind that independently of the relative importance of each one of its parts, the promotion of positive developments in each one, leads to increased interest on the Route and benefits for the other parts.	En tenant compte qu'un Itinéraire Culturel est un instrument de coopération et compréhension qui nous apporte une vision assez complète sur la rencontre des cultures et des civilisations qui sont représentées dans son sein, on doit considérer que, au-delà de l'importance relative des éléments qui forment l'ensemble, la promotion de projets positives de développement dans quelqu'une de ses parts contribue à augmenter l'intérêt envers l'Itinéraire et produit un effet multipliant sur le reste.
5. <u>Management</u>	*5. <u>Gestion</u>*
"Understanding of Cultural Routes Significance" becomes the basic / fundamental principle associated to management of cultural routes. This implies ensuring that all activities related to their research, assessment and social dissemination of knowledge about them are carried out in a coordinated and harmonious manner. This also requires a cross coordination that guarantees the combination of policies relating to protection, preservation, conservation, territorial organization, sustainable development, use and tourism. Therefore, joint projects need to be prepared that ensure sustainable development on a national (at the provincial, regional, local level, etc.) and international scale, as well as the establishment of management tools designed to protect the Route against natural disasters and all kinds of risks which could impact on the integrity and authenticity of the Cultural Route and therefore on its significance.	« Comprendre la signification des Itinéraires Culturels » est le principe fondamental sur lequel doit reposer leur gestion. Ce qui implique d'assurer le développement harmonieux de toutes les activités évoquées pour sa recherche et sa valorisation, ainsi que de celles relatives à la diffusion publique de sa connaissance. La gestion des Itinéraires Culturels exige également une coordination transversale afin de garantir l'intégrité des politiques dans le domaine de la protection, la préservation, l'usage et la conservation, de l'aménagement du territoire et du tourisme. Il est donc nécessaire d'élaborer des projets concertés et visant le développement durable sur le plan national - dans le cadre local, départemental, provincial, etc. - ou international, ainsi que des plans spécifiques de gestion, adaptés à la protection contre les désastres naturels et tous les risques susceptibles de causer des impacts négatifs sur l'authenticité et l'intégrité des valeurs de l'Itinéraire Culturel et donc sur sa signification.

6. *Public participation* The protection, conservation/preservation, promotion and management of a Cultural Route calls for the stimulation of public awareness, and the participation of the inhabitants of the areas which share the Route.	*6. Participation publique* La protection, la préservation, la conservation, la promotion et la gestion des Itinéraires Culturels exigent la sensibilisation et la participation des habitants des zones comprises dans l'Itinéraire
International cooperation There are notable examples of Cultural Routes whose historic paths involve various countries. For this reason, international cooperation is essential for research, assessment, and preservation of the assets that make up international Cultural Routes. When Cultural Routes exist which involve countries with different degrees of development, it is recommended that the more developed countries provide the means for economic, technical, and logistic cooperation as well as assistance in the exchange of information, experience, and researchers. It is highly desirable that UNESCO and other international organizations should establish mechanisms of cooperation (financial, technical, and logistic) to help foster and implement projects related to Cultural Routes that are of interest to more than one country. Cultural Routes should be seen as symbols of union between peoples. The historic ties developed along Cultural Routes can serve to promote projects based on renewed cooperation between peoples who shared certain values and knowledge in the past.	**Coopération internationale** Il existe dans le monde des exemples d'Itinéraires qui, sur leur parcours historique, impliquent de nombreux pays. Pour cette raison, la coopération internationale est fondamentale dans la recherche, valorisation et conservation des biens qui forment les Itinéraires Culturels internationaux. Quand il existe des Itinéraires Culturels qui concernent des pays ayant divers degrés de développement, il est recommandable que les plus développés apportent des moyens de coopération économique, technique et logistique et aident à l'échange d'information, d'expériences et de professionnels. Il serait souhaitable que l'UNESCO et autres organismes internationaux établissent des mécanismes de coopération (financiers, techniques et logistiques) pour favoriser la mise en marche et le développement postérieur de projets relatifs aux Itinéraires Culturels d'intérêt pour plus d'un pays. Les Itinéraires Culturels doivent être vus comme des symboles d'union entre les peuples. Les liens historiques matérialisés à travers des Itinéraires Culturels peuvent servir à promouvoir des projets de coopération qui aient comme fondement la rencontre des peuples qui partagèrent des valeurs déterminées et des connaissances dans leur passé.

HISTORIC GARDENS
(*The Florence Charter - 1982*)

Adopted by ICOMOS in December 1982

PREAMBLE

The ICOMOS-IFLA International Committee for Historic Gardens, meeting in Florence on 21 May 1981, decided to draw up a charter on the preservation of historic gardens which would bear the name of that town. The present Florence Charter was drafted by the Committee and registered by ICOMOS on 15 December 1982 as an addendum to the Venice Charter covering the specific field concerned.

DEFINITIONS AND OBJECTIVES

Article 1.

"A historic garden is an architectural and horticultural composition of interest to the public from the historical or artistic point of view". As such, it is to be considered as a monument.

Article 2.

"The historic garden is an architectural composition whose constituents are primarily vegetal and therefore living, which means that they are perishable and renewable." Thus its appearance reflects the perpetual balance between the cycle of the seasons, the growth and decay of nature and the desire of the artist and craftsman to keep it permanently unchanged.

Article 3.

As a monument, the historic garden must be preserved in accordance with the spirit of the Venice Charter. However, since it is a living monument, its preservation must be governed by specific rules which are the subject of the Present charter.

Article 4.

The architectural composition of the historic garden includes:

- Its plan and its topography.
- Its vegetation, including its species, proportions, colour schemes, spacing and respective heights.
- Its structural and decorative features.
- Its water, running or still, reflecting the sky.

Article 5.

As the expression of the direct affinity between civilisation and nature, and as a place of enjoyment suited to meditation or repose, the garden thus acquires the cosmic significance of an idealised image of the world, a "paradise" in the etymological sense of the term, and yet a testimony to a culture, a style, an age, and often to the originality of a creative artist.

BACK

Article 6.

The term "historic garden" is equally applicable to small gardens and to large parks, whether formal or "landscape".

Article 7.

Whether or not it is associated with a building in which case it is an inseparable complement, the historic garden cannot be isolated from its own particular environment, whether urban or rural, artificial or natural.

Article 8.

A historic site is a specific landscape associated with a memorable act, as, for example, a major historic event; a well-known myth; an epic combat; or the subject of a famous picture.

Article 9.

The preservation of historic gardens depends on their identification and listing. They require several kinds of action, namely maintenance, conservation and restoration. In certain cases, reconstruction may be recommended. The authenticity of a historic garden depends as much on the design and scale of its various parts as on its decorative features and on the choice of plant or inorganic materials adopted for each of its parts.

MAINTENANCE, CONSERVATION, RESTORATION, RECONSTRUCTION

Article 10.

In any work of maintenance, conservation, restoration or reconstruction of a historic garden, or of any part of it, all its constituent features must be dealt with simultaneously. To isolate the various operations would damage the unity of the whole.

MAINTENANCE AND CONSERVATION

Article 11.

Continuous maintenance of historic gardens is of paramount importance. Since the principal material is vegetal, the preservation of the garden in an unchanged condition requires both prompt replacements when required and a long-term programme of periodic renewal (clear felling and replanting with mature specimens).

Article 12.

Those species of trees, shrubs, plants and flowers to be replaced periodically must be selected with regard for established and recognised practice in each botanical and horticultural region, and with the aim to determine the species initially grown and to preserve them.

Article 13.

The permanent or movable architectural, sculptural or decorative features which form an integral part of the historic garden must be removed or displaced only insofar as this is essential for their conservation or restoration. The replacement or restoration of any such jeopardised features must be effected in accordance with the principles of the Venice Charter, and the date of any complete replacement must be indicated.

Article 14.

The historic garden must be preserved in appropriate surroundings. Any alteration to the physical environment which will endanger the ecological equilibrium must be prohibited. These applications are applicable to all aspects of the infrastructure, whether internal or external (drainage works, irrigation systems, roads, car parks, fences, caretaking facilities, visitors' amenities, etc.).

RESTORATION AND RECONSTRUCTION

Article 15.

No restoration work and, above all, no reconstruction work on a historic

garden shall be undertaken without thorough prior research to ensure that such work is scientifically executed and which will involve everything from excavation to the assembling of records relating to the garden in question and to similar gardens. Before any practical work starts, a project must be prepared on the basis of said research and must be submitted to a group of experts for joint examination and approval.

Article 16.

Restoration work must respect the successive stages of evolution of the garden concerned. In principle, no one period should be given precedence over any other, except in exceptional cases where the degree of damage or destruction affecting certain parts of a garden may be such that it is decided to reconstruct it on the basis of the traces that survive or of unimpeachable documentary evidence. Such reconstruction work might be undertaken more particularly on the parts of the garden nearest to the building it contains in order to bring out their significance in the design.

Article 17.

Where a garden has completely disappeared or there exists no more than conjectural evidence of its successive stages a reconstruction could not be considered a historic garden.

USE

Article 18.

While any historic garden is designed to be seen and walked about in, access to it must be restricted to the extent demanded by its size and vulnerability, so that its physical fabric and cultural message may be preserved.

Article 19.

By reason of its nature and purpose, a historic garden is a peaceful place conducive to human contacts, silence and awareness of nature. This conception of its everyday use must contrast with its role on those rare occasions when it accommodates a festivity. Thus, the conditions of such occasional use of a historic garden should be clearly defined, in order that any such festivity may itself serve to enhance the visual effect of the garden instead of perverting or damaging it.

Article 20.

While historic gardens may be suitable for quiet games as a daily occurrence, separate areas appropriate for active and lively games and sports should also be laid out adjacent to the historic garden, so that the needs of the public may be satisfied in this respect without prejudice to the conservation of the gardens and landscapes.

Article 21.

The work of maintenance and conservation, the timing of which is determined by season and brief operations which serve to restore the garden's authenticity, must always take precedence over the requirements of public use. All arrangements for visits to historic gardens must be subjected to regulations that ensure the spirit of the place is preserved.

Article 22.

If a garden is walled, its walls may not be removed without prior examination of all the possible consequences liable to lead to changes in its atmosphere and to affect its preservation.

LEGAL AND ADMINISTRATIVE PROTECTION

Article 23.

It is the task of the responsible authorities to adopt, on the advice of qualified experts, the appropriate legal and administrative measures for the identification, listing and protection of historic gardens. The preservation of such gardens must be provided for within the framework of land-use plans and such provision must be duly mentioned in documents relating to regional and local planning. It is also the task of the responsible authorities to adopt,

with the advice of qualified experts, the financial measures which will facilitate the maintenance, conservation and restoration, and, where necessary, the reconstruction of historic gardens.

Article 24.

The historic garden is one of the features of the patrimony whose survival, by reason of its nature, requires intensive, continuous care by trained experts. Suitable provision should therefore be made for the training of such persons, whether historians, architects, landscape architects, gardeners or botanists. Care should also be taken to ensure that there is regular propagation of the plant varieties necessary for maintenance or restoration.

Article 25.

Interest in historic gardens should be stimulated by every kind of activity capable of emphasising their true value as part of the patrimony and making for improved knowledge and appreciation of them: promotion of scientific research; international exchange and circulation of information; publications, including works designed for the general public; the encouragement of public access under suitable control and use of the media to develop awareness of the need for due respect for nature and the historic heritage. The most outstanding of the historic gardens shall be proposed for inclusion in the World Heritage List.

Nota Bene

The above recommendations are applicable to all the historic gardens in the world.

Additional clauses applicable to specific types of gardens may be subsequently appended to the present Charter with brief descriptions of the said types.

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European Convention on Offences relating to Cultural Property

Delphi, 23.VI.1985

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members;

Believing that such unity is founded to a considerable extent in the existence of a European cultural heritage;

Conscious of the social and economic value of that common heritage;

Desirous of putting an end to the offences that too often affect that heritage and urgently adopting international standards to this end;

Recognising their common responsibility and solidarity in the protection of the European cultural heritage;

Having regard to the European Conventions in the criminal and cultural fields,

Have agreed as follows:

Part I – Definitions

Article 1

For the purposes of this Convention:

a. "offence" comprises acts dealt with under the criminal law and those dealt with under the legal provisions listed in Appendix I to this Convention on condition that where an administrative authority is competent to deal with the offence it must be possible for the person concerned to have the case tried by a court;
b. "proceedings" means any procedure instituted in respect of an offence;
c. "judgment" means any final decision delivered by a criminal court or by an administrative body as a result of a procedure instituted in pursuance of one of the legal provisions listed in Appendix I;
d. "sanction" means any punishment or measure incurred or pronounced in respect of an offence.

Part II – Scope

Article 2

1. This Convention shall apply to the cultural property listed in Appendix II, paragraph 1.

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2. Any Contracting State may, at any time, declare that for the purposes of this Convention it also considers any one or more of the categories of property listed in Appendix II, paragraph 2, as cultural property.
3. Any Contracting State may, at any time, declare that for the purposes of this Convention it also considers as cultural property any category of movable or immovable property, presenting an artistic, historical, archaeological, scientific or other cultural interest, that is not included in Appendix II.

Article 3

1. For the purposes of this Convention, the acts and omissions listed in Appendix III, paragraph 1, are offences relating to cultural property.
2. Any Contracting State may, at any time, declare that, for the purposes of this Convention, it also deems to be offences relating to cultural property the acts and omissions listed in any one or more sub-paragraphs of Appendix III, paragraph 2.
3. Any Contracting State may, at any time, declare that, for the purposes of this Convention, it also deems to be offences relating to cultural property any one or more acts and omissions that affect cultural property and are not listed in Appendix III.

Part III – Protection of cultural property

Article 4

Each Party shall take appropriate measures to enhance public awareness of the need to protect cultural property.

Article 5

The Parties shall take appropriate measures with a view to co-operating in the prevention of offences relating to cultural property and the discovery of cultural property removed subsequent to such offences.

Part IV – Restitution of cultural property

Article 6

The Parties undertake to co-operate with a view to the restitution of cultural property found on their territory, which has been removed from the territory of another Party subsequent to an offence relating to cultural property committed in the territory of a Party, notably in conformity with the provisions that follow.

Article 7

1. Any Party that is competent under Article 13 shall, if it thinks fit, notify as soon as possible the Party or Parties to whose territory cultural property has been removed, or is believed to have been removed, subsequent to an offence relating to cultural property.
2. Any Party from whose territory cultural property has been removed, or is believed to have been removed, subsequent to an offence relating to cultural property, shall notify as soon as possible the Party that is competent in accordance with Article 13, paragraph 1, sub-paragraph e.
3. If such cultural property is found on the territory of a Party which has been duly notified, that Party shall immediately inform the Party or Parties concerned.
4. If cultural property is found on the territory of a Party and if that Party has reasonable grounds to believe that the property in question has been removed from the territory of another Party subsequent to an offence relating to cultural property, it shall immediately inform the other Party or Parties presumed to be concerned.

5. The communications referred to in the preceding paragraphs shall contain all information concerning the identification of the property in question, the offence subsequent to which it was removed and the circumstances concerning the discovery.
6. The Parties shall ensure the fullest possible distribution of the notifications which they receive pursuant to the provisions of paragraph 1.

Article 8

1. Each Party shall execute in the manner provided for by its law any letters rogatory relating to proceedings addressed to it by the competent authorities of a Party that is competent in accordance with Article 13 for the purpose of procuring evidence or transmitting articles to be produced in evidence, records or documents.
2. Each Party shall execute in the manner provided for by its law any letters rogatory relating to proceedings addressed to it by the competent authorities of a Party that is competent in accordance with Article 13 for the purpose of seizure and restitution of cultural property which has been removed to the territory of the requested Party subsequent to an offence relating to cultural property. Restitution of the property in question is however subject to the conditions laid down in the law of the requested Party.
3. Each Party shall likewise execute any letters rogatory relating to the enforcement of judgments delivered by the competent authorities of the requesting Party in respect of an offence relating to cultural property for the purpose of seizure and restitution of cultural property found on the territory of the requested Party to the person designated by the judgment or that person's successors in title. To this end the Parties shall take such legislative measures as they may consider necessary and shall determine the conditions under which such letters rogatory are executed.
4. Where there is a request for extradition, the return of the cultural property mentioned in paragraphs 2 and 3 shall take place even if extradition, having been agreed to, cannot be carried out owing to the death or escape of the person claimed or to other reasons of fact.
5. The requested Party may not refuse to return the cultural property on the grounds that it has seized, confiscated or otherwise acquired rights to the property in question as the result of a fiscal or customs offence committed in respect of that property.

Article 9

1. Unless the Parties otherwise agree, letters rogatory shall be in the language of the requested Party, or in the official language of the Council of Europe that is indicated by the requested Party in a declaration addressed to the Secretary General of the Council of Europe, or where no such declaration has been made in either of the official languages of the Council of Europe.
2. They shall indicate:
    a. the authority making the request,
    b. the object of and the reason for the request,
    c. the identity of the person concerned,
    d. the detailed identification of the cultural property in question,
    e. a summary of the facts as well as the offence they constitute and shall be accompanied by an authenticated or certified copy of the judgment whose enforcement is requested, in the cases covered by Article 8, paragraph 3.

Article 10

Evidence or documents transmitted pursuant to this Convention shall not require any

form of authentication.

Article 11

Execution of requests under this Convention shall not entail refunding of expenses except those incurred by the attendance of experts and the return of cultural property.

Part V – Proceedings

Section I – Sanctioning

Article 12

The Parties acknowledge the gravity of any act or omission that affects cultural property; they shall accordingly take the necessary measures for adequate sanctioning.

Section II – Jurisdiction

Article 13

1. Each Party shall take the necessary measures in order to establish its competence to prosecute any offence relating to cultural property:
   a. committed on its territory, including its internal and territorial waters, or in its airspace;
   b. committed on board a ship or an aircraft registered in it;
   c. committed outside its territory by one of its nationals;
   d. committed outside its territory by a person having his/her habitual residence on its territory;
   e. committed outside its territory when the cultural property against which that offence was directed belongs to the said Party or one of its nationals;
   f. committed outside its territory when it was directed against cultural property originally found within its territory.
2. In the cases referred to in paragraph 1, sub-paragraphs d and f, a Party shall not be competent to institute proceedings in respect of an offence relating to cultural property committed outside its territory unless the suspected person is on its territory.

Section III – Plurality of proceedings

Article 14

1. Any Party which, before the institution or in the course of proceedings for an offence relating to cultural property, is aware of proceedings pending in another Party against the same person in respect of the same offence shall consider whether it can either waive or suspend its own proceedings.
2. If such Party considers it opportune in the circumstances not to waive or suspend its own proceedings it shall so notify the other Party in good time and in any event before judgment is given on the substance of the case.

Article 15

1. In the eventuality referred to in Article 14, paragraph 2, the Parties concerned shall through consultation endeavour as far as possible to determine, after evaluation of the circumstances of each case notably with a view to facilitating the restitution of the cultural property, which of them alone shall continue to conduct proceedings. During this consultation the Parties concerned shall stay judgment on the substance without however being obliged to extend that stay beyond a period of 30 days as from the despatch of the notification provided for in Article 14,

paragraph 2.

2. The provisions of paragraph 1 shall not be binding:
    a. on a Party which despatches the notification provided for in Article 14, paragraph 2, if the main trial has been declared open there in the presence of the accused before despatch of the notification;
    b. on a Party to which the notification is addressed, if the main trial has been declared open there in the presence of the accused before receipt of the notification.

Article 16

In the interests of arriving at the truth, the restitution of the cultural property and the application of an adequate sanction, the Parties concerned shall examine whether it is expedient that one of them alone shall conduct proceedings and, if so, endeavour to determine which one, when:

a. several offences relating to cultural property which are materially distinct are ascribed either to a single person or to several persons having acted in unison;
b. a single offence relating to cultural property is ascribed to several persons having acted in unison.

Section IV – *Ne bis in idem*

Article 17

1. A person in respect of whom a final and enforceable judgment has been rendered may for the same act neither be prosecuted nor sentenced nor subjected to enforcement of a sanction in another Party:
    a. if he was acquitted;
    b. if the sanction imposed:
        i. has been completely enforced or is being enforced, or
        ii. has been wholly, or with respect to the part not enforced, the subject of a pardon or an amnesty, or
        iii. can no longer be enforced owing to the expiry of a limitation period;
    c. if the court found the offender guilty without imposing a sanction.
2. Nevertheless, a Party shall not, unless it has itself requested the proceedings, be obliged to recognise the *ne bis in idem* rule if the act which gave rise to judgment as directed against either a person or an institution or any thing having public status in that Party, or if the subject of the judgment had itself a public status in that Party.
3. Furthermore, a Party in whose territory the act was committed or considered to have been committed under the law of that Party shall not be obliged to recognise the *ne bis in idem* rule unless that Party has itself requested the proceedings.

Article 18

If new proceedings are instituted against a person who has been sentenced in another Party for the same act, then any period of deprivation of liberty imposed in the execution of that sentence shall be deducted from any sanction which may be imposed.

Article 19

This section shall not prevent the application of wider domestic provisions relating to the *ne bis in idem* rule attached to judicial decisions.

Part VI – Final clauses

Article 20

This Convention shall be open for signature by the member States of the Council of Europe. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 21

1. This Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date on which three member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 20.
2. In respect of any member State which subsequently expresses its consent to be bound by it the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of deposit of the instrument of ratification, acceptance or approval.

Article 22

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite any State not a member of the Council to accede to this Convention, by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee.
2. In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 23

No Party is bound to apply this Convention to the offences relating to cultural property committed before the date of entry into force of the Convention in respect of that Party.

Article 24

1. Any State may at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.
2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of such declaration by the Secretary General.
3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of such notification by the Secretary General.

Article 25

The following provisions shall apply to those States Parties to this Convention which have a federal or non-unitary constitutional system:

a. with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal or non-unitary States;

b. with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces or cantons that are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions with its favourable opinion.

Article 26

In no case may a Party claim application of this Convention by another Party save in so far as it would itself apply this Convention in similar cases.

Article 27

Any Party may decide not to apply the provisions of Articles 7 and 8 either where the request is in respect of offences that it regards as political or where it considers that the application is likely to prejudice its sovereignty, security or "ordre public".

Article 28

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it avails itself of the right not to apply any one or more provisions of Articles 8, paragraph 3, 10, 13 and 18. No other reservation may be made.
2. Any State which has made a reservation shall withdraw it as soon as circumstances permit. Such withdrawal shall be made by notification to the Secretary General of the Council of Europe.

Article 29

1. Any Contracting State may, at any time, by declaration addressed to the Secretary General of the Council of Europe, set out the legal provisions to be included in Appendix I to this Convention.
2. Any change of the national provisions listed in Appendix I shall be notified to the Secretary General of the Council of Europe if such a change renders the information in this appendix incorrect.
3. Any changes made in Appendix I in application of the preceding paragraphs shall take effect in each Party on the first day of the month following the expiration of a period of one month after the date of their notification by the Secretary General of the Council of Europe.

Article 30

The declarations provided for in Articles 2 and 3 shall be addressed to the Secretary General of the Council of Europe. They shall become effective in respect of each Party on the first day of the month following the expiration of a period of one month after the date of their notification by the Secretary General of the Council of Europe.

Article 31

The European Committee on Crime Problems of the Council of Europe shall follow the application of this Convention and shall do whatever is needed to facilitate a friendly settlement of any difficulty which may arise out of its execution.

Article 32

1. The European Committee on Crime Problems may formulate and submit to the Committee of Ministers of the Council of Europe proposals designed to alter the contents of Appendices II and III or their paragraphs.

2. Any proposal submitted in accordance with the provisions of the preceding paragraph shall be examined by the Committee of Ministers which, by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee, may approve it and instruct the Secretary General of the Council of Europe to notify the Contracting States thereof.
3. Any alteration approved in accordance with the provisions of the preceding paragraph shall enter into force on the first day of the month following the expiration of a period of six months after the date of despatch of the notification provided for in that paragraph unless a Contracting State notifies an objection to the entry into force. In the event of such an objection being made, the alteration will only enter force if the objection is subsequently lifted.

Article 33

1. The notifications and information provided for in Article 7 shall be exchanged between the competent authorities of the Parties. However, they may be sent through the International Criminal Police Organisation – Interpol.
2. The requests provided for in this Convention and any communication made under the provisions of Part V, Section III, shall be addressed by the competent authority of a Party to the competent authority of another Party.
3. Any Contracting State may, by a declaration addressed to the Secretary General of the Council of Europe, designate which authorities will be its competent authorities within the meaning of this article. Where such declaration is not made the Ministry of Justice of the State in question will be deemed to be its competent authority.

Article 34

1. Nothing in this Convention shall prejudice the application of the provisions of any other international treaties or conventions in force between two or more Parties on the matters dealt with in this Convention provided that the said provisions are more compelling with respect to the duty to restitute cultural property affected by an offence.
2. The Parties may not conclude bilateral or multilateral agreements with one another on the matters dealt with in this Convention, except in order to supplement its provisions or facilitate the application of the principles embodied in it.
3. However, if two or more Parties have already established their relations in this matter on the basis of uniform legislation, or instituted a special system of their own, or should they in the future do so, they shall be entitled to regulate those relations accordingly, notwithstanding the terms of this Convention.
4. Parties ceasing to apply the terms of this Convention to their mutual relations in accordance with the provisions of the preceding paragraph shall notify the Secretary General of the Council of Europe to that effect.

Article 35

1. Any Party may at any time denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
2. Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 36

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Convention of:

a. any signature;
b. the deposit of any instrument of ratification, acceptance, approval or accession;
c. any date of entry into force of this Convention in accordance with Articles 21 and 22;
d. any other act, notification or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Delphi, this 23rd day of June 1985, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.

Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954

The Hague, 14 May 1954
-First Protocol, The Hague 14 May 1954
-Second Protocol, The Hague, 26 March 1999

Depositary - Opened for Signature - Entry into force - Authoritative texts - Registration at the UN - States Parties - Declarations and Reservations - Territorial Application -

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The High Contracting Parties,

Recognizing that cultural property has suffered grave damage during recent armed conflicts and that, by reason of the developments in the technique of warfare, it is in increasing danger of destruction;

Being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world;

Considering that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection;

Guided by the principles concerning the protection of cultural property during armed conflict, as established in the Conventions of The Hague of 1899 and of 1907 and in the Washington Pact of 15 April, 1935;

Being of the opinion that such protection cannot be effective unless both national and international measures have been taken to organize it in time of peace;

Being determined to take all possible steps to protect cultural property;

Have agreed upon the following provisions:

Chapter I. General provisions regarding protection

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, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a)
such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

(c) centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as `centers containing monuments'.

Article 2. Protection of cultural property

For the purposes of the present Convention, the protection of cultural property shall comprise the safeguarding of and respect for such property.

Article 3. Safeguarding of cultural property

The High Contracting Parties undertake to prepare in time of peace for the safeguarding of cultural property situated within their own territory against the foreseeable effects of an armed conflict, by taking such measures as they consider appropriate.

Article 4. Respect for cultural property

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

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refraining from any act of hostility, directed against such property.

2. The obligations mentioned in paragraph 1 of the present Article may be waived only in cases where military necessity imperatively requires such a waiver.

3. The High Contracting Parties further undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property. They shall refrain from requisitioning movable cultural property situated in the territory of another High Contracting Party.

4. They shall refrain from any act directed by way of reprisals against cultural property.

5. No High Contracting Party may evade the obligations incumbent upon it under the present Article, in respect of another High Contracting Party, by reason of the fact that the latter has not applied the measures of safeguard referred to in Article 3.

Article 5. Occupation

1. Any High Contracting Party in occupation of the whole or part of the territory of another High Contracting Party shall as far as possible support the competent national authorities of the occupied country in safeguarding and preserving its cultural property.

2. Should it prove necessary to take measures to preserve cultural property situated in occupied territory and damaged by military operations, and should the competent national authorities be unable to take such measures, the Occupying Power shall, as far as possible, and in close co-operation with such authorities, take the most necessary measures of preservation.

3. Any High Contracting Party whose government is considered their legitimate government by members of a resistance movement, shall, if possible, draw their attention to the obligation to comply with those provisions of the Convention dealing with respect for cultural property.

Article 6. Distinctive marking of cultural property

In accordance with the provisions of Article 16, cultural property may bear a distinctive emblem so as to facilitate its recognition.

Article 7. Military measures

1. The High Contracting Parties undertake to introduce in time of peace into their military regulations or instructions such provisions as may ensure observance of the present Convention, and to foster in the members of their armed forces a spirit of respect for the culture and cultural property of all peoples.

2. The High Contracting Parties undertake to plan or establish in peace-time, within their armed forces, services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it.

Chapter II. Special protection

Article 8. Granting of special protection

1. There may be placed under special protection a limited number of refuges intended to shelter movable cultural property in the event of armed conflict, of centers containing monuments and other immovable cultural property of very great importance, provided that they:

(a) are situated at an adequate distance from any large industrial center or from any important military objective constituting a vulnerable point, such as, for example, an aerodrome, broadcasting station, establishment engaged upon work of national defense, a port or railway station of relative importance or a main line of communication;

(b) are not used for military purposes.

2. A refuge for movable cultural property may also be placed under special protection, whatever its location, if it is so constructed that, in all probability, it will not be damaged by bombs.

3. A center containing monuments shall be deemed to be used for military purposes whenever it is used for the movement of military personnel or material, even in transit. The same shall apply whenever activities directly connected with military operations, the stationing of military personnel, or the production of war material are carried on within the center.

4. The guarding of cultural property mentioned in paragraph I above by armed custodians specially empowered to do so, or the presence, in the vicinity of such cultural property, of police forces normally responsible for the maintenance of public order shall not be deemed to be used for military purposes.

5. If any cultural property mentioned in paragraph 1 of the present Article is situated near an important military objective as defined in the said paragraph, it may nevertheless be placed under special protection if the High Contracting Party asking for that protection undertakes, in the event of armed conflict, to make no use of the objective and particularly, in the case of a port, railway station or aerodrome, to divert all traffic there from. In that event, such diversion shall be prepared in time of peace.

6. Special protection is granted to cultural property by its entry in the 'International Register of Cultural Property under Special Protection'. This entry shall only be made, in accordance with the provisions of the present Convention and under the conditions provided for in the Regulations for the execution of the Convention.

Article 9. Immunity of cultural property under special protection

The High Contracting Parties undertake to ensure the immunity of cultural property under special protection by refraining, from the time of entry in the International Register, from any act of hostility directed against such property and, except for the cases provided for in paragraph 5 of Article 8, from any use of such property or its surroundings for military purposes.

Article 10. Identification and control

During an armed conflict, cultural property under special protection shall be marked with the distinctive emblem described in Article 16, and shall be open to international control as provided for in the Regulations for the execution of the Convention.

Article 11. Withdrawal of immunity

1. If one of the High Contracting Parties commits, in respect of any item of cultural property under special protection, a violation of the obligations under Article 9, the opposing Party shall, so long as this violation persists, be released from the obligation to ensure the immunity of the property concerned. Nevertheless, whenever possible, the latter Party shall first request the cessation of such violation within a reasonable time.

2. Apart from the case provided for in paragraph 1 of the present Article, immunity shall be withdrawn from cultural property under special protection only in exceptional cases of unavoidable military necessity, and only for such time as that necessity continues. Such necessity can be established only by the officer commanding a force the equivalent of a division in size or larger. Whenever circumstances permit, the opposing Party shall be notified, a reasonable time in advance, of the decision to withdraw immunity.

3. The Party withdrawing immunity shall, as soon as possible, so inform the Commissioner-General for cultural property provided for in the Regulations for the execution of the Convention, in writing, stating the reasons.

Chapter III. Transport of cultural property

Article 12. Transport under special protection

1. Transport exclusively engaged in the transfer of cultural property, whether within a territory or to another territory, may, at the request of the High Contracting Party concerned, take place under special protection in accordance with the conditions specified in the Regulations for the execution of the Convention.

2. Transport under special protection shall take place under the international supervision provided for in the aforesaid Regulations and shall display the distinctive emblem described in Article 16.

3. The High Contracting Parties shall refrain from any act of hostility directed against transport under special protection.

Article 13. Transport in urgent cases

1. If a High Contracting Party considers that the safety of certain cultural property requires its transfer and that the matter is of such urgency that the procedure laid down in Article 12 cannot be followed, especially at the beginning of an armed conflict, the transport may display the distinctive emblem described in Article 16, provided that an application for immunity referred to in Article 12 has not already been made and refused. As far as possible, notification of transfer should be made to the opposing' Parties. Nevertheless, transport conveying cultural property to the territory of another country may not display the distinctive' emblem unless immunity has been expressly granted to it.

2. The High Contracting Parties shall take, so far as possible, the necessary precautions to avoid acts of hostility directed against the transport described in paragraph 1 of the present Article and displaying the distinctive emblem.

Article 14. Immunity from seizure, capture and prize

1. Immunity from seizure, placing in prize, or capture shall be granted to:

(a) cultural property enjoying the protection provided for in Article 12 or that provided for in Article 13;

(b) the means of transport exclusively engaged in the transfer of such cultural property.

2. Nothing in the present Article shall limit the right of visit and search.

Chapter IV. Personnel

Article 15. Personnel

As far as is consistent with the interests of security, personnel engaged in the protection of cultural property shall, in the interests of such property, be re-spected and, if they fall into the hands of the opposing Party, shall be allowed to continue to carry out their duties whenever the cultural property for which they are responsible has also fallen into the hands of the opposing Party.

Chapter V. The distinctive emblem

Article 16. Emblem of the convention

1. The distinctive emblem of the Convention shall take the form of a shield, pointed below, persaltire blue and white (a shield consisting of a royal-blue square, one of the angles of which forms the point of the shield, and of a royal-blue triangle above the square, the space on either side being taken up by a white triangle).

2. The emblem shall be used alone, or repeated three times in a triangular formation (one shield below), under the conditions provided for in Article 17.

Article 17. Use of the emblem

1. The distinctive emblem repeated three times may be used only as a means of identification of:

(a) immovable cultural property under special protection;

(b) the transport of cultural property under the conditions provided for in Articles 12 and 13;

(c) improvised refuges, under the conditions provided for in the Regulations for the execution of the Convention.

2. The distinctive emblem may be used alone only as a means of identification of:

(a) cultural property not under special protection;

(b) the persons responsible for the duties of control in accordance with the Regulations for the execution of the Convention;

(c) the personnel engaged in the protection of cultural property;

(d) the identity cards mentioned in the Regulations for the execution of the Convention.

3. During an armed conflict, the use of the distinctive emblem in any other cases than those mentioned in the preceding paragraphs of the present Article, and the use for any purpose whatever of a sign resembling the distinctive emblem, shall be forbidden.

4. The distinctive emblem may not be placed on any immovable cultural property unless at the same time there is displayed an authorization duly dated and signed by the competent authority of the High Contracting Party.

Chapter VI. Scope of application of the Convention

Article 18. Application of the Convention

1. Apart from the provisions which shall take effect in time of peace, the present Convention shall apply in the event of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by, one or more of them.

2. The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

3. If one of the Powers in conflict is not a Party to the present Convention, the Powers which are Parties thereto shall nevertheless remain bound by it in their mutual relations. They shall furthermore be bound by the Convention, in relation to the said Power, if the latter has declared, that it accepts the provisions thereof and so long as it applies them.

Article 19. Conflicts not of an international character

1. In the event of an armed conflict not of an international character occurring within the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply, as, a minimum, the provisions of the present Convention which relate to respect for cultural property.

2. The parties to the conflict shall endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

3. The United Nations Educational, Scientific and Cultural Organization may offer its services to the parties to the conflict.

4. The application of the preceding provisions shall not affect the legal status of the parties to the conflict.

Chapter VII. Execution of the Convention

Article 20. Regulations for the execution of the Convention

The procedure by which the present Convention is to be applied is defined in the Regulations for its execution, which constitute an integral part thereof.

Article 21. Protecting powers

The present Convention and the Regulations for its execution shall be applied with the co-operation of the Protecting Powers responsible for safeguarding the interests of the Parties to the conflict.

Article 22. Conciliation procedure

1. The Protecting Powers shall lend their good offices in all cases where they may deem it useful in the interests of cultural property, particularly if there is disagreement between the Parties to the conflict as to the application or interpretation of the provisions of the present Convention or the Regulations for its execution.

2. For this purpose, each of the Protecting Powers may, either at the invitation of one Party, of the Director-General of the United Nations Educational, Scientific and Cultural Organization, or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for the protection of cultural property, if considered appropriate on suitably chosen neutral territory. The Parties to the conflict shall be bound to give effect to

the proposals for meeting made to them.
The Protecting Powers shall propose for approval by the Parties to the conflict a person belonging to a neutral Power or a person presented by the Director General of the United Nations Educational, Scientific and Cultural Organization, which person shall be invited to take part in such a meeting in the capacity of Chairman.

Article 23. Assistance of UNESCO

1. The High Contracting Parties may call upon the United Nations Educational, Scientific and Cultural Organization for technical assistance in organizing the protection of their cultural property, or in connexion with any other problem arising out of the application of the present Convention or the Regulations for its execution. The Organization shall accord such assistance within the limits fixed by its programme and by its resources.

2. The Organization is authorized to make, on its own initiative, proposals on this matter to the High Contracting Parties.

Article 24. Special agreements

1. The High Contracting Parties may conclude special agreements for all matters concerning which they deem it suitable to make separate provision.

2. No special agreement may be concluded which would diminish the protection afforded by the present Convention to cultural property and to the personnel engaged in its protection.

Article 25. Dissemination of the Convention

The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate the text of the present Convention and the Regulations for its execution as widely as possible in their respective countries. They undertake, in particular, to include the study thereof in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population, especially the armed forces and personnel engaged in the protection of cultural property.

Article 26. Translations reports

1. The High Contracting Parties shall communicate to one another, through the Director-General of the United Nations Educational, Scientific and Cultural Organization, the official translations of the present Convention and of the Regulations for its execution.

2. Furthermore, at least once every four years, they shall forward to the Director-General a report giving whatever information they think suitable concerning any measures being taken, prepared or contemplated by their respective administrations in fulfillment of the present Convention and of the Regulations for its execution.

Article 27. Meetings

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization may, with the approval of the Executive Board, convene meetings of representatives of the High Contracting Parties. He must convene such a meeting if at least one-fifth of the High Contracting Parties so request.

2. Without prejudice to any other functions which have been conferred on it by the present Convention or the Regulations for its execution, the purpose of the meeting will be to study problems concerning the application of the Convention and of the Regulations for its execution, and to formulate recommendations in respect thereof.

3. The meeting may further undertake a revision of the Convention or the Regulations for its execution if the majority of the High Contracting Parties are represented, and in accordance with the provisions of Article 39.

Article 28. Sanctions

The High Contracting Parties undertake to take, within the framework of their ordinary criminal jurisdiction, all necessary steps to prosecute and impose penal or disciplinary sanctions upon those persons, of whatever nationality, who commit or order to be committed a breach of the present Convention.

Final provisions

Article 29. Languages

1. The present Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

2. The United Nations Educational, Scientific and Cultural Organization shall arrange for translations of the Convention into the other official languages of its General Conference.

Article 30. Signature

The present Convention shall bear the date of 14 May, 1954 and, until the date of 31 December, 1954, shall remain open for signature by all States invited to the Conference which met at The Hague from 21 April, 1954 to 14 May, 1954.

Article 31. Ratification

1. The present Convention shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

2. The instruments of ratification shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32. Accession

From the date of its entry into force, the present Convention shall be open for accession by all States mentioned in Article 30 which have not signed it, as well as any other State invited to accede by the Executive Board of the United Nations Educational, Scientific and Cultural Organization. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33. Entry into force

1. The present Convention shall enter into force three months after five instruments of ratification have been deposited.

2. Thereafter, it shall enter into force, for each High Contracting Party, three months after the deposit of its instrument of ratification or accession.

3. The situations referred to in Articles 18 and 19 shall give immediate effect to ratifications or accessions deposited by the Parties to the conflict either before or after the beginning of hostilities or occupation. In such cases the Director-General of the United Nations Educational, Scientific and Cultural Organization shall transmit the communications referred to in Article 38 by the speediest method.

Article 34. Effective application

1. Each State Party to the Convention on the date of its entry into force shall take all necessary measures to ensure its effective application within a period of six months after such entry into force.

2. This period shall be six months from the date of deposit of the instruments of ratification or accession for any State which deposits its instrument of ratification or accession after the date of the entry into force of the Convention.

Article 35. Territorial extension of the Convention

Any High Contracting Party may, at the time of ratification or accession, or at any time thereafter, declare by notification addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization, that the present Convention shall extend to all or any of the territories for whose international relations it is responsible. The said notification shall take effect three months after the date of its receipt.

Article 36. Relation to previous conventions

1. In the relations between Powers which are bound by the Conventions of The Hague concerning the Laws and Customs of War on Land (IV) and concerning Naval Bombardment in Time of War (IX), whether those of 29 July, 1899 or those of 18 October, 1907, and which are Parties to the present Convention, this last Convention shall be supplementary to the aforementioned Convention (IX) and to the Regulations annexed to the aforementioned Convention (IV) and shall substitute for the emblem described in Article 5 of the aforementioned Convention (IX) the emblem described in Article 16 of the present Convention, in cases in which the present Convention and the Regulations for its execution provide for the use of this distinctive emblem.

2. In the relations between Powers which are bound by the Washington Pact of 15 April, 1935 for the Protection of Artistic and Scientific Institutions and of Historic Monuments (Roerich Pact) and which are Parties to the present Convention, the latter Convention shall be supplementary to the Roerich Pact and shall substitute for the distinguishing flag described in Article III of the Pact the emblem defined in Article 16 of the present Convention, in cases in which the present Convention and the Regulations for its execution provide for the use of this distinctive emblem.

Article 37. Denunciation

1. Each High Contracting Party may denounce the present Convention, on its own behalf, or on behalf of any territory for whose international relations it is responsible.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect one year after the receipt of the instrument of denunciation. However, if, on the expiry of this period, the denouncing Party is involved in an armed conflict, the denunciation shall not take effect until the end of hostilities, or until the operations of repatriating cultural property are completed, whichever is the later.

Article 38. Notifications

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States referred to in Articles 30 and 32, as well as the United Nations, of the deposit of all the instruments of ratification, accession or acceptance provided for in Articles 31, 32 and 39 and of the notifications and denunciations provided for respectively in Articles 35, 37 and 39.

Article 39. Revision of the Convention and of the Regulations for its execution

1. Any High Contracting Party may propose amendments to the present Convention or the Regulations for its execution. The text of any proposed amendment shall be communicated to the Director-General of the United Nations Educational, Scientific and Cultural Organization who shall transmit it to each High Contracting Party with the request that such Party reply within four months stating whether it:

(a) desires that a Conference be convened to consider the proposed amendment;

(b) favours the acceptance of the proposed amendment without a Conference; or

(c) favours the rejection of the proposed amendment without a Conference.

2. The Director-General shall transmit the replies, received under paragraph 1 of the present Article, to all High Contracting Parties.

3. If all the High Contracting Parties which have, within the prescribed time-limit, stated their views to the Director-General of the United Nations Educational, Scientific and Cultural Organization, pursuant to paragraph 1(b) of this Article, inform him that they favour acceptance of the amendment without a Conference, notification of their decision shall be made by the Director-General in accordance with Article 38. The amendment shall become effective for all the High Contracting Parties on the expiry of ninety days from the date of such notification.

4. The Director-General shall convene a Conference of the High Contracting Parties to consider the proposed amendment if requested to do so by more than one-third of the High Contracting Parties.

5. Amendments to the Convention or to the Regulations for its execution, dealt with under the provisions of the preceding paragraph, shall enter into force only after they have been unanimously adopted by the High Contracting Parties represented at the Conference and accepted by each of the High Con-tracting Parties.

6. Acceptance by the High Contracting Parties of amendments to, the Convention or to the Regulations for its execution, which have been adopted by the Conference mentioned in paragraphs 4 and 5, shall be effected by the deposit of a formal instrument with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

7. After the entry into force of amendments to the present Convention or to the Regulations for its execution, only the text of the Convention or of the Regulations for its execution thus amended shall remain open for ratification or accession.

Article 40. Registration

In accordance with Article 102 of the Charter of the United Nations, the present Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Convention.

Done at The Hague, this fourteenth day of May, 1954, in a single copy which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 30 and 32 as well as to the United Nations.

Regulations for the Execution of the Convention for the Protection of Cultural Property in the Event of Armed Conflict

Chapter I. Control

Article 1. International list of persons

On the entry into force of the Convention, the Director-General of the United Nations Educational, Scientific and Cultural Organization shall compile an international list consisting of all persons nominated by the High Contracting Parties as qualified to carry out the functions of Commissioner-General for Cultural Property. On the initiative of the Director-General of the United Nations Educational, Scientific and Cultural Organization, this list shall be periodically revised on the basis of requests formulated by the High Contracting Parties.

Article 2. Organization of control

As soon as any High Contracting Party is engaged in an armed conflict to which Article 18 of the Convention applies:

(a) It shall appoint a representative for cultural property situated in its territory; if it is in occupation of another territory, it shall appoint a special representative for cultural property situated in that territory;

(b) The Protecting Power acting for each of the Parties in conflict with such High Contracting Party shall appoint delegates accredited to the latter in conformity with Article 3 below;

(c) A Commissioner-General for Cultural Property shall be appointed to such High Contracting Party in accordance with Article 4.

Article 3. Appointment of delegates of Protecting Powers

The Protecting Power shall appoint its delegates from among the members of its diplomatic or consular staff or, with the approval of the Party to which they will be accredited, from among other persons.

Article 4. Appointment of 'Commissioner-General

1. The Commissioner-General for Cultural Property shall be chosen from the international list of persons by joint agreement between the Party to which he will be accredited and the Protecting Powers acting on behalf of the opposing Parties.

2. Should the Parties fail to reach agreement within three weeks from the beginning of their discussions on this point, they shall request the President of the International Court of Justice to appoint the Commissioner-General, who shall not

take up his duties until the Party to which he is accredited has approved his appointment.

Article 5. Functions of delegates

The delegates of the Protecting Powers shall take note of violations of the Convention, investigate, with the approval of the Party to which they are accredited, the circumstances in which they have occurred, make representations locally to secure their cessation and, if necessary, notify the Commissioner-General of such violations. They shall keep him informed of their activities.

Article 6. Functions of the Commissioner-General

1. The Commissioner-General for Cultural Property shall deal with all matters referred to him in connexion with the application of the Convention, in conjunction with the representative of the Party to which he is accredited and with the delegates concerned.

2. He shall have powers of decision and appointment in the cases specified in the present Regulations.

3. With the agreement of the Party to which he is accredited, he shall have the right to order an investigation or to, conduct it himself. ,

4. He shall make any representations to the Parties to the conflict or to their Protecting Powers which he deems useful for the application of the Convention.

5. He shall draw up such reports as may be necessary on the application of the Convention and communicate them to the Parties concerned and to their Protecting Powers. He shall send copies to the Director-General of the United Nations Educational, Scientific and Cultural Organization, who may make use only of their technical contents.

6. If there is no Protecting Power, the Commissioner-General shall exercise the functions of the Protecting Power as laid down in Articles 21 and 22 of the Convention.

Article 7. Inspectors and experts

1. Whenever the Commissioner-General for Cultural Property considers it necessary, either at the request of the delegates concerned or after consultation with them, he shall propose, for the approval of the Party to which he is accredited, an inspector of cultural property to be charged with a specific mission. An inspector shall be responsible only to the Commissioner-General.

2. The Commissioner-General, delegates and inspectors may have recourse to the services of experts, who will also be proposed for the approval of the Party mentioned in the preceding paragraph.

Article 8. Discharge of the mission of control

The Commissioners-General for Cultural Property, delegates of the Protecting Powers, inspectors and experts shall in no case exceed their mandates. In particular, they shall take account of the security needs of the High Contracting Party to which they are accredited and shall in all circumstances act in accordance with the requirements of the military situation as communicated to them by that High Contracting Party.

Article 9. Substitutes for Protecting Powers

If a Party to the conflict does not benefit or ceases to benefit from the activities of a Protecting Power, a neutral State may be asked to undertake those functions of a -Protecting Power which concern the appointment of a Commissioner-General for Cultural Property in accordance with the procedure laid down in Article 4 above. The Commissioner-General thus appointed shall, if need be, entrust to inspectors the functions of delegates of Protecting Powers as specified in the present Regulations.

Article 10. Expenses

The remuneration and expenses of the Commissioner-General for Cultural Property, inspectors and experts shall be met by the Party to which they are accredited. Remuneration and expenses of delegates of the Protecting Powers shall be subject to agreement between those Powers and the States whose interests they are safeguarding.

Chapter II. Special protection

Article 11. Improvised refuges

1. If, during an armed conflict, any High Contracting Party is induced by unforeseen circumstances to set up an improvised refuge and desires that it should be placed under special protection, it shall communicate this fact forthwith to the Commissioner-General accredited to that Party.

2. If the Commissioner-General considers that such a measure is justified by the circumstances and by the importance of the cultural property sheltered in' this improvised refuge, he may authorize the High Contracting Party to display on such refuge the distinctive emblem defined in Article 16 of the Convention. He shall communicate his decision without delay to the delegates of the Protecting Powers who are concerned, each of whom may, within a time limit of 30 days, order the immediate withdrawal of the emblem.

3. As soon as such delegates have signified their agreement or if the time limit of 30 days has passed without any of the delegates concerned having made an objection, and if, in the view of the Commissioner-General, the refuge fulfils the conditions laid down in Article 8 of the Convention, the Commissioner-General shall request the Director-General of the United Nations Educational, Scientific and Cultural Organization to enter the refuge in the Register of Cultural Property under Special Protection.

Article 12. International Register of Cultural Property under Special Protection

1. An `International Register of Cultural Property under Special Protection' shall be prepared.

2. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall maintain this Register. He shall furnish copies to the Secretary-General of the United Nations and to the High Contracting Parties.

3. The Register shall be divided into sections, each in the name of a High Contracting Party. Each section shall be subdivided into three paragraphs, headed: Refuges, Centers containing Monuments, Other Immovable Cultural Property. The Director-General shall determine what details each section shall contain.

Article 13. Requests for registration

1. Any High Contracting Party may submit to the Director-General of the United Nations Educational, Scientific and Cultural Organization an application for the entry in the Register of certain refuges, centers containing monuments or other immovable cultural property situated within its territory. Such application shall contain a description of the location of such property and shall certify that the property complies with the provisions of Article 8 of the Convention.

2. In the event of occupation, the Occupying Power shall be competent to make such application.

3. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall, without delay, send copies of applications for registration to each of the High Contracting Parties.

Article 14. Objections

1. Any High Contracting Party may, by letter addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization, lodge an objection to the registration of cultural property. This letter must be received by him within four months of the day on which he sent a copy of the application for registration.

2. Such objection shall state the reasons giving rise to it, the only, valid grounds being that:

(a) the property is not cultural property;

(b) the property does not comply with the conditions mentioned in Article 8 of the Convention.

3. The Director-General shall send a copy of the letter of objection to the High Contracting Parties without delay. He shall, if necessary, seek the advice of the International Committee on Monuments, Artistic and Historical Sites and Archaeological Excavations and also, if he thinks fit, of any other competent organization or person.

4. The Director-General, or the High Contracting Party requesting registration, may make whatever representations they deem necessary to the High Contracting Parties which lodged the objection, with a view to causing the objection to 'be withdrawn.

5. If a High Contracting Party which has made an application for registration in time of peace becomes involved in an armed conflict before the entry has been made, the cultural property concerned shall at once be provisionally entered in the Register, by the Director-General, pending the confirmation, withdrawal or cancellation of any objection that may be, or may have been, made.

6. If, within a period of six months from the date of receipt of the letter of objection, the Director-General has not received from the High Contracting Party lodging the objection a communication stating that it has been withdrawn, the High Contracting Party applying for registration may request arbitration in accordance with the procedure in the following paragraph.

7. The request for •arbitration shall not be made more than one year after the date of receipt by the Director-General of the letter of objection. Each of the two Parties to the dispute shall appoint an arbitrator. When more than one objection has been lodged against an application for registration, the High Contracting Parties which have lodged the 'objections shall, by common consent, appoint a single arbitrator. These two arbitrators shall select a chief arbitrator from the international list mentioned in Article 1 of the present Regulations. If such arbitrators cannot agree upon their choice, they shall ask the President of the International Court of Justice to appoint a chief arbitrator who need not necessarily be chosen from the international list. The arbitral tribunal thus constituted shall fix its own procedure. There shall be no appeal from its decisions.

8. Each of the High Contracting Parties may declare, whenever a dispute to which it is a Party arises, that it does not wish to apply the arbitration procedure provided for in the preceding paragraph. In such cases, the objection to an application for registration shall be submitted by the Director-General to the High Contracting Parties. The objection will be confirmed only if the High Contracting Parties so decide by a two-third majority of the High Contracting Parties voting. The vote shall be taken by correspondence, unless the Directory-General of the United Nations Educational, Scientific and Cultural Organization deems it essential to convene a meeting under the powers conferred upon him by Article 27 of the Convention. If the Director-General decides to proceed with the vote by correspondence, he shall invite the High Contracting Parties to transmit their votes by sealed letter within six months from the day on which they were invited to do so.

Article 15. Registration

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall cause to be entered in the Register, under a serial number, each item of property for which application for registration is made, provided that he has not received an objection within the time-limit prescribed in paragraph 1 of Article 14.

2. If an objection has been lodged, and without prejudice to the provision of paragraph 5 of Article 14, the Director-General shall enter property in the Register only if the objection has been withdrawn or has failed to be confirmed following the procedures laid down in either paragraph 7 or paragraph 8 of Article 14.

3. Whenever paragraph 3 of Article 11 applies, the Director-General shall enter property in the Register if so requested by the Commissioner-General for Cultural Property.

4. The Director-General shall send without delay to the Secretary-General of the United Nations, to the High Contracting Parties, and, at the request of the Party applying for registration, to all other States referred to in Articles 30 and 32 of the Convention, a certified copy of each entry in the Register. Entries shall become effective thirty days after despatch of such copies.

Article 16. Cancellation

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall cause the registration of any property to be cancelled:

(a) at the request of the High Contracting Party within whose territory the cultural property is situated;

(b) if the High Contracting Party which requested registration has denounced the Convention, and when that denunciation has taken effect;

(c) in the special case provided for in Article 14, paragraph 5, when an objection has been confirmed following the procedures mentioned either in paragraph 7 or in paragraph 8 or Article 14.

2. The Director-General shall send without delay, to the Secretary-General of the United Nations and to all States which received a copy of the entry in the Register, a certified copy of its cancellation. Cancellation shall take effect thirty days after the despatch of such copies.

Chapter III. Transport of cultural property

Article 17. Procedure to obtain immunity

1. The request mentioned in paragraph I of Article 12 of the Convention shall be addressed to the Commissioner-General for Cultural Property. It shall mention the reasons on which it is based and specify the approximate number and the importance of the objects-to be transferred, their present location, the location now envisaged, the means of transport to be used, the route to be followed, the date proposed for the transfer, and any other relevant information.

2. If the Commissioner-General, after taking such opinions as he deems fit, considers that such transfer is justified, he shall consult those delegates of the Protecting Powers who are concerned, on the measures proposed for carrying it out. Following such consultation, he shall notify the Parties to the conflict concerned of the transfer, including in such notification all useful information.

3. The Commissioner-General shall appoint one or more inspectors, who shall satisfy themselves that only the property stated in the request is to be transferred and that the transport is to be by the approved methods and bears the distinctive emblem. The inspector or inspectors shall accompany the property to its destination.

Article 18. Transport abroad

Where the transfer under special protection is to the territory of another country, it shall be governed not only by Article 12 of the Convention and by Article 17 of the present Regulations, but by the following further provisions:

(a) while the cultural property remains on the territory of another State, that State shall be its depositary and shall extend to it as great a measure of care as that which it bestows upon its own cultural property of comparable importance;

(b) the depositary State shall return the property only on the cessation of the conflict; such return shall be effected within six months from the date on which it was requested;

(c) during the various transfer operations, and while it remains on the territory of another State, the cultural property shall be exempt from confiscation and may not be disposed of either by the depositor or by the depositary. Nevertheless, when the safety of the property requires it, the depositary may, with the assent of the depositor, have the property transported to the territory of a third country, under the conditions laid down in the present article;

(d) the request for special protection shall indicate that the State to whose territory the property is to be transferred accepts the provisions of the present Article.

Article 19. Occupied territory

Whenever a High Contracting Party occupying territory of another High Contracting Party transfers cultural property to a refuge situated elsewhere in that territory, without being able to follow the procedure provided for in Article 17 of the Regulations, the transfer in question shall not be regarded as misappropriation within the meaning of Article 4 of the Convention, provided that the Commissioner-General for Cultural Property certifies in writing, after having consulted the usual custodians, that such transfer was rendered necessary by

circumstances.

Chapter IV. The distinctive emblem

Article 20. Affixing of the emblem

1. The placing of the distinctive emblem and its degree of visibility shall be left to the discretion of the competent authorities of each High Contracting Party. It may be displayed on flags or armlets; it may be painted on an object or represented in any other appropriate form.

2. However, without prejudice to any possible fuller markings, the emblem shall, in the event of armed conflict and in the cases mentioned in Articles 12 and 13 of the Convention, be placed on the vehicles of transport so as to be clearly visible in daylight from the air as well as from the ground. The emblem shall be visible from the ground:

(a) at regular intervals sufficient to indicate clearly the perimeter of a centre containing monuments under special protection;

(b) at the entrance to other immovable cultural property under special protection.

Article 21. Identification of persons

1. The persons mentioned in Article 17, paragraph 2(b) and (c) of the Con-vention may wear an armlet bearing the distinctive emblem, issued and stamped by the competent authorities.

2. Such persons shall carry a special identity card bearing the distinctive emblem. This card shall mention at least the surname and first names, the date of birth, the title or rank, and the function of the holder. The card shall bear the photograph of the holder as well as his signature or his fingerprints, or both. It shall bear the embossed stamp of the competent authorities.

3. Each High Contracting Party shall make out its own type of identity card,, guided by the model annexed, by way of example, to the present Regulations. The' High Contracting Parties shall transmit to each other a specimen of the model they are using. Identity cards shall be made out, if possible, at least in duplicate, one copy being kept by the issuing Power.

4. The said persons may not, without legitimate reason, be deprived of their identity card or of the right to wear the armlet.

Depositary :

UNESCO

Opened for Signature :

From 14 May to 31 December 1954.

The Convention has been signed by the following States:

Andorra (see note 1)	14 May 1954
Australia	14 May 1954
Austria	31 December 1954
Belgium	14 May 1954
Brazil	31 December 1954
Burma	31 December 1954
Byelorussian Soviet Socialist Republic	30 December 1954
[China] (see note 2)	14 May 1954
Cuba	14 May 1954
Czechoslovakia	18 October 1954
Democratic Kampuchea	17 December 1954
Denmark	18 October 1954
Ecuador	30 December 1954
Egypt	30 December 1954
El Salvador	14 May 1954
France	14 May 1954
Germany (Federal Republic of)	14 May 1954
Greece	14 May 1954
Hungary	14 May 1954
India	14 May 1954
Indonesia	24 December 1954
Iran	14 May 1954
Iraq	14 May 1954
Ireland	14 May 1954
Israel	14 May 1954
Italy	14 May 1954
Japan	6 September 1954
Jordan	22 December 1954
Lebanon	25 May 1954
Libyan Arab Jamahiriya	14 May 1954
Luxembourg	14 May 1954
Mexico	29 December 1954
Monaco	14 May 1954
Nicaragua	14 May 1954
Norway	14 May 1954
New Zealand	20 December 1954
Netherlands	14 May 1954
Philippines	14 May 1954
Poland	14 May 1954

Portugal	14 May 1954
Romania	14 May 1954
San Marino	14 May 1954
Spain	14 May 1954
Syrian Arab Republic	14 May 1954
Ukrainian Soviet Socialist Republic	14 May 1954
United Kingdom	30 December 1954
United States of America	14 May 1954
Uruguay	14 May 1954
Yugoslavia	14 May 1954

Entry into force :

7 August 1956, in accordance with Article 33

Authoritative texts :

English, French, Russian and Spanish

Registration at the UN :

4 September 1956, No. 3511

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Byelorussian Soviet Socialist Republic [at signature of the Convention]
The representative of the Byelorussian Soviet Socialist Republic noted that 'various provisions included in the Convention and Regulations weaken these agreements with regard to the conservation and defence of cultural property in the event of armed conflict and that, for that reason, he could not express his satisfaction' (See Acts of the Hague Conference, Records, para. 2215). Similar declarations were made at the same time by the Ukrainian Soviet Socialist Republic and the Union of the Soviet Socialist Republics (ibid., paras 2216-17).

Germany [Federal Republic of]
'As, however…ratification will take some time, owing to the federal character of the Federal Republic of Germany… in accordance with Article 18(3) of the above-mentioned Convention…the Federal Republic of Germany accepts and applies the provisions of the said Convention…accordingly, under the above-mentioned Article 18(3), all other Parties to the said Convention are thereby bound in relation to the Federal Republic of Germany'. (See letter ODG/SJ/2/467 of 2 May 1962.)

Norway (see note 3)
(Translation) '…the restitution of cultural property, in accordance with the terms of Sections I and II of the Protocol, can be demanded only after the expiration of a period of 20 years, after the date on which the property in question came into the possession of a good-faith holder'. (See letter CL/1522 of 30 October 1961.)

New Zealand
"AND DECLARES that, consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depository on the basis of appropriate consultation with that territory;"

Sudan
'In view of the fact that it considers that the Royal Government of the National Union of Cambodia, of Samdeck Norodom Sihanouk is the only Government empowered to represent the Kingdom of Cambodia, it follows that the Government of the Democratic Republic of Sudan does not recognize the right of the Phnom-Penh regime to enter into international obligations on behalf of the Kingdom of Cambodia.' (See letter CL/2236 of 18 October 1972.)

United States of America :
The instrument contained the following declarations:
"(1) It is the understanding of the United States of America that "special protection", as defined in Chapter II of the Convention, codifies customary international law in that it, first, prohibits the use of any cultural property to shield any legitimate military targets from attack and, second, allows all property to be attacked using any lawful and proportionate means, if required by military necessity and notwithstanding possible collateral damage to such property.
(2) It is the understanding of the United States of America that any decision by any military commander, military personnel, or any other person responsible for planning, authorizing, or executing military action or other activities covered by this Convention shall only be judged on the basis of that person's assessment of the information reasonably available to the person at the time the person planned, authorized, or executed the action under review, and shall not be judged on the basis of information that comes to light after the action under review was taken.
(3) It is the understanding of the United States of America that the rules established by the Convention apply only to conventional weapons, and are without prejudice to the rules of international law governing other types of weapons, including nuclear weapons.
(4) It is the understanding of the United States of America that, as is true for all civilian objects, the primary responsibility for the protection of cultural objects rests with the Party controlling that property, to ensure that it is properly

identified and that it is not used for unlawful purposes."
The letter of transmission of this instrument contained the following request: "The United States of America requests that this instrument of ratification be given immediate effect in accordance with the relevant provisions of Article 33(3) of that Convention."

Territorial Application :

Notification by	Date of reception of notification	Extension to
Mauritius	22 September 2006	Island of Mauritius, Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago including Diego Garcia, and any other island comprised in the State of Mauritius

Notes :

(1) Signed on behalf of the Bishop of Urgel, co-prince of Andorra. The French Minister of Foreign Affairs by the communication dated 5 August 1954, made it known that the President of the French Republic, co-prince of Andorra, considered that signature as null and void, the French State alone being empowered to represent the Andorran interests on an international level (See letter CL/996 of 22 October 1954). The Bishop of Urgel, by letter of 6 December 1954, replied to this communication, calling attention to his position as a sovereign co-prince (See letter CL/1026 of 22 February 1955).

(2) Signed on behalf of China by its representatives to the United Nations and UNESCO at the time of signature.
China is an original Member of the United Nations, the Charter having been signed and ratified in its name, on 26 and 28 September 1945, respectively, by the Government of the Republic of China, which continuously represented China in the United Nations until 25 October 1971.
China is likewise an original Member of UNESCO, the Constitution having been signed and accepted in its name by the Government of the Republic of China which continuously represented China in UNESCO until 29 October 1971.
On 25 October 1971, the General Assembly of the United Nations adopted Resolution 2758(XXVI), which reads as follows:
''The General Assembly,
'Recalling the principles of the Charter of the United Nations,
'Considering that the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,
'Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the rive permanent members of the Security Council,
'Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-chek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it. '
The establishing of the Government of the People's Republic of China, occurring on 1 October 1949, was made known to the United Nations on 18 November 1949. Various proposals were formulated between that date and that of the adoption of the above-quoted resolution with a view to changing the representation of China at the United Nations, but these proposals were not adopted.
On 29 October 1971, the Executive Board of UNESCO, at its 88th session, adopted the following decision (88 EX/Decision 9):
'The Executive Board,
Taking into account the resolution adopted by the United Nations General Assembly on 25 October 1971, whereby the representatives of the Peop1e's Republic of China were recognized as the only 1awful representatives of China to the United Nations,
Recalling resolution 396 adopted by the United Nations General Assembly at its fifth regular session on 14 December 1950 recommending that "the attitude adopted by the General Assembly" on the question of the representation of a Member State "should be taken into account in other organs of the United Nations and in the Specialized Agencies".
Decides that, from today onwards, the Government of the People's Republic of China is the on1y legitimate representative of China in UNESCO and invites the ' Director-General to act accordingly.'
On 29 September 1972 the Secretary-General of the United Nations received the following communication from the Minister of Foreign Affairs of the People's Republic of China (translation):
As concerns the multilateral treaties which the defunct Chinese Government signed, ratified or acceded to before the establishing of the Government of the People's Republic of China, my government will examine their terms before deciding, in the light of circumstances, whether they should or not be recognized. As from 1 October 1949; day of the founding of the People's Republic of China, the Chiang Kai-chek clique has no right to represent China. Its signing and ratifying of any multilateral treaty, or its acceding to any multilateral treaty, by usurping the name of "China", are aIl illegal and void. My government will study these multilateral treaties before deciding, in the light of circumstances, .whether it is or is not appropriate to accede to them.'
On depositing the instrument of acceptance of the Agreement, the Government of Romania stated that it considered the above-mentioned signature as null and void, inasmuch as the only Government competent to assume obligations on behalf of China and to represent China at the international level is the Government of the People's Republic of China.
In a letter addressed to the Secretary-General in regard to the above-mentioned declaration, the Permanent Representative of the Republic of China to the United Nations stated: 'The Republic of China, a sovereign State and member of the United Nations, attended the Fifth Session of the General Conference of the United

Nations Educational, Scientific and Cultural Organization, contributed to the formulation of the Agreement on the Importation of Educational, Scientific and Cultural Materials and duly signed the said Agreement on 22 November 1950 at the Interim Headquarters of the United Nations at Lake Success. Any statement relating to the said Agreement that is incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China as a signatory of the said Agreement.'

(3) Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Czechoslovakia, India, Italy, Madagascar, Mexico, Netherlands, Poland, Romania, San Marino, Spain, United Arab Republic and Union of Soviet Socialist Republics issued observations as regards this reservation (see letters CL/1606 of 27 November 1962 and CL/2351 Add. of 14 August 1974). By a note verbale dated 3 October 1973, Norway announced its decision, effective 24 August 1979, to withdraw that reservation (See letter LA/Depositary/1979/23 of 6 December 1979).

BACK

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

The Hague, 26 march 1999
-Convention, The Hague 14 May 1954
-First Protocol, The Hague, 14 March 1999

Depositary - Opened for Signature - Entry into force - Authoritative texts - Registration at the UN - States Parties - Declarations and Reservations -

UNESDOC - (PDF) English - French - Spanish - Russian - Chinese - Arabic

The Parties,

Conscious of the need to improve the protection of cultural property in the event of armed conflict and to establish an enhanced system of protection for specifically designated cultural property;

Reaffirming the importance of the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, done at the Hague on 14 May 1954, and emphasizing the necessity to supplement these provisions through measures to reinforce their implementation;

Desiring to provide the High Contracting Parties to the Convention with a means of being more closely involved in the protection of cultural property in the event of armed conflict by establishing appropriate procedures therefor;

Considering that the rules governing the protection of cultural property in the event of armed conflict should reflect developments in international law;

Affirming that the rules of customary international law will continue to govern questions not regulated by the provisions of this Protocol;

Have agreed as follows:

Chapter 1 Introduction

Article 1 Definitions

For the purposes of this Protocol:

a. "Party" means a State Party to this Protocol;

b. "cultural property" means cultural property as defined in Article 1 of the Convention;

c. "Convention" means the Convention for the Protection of Cultural Property in the Event of Armed Conflict, done at The Hague on 14 May 1954;

d. "High Contracting Party" means a State Party to the Convention;

e. "enhanced protection" means the system of enhanced protection established by Articles 10 and 11;

f. "military objective" means an object which by its nature, location, purpose, or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage;

g. "illicit" means under compulsion or otherwise in violation of the applicable rules of the domestic law of the occupied territory or of international law.

h. "List" means the International List of Cultural Property under Enhanced Protection established in accordance with Article 27, sub-paragraph 1(b);

i. "Director-General" means the Director-General of UNESCO;

j. "UNESCO" means the United Nations Educational, Scientific and Cultural Organization;

k. "First Protocol" means the Protocol for the Protection of Cultural Property in the Event of Armed Conflict done at The Hague on 14 May 1954;

Article 2 Relation to the Convention

This Protocol supplements the Convention in relations between the Parties.

Article 3 Scope of application

1. In addition to the provisions which shall apply in time of peace, this Protocol shall apply in situations referred to in Article 18 paragraphs 1 and 2 of the Convention and in Article 22 paragraph 1.

2. When one of the parties to an armed conflict is not bound by this Protocol, the Parties to this Protocol shall remain bound by it in their mutual relations. They shall furthermore be bound by this Protocol in relation to a State party to the conflict which is not bound by it, if the latter accepts the provisions of this Protocol and so long as it applies them.

Article 4 Relationship between Chapter 3 and other provisions of the Convention and this Protocol

The application of the provisions of Chapter 3 of this Protocol is without prejudice to:

a. the application of the provisions of Chapter I of the Convention and of Chapter 2 of this Protocol;

b. the application of the provisions of Chapter II of the Convention save that, as between Parties to this Protocol or as between a Party and a State which accepts and applies this Protocol in accordance with Article 3 paragraph 2, where cultural property has been granted both special protection and enhanced protection, only the provisions of enhanced protection shall apply.

Chapter 2 General provisions regarding protection

Article 5 Safeguarding of cultural property

Preparatory measures taken in time of peace for the safeguarding of cultural property against the foreseeable effects of an armed conflict pursuant to Article 3 of the Convention shall include, as appropriate, the preparation of inventories, the planning of emergency measures for protection against fire or structural collapse, the preparation for the removal of movable cultural property or the provision for adequate in situ protection of such property, and the designation of competent authorities responsible for the safeguarding of cultural property.

Article 6 Respect for cultural property

With the goal of ensuring respect for cultural property in accordance with Article 4 of the Convention:

a. a waiver on the basis of imperative military necessity pursuant to Article 4 paragraph 2 of the Convention may only be invoked to direct an act of hostility against cultural property when and for as long as:

i. that cultural property has, by its function, been made into a military objective; and

ii. there is no feasible alternative available to obtain a similar military advantage to that offered by directing an act of hostility against that objective;

b. a waiver on the basis of imperative military necessity pursuant to Article 4 paragraph 2 of the Convention may only be invoked to use cultural property for purposes which are likely to expose it to destruction or damage when and for as long as no choice is possible between such use of the cultural property and another feasible method for obtaining a similar military advantage;

c. the decision to invoke imperative military necessity shall only be taken by an officer commanding a force the equivalent of a battalion in size or larger, or a force smaller in size where circumstances do not permit otherwise;

d. in case of an attack based on a decision taken in accordance with sub-paragraph (a), an effective advance warning shall be given whenever circumstances permit.

Article 7 Precautions in attack

Without prejudice to other precautions required by international humanitarian law in the conduct of military operations, each Party to the conflict shall:

a. do everything feasible to verify that the objectives to be attacked are not cultural property protected under Article 4 of the Convention;

b. take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental damage to cultural property protected under Article 4 of the Convention;

c. refrain from deciding to launch any attack which may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated; and

d. cancel or suspend an attack if it becomes apparent:

i. that the objective is cultural property protected under Article 4 of the Convention;

ii. that the attack may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated.

Article 8 Precautions against the effects of hostilities

The Parties to the conflict shall, to the maximum extent feasible:

a. remove movable cultural property from the vicinity of military objectives or provide for adequate in situ protection;

b. avoid locating military objectives near cultural property.

Article 9 Protection of cultural property in occupied territory

1. Without prejudice to the provisions of Articles 4 and 5 of the Convention, a Party in occupation of the whole or part of the territory of another Party shall prohibit and prevent in relation to the occupied territory:

a. any illicit export, other removal or transfer of ownership of cultural property;

b. any archaeological excavation, save where this is strictly required to safeguard, record or preserve cultural property;

c. any alteration to, or change of use of, cultural property which is intended to conceal or destroy cultural, historical or scientific evidence.

2. Any archaeological excavation of, alteration to, or change of use of, cultural property in occupied territory shall, unless circumstances do not permit, be carried out in close co-operation with the competent national authorities of the occupied territory.
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Chapter 3 Enhanced Protection

Article 10 Enhanced protection

Cultural property may be placed under enhanced protection provided that it meets the following three conditions:

a. it is cultural heritage of the greatest importance for humanity;

b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection;

c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.

Article 11 The granting of enhanced protection

1. Each Party should submit to the Committee a list of cultural property for which it intends to request the granting of enhanced protection.

2. The Party which has jurisdiction or control over the cultural property may request that it be included in the List to be established in accordance with Article 27 sub-paragraph 1(b). This request shall include all necessary information related to the criteria mentioned in Article 10. The Committee may invite a Party to request that cultural property be included in the List.

3. Other Parties, the International Committee of the Blue Shield and other non-governmental organisations with relevant expertise may recommend specific cultural property to the Committee. In such cases, the Committee may decide to invite a Party to request inclusion of that cultural property in the List.

4. Neither the request for inclusion of cultural property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State, nor its inclusion, shall in any way prejudice the rights of the parties to the dispute.

5. Upon receipt of a request for inclusion in the List, the Committee shall inform all Parties of the request. Parties may submit representations regarding such a request to the Committee within sixty days. These representations shall be made only on the basis of the criteria mentioned in Article 10. They shall be specific and related to facts. The Committee shall consider the representations, providing the Party requesting inclusion with a reasonable opportunity to respond before taking the decision. When such representations are before the Committee, decisions for inclusion in the List shall be taken, notwithstanding Article 26, by a majority of four-fifths of its members present and voting.

6. In deciding upon a request, the Committee should ask the advice of governmental and non-governmental organisations, as well as of individual experts.

7. A decision to grant or deny enhanced protection may only be made on the basis of the criteria mentioned in Article 10.

8. In exceptional cases, when the Committee has concluded that the Party requesting inclusion of cultural property in the List cannot fulfil the criteria of Article 10 sub-paragraph (b), the Committee may decide to grant enhanced protection, provided that the requesting Party submits a request for international assistance under Article 32.

9.Upon the outbreak of hostilities, a Party to the conflict may request, on an emergency basis, enhanced protection of cultural property under its jurisdiction or control by communicating this request to the Committee. The Committee shall transmit this request immediately to all Parties to the conflict. In such cases the Committee will consider representations from the Parties concerned on an expedited basis. The decision to grant provisional enhanced protection shall be taken as soon as possible and, notwithstanding Article 26, by a majority of four-fifths of its members present and voting. Provisional enhanced protection may be granted by the Committee pending the outcome of the regular procedure for the granting of enhanced protection, provided that the provisions of Article 10 sub-paragraphs (a) and (c) are met.

10. Enhanced protection shall be granted to cultural property by the Committee from the moment of its entry in the List.

11. The Director-General shall, without delay, send to the Secretary-General of the United Nations and to all Parties notification of any decision of the Committee to include cultural property on the List.

Article 12 Immunity of cultural property under enhanced protection

The Parties to a conflict shall ensure the immunity of cultural property under

enhanced protection by refraining from making such property the object of attack or from any use of the property or its immediate surroundings in support of military action.

Article 13 Loss of enhanced protection

1. Cultural property under enhanced protection shall only lose such protection:

a. if such protection is suspended or cancelled in accordance with Article 14; or

b. if, and for as long as, the property has, by its use, become a military objective.

2. In the circumstances of sub-paragraph 1(b), such property may only be the object of attack if:

a. the attack is the only feasible means of terminating the use of the property referred to in sub-paragraph 1(b);

b. all feasible precautions are taken in the choice of means and methods of attack, with a view to terminating such use and avoiding, or in any event minimising, damage to the cultural property;

c. unless circumstances do not permit, due to requirements of immediate self-defence:

i. the attack is ordered at the highest operational level of command;

ii. effective advance warning is issued to the opposing forces requiring the termination of the use referred to in sub-paragraph 1(b); and

iii. Reasonable time is given to the opposing forces to redress the situation.

Article 14 Suspension and cancellation of enhanced protection

1. Where cultural property no longer meets any one of the criteria in Article 10 of this Protocol, the Committee may suspend its enhanced protection status or cancel that status by removing that cultural property from the List.

2. In the case of a serious violation of Article 12 in relation to cultural property under enhanced protection arising from its use in support of military action, the Committee may suspend its enhanced protection status. Where such violations are continuous, the Committee may exceptionally cancel the enhanced protection status by removing the cultural property from the List.

3. The Director-General shall, without delay, send to the Secretary-General of the United Nations and to all Parties to this Protocol notification of any decision of the Committee to suspend or cancel the enhanced protection of cultural property.

4. Before taking such a decision, the Committee shall afford an opportunity to the Parties to make their views known.

Chapter 4 Criminal responsibility and jurisdiction

Article 15 Serious violations of this Protocol

1. Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts:

a. making cultural property under enhanced protection the object of attack;

b. using cultural property under enhanced protection or its immediate surroundings in support of military action;

c. extensive destruction or appropriation of cultural property protected under the Convention and this Protocol;

d. making cultural property protected under the Convention and this Protocol the object of attack;

e. theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention.

2. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties. When doing so, Parties shall comply with general principles of law and international law, including the rules extending individual criminal responsibility to persons other than those who directly commit the act.

Article 16 Jurisdiction

1. Without prejudice to paragraph 2, each Party shall take the necessary legislative measures to establish its jurisdiction over offences set forth in Article 15 in the following cases:

a. when such an offence is committed in the territory of that State;

b. when the alleged offender is a national of that State;

c. in the case of offences set forth in Article 15 sub-paragraphs (a) to (c), when the alleged offender is present in its territory.

2. With respect to the exercise of jurisdiction and without prejudice to Article 28 of the Convention:

a. this Protocol does not preclude the incurring of individual criminal responsibility or the exercise of jurisdiction under national and international law that may be applicable, or affect the exercise of jurisdiction under customary international law;

b. except in so far as a State which is not Party to this Protocol may accept and apply its provisions in accordance with Article 3 paragraph 2, members of the armed forces and nationals of a State which is not Party to this Protocol, except for those nationals serving in the armed forces of a State which is a Party to this Protocol, do not incur individual criminal responsibility by virtue of this Protocol, nor does this Protocol impose an obligation to establish jurisdiction over such persons or to extradite them.

Article 17 Prosecution

1. The Party in whose territory the alleged offender of an offence set forth in Article 15 sub-paragraphs 1 (a) to (c) is found to be present shall, if it does not extradite that person, submit, without exception whatsoever and without undue delay, the case to its competent authorities, for the purpose of prosecution, through proceedings in accordance with its domestic law or with, if applicable, the relevant rules of international law.

2. Without prejudice to, if applicable, the relevant rules of international law, any person regarding whom proceedings are being carried out in connection with the Convention or this Protocol shall be guaranteed fair treatment and a fair trial in accordance with domestic law and international law at all stages of the proceedings, and in no cases shall be provided guarantees less favorable to such person than those provided by international law.

Article 18 Extradition

1. The offences set forth in Article 15 sub-paragraphs 1 (a) to (c) shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the Parties before the entry into force of this Protocol. Parties undertake to include such offences in every extradition treaty to be subsequently concluded between them.

2. When a Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another Party with which it has no extradition treaty, the requested Party may, at its option, consider the present Protocol as the legal basis for extradition in respect of offences as set forth in Article 15 sub-paragraphs 1 (a) to (c).

3. Parties which do not make extradition conditional on the existence of a treaty shall recognise the offences set forth in Article 15 sub-paragraphs 1 (a) to (c) as extraditable offences between them, subject to the conditions provided by the law of the requested Party.

4. If necessary, offences set forth in Article 15 sub-paragraphs 1 (a) to (c) shall be treated, for the purposes of extradition between Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the Parties that have established jurisdiction in accordance with Article 16 paragraph 1.

Article 19 Mutual legal assistance

1. Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in Article 15, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, Parties shall afford one another assistance in accordance with their domestic law.

Article 20 Grounds for refusal

1. For the purpose of extradition, offences set forth in Article 15 sub-paragraphs 1 (a) to (c), and for the purpose of mutual legal assistance, offences set forth in Article 15 shall not be regarded as political offences nor as offences connected with political offences nor as offences inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such offences may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

2. Nothing in this Protocol shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance if the requested Party has substantial grounds for believing that the request for extradition for offences set forth in Article 15 sub-paragraphs 1 (a) to (c) or for mutual legal assistance with respect to offences set forth in Article 15 has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

Article 21 Measures regarding other violations

Without prejudice to Article 28 of the Convention, each Party shall adopt such legislative, administrative or disciplinary measures as may be necessary to suppress the following acts when committed intentionally:

a. any use of cultural property in violation of the Convention or this Protocol;

b. any illicit export, other removal or transfer of ownership of cultural property from occupied territory in violation of the Convention or this Protocol.

Chapter 5 The protection of cultural property in armed conflicts not of an international character

Article 22 Armed conflicts not of an international character

1. This Protocol shall apply in the event of an armed conflict not of an international character, occurring within the territory of one of the Parties.

2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature.

3. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.

4. Nothing in this Protocol shall prejudice the primary jurisdiction of a Party in whose territory an armed conflict not of an international character occurs over the violations set forth in Article 15.

5. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the Party in the territory of which that conflict occurs.

6. The application of this Protocol to the situation referred to in paragraph 1 shall not affect the legal status of the parties to the conflict.

7. UNESCO may offer its services to the parties to the conflict.

Chapter 6 Institutional Issues

Article 23 Meeting of the Parties

1. The Meeting of the Parties shall be convened at the same time as the General Conference of UNESCO, and in co-ordination with the Meeting of the High Contracting Parties, if such a meeting has been called by the Director-General.

2. The Meeting of the Parties shall adopt its Rules of Procedure.

3. The Meeting of the Parties shall have the following functions:

(a) to elect the Members of the Committee, in accordance with Article 24 paragraph 1;

(b) to endorse the Guidelines developed by the Committee in accordance with Article 27 sub-paragraph 1(a);

(c) to provide guidelines for, and to supervise the use of the Fund by the Committee;

(d) to consider the report submitted by the Committee in accordance with Article 27 sub-paragraph 1(d);

(e) to discuss any problem related to the application of this Protocol, and to make recommendations, as appropriate.

4. At the request of at least one-fifth of the Parties, the Director-General shall convene an Extraordinary Meeting of the Parties.

Article 24 Committee for the Protection of Cultural Property in the Event of Armed Conflict

1. The Committee for the Protection of Cultural Property in the Event of Armed Conflict is hereby established. It shall be composed of twelve Parties which shall be elected by the Meeting of the Parties.

2. The Committee shall meet once a year in ordinary session and in extra-ordinary sessions whenever it deems necessary.

3. In determining membership of the Committee, Parties shall seek to ensure an equitable representation of the different regions and cultures of the world.

4. Parties members of the Committee shall choose as their representatives persons qualified in the fields of cultural heritage, defence or international law, and they shall endeavour, in consultation with one another, to ensure that the Committee as a whole contains adequate expertise in all these fields.

Article 25 Term of office

1. A Party shall be elected to the Committee for four years and shall be eligible for immediate re-election only once.

2. Notwithstanding the provisions of paragraph 1, the term of office of half of the members chosen at the time of the first election shall cease at the end of the first ordinary session of the Meeting of the Parties following that at which they were elected. These members shall be chosen by lot by the President of this Meeting after the first election.

Article 26 Rules of procedure

1. The Committee shall adopt its Rules of Procedure.

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

3. Members shall not participate in the voting on any decisions relating to cultural property affected by an armed conflict to which they are parties.

Article 27 Functions

1. The Committee shall have the following functions:

a. to develop Guidelines for the implementation of this Protocol;

b. to grant, suspend or cancel enhanced protection for cultural property and to establish, maintain and promote the List of Cultural Property under Enhanced

Protection;

c. to monitor and supervise the implementation of this Protocol and promote the identification of cultural property under enhanced protection;

d. to consider and comment on reports of the Parties, to seek clarifications as required, and prepare its own report on the implementation of this Protocol for the Meeting of the Parties;

e. to receive and consider requests for international assistance under Article 32;

f. to determine the use of the Fund;

g. to perform any other function which may be assigned to it by the Meeting of the Parties.

2. The functions of the Committee shall be performed in co-operation with the Director-General.

3. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of the Convention, its First Protocol and this Protocol. To assist in the implementation of its functions, the Committee may invite to its meetings, in an advisory capacity, eminent professional organizations such as those which have formal relations with UNESCO, including the International Committee of the Blue Shield (ICBS) and its constituent bodies. Representatives of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre) (ICCROM) and of the International Committee of the Red Cross (ICRC) may also be invited to attend in an advisory capacity.

Article 28 Secretariat

The Committee shall be assisted by the Secretariat of UNESCO which shall prepare the Committee's documentation and the agenda for its meetings and shall have the responsibility for the implementation of its decisions.

Article 29 The Fund for the Protection of Cultural Property in the Event of Armed Conflict

1. A Fund is hereby established for the following purposes:

a. to provide financial or other assistance in support of preparatory or other measures to be taken in peacetime in accordance with, inter alia, Article 5, Article 10 sub-paragraph (b) and Article 30; and

b. to provide financial or other assistance in relation to emergency, provisional or other measures to be taken in order to protect cultural property during periods of armed conflict or of immediate recovery after the end of hostilities in accordance with, inter alia, Article 8 sub-paragraph (a).

2. The Fund shall constitute a trust fund, in conformity with the provisions of the financial regulations of UNESCO.

3. Disbursements from the Fund shall be used only for such purposes as the Committee shall decide in accordance with the guidelines as defined in Article 23 sub-paragraph 3(c). The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project.

4. The resources of the Fund shall consist of:

(a) voluntary contributions made by the Parties;

(b) contributions, gifts or bequests made by:

(i) other States;

(ii) UNESCO or other organizations of the United Nations system;

(iii) other intergovernmental or non-governmental organizations; and

(iv) public or private bodies or individuals;

(c) any interest accruing on the Fund;

(d) funds raised by collections and receipts from events organized for the benefit of the Fund; and

(e) all other resources authorized by the guidelines applicable to the Fund.

Chapter 7 Dissemination of Information and International Assistance

Article 30 Dissemination

1. The Parties shall endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population.

2. The Parties shall disseminate this Protocol as widely as possible, both in time of peace and in time of armed conflict.

3. Any military or civilian authorities who, in time of armed conflict, assume responsibilities with respect to the application of this Protocol, shall be fully acquainted with the text thereof. To this end the Parties shall, as appropriate:

(a) incorporate guidelines and instructions on the protection of cultural property in their military regulations;

(b) develop and implement, in cooperation with UNESCO and relevant governmental and non-governmental organizations, peacetime training and

educational programmes;

(c) communicate to one another, through the Director-General, information on the laws, administrative provisions and measures taken under sub-paragraphs (a) and (b);

(d) communicate to one another, as soon as possible, through the Director-General, the laws and administrative provisions which they may adopt to ensure the application of this Protocol.

Article 31 International cooperation

In situations of serious violations of this Protocol, the Parties undertake to act, jointly through the Committee, or individually, in cooperation with UNESCO and the United Nations and in conformity with the Charter of the United Nations.

Article 32 International assistance

1. A Party may request from the Committee international assistance for cultural property under enhanced protection as well as assistance with respect to the preparation, development or implementation of the laws, administrative provisions and measures referred to in Article 10.

2. A party to the conflict, which is not a Party to this Protocol but which accepts and applies provisions in accordance with Article 3, paragraph 2, may request appropriate international assistance from the Committee.

3. The Committee shall adopt rules for the submission of requests for international assistance and shall define the forms the international assistance may take.

4. Parties are encouraged to give technical assistance of all kinds, through the Committee, to those Parties or parties to the conflict who request it.

Article 33 Assistance of UNESCO

1. A Party may call upon UNESCO for technical assistance in organizing the protection of its cultural property, such as preparatory action to safeguard cultural property, preventive and organizational measures for emergency situations and compilation of national inventories of cultural property, or in connection with any other problem arising out of the application of this Protocol. UNESCO shall accord such assistance within the limits fixed by its programme and by its resources.

2. Parties are encouraged to provide technical assistance at bilateral or multilateral level.

3. UNESCO is authorized to make, on its own initiative, proposals on these matters to the Parties.

Chapter 8 Execution of this Protocol

Article 34 Protecting Powers

This Protocol shall be applied with the co-operation of the Protecting Powers responsible for safeguarding the interests of the Parties to the conflict.

Article 35 Conciliation procedure

1. The Protecting Powers shall lend their good offices in all cases where they may deem it useful in the interests of cultural property, particularly if there is disagreement between the Parties to the conflict as to the application or interpretation of the provisions of this Protocol.

2. For this purpose, each of the Protecting Powers may, either at the invitation of one Party, of the Director-General, or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for the protection of cultural property, if considered appropriate, on the territory of a State not party to the conflict. The Parties to the conflict shall be bound to give effect to the proposals for meeting made to them. The Protecting Powers shall propose for approval by the Parties to the conflict a person belonging to a State not party to the conflict or a person presented by the Director-General, which person shall be invited to take part in such a meeting in the capacity of Chairman.

Article 36 Conciliation in absence of Protecting Powers

1. In a conflict where no Protecting Powers are appointed the Director-General may lend good offices or act by any other form of conciliation or mediation, with a view to settling the disagreement.

2. At the invitation of one Party or of the Director-General, the Chairman of the Committee may propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for the protection of cultural property, if considered appropriate, on the territory of a State not party to the conflict.

Article 37 Translations and reports

1. The Parties shall translate this Protocol into their official languages and shall communicate these official translations to the Director-General.

2. The Parties shall submit to the Committee, every four years, a report on the implementation of this Protocol.

Article 38 State responsibility

No provision in this Protocol relating to individual criminal responsibility shall affect the responsibility of States under international law, including the duty to provide reparation.

Chapter 9 Final Clauses

Article 39 Languages

This Protocol is drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authentic.

Article 40 Signature

This Protocol shall bear the date of 26 March 1999. It shall be opened for signature by all High Contracting Parties at The Hague from 17 May 1999 until 31 December 1999.

Article 41 Ratification, acceptance or approval

1. This Protocol shall be subject to ratification, acceptance or approval by High Contracting Parties which have signed this Protocol, in accordance with their respective constitutional procedures.

2. The instruments of ratification, acceptance or approval shall be deposited with the Director-General.

Article 42 Accession

1. This Protocol shall be open for accession by other High Contracting Parties from 1 January 2000.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General.

Article 43 Entry into force

1. This Protocol shall enter into force three months after twenty instruments of ratification, acceptance, approval or accession have been deposited.

2. Thereafter, it shall enter into force, for each Party, three months after the deposit of its instrument of ratification, acceptance, approval or accession.

Article 44 Entry into force in situations of armed conflict

The situations referred to in Articles 18 and 19 of the Convention shall give immediate effect to ratifications, acceptances or approvals of or accessions to this Protocol deposited by the parties to the conflict either before or after the beginning of hostilities or occupation. In such cases the Director-General shall transmit the communications referred to in Article 46 by the speediest method.

Article 45 Denunciation

1. Each Party may denounce this Protocol.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General.

3. The denunciation shall take effect one year after the receipt of the instrument of denunciation. However, if, on the expiry of this period, the denouncing Party is involved in an armed conflict, the denunciation shall not take effect until the end of hostilities, or until the operations of repatriating cultural property are completed, whichever is the later.

Article 46 Notifications

The Director-General shall inform all High Contracting Parties as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles 41 and 42 and of denunciations provided for Article 45.

Article 47 Registration with the United Nations

In conformity with Article 102 of the Charter of the United Nations, this Protocol shall be registered with the Secretariat of the United Nations at the request of the Director-General.

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE at The Hague, this twenty-sixth day of March 1999, in a single copy which shall be deposited in the archives of the UNESCO, and certified true copies of which shall be delivered to all the High Contracting Parties.

Depositary :

UNESCO

Opened for Signature :

From 17 May to 31 December 1999.

The Protocol has been signed by the following States:

Albania	26 March 1999
Armenia	22 October 1999
Austria	26 March 1999
Belarus	26 March 1999
Belgium	26 March 1999
Bulgaria	15 September 1999
Cambodia	26 March 1999
Colombia	31 December 1999

Côte d'Ivoire	26 March 1999
Croatia	26 March 1999
Cyprus	19 August 1999
Ecuador	29 December 1999
Egypt	9 October 1999
Estonia	26 March 1999
Finland	26 March 1999
Germany	26 March 1999
Ghana	26 March 1999
Greece	26 March 1999
Holy See	26 March 1999
Hungary	26 March 1999
Indonesia	26 March 1999
Italy	26 March 1999
Luxembourg	26 March 1999
Madagascar	26 March 1999
Morocco	21 December 1999
Netherlands	26 March 1999
Nigeria	26 March 1999
Oman	30 June 1999
Pakistan	26 March 1999
Peru	13 July 1999
Qatar	26 March 1999
Romania	8 November 1999
Slovak Republic	22 December 1999
Spain	26 March 1999
Sweden	26 March 1999
Switzerland	26 March 1999
Syria	26 March 1999
Yemen	26 March 1999

Entry into force :

9 March 2004, in accordance with Article 43.1

Authoritative texts :

Arabic, Chinese, English, French, Russian and Spanish

Registration at the UN :

5 May 2004, No. 3511

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Belgium
" DECLARATION DU ROYAUME DE BELGIQUE
Conformément à l'article 16, § 2, a) du Protocole et au principe de non discrimination, la Belgique incriminera les actes énoncés à l'article 15 dudit Protocole sans tenir compte de l'exception prévue en son article 16 paragraphe 2, b) » [Original : French]

Iran
"Accession of the Islamic Republic of Iran to this Protocol shall not mean the recognition of any country it does not recognize, neither shall it give rise to any commitment toward such states or governments"
Annexed to the instrument was the following explanatory declaration:
"Considering the special importance of protecting cultural heritage of nations against damages caused by war,
Bearing in mind the fact that cultural heritage of nations is deemed as part of cultural heritage of humanity,
Considering that full protect of cultural heritage against damages caused by armed conflicts needs the protections more than that which is provided for in the present Protocol,
The Islamic Republic of Iran regards the conclusion of bilateral and multilateral supplementary agreements to the present Protocol as necessary and states its readiness to conclude such agreements. These agreements shall entail the granting of privileges and providing more possibilities for protection of cultural heritage of nations and shall also articulate the rules stipulated in the Protocol including customary rules of international law, in a way that solely include the rules that are not protested by the Government of the Islamic Republic of Iran and as well as explain more clearly the modality for the implementation of provisions of section 4 of this Protocol."

Canada
The statement of understanding reproduced below was annexed to the instrument of accession :
"STATEMENT OF UNDERSTANDING
1. It is the understanding of the Government of Canada that the definition of a military objective in Article 2(f) is to be interpreted the same way as Article 52(2) of Additional Protocol I to the Geneva Conventions of 1949.
2. It is the understanding of the Government of Canada that in relation to Article 6(a)(ii), 6(b), 7(a), 7(b), 8, 13(2)(a) and 13(2)(b) the word "feasible" means that which is practicable or practically possible, taking into account all circumstances ruling at the time, including humanitarian and military

considerations.
3. It is the understanding of the Government of Canada that in relation to Article 6(a)(ii), 6(b), 7(c) and 7(d)(ii) that the military advantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not from isolated or particular parts of the attack.
4. It is the understanding of the Government of Canada that any cultural property that becomes a military objective may be attacked in accordance with a waiver of imperative military necessity pursuant 10 Article 4(2) of the Convention.
5. It is the understanding of the Government of Canada that a decision to invoke imperative military necessity pursuant to Article 6(c) of this Protocol may be taken by an officer commanding a force smaller than the equivalent of a battalion in size in circumstances where the cultural property becomes a military objective and the circumstances ruling at the time relating to force protection are such that it is not feasible to require the decision to be made by an officer commanding a force the equivalent of a battalion in size or larger.
6. It is the understanding of the Government of Canada that under Article 6(a)(i), cultural property can be made into a military objective because of its nature, location, purpose or use."

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UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage

17 October 2003

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris at its thirty-second session in 2003,

Recalling the tragic destruction of the Buddhas of Bamiyan that affected the international community as a whole,

Expressing serious concern about the growing number of acts of intentional destruction of cultural heritage,

Referring to Article I(2)(c) of the Constitution of UNESCO that entrusts UNESCO with the task of maintaining, increasing and diffusing 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",

Recalling the principles of all UNESCO's conventions, recommendations, declarations and charters for the protection of cultural heritage,

Mindful that cultural heritage is an important component of the cultural identity of communities, groups and individuals, and of social cohesion, so that its intentional destruction may have adverse consequences on human dignity and human rights,

Reiterating one of the fundamental principles of the Preamble of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict providing that "damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world",

Recalling the principles concerning the protection of cultural heritage in the event of armed conflict established in the 1899 and 1907 Hague Conventions and, in particular, in Articles 27 and 56 of the Regulations of the 1907 Fourth Hague Convention, as well as other subsequent agreements,

Mindful of the development of rules of customary international law as also affirmed by the relevant case-law, related to the protection of cultural heritage in peacetime as well as in the event of armed conflict,

Also recalling Articles 8(2)(b)(ix) and 8(2)(e)(iv) of the Rome Statute of the International Criminal Court, and, as appropriate, Article 3(d) of the Statute of the International Criminal Tribunal for the former Yugoslavia, related to the intentional destruction of cultural heritage,

Reaffirming that issues not fully covered by the present Declaration and other international instruments concerning cultural heritage will continue to be governed by the principles of international law, the principles of humanity and the dictates of public conscience,

Adopts and solemnly proclaims the present Declaration:

I – Recognition of the importance of cultural heritage

The international community recognizes the importance of the protection of cultural heritage and reaffirms its commitment to fight against its intentional destruction in any form so that such cultural heritage may be transmitted to the succeeding generations.

II – Scope

1. The present Declaration addresses intentional destruction of cultural heritage including cultural heritage linked to a natural site.

2. For the purposes of this Declaration "intentional destruction" means an act intended to destroy in whole or in part cultural heritage, thus compromising its integrity, in a manner which constitutes a violation of international law or an unjustifiable offence to the principles of humanity and dictates of public conscience, in the latter case in so far as such acts are not already governed by fundamental principles of international law.

III – Measures to combat intentional destruction of cultural heritage

1. States should take all appropriate measures to prevent, avoid, stop and suppress acts of intentional destruction of cultural heritage, wherever such heritage is located.

2. States should adopt the appropriate legislative, administrative, educational and

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technical measures, within the framework of their economic resources, to protect cultural heritage and should revise them periodically with a view to adapting them to the evolution of national and international cultural heritage protection standards.

3. States should endeavour, by all appropriate means, to ensure respect for cultural heritage in society, particularly through educational, awareness-raising and information programmes.

4. States should:

(a) become parties to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two 1954 and 1999 Protocols and the Additional Protocols I and II to the four 1949 Geneva Conventions, if they have not yet done so;

(b) promote the elaboration and the adoption of legal instruments providing a higher standard of protection of cultural heritage, and

(c) promote a coordinated application of existing and future instruments relevant to the protection of cultural heritage.

IV – Protection of cultural heritage when conducting peacetime activities

When conducting peacetime activities, States should take all appropriate measures to conduct them in such a manner as to protect cultural heritage and, in particular, in conformity with the principles and objectives of the 1972 Convention for the Protection of the World Cultural and Natural Heritage, of the 1956 Recommendation on International Principles Applicable to Archaeological Excavations, the 1968 Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private Works, the 1972 Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage and the 1976 Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas.

V – Protection of cultural heritage in the event of armed conflict, including the case of occupation

When involved in an armed conflict, be it of an international or non-international character, including the case of occupation, States should take all appropriate measures to conduct their activities in such a manner as to protect cultural heritage, in conformity with customary international law and the principles and objectives of international agreements and UNESCO recommendations concerning the protection of such heritage during hostilities.

VI – State responsibility

A State that intentionally destroys or intentionally fails to take appropriate measures to prohibit, prevent, stop, and punish any intentional destruction of cultural heritage of great importance for humanity, whether or not it is inscribed on a list maintained by UNESCO or another international organization, bears the responsibility for such destruction, to the extent provided for by international law.

VII – Individual criminal responsibility

States should take all appropriate measures, in accordance with international law, to establish jurisdiction over, and provide effective criminal sanctions against, those persons who commit, or order to be committed, acts of intentional destruction of cultural heritage of great importance for humanity, whether or not it is inscribed on a list maintained by UNESCO or another international organization.

VIII – Cooperation for the protection of cultural heritage

1. States should cooperate with each other and with UNESCO to protect cultural heritage from intentional destruction. Such cooperation should entail at least:

(i) provision and exchange of information regarding circumstances entailing the risk of intentional destruction of cultural heritage;

(ii) consultation in the event of actual or impending destruction of cultural heritage;

(iii) consideration of assistance to States, as requested by them, in the promotion of educational programmes, awareness-raising and capacity-building for the prevention and repression of any intentional destruction of cultural heritage;

(iv) judicial and administrative assistance, as requested by interested States, in the repression of any intentional destruction of cultural heritage.

2. For the purposes of more comprehensive protection, each State is encouraged to take all appropriate measures, in accordance with international law, to cooperate with other States concerned with a view to establishing jurisdiction over, and providing effective criminal sanctions against, those persons who have committed or have ordered to be committed acts referred to above (VII – Individual criminal responsibility) and who are found present on its territory, regardless of their nationality and the place where such act occurred.

IX – Human rights and international humanitarian law

In applying this Declaration, States recognize the need to respect international rules related to the criminalization of gross violations of human rights and international humanitarian law, in particular, when intentional destruction of cultural heritage is linked to those violations.

X – Public awareness

States should take all appropriate measures to ensure the widest possible dissemination of this Declaration to the general public and to target groups, inter alia, by organizing public awareness-raising campaigns.

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יום רביעי ו׳ טבת תשס״ז
27 דצמבר 2006
מ.ע מורשת 1

הצהרת בודפסט על מורשת עולמית
2002

אנו, חברי הוועדה העולמית למורשת עולמית מכירים באוניברסאלית של האמנה למורשת עולמית ובאמצעים הנדרשים ליישומה למורשת לגווניה ככלי לקיימות של החברות באמצעות דיאלוג והבנה הדדית.

אתרי מורשת עולמית הם נכסים השמורים בנאמנות לדורות הבאים.

בראיית האתרים העומדים בפני המורשת המשותפת אנו.

- קוראים למדינות להצטרף לאמנה ולאמנות בינ״ל הרלבנטיים.
- מזינים את המדינות וזהות ולהציג מעומדות של מגוון של אתרי מורשת תרבות וטבע
- חותרים לאיזון בין שימור, קיימות ופיתוח כדי להגן על אתרי מורשת באופן אחראי תוך תרומה לפיתוח חברתי והכלכלי ואיכות החיים של הקהילות
- שואפים לשיתוף פעולה בהגנה על מורשת וכל הגיעה בהם היא הגיעה ברוח האנושות ובמורשת העולמית
- מקדמים מורשת עולמית באמצעות אסטרטגיה חינוכית תקשורת, מחקר, הכשרה ומודעות ציבורית.

אנו חברי הוועדה משתף פעולה במטרה לסייע לתומכים במורשת עולמית. לצורך זה, אנו מזמינים את כל בעלי העניין לקדם ולפעול למטרות הבאות:

- לחזק את המהימנות של רשימת מורשת עולמית המייצגת התפלגות גיאוגרפית מאוזנת על אתרי תרבות וטבע בעלי איכות אוניברסאלית יוצאת מן הכלל.
- להבטיח שימור אפקטיבי של אתרי מורשת עולמית
- לקדם ולפתח הכשרת כוח אדם מקצועי, כולל סיוע בהגשת מועמדות ויישום האמנה ואמנות רלוונטיות אחרות
- להגביר את המועמדות והמעורבות הציבוריות בתמיכה למורשת עולמית

הוועידה ה-31 (2007) תעריך את המטרות וההישגים האלו ואת מידת מחויבות המדינות ליישומן.

Resolution on Information as an Instrument for Protection against War Damages to the Cultural Heritage

Resolution June 10, 1994

The international expert meeting held in Stockholm June 9-10 1994 - on **Information as an Instrument for Protection against War Damages to the Cultural Heritage** on the invitation of the Central Board of National Antiquities, the Swedish National Commission for UNESCO and ICOMOS Sweden, have resolved to make the following appeal:

Recognizing that deliberate targeting and destruction of important monuments and collections have become increasingly frequent in both national and international conflicts;

Observing that this is a part of the increase of ethnic, racial and religious controversies in many parts of the world;

Recalling that - as stated in the Hague Convention of 1954 - damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world;

Recognizing the important work on the matter of the protection of the cultural heritage against war damage that UNESCO has already undertaken as well as the educational programmes initiated by the Council of Europe;

The meeting expresses its conviction that the deliberate destruction in both international and non-international armed conflicts of the cultural heritage is but one part of a strategy of domination through destruction of self-esteem by torture, rape, expulsion and extinction of its members. The destruction of historic records, monuments and memories serves furthermore the purpose of suppressing all that bears witness that the threatened people were ever living in the area. This deliberate war damage is thus to be condemned as war crimes according to the Hague Convention. When these crimes are carried out in extremis - as has been the case in former Yugoslavia - they must in fact be deemed to be a specific form of genocide, namely ethnocide.

We know that we share with those affected the knowledge that this aggression against people and its heritage are equal parts of the same strategy: to eliminate a race or a group of people.

The meeting finds that the protection of the cultural heritage should always be clearly included in the tasks of UN Peace-Keeping Missions as part of humanitarian aid, as well as included in disaster aid administered by UN agencies since the principles of the Hague Convention are part of international humanitarian law.

The meeting suggests that experts, that could be called heritage monitors, are appointed with the specific task of surveillance of possible damage to the cultural heritage. These should work in conflict areas as part of UN peace-keeping forces as well as parts of missions from disaster aid agencies. The meeting underlines that it equally is of utmost importance that all UN military personnel be trained on the content of the conventions.

All preparative and conservation work on the heritage at risk must be organized so as to make sure of the full understanding and cooperation with local administration as well as local community and in accordance with their own priorities.

Although it could be argued that the knowledge of the cultural heritage has served as a guide for selective destruction we must not cease our efforts to develop further the promotion of mutual

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understanding of and tolerance between all peoples and their cultures.

The meeting observes that few countries have registered their most valuable cultural property according to the rules of the Hague Convention. This might be a sign that the awareness of potential threats to this heritage needs to be increased. The meeting is of the opinion that effective national networks - involving governments, the competent heritage administration, NGOs and the military - should be created in order to guarantee that strategic decisions are taken with a view to safeguard that heritage and promote a dialogue with the responsible international organizations.

The expert meeting has also resolved to make the following appeal to UNESCO:

The meeting supports the review of the 1954 Hague Convention undertaken by UNESCO.

The meeting supports the initiative to set up a fund for the cultural heritage at risk in order to facilitate the development of activities directed towards the conservation of the cultural heritage at risk.

Public information should be asserted by the publication of appropriate information material by UNESCO.

Cooperation relating to the protection of the cultural heritage involving schools in different countries should be especially promoted. UNESCO could furthermore make a valuable contribution by encouraging studies on the use of nationalistic myths and misinterpretation of facts in educational material.

The meeting suggests that UNESCO includes in the training of journalists and other media personnel the knowledge of the Hague Convention and the World Heritage Convention and the universal responsibility for the protection of the Cultural Heritage linked to them.

The meeting therefore invites the Director-General of UNESCO to include the stimulation and facilitation of this debate in UNESCO's Mid Term Plan and recommends the implementation of this proposal through the International Monuments Day, in order to reach youth as well as the public, the politicians and the conservation professionals.

In times of conflict it is of vital importance that international opinion gets access to rapid and accurate information on any violation to the cultural heritage. The meeting suggests in this context that the role of media in the creation of prewar tensions should be studied in depth. UNESCO has during recent conflicts done much in this field. This work has however, in many countries, failed to attract any larger response from the media. The meeting stresses the importance of the work done henceforth by UNESCO and would therefore like to recommend that it is carried on and developed further.

UNESCO should encourage UN member states to educate all military personnel - as well as those of the civil defence - on the obligations of the Hague Convention and the World Heritage Convention as well as the universal importance of the cultural heritage.

The protection of the cultural heritage should be clearly included in the tasks of the UN peace-keeping forces, and to make this happen UNESCO has an important role to play.

We, the undersigned participants in the expert meeting are prepared to promote the ideas put forward in this document in our respective organizations.

Stockholm June 10, 1994

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FINAL COMMUNIQUÉ

NATO- Partnership for Peace (PfP) Conference
on Cultural Heritage Protection in Wartime and in State of Emergency

On the initiative of the Republic of Poland, on 18-21 June 1996, a NATO-PfP conference devoted to "Cultural Heritage Protection in Wartime and in State of Emergency" was held in Cracow.

Participants were from institutions responsible for cultural heritage protection and civil defence, Ministries of Culture, Interior and Defence and armed forces from the following states: Belgium, Canada, Croatia, the Czech Republic, Estonia, Germany, Hungary, Italy, Lithuania, The Netherlands, Norway, Poland, the Russian Federation, the Slovak Republic and the United States of America. International organisations in attendance included NATO, UNESCO, the International Council on Monuments and Sites (ICOMOS), and the International Council of Museums (ICOM).

Discussion of cultural heritage protection in wartime and in state of emergency focused on legal instruments and experience. From plenaries, panel sessions and working group discussions and from practical demonstrations, the Conference recognised the benefits of preparedness and finds that:

1. States' laws, regulations and normative documents relevant to the protection of cultural property should be published, and widely distributed to serve as a common basis for the education of governments, armed forces, institutions and populations.

2. International co-operation and exchange of experiences should be developed on the implementation of the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflicts (1954) and other existing instruments such as the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), including initiatives under the International Committee of the Blue Shield.

3. The Hague Convention and its Protocol and their implementation could be improved on the following points:

3.1 Precise definition of the term "military necessity" and the conditions under which it may be invoked;

3.2 Extension of the term "armed conflict" to include internal civil and armed conflicts, in particular ethnic ones, and provision for the laws and mechanisms for the protection of cultural property also be applied in such cases;

3.3 Inclusion of the concept of a minimum distance of separation of military operations from a cultural property under protection;

3.4 Use of new technology for internationally-recognised marking and signals for cultural properties;

3.5 Inclusion of specific topographic symbols on maps for areas containing of protected cultural properties.

4. The willful damaging or destruction of cultural property during military operations in

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violation of the Hague Convention of 1954 should be recognised as a war crime subject to international and states' tribunals. The conference also recognised the need for improved mechanisms for the return of cultural properties taken in violation of international law.

Accordingly, the Conference recommends that NATO and its PfP partners, following the Cracow Conference, explore the possibility of further co-operation with UNESCO and with the International Committee of the Blue Shield to improve and promote the implementation of existing instruments, to improve national and local preparedness and response capability through, among others, training, adequate risk analysis taking into account heritage and cultural values, and better communication between responsible authorities, in order to reduce the losses of cultural heritage in the event of emergencies of human or natural origin.

Furthermore:

Participants of the conference expressed their support for the "Appeal for International Aid for Croatian and Bosnia-Herzegovina Monuments Destroyed During the War" issued by the European Conference of Ministers responsible for cultural heritage on 31 May 1996, in Helsinki.

Participants supported the proposal by the Republic of Poland for the establishment, under the patronage of UNESCO, an international centre for the training of civilian and armed forces personnel for the protection of cultural heritage in the context of armed conflicts and all emergency situations.

Participants requested that the papers and proceedings of the conference at least be published in English and widely distributed to organisations in the fields of cultural property conservation, civil defence and armed forces.

Finally, participants thanked the Polish Authorities for hosting the Conference in a city of such great cultural heritage.

This communiqué was adopted by the participants of the conference on 21 June 1996 in Cracow.

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Cultural Heritage Policy Documents

Recommendations of the Madrid Conference (1904)

Sixth International Congress of Architects

These brief Recommendations constitute an early attempt to set down principles of architectural conservation. The recommendations emphasize the importance of minimal intervention in dealing with ruined structures and of finding a functional use for historic buildings. The document sets forth the

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principle of unity of style, which encourages restoration according to a single stylistic expression.

This is a retyped version of a journal document entitled The Sixth International Congress of Architects, 1904, Madrid. It is a report of the Secretary of the Institute. W.J. Locke. It is included here for educational reference purposes only. The Getty suggests that when referencing this document, the original document should be consulted (see citation below).

The formatting, to the best of our abilities, have remained intact and any original typographical errors noted, but otherwise have been left unchanged.

Full Bibliographic Information:

The Architectural Journal
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Report of the Secretary of the Institute.

To the President and Council.

GENTLEMEN, —I have the honour to report that, in accordance with your appointment, Mr. T.E. Colleutt, *Vice-President*, and myself attended the Sixth International Congress of Architects held at Madrid during the early part of the present month as official delegates of the Royal Institute of British Architects. Mr. Cutler, your other delegate, was unfortunately unable through illness to attend. The other British members of the congress were Mr. Wm. Henman [F.], Mr. R. Clarke Edwards [F.], Mr. Wm. Scott (Enniskillen), and Mr. J. Thompson (Tangier).

The official date fixed for the beginning of the proceedings was Wednesday the 6th April, but owing to a change in the engagements of His Majesty the King of Spain the delegates of the various countries were requested by telegram to warn their colleagues that the proceedings would begin on Monday the 4th inst. Mr. Henman, Mr. Scott, and myself arrived accordingly in Madrid on Sunday afternoon.

Monday, 4th April.—In the morning I reported myself at the Atheneo, the large literary and artistic club of Madrid, whose convenient offices and beautifully appointed lecture-hall had been given over to the Congress as headquarters. There I obtained the Congress button, a piece of Toledo inlay, tickets for the two excursions and the farewell banquet, and a card of invitation to the King's reception.

The reception took place at the Palace at 3 o'clock. Members of the Congress, with the ladies that accompanied them, were distributed according to nationalities in a suite of rooms leading from the Throne-room to the State Dining-room. The English, American, and Dutch were placed in three groups in one apartment. In due course His Majesty Alfonso XIII, appeared accompanied by the President and Secretary of the Congress and the officers of his Court. The foreign delegates were honoured by presentation to the King, who shook hands and entered into a short conversation with each individually. I had the honour of being addressed by His Majesty in English. After the King had passed out, Her Majesty the Queen-Mother, the Infanta Isabella, the Infanta Maria Theresa (the King's sister) and her husband, the Prince of the Asturias, entered, and each in turn graciously conversed with the delegates and other members on presentation. All the members of the royal family spoke in English to the British and American representatives. After the proceedings were over the company were invited to wander about the State apartments and inspect the art treasures with which they were filled.

Tuesday, 5th—The morning was devoted to the opening by Their Majesties of an exhibition of the monumental art of Spain. This was held in a pavilion with glass and iron roof, which formed part of the buildings of a previous exhibition, picturesquely situated in the middle of the Retiro, the public park of Madrid. Their Majesties and the other members of the royal family were received by Señor Don Ricardo Velázquez Bosco, President of the Congress, and the other members of the Spanish Executive committee, and, after the presentation of such foreign delegates as had not arrived at Madrid in time for the reception of the previous day, were conducted round the exhibition. Before the royal personages left they conversed

with various members of the Congress who had been presented.

The exhibition itself consisted of a magnificent series of photographs, which gave, as one went round the walls, an almost complete history of Spanish architecture; many original drawings of old buildings, notably the designs of the Italian Saqueti for the royal palace 1742; various models, including one of the Segovia aqueduct; and casts of ornament, chiefly Moorish.

Wednesday, 6th.—The Congress proper began in the morning with the preparatory sitting. After the preliminary speeches the *Bureau* or managing committee of the Congress was constituted as follows:

President.
Señor Velásquez Bosco

Vice-Presidents.
Señores Urioste, Repullés, Arbós, Landescho, Palacio.

General Secretary.
Señor Cabllo y Lapiedra.

Hon. Vice-Presidents.
Germany: M. Muthesius and M. Stübben.
Austria: M. Herman Helmer.
Belgium: M. Franze de Vestel.
United States: MM. Allen, Russell, Taylor, Totten, Ittner.
France: M. Daument.
Holland: M. Cuypers.
Great Britain: M. Colleutt.
Italy: M. Koch
Portugal: M. d'Avila.
Russia: M. le Comte de Suzor.
Sweden: M. Möller.
Mexico: M. Riva Mercado.

Hon. Secretaries.
Austria: M. Weber.
United States: MM.W. Eames, Glenn Brown.
France: M. Poupinel
Holland: M. Salm.
Italy: M. Cannizzaro.
Great Britain: M. Locke
Mexico: M. Mariscal.
Portugal: M. Carvalheira Adaes Bermudes.
Sweden: M. Wickman.
Switzerland: M.Fulpius

In the afternoon at 3 o'clock the formal opening of the Congress took place in the hall of the University, the Minister of Public Instruction presiding, and supported by the Minister of Public Works, the Civil Governor, the Mayor of Madrid, and members of the diplomatic body. About 2,000 persons were present. The proceedings were formal and oratorical. After a discourse by the President on Spanish architecture and its relation with that of other countries, terminating with a cordial welcome to the foreign members of the Congress, the representative of each nation briefly addressed the gathering, Mr. Collcutt speaking on behalf of Great Britain. The Minister of Public Instruction in the name of H.M. the King then declared the Congress open.

Thursday, 7th.—The sitting opened with the consideration of Subject I.:--"The so-called 'Modern Art' in

contemporary Architecture."

M. de Vestel, President of the Société Centrale des Architectes de Belgique, read an interesting Paper in which he defended the freedom of Art, especially in architecture, which must be characterized by a personality and not fall into stereotyped grooves. He established the difference between "modern style" and "modern art" which follows all the vicissitudes or changes of Society.

M. Muthesius (Germany) read a Paper showing the influence of modern methods of scientific construction, and claiming that modern architecture could have rational development only through the close union between the architect and the engineer.

The subject being talked out, Subject II. was brought forward: "The Preservation and Restoration of Architectural Monuments."

A Paper by M. Coquet (Belgium) was taken as read, and various propositions laid down by him were discussed until the sitting terminated. At the afternoon sitting the discussion was resumed, and finally the following resolutions were adopted:

> 1. Monuments may be divided into two classes, *dead monuments*, i.e. those belonging to a past civilisation or serving obsolete purposes, and *living monuments*, i.e. those which continue to serve the purposes for which they were originally intended.
>
> 2. Dead monuments should be preserved only by such strengthening as is indispensable in order to prevent their falling into ruin; for the importance of such a monument consists in its historical and technical value, which disappears with the monument itself.
>
> 3. Living monuments ought to be *restored* so that they may continue to be of use, for in architecture utility is one of the bases of beauty.
>
> 4. Such restoration should be effected in the original style of the monument, so that it may preserve its unity, unity of style being also one of the bases of beauty in architecture, and primitive geometrical forms being perfectly reproducible. Portions executed in a different style from that of the whole should be respected, if this style has intrinsic merit and does not destroy the aesthetic balance of the monument.
>
> 5. The preservation and restoration of monuments should be entrusted only to architects "diplômés par le Gouvernemnet," or specially authorised and acting under the artistic, archaelogical, and technical control of the State.
>
> 6. A society for the preservation of historical and artistic monuments should be established in every country. They might be grouped for common effort and collaborate in the compilation of a general inventory of national and local treasures.

Subject III. was then taken: "The Character and Scope of Scientific Studies in the General Teaching of Architecture."

A paper was read in Spanish by Señor Fernandez Casanova, and the meeting was adjourned till Saturday.

After the sitting, members were invited by the architect Don José Grases Riera to inspect the monument to King Alfonso XII, in course of erection in the Park of Madrid.

An illustration of the monument as it will be when completed is given opposite.

Friday, 8th.—The day was devoted to a visit to Toledo. The Civil Governor and the Mayor welcomed the Congressists at the railway station. Various Spanish architects attached themselves to small groups of foreign members and conducted them through the Cathedral and to the objects of interest in the town. Mr. Clarke Edwards and myself are particularly indebted to the great courtesy of Señor Acerbo y Retorillo, who placed all his intimate knowledge of Toledo at our service, and spared himself no pains to render our visit delightful. Lunch was served in the little Teatro de Rojas, the floor being boarded up to a level with the stage. The band of the Military Academy played in the balcony, and the boxes and galleries were crowded with all ranks of Toledo society, a gay battle of flowers between Congressists and spectators taking place all through the meal. The bandmaster, after playing a *jota* - one of the Spanish national dances - received a floral ovation, and delightfully played the piece again. In its unexpectedness and spontaneity, this lunch was one of the most pleasurable and certainly the quaintest incident in the Congress.

Saturday, 9th.—At the morning sitting of the Congress the educational subject was resumed. Señor Mariscal (Mexico) and Señor Puig y Cadalfach (Barcelona) read papers. The discussion eventually became a contest between the advocates of the scientific and those of the artistic oraesthetic training of the architect. M. Guadet, Professor at the Ecole des Beaux-Arts of Paris, upheld the French atelier system by which the pupil becomes the real disciple of the master and develops by means of intimate personal contact the artistic sense, which is the beginning and end of the architect. Eventually it was resolved that the *bureau* of the Congress should formulate the conclusions that might be deduced from the various arguments.

The same decision was arrived at with regard to Subject IV. - "The Influence of Modern Methods of Construction on Artistic Forms."

M. Berlage (Amsterdam) read a Paper on armoured concrete, proclaiming it to be the determining cause in the evolution of future architecture, and urging architects to study artistic forms in their present use of it if they desire to remain masters of their art.

eñores Forte and Jalvo (Madrid) and M. Cuypers (Amsterdam) read papers, and the synopsis of a paper by M. Guastavino (New York) was placed before the meeting. The discussion lasted until late in the afternoon sitting. A paper, Subject V., "Artistic Copyright in Architectural Works," read by Señor Salvat (Barcelona), brought the proceedings to a close.

In the evening M. Cannizzaro (Rome) gave a lecture, illustrated by lantern slides, on the excavations executed under his care of the Church of S. Sabba, and on the *Ara Pacis Augusta.*

I greatly regret that on the following day personal affairs summoned me imperatively back to London. Being by this time the only English representative at Madrid, I was in some embarrassment, which was relieved, however, by the timely arrival at my hotel of Mr. A. N. Prentice [F.], who, though not intending to join the Congress, very kindly undertook to stay in Madrid and take my place on the *bureau.* The subsequent notes of the proceedings are from material which he has since been good enough to supply.

Monday, 11th—The subject of architectural copyright was resumed. M. Cabello y Lapiedra's Paper having been laid on the table, M. Harmand, advocate at the Cour d'Appel, Paris, who has identified himself with the question in France, and succeeded in 1902 in obtaining the insertions of architectural works in French copyright Law, moved the following resolutions, which were carried unanimously:

"That seeing:

> "1. That architectural designs comprise exterior and interior perspectives, plans, sections, and elevations, and constitute the first manifestation of the thought of the architect and the work of the architect;

"2. That the building is only a reproduction on the ground of the architectural designs; "works of architecture should be protected in all legislatures and in all international conventions in the same degree as other artistic works."

Subject VI. came on for discussion—"*The Education of Builders/ Workmen."*

The following conclusions were arrived at:

1. Governments, municipalities, and professional bodies should pay particular attention to the technical education of the workman.

2. The teaching should extend to all branches of building, and not be confined to specialties, more or less artistic, for the study of which schools already exist.

3. The teaching in these schools should have as practical a character as possible, so that the teaching should produce good workmen.

4. The direction of these schools should be entrusted *entirely* to architects, and the teaching carried out by technical specialists and experienced master workmen.

5. These schools should issue *certificates* of having passed through the course, and not *diplomas*, which might give rise to false interpretation.

6. Supplementary classes should be established so that workmen after having worked for at least three years as journeymen might by further studies acquire the title of foremen.

7. Architectural societies should encourage workmen by prizes, medals, and other rewards.

The meeting passed on to Subject VII.—"*The Influence of Administrative Regulations on Contemporary Architecture."*

The conclusions were left to be drawn up by the *bureau.*

Subject VIII.—"*The Expropriation of Works of Architectural Art*"—produced the following resolution:

"The State has the right to expropriate any work of artistic or recognised historic value when in the hands of the owner it is being destroyed or not duly preserved, always provided that an indemnity fixed by competent persons be paid to the owner."

Subject IX.—"*Is it desirable that the Architect should intervene as Arbitrator in the relations between Patrons and Workmen and in the Disputes that arise between them?"*

A resolution was passed answering the question in the affirmative.

A supplementary resolution, proposed by Señor Acebo (Madrid), not down on the agenda of the Congress, was then carried in these terms:

"That foreign delegates and the Executive Committee of the Congress solicit from their respective governments the mutual and gratuitous cession of reproductions of details or not very extensive complete works which, corresponding to different epochs of national art, may become the property of the State museums, on the express condition that such reproductions shall be applied to the formation of architectural museums in towns in which architectural education is given either in special schools or officially authorised private *ateliers."*

Tuesday, 12th.—The day was devoted to an excursion to Alcalá and Guadalajara.

Wednesday, 13th.—At the meeting of the *bureau* the application contained in the letter dated 29th March from the Council of the R.I.B.A. was considered, and it was resolved that the next International Congress should take place in London. As four years had elapsed between the Fifth Congress in Paris and the Sixth Congress in Madrid, it was determined, in order to preserve the triennial character of the congress, that the Seventh should take place two years hence, in 1906 and not in 1907, as the Council of the Royal Institute suggested. The formal communication from the *bureau* will no doubt arrive in due course. In the evening the farewell banquet took place.

I cannot conclude without a reference to the enjoyability and great interest of the Congress. We were favoured by the weather of a splendid English June. The courtesy of our Spanish hosts will always be a pleasant memory in the minds of all the foreign representatives. It is impossible to conceive a more perfect organisation. Information was lavishly supplied; in every fixture the strictest punctuality was observed; one had only to follow printed announcements and the way of every member of the Congress was smooth. Too much praise cannot be given to the Executive Committee; and the thanks of the foreign members are particularly due to the President, Señor Don Velázquez Bosco, and the Secretary, Señor Don Cabello y Lapiedra, whose labours in assuring the success of the Congress were indefatigable.

I am, Gentlemen,

Your obedient servant,

W. J. LOCKE, *Secretary.*

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PRINCIPLES FOR THE RECORDING OF MONUMENTS, GROUPS OF BUILDINGS AND SITES (*1996*)

(Text ratified by the 11th ICOMOS General Assembly, held in Sofia, Bulgaria, from 5 to 9 October 1996)

As the cultural heritage is a unique expression of human achievement; and as this cultural heritage is continuously at risk; and as recording is one of the principal ways available to give meaning, understanding, definition and recognition of the values of the cultural heritage; and as the responsibility for conserving and maintaining the cultural heritage rests not only with the owners but also with conservation specialists and the professionals, managers, politicians and administrators working at all levels of government, and with the public; and as article 16 of the Charter of Venice requires, it is essential that responsible organisations and individuals record the nature of the cultural heritage.

The purpose of this document is therefore to set out the principal reasons, responsibilities, planning measures, contents, management and sharing considerations for the recording of the cultural heritage.

Definitions of words used in this document:

Cultural Heritage refers to monuments, groups of buildings and sites of heritage value, constituting the historic or built environment.
Recording is the capture of information which describes the physical configuration, condition and use of monuments, groups of buildings and sites, at points in time, and it is an essential part of the conservation process.
Records of monuments, groups of buildings and sites may include tangible as well as intangible evidence, and constitute a part of the documentation that can contribute to an understanding of the heritage and its related values.

THE REASONS FOR RECORDING

1. The recording of the cultural heritage is essential:

a) to acquire knowledge in order to advance the understanding of cultural heritage, its values and its evolution;

b) to promote the interest and involvement of the people in the preservation of the heritage through the dissemination of recorded information;

c) to permit informed management and control of construction works and of all change to the cultural heritage;

d) to ensure that the maintenance and conservation of the heritage is sensitive to its physical form, its materials, construction, and its historical and cultural significance.

2. Recording should be undertaken to an appropriate level of detail in order to:

a) provide information for the process of identification, understanding, interpretation and pre-sentation of the heritage, and to promote the involvement of the public;

b) provide a permanent record of all monuments, groups of buildings and sites that are to be destroyed or altered in any way, or where at risk from natural events or human activities;

c) provide information for administrators and planners at national, regional or local levels to make sensitive planning and development control policies and decisions;

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d) provide information upon which appropriate and sustainable use may be identified, and the effective research, management, maintenance programmes and construction works may be planned.

3. Recording of the cultural heritage should be seen as a priority, and should be undertaken especially:

a) when compiling a national, regional, or local inventory;

b) as a fully integrated part of research and conservation activity;

c) before, during and after any works of repair, alteration, or other intervention, and when evidence of its history is revealed during such works;

d) when total or partial demolition, destruction, abandonment or relocation is contemplated, or where the heritage is at risk of damage from human or natural external forces;

e) during or following accidental or unforeseen disturbance which damages the cultural heritage;

f) when change of use or responsibility for management or control occurs.

RESPONSIBILITY FOR RECORDING

1. The commitment at the national level to conserve the heritage requires an equal commitment towards the recording process.

2. The complexity of the recording and interpretation processes requires the deployment of individuals with adequate skill, knowledge and awareness for the associated tasks. It may be necessary to initiate training programmes to achieve this.

3. Typically the recording process may involve skilled individuals working in collaboration, such as specialist heritage recorders, surveyors, conservators, architects, engineers, researchers, architectural historians, archaeologists above and below ground, and other specialist advisors.

4. All managers of cultural heritage are responsible for ensuring the adequate recording, quality and updating of the records.

PLANNING FOR RECORDING

1. Before new records are prepared, existing sources of information should be found and examined for their adequacy.

a) The type of records containing such information should be searched for in surveys, drawings, photographs, published and unpublished accounts and descriptions, and related documents pertaining to the origins and history of the building, group of buildings or site.It is important to search out recent as well as old records;

b) Existing records should be searched for in locations such as national and local public archives, in professional, institutional or private archives, inventories and collections, in libraries or museums;

c) Records should be searched for through consultation with individuals and organisations who have owned, occupied, recorded, constructed, conserved, or carried out research into or who have knowledge of the building, group of buildings or site.

2. Arising out of the analysis above, selection of the appropriate scope, level and methods of recording requires that:

a) The methods of recording and type of documentation produced should be appropriate to the nature of the heritage, the purposes of the record, the cultural context, and the funding or other resources available. Limitations of such resources may require a phased approach to recording. Such methods might include written descriptions and analyses, photographs (aerial or terrestrial), rectified photography, photo-grammetry, geophysical survey, maps, measured plans, drawings and sketches, replicas or other traditional and modern

technologies;

b) Recording methodologies should, wherever possible, use non- intrusive techniques, and should not cause damage to the object being recorded;

c) The rational for the intended scope and the recording method should be clearly stated;

d) The materials used for compiling the finished record must be archivally stable.

CONTENT OF RECORDS

1. Any record should be identified by:

a) the name of the building, group of buildings or site;

b) a unique reference number;

c) the date of compilation of the record;

d) the name of the recording organisation;

e) cross-references to related building records and reports, photographic, graphic, textual or biblio-graphic documentation, archaeological and environmental records.

2. The location and extent of the monument, group of buildings or site must be given accurately; this may be achieved by description, maps, plans or aerial photographs. In rural areas a map reference or triangulation to known points may be the only methods available. In urban areas an address or street reference may be sufficient.

3. New records should note the sources of all information not obtained directly from the monument, group of buildings or site itself.

4. Records should include some or all of the following information:

a) the type, form and dimensions of the building, monument or site;

b) the interior and exterior characteristics, as appropriate, of the monument, group of buildings or site;

c) the nature, quality, cultural, artistic and scientific significance of the heritage and its components and the cultural, artistic and scientific significance of:

- the materials, constituent parts and construction, decoration,ornament or inscriptions,
- services, fittings and machinery,
- ancillary structures, the gardens, landscape and the cultural,topographical and natural features of the site;

d) the traditional and modern technology and skills used in construction and maintenance;

e) evidence to establish the date of origin, authorship, ownership, the original design, extent, use and decoration;

f) evidence to establish the subsequent history of its uses, associated events, structural or decorative alterations, and the impact of human or natural external forces;

g) the history of management, maintenance and repairs;

h) representative elements or samples of construction or site materials;

i) an assessment of the current condition of the heritage;

j) an assessment of the visual and functional relationship between the heritage and its setting;

k) an assessment of the conflicts and risks from human or natural causes, and from environmental pollution or adjacent land uses.

5. In considering the different reasons for recording (see Section 1.2 above) different

levels of detail will be required. All the above information, even if briefly stated, provides important data for local planning and building control and management. Information in greater detail is generally required for the site or building owner's, manager's or user's purposes for conservation, maintenance and use.

MANAGEMENT, DISSEMINATION AND SHARING OF RECORDS

1. The original records should be preserved in a safe archive, and the archive's environment must ensure permanence of the information and freedom from decay to recognised international standards.

2. A complete back-up copy of such records should be stored in a separate safe location.

3. Copies of such records should be accessible to the statutory authorities, to concerned professionals and to the public, where appropriate, for the purposes of research, development controls and other administrative and legal processes.

4. Up-dated records should be readily available, if possible on the site, for the purposes of research on the heritage, management, maintenance and disaster relief.

5. The format of the records should be standardised, and records should be indexed wherever possible to facilitate the exchange and retrieval of information at a local, national or international level.

6. The effective assembly, management and distribution of recorded information requires, wherever possible, the understanding and the appropriate use of up- to-date information technology.

7. The location of the records should be made public.

8. A report of the main results of any recording should be disseminated and published, when appropriate.

Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It

26 November 1976

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

Recalling that under the terms of Article 27 of the Universal Declaration of Human Rights, `everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits',

Recalling that the Constitution of UNESCO states, in its Preamble, that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man,

Recalling the provisions of the Declaration of the Principles of International Cultural Co-operation adopted by the General Conference of UNESCO on 4 November 1966 at its fourteenth session, and in particular Article I which states that `each culture has a dignity and value which must be respected and preserved', and Article IV which stipulates that one of the aims of international cultural co-operation is `to enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life', and also the provisions of the Final Act of the Conference on Security and Co-operation in Europe to the effect that the participating States, `desiring to contribute to the strengthening of peace and understanding among peoples and to the spiritual enrichment of the human personality without distinction as to race, sex, language or religion', will set themselves the objective, amongst others, of promoting access by all to their respective cultural achievements,

Considering that cultural development not only complements and regulates general development but is also a true instrument of progress,

Considering:
(a) that culture is an integral part of social life and that a policy for culture must therefore be seen in the broad context of general State policy, and that culture is, in its very essence, a social phenomenon resulting from individuals joining and co-operating in creative activities,
(b) that culture is today becoming an important element in human life and one of the principal factors in the progress of mankind, and that an essential premise for such progress is to ensure the constant growth of society's spiritual potential, based on the full, harmonious development of all its members and the free play of their creative faculties,
(c) that culture is not merely an accumulation of works and knowledge which an elite produces, collects and conserves in order to place it within reach of all; or that a people rich in its past and its heritage offers to others as a model which their own history has failed to provide for them; that culture is not limited to access to works of art and the humanities, but is at one and the same time the acquisition of knowledge, the demand for a way of life and the need to communicate,

Considering that participation by the greatest possible number of people and associations in a wide variety of cultural activities of their own free choice is essential to the development of the basic human values and dignity of the individual, and that access by the people at large to cultural values can be assured only if social and economic conditions are created that will enable them not only to enjoy the benefits of culture, but also to take an active part in overall cultural life and in the process of cultural development,

Considering that access to culture and participation in cultural life are two complementary aspects of the same thing, as is evident from the way in which one affects the other-access may promote participation in cultural life and participation may broaden access to culture by endowing it with its true meaning-and that without participation, mere access to culture necessarily falls short of the objectives of cultural development,

Noting that cultural action often involves only a minute proportion of the population and that, moreover, existing organizations and the means used do not always meet the needs of those who are in a particularly vulnerable position because of their inadequate education, low standard of living, poor housing conditions and economic and social dependence in general,

Noting that there is often a wide discrepancy between the reality and the proclaimed ideals, declared intentions, programmes or expected results,

Considering that while it is essential and urgent to define objectives, contents and methods for a policy of participation by the people at large in cultural life, the solutions envisaged cannot be identical for all countries, in view of the current

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differences between the socio-economic and political situations in States,

Reaffirming the principles of respect for the sovereignty of States, non-interference in the internal affairs of other countries, equality of rights and the right of peoples to self-determination,

Aware of the responsibility which devolves upon Member States to implement cultural policies for the purpose of advancing the objectives set forth in the Charter of the United Nations, the Constitution of UNESCO, the International Covenant on Economic, Social and Cultural Rights, and the Declaration of the Principles of International Cultural Co-operation,

Bearing in mind that elimination of the economic and social inequality which prevents broad sections of the population from gaining access to knowledge which is the foundation of science and technology, and from becoming aware of their own cultural needs, implies broader participation on their part; that to these obstacles must be added a resistance to change, and barriers of all kinds, whether they are of political or commercial origin or take the form of a reaction by closed communities,

Considering that the problem of access and participation can be solved by collective approaches extending to many sectors and aspects of life; that such approaches should be diversified according to the special characteristics of each community, the whole forming a true design for living calling for basic policy options,

Considering that access to culture and participation in cultural life are essential components of an overall social policy dealing with the condition of the working masses, the organization of labour, leisure time, family life, education and training, town-planning and the environment,

Aware of the important role that can be played in cultural and social life by: young people, whose mission is to contribute to the evolution and progress of society; parents, particularly because of the decisive influence which they exercise on the cultural education of children and the development of their creativity; elderly people who are available to discharge a new social and cultural function; workers, because of the active contribution they make to social changes; artists, as creators and bearers of cultural values; cultural development personnel whose task is to secure the effective participation in cultural life of all sections of the population and to ascertain and express their aspirations, relying for this purpose on the collaboration of the spontaneous leaders of the community,

Considering that access and participation, which should provide everyone with the opportunity not only to receive benefits but also to express himself in all the circumstances of social life, imply the greatest liberty and tolerance in the fields of cultural training and the creation and dissemination of culture,

Considering that participation in cultural life presupposes an affirmation of the personality, its dignity and value, and also the implementation of the fun-damental rights and freedoms of man attested by the Charter of the United Nations and international legal instruments concerning human rights, and that the cultural development of the individual is hindered by such phenomena as the policy of aggression, colonialism, neo-colonialism, fascism and racism in all its forms and manifestations, as well as by other causes,

Considering that participation in cultural life takes the form of an assertion of identity, authenticity and dignity; that the integrity of identity is threatened by numerous causes of erosion stemming, in particular, from the prevalence of inappropriate models or of techniques which have not been fully mastered,

Considering that the assertion of cultural identity should not result in the formation of isolated groups but should, on the contrary, go hand in hand with a mutual desire for wide and frequent contacts, and that such contacts are a fundamental requirement without which the objectives of the present recommendation would be unattainable,

Bearing in mind the fundamental part played by general education, cultural education and artistic training, and the use of working time and free time, with a view to full cultural development, in a context of life-long education,

Considering that the mass media can serve as instruments of cultural enrichment, both by opening up unprecedented possibilities of cultural development, in contributing to the liberation of the latent cultural potential of individuals, to the preservation and popularization of traditional forms of culture, and to the creation and dissemination of new forms, and by turning themselves into media for group communication and promoting direct participation by the people,

Considering that the ultimate objective of access and participation is to raise the spiritual and cultural level of society as a whole on the basis of humanistic values and to endow culture with a humanistic and democratic content, and that this in turn implies taking measures against the harmful effect of `commercial mass culture', which threatens national cultures and the cultural development of mankind, leads to debasement of the personality and exerts a particularly harmful influence on the young generation,

Having before it, as item 28 of the agenda of the session, proposals concerning participation by the people at large in cultural life and their contribution to it,

Having decided at its eighteenth session that this question should be made the subject of an international regulation, to take the form of a recommendation to Member States,

Adopts, this twenty-sixth day of November 1976, the present Recommendation.

The General Conference recommends Member States to implement the following provisions, taking whatever legislative or other steps may be required-in conformity with the constitutional practice of each State and the nature of the question under consideration to apply the principles and norms formulated in this Recommendation within their respective territories.

The General Conference recommends Member States to bring this Recommendation to the knowledge of authorities, institutions and organizations which can help to ensure participation by the people at large in cultural life and their contribution to it.

The General Conference recommends Member States to submit to it, at such times and in such manner as it shall determine, reports concerning the action they have taken upon this Recommendation.

I. Definitions, and scope of the Recommendation

1. This Recommendation concerns everything that should be done by Member States or the authorities to democratize the means and instruments of cultural activity, so as to enable all individuals to participate freely and fully in cultural creation and its benefits, in accordance with the requirements of social progress.

2. For the purposes of the Recommendation:

(a) by access to culture is meant the concrete opportunities available to everyone, in particular through the creation of the appropriate socio-economic conditions, for freely obtaining information, training, knowledge and understanding, and for enjoying cultural values and cultural property;

(b) by participation in cultural life is meant the concrete opportunities guaranteed for all-groups or individuals-to express themselves freely, to communicate, act, and engage in creative activities with a view to the full development of their personalities, a harmonious life and the cultural progress of society;

(c) by communication is meant relations between groups or individuals desirous of freely exchanging or pooling information, ideas and knowledge with a view to promoting dialogue,' concerted action, understanding and a sense of community while respecting their originality and their differences, in order to strengthen mutual understanding and peace.

3. For the purposes of the Recommendation:

(a) the concept of culture has been broadened to include all forms of creativity and expression of groups or individuals, both in their ways of life and in their artistic activities;

(b) free democratic access to culture of the people at large presupposes the existence of appropriate economic and social policies;

(c) participation in cultural life presupposes involvement of the different social partners in decision-making related to cultural policy as well as in the conduct and evaluation of activities;

(d) free participation in cultural life is related to:

(i) a development policy for economic growth and social justice;

(ii) a policy of life-long education which is geared to the needs and aspirations of all people and makes them aware of their own intellectual potentialities and sensitivity, provides them with cultural education and artistic training, improves their powers of self-expression and stimulates their creativity, thus enabling them more successfully to master social changes and to participate more fully in the community life of society;

(iii) a science and technology policy inspired by the resolve to safeguard the cultural identity of the peoples;

(iv) a social policy directed towards progress and, more precisely, the attenuation-with a view to their elimination-of the inequalities handicapping certain groups and individuals, especially the least privileged, in regard to their living conditions, their opportunities and the fulfillment of their aspirations ;

(v) an environment policy designed, through the planned use of space and the protection of nature, to create a background to living conducive to the full development of individuals and societies;

(vi) a communication policy designed to strengthen the free exchange of information, ideas and knowledge, in order to promote mutual understanding, and encouraging to this end the use and extension of both modern and traditional media for cultural purposes;

(vii) a policy for international co-operation based on the principle of equality of cultures, mutual respect, understanding and confidence and strengthening of peace.

II. Legislation and regulations

4. It is recommended that Member States, if they have not already done so, adopt legislation or regulations in conformity with their national constitutional procedures, or otherwise modify existing practices in order to:

(a) guarantee as human rights those rights bearing on access to and participation in cultural life, in the spirit of the Universal Declaration of Human Rights, of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights and in accordance with the ideals and objectives set forth in the United Nations Charter and in the Constitution of UNESCO;

(b) provide effective safeguards for free access to national and world cultures by all members of society without distinction or discrimination based on race, colour, sex, language, religion, political convictions, national or social origin, financial situation or any other consideration and so to encourage free participation by all sections of the population in the process of creating cultural values;

(c) pay special attention to women's full entitlement to access to culture and to

effective participation in cultural life;

(d) promote the development and dissemination of national cultures and the development of international co-operation in order to make the cultural achievements of other peoples better known and to strengthen friendship and mutual understanding;

(e) create appropriate conditions enabling the populations to play an increasingly active part in building the future of their society, to assume responsibilities and duties and exercise rights in that process ;

(f) guarantee the recognition of the equality of cultures, including the cultures of national minorities and of foreign minorities if they exist, as forming part of the common heritage of all mankind, and ensure that they are promoted at all levels without discrimination; ensure that national minorities and foreign minorities have full opportunities for gaining access, to and participating in the cultural life of the countries in which they find themselves in order to enrich it with their specific contributions, while safeguarding their right to preserve their cultural identity;

(g) protect, safeguard and enhance all forms of cultural expression such as national or regional languages, dialects, folk arts and traditions both past and present, and rural cultures as well as cultures of other social groups ;

(h) ensure that the handicapped are integrated in cultural life and have opportunities of contributing to it;

(i) ensure equality of access to education;

(j) guarantee freedom of expression and communication serving to strengthen the ideals of humanism ;

(k) bring about conditions conducive to creative work and ensure the freedom of creative artists and the protection of their works and rights;

(1) improve the professional status of the various categories of personnel required for the implementation of cultural policies;

(m) ensure that cultural education and artistic training are given their proper place in the curricula of educational and training establishments, and extend enjoyment of the artistic heritage to the population outside the education system;

(n) multiply opportunities for intellectual, manual or gestural creation and encourage artistic training, experience and expression with a view to bringing about the integration of art and life ;

(o) provide the mass media with a status ensuring their independence, due attention being paid to the effective participation of creative artists and the public; these media should not threaten the authenticity of cultures or impair their quality; they ought not to act as instruments of cultural domination but serve mutual understanding and peace;

(p) reconcile the duty to protect and enhance everything connected with the cultural heritage, traditions and the past with the need to allow the endeavours of the present and the modem outlook to find expression;

(q)(i) protect and enhance the heritage of the past, and particularly ancient monuments and traditions which may contribute to the essential equilibrium of societies subject to a rapid process of industrialization and urbanization;

(ii) make the public aware of the importance of town-planning and ar-chitecture, not only because they are the reflection of cultural and social life, but above all because they condition the very background to living;

(iii) associate the population with the conservation and management of the natural environment both at the national and at the international levels, since the quality of the natural environment is essential to the
full development of the human personality;

(r) create, through the appropriate bodies, conditions making it possible for work and leisure, each in its own way, to offer opportunities for cultural creation to each and every one, and lay down conditions governing working and leisure hours and the operational organization of cultural institutions which will enable the greatest possible number of people to gain access to culture and participate in cultural life;

(s) reject concepts which, under the guise of cultural action, are based on violence and aggression, domination, contempt and racial prejudice, as well as on debasing ideas or practices ;

(t) strengthen their work in support of peace and international understanding, in accordance with the Declaration of the Principles of International Cultural Co-operation and encourage the dissemination of ideas and cultural goods conducive to the strengthening of peace, security and co-operation

III. Technical, administrative, economic and financial measures

5. It is recommended to Member States, if they have not already done so, that they make the necessary technical, administrative and financial resources available to upgrade policies for cultural action from the insignificant position to which they may still be relegated until they reach an operationally effective level enabling them to achieve the goals of life-long education and cultural development and to ensure to the maximum that the people at large have access to culture and participate freely in cultural life. For this purpose Member States should take the following measures:

A. Ways and means of cultural action Decentralization of facilities, activities and decisions

6. Member States or the appropriate authorities should:

(a) foster decentralization of activities and encourage the development of local

centers, special attention being paid to under-populated peripheral or under-privileged areas;

(b) encourage, extend and strengthen the network of cultural and artistic institutions not only in large towns but also in smaller towns, villages and urban neighbourhoods;

(c) encourage the setting up of facilities best suited to the needs of the users and foster the integration of facilities used for cultural activities with those which are designed for social and educational work and which should be mobile to some extent, in order to make available to the widest possible public' all the means needed for the heightening of awareness and for cultural development;

(d) encourage the use for cultural purposes of all public facilities that promote communication among groups and individuals ;

(e) encourage inter-regional and inter-community exchanges ;

(f) stimulate regional or local initiative, both by providing decision-makers with the necessary resources at appropriate levels and by sharing the decision-making function with the representatives of other parties interested in cultural problems ; and to this end develop secondary centers for administrative decision-making;

(g) develop methods for the promotion or artistic creation and cultural activity by the people at large, based upon the people's own organizations, in both residential areas and working places;
(h) apply special measures for certain disadvantaged groups and for environments with a poorly developed cultural life. Special attention should be paid to, e.g., children, the handicapped, people living in hospitals and prisons, and people living in remotely situated areas, as well as those in city slums. Decisions and responsibility should, as much as possible, be left with the group participating in the activities.

Concerted action

7. Member States or the appropriate authorities should encourage concerted action and co-operation both as regards the activities themselves and decision-making:

(a) by paying special attention to creative cultural and artistic non-institutional and non-professional activities and by providing all possible support to amateur activities in all their diversity;

(b) by establishing advisory structures, at the local, regional and national levels, bringing together representatives of the professional and social groups concerned who will participate in determining the objectives and ways and means of cultural action.

Trade unions and other workers' organizations

8. Member States or the appropriate authorities should take all such measures as will be of assistance to socio-cultural organizations for the people at large, trade unions and other workers' organizations for wage-earners or the self-employed (farmers, craftsmen, etc.) in freely carrying out their cultural policies or projects so as to enable them to enjoy the whole wealth of cultural values and to take an active part in the cultural life of society.

Animation

9. Member States or the appropriate authorities should:

(a) contribute to the training of cultural development personnel, in particular of `animateurs', who should act as information, communication and expression intermediaries, by putting people in contact with each other and serving as a connecting link between the public, the work of art, and the artist, and between the public and cultural institutions;

(b) provide such personnel with means of action enabling them, on the one hand, to give support to the spontaneous `animateurs' of local communities and, on the other hand, to stimulate initiative and participation, using the necessary training methods;

(c) encourage the use of instruments and equipment for communication and expression which have education value and offer a potential for creation, by making them available to cultural centers and institutions such as public libraries, museums, etc.

Artistic creation

10. Member States or other appropriate authorities should:

(a) create social, economic and financial conditions which should provide artists, writers and composers of music with the necessary basis for free creative work;

(b) define, for this purpose, in adition to the legal measures connected with copyright and the protection of works of art:

(i) social measures applying to all professional artists and fiscal measures designed to assist not only collective forms of artistic creation (theatre, cinema, etc.) but also individual artists;

(ii) a policy of fellowships, prizes, State commissions, and the engagement of artists, particularly for the construction and decoration of public buildings ;

(iii) a policy for the dissemination of culture (exhibitions, performances of musical and theatrical works, etc.);

(iv) a research policy that offers individual artists, groups and institutions the possibility of carrying out experiments and research in multipurpose workshops, without feeling obliged to produce successful results, in such a way as to foster an artistic and cultural renewal;

(c) consider establishing funds to provide aid for artistic creation;

(d) encourage the endeavours of all who have a vocation for artistic creation and help young people to develop their talents without any discrimination and strengthen specialized institutions providing professional training in all the arts ;

(e) promote opportunities for the publication of high-quality reproductions of artistic works, the publication and translation of literary works and the publication and performance of musical compositions;

(f) associate artists at all levels in the formulation and implementation of cultural policies ;

(g) ensure the multiplicity of bodies called upon to assess works of art and the regular renewal of their membership, as well as the multiplicity of sources of finance, so as to safeguard the freedom of creative artists;

(h) give technical, administrative and financial assistance to groups of amateur artists and support co-operation between non-professional and professional artists.

Cultural industries

11. Member States or the appropriate authorities should make sure that the criterion of profit-making does not exert a decisive influence on cultural ac-tivities, and, in drawing up cultural policies, provide for machinery for negotiating with private cultural industries, as well as for supplementary or alternative initiatives.

Dissemination

12. Member States or the appropriate authorities should:

(a), adopt a policy of granting subsidies and awarding prizes for cultural goods and services, and bring about conditions which will ensure that they are disseminated and become accessible to the broadest possible social cate-gories, particularly in cultural fields neglected by commercial enterprises;

(b) take steps by means of a policy of appropriate subsidies and contracts, to further the development of the activities of cultural associations at the national, regional and local levels ;

(c) give prominence to a type of dissemination which is conducive to an active frame of mind in the public rather than to passive consumption of cultural products.

Research

13. Member States or the appropriate authorities should foster cultural development research projects which aim, inter alfa, at evaluating current activities as well as stimulating new experiments and studying their impact on the widest possible audiences, with a view to the possible adoption of fresh measures in connexion with cultural policies.

B. Policies related to cultural action

Communication

14. Member States or the appropriate authorities should:

(a) promote all occasions for communication, such as meetings, debates, public performances, group activities, and festivals, for the purpose of encouraging dialogue and a continuous exchange of ideas between individuals, the public, creative artists, `animateurs' and producers;

(b) develop the opportunities for cultural contact and exchange provided by sports events, nature discovery expeditions, art and aesthetic education, current events and tourism ;

(c) encourage the usual social intermediaries (communities, institutions, agencies, trade unions, and other groups) to promote information and free cultural expression for their members on the widest possible scale, in order to increase their awareness of and familiarize them with cultural activities;

(d) supply information that is apt to generate feedback and personal in-itiative ;

(e) facilitate access to written works by arranging for mobile and flexible forms of dissemination, and provide for extension work in places such as libraries or reading rooms;

(f) promote extensive use of audio-visual media in order to bring the best of the culture of both past and present within the reach of large sectors of the population, including, where applicable, oral traditions, in the collection of which the media can assuredly- assist;

(g) promote the active participation of audiences by enabling them to have a voice in the selection and production of programmes, by fostering the creation of a permanent flow of ideas between the public, artists and producers and by encouraging the establishment of production centers for use by audiences at local and community levels ;

(h) encourage the communication media to increase the number and variety of their programmes in order to offer the widest range of choices, bearing in mind the extreme diversity of audiences, to enhance the cultural quality of programmes intended for the public at large, to select spoken and visual languages accessible to all audiences, to give preference to material which serves the purposes of information and education rather than those of propaganda and publicity and to pay special attention to the protection of national cultures from potentially harmful influences of some types of mass production;

(i) promote comparative studies and research on the reciprocal influence as

between the artist, the mass media and society and on the relationship between the production and impact of cultural programmes ;

(j) provide, with a view to life-long education, an introduction to audio-visual languages as well as to choosing communication media and programmes with discrimination from an early age;

(k) develop, in a general way, forms of education and training which are adapted to the special characteristics of audiences in order to make them capable of receiving, selecting and grasping the mass of information which is put into circulation in modern societies.

Education

15. Member States or the appropriate authorities should:

(a) link cultural plans systematically with educational plans within the context of life-long education embracing the family, the school, community life, vocational training, continuing education and cultural activity;

(b) help people at large to gain access to knowledge, bearing in mind the need to create socio-economic conditions such as will allow them to participate in community life, and make whatever changes may be required in educational systems, content and methods ;

(c) develop, in a systematic manner, cultural education and artistic training programmes at all levels by inviting contributions from artists and those responsible for cultural action.

Youth

16. Member States or the appropriate authorities should offer young people a wide range of cultural activities which correspond to their needs and aspirations, encourage them to acquire a sense of social responsibility, awaken their interest in the cultural heritage of their own country and in that of all mankind and, with a view to cultural co-operation in a spirit of friendship, international understanding and peace, promote the ideals of humanism and respect for widely recognized educational and moral principles.

Environment

17. Member States or the appropriate authorities should:

(a) set up machinery for concerted action allowing the inhabitants or their representatives to be closely associated with the preparation and implementation of town-planning projects and changes to the architectural setting in which they live, and also with the safeguarding of historic quarters, towns and sites and their integration into a modern environment;

(b) take into consideration the international instruments adopted on such issues by intergovernmental organizations.

IV. International co-operation

18. Member States or the appropriate authorities should:

(a) strengthen bilateral and multilateral, and regional and international cultural co-operation with due regard for the generally recognized principles of international law and the ideals and objectives of the United Nations, sovereignty and independence of States, mutual advantage, and the equality of cultures ;

(b) inspire in the people at large respect for other peoples and a refusal to countenance acts of international violence and policies based on force, domination and aggression;

(c) encourage the circulation of ideas and cultural values conducive to better understanding among men;

(d) develop and diversify cultural exchanges with a view to promoting an ever deeper appreciation of the values of each culture and, in particular, draw attention to the cultures of the developing countries as a mark of esteem for their cultural identity;

(e) contribute actively to the implementation of cultural projects and to the production and dissemination of works created by common endeavours, and develop direct contacts and exchanges between institutions and persons active in the cultural field, as well as research on cultural development;

(f) encourage non-governmental organizations, socio-cultural organizations for the people at large, trade unions and social and occupational groups, women's associations, youth movements, co-operatives and other organizations (for instance, artists' associations) to participate in international cultural exchanges and their development;

(g) take account, in exchanges of persons, of the mutual enrichment resulting from co-operation between specialists from different countries;

(h) bear in mind that the need for introductory courses and information on culture is all the greater when the aim is to arouse interest in the civilizations and cultures of other nations in order to open men's minds to the recognition of the plurality and equality of cultures;

(i) ensure that the messages chosen are inserted or reinserted into a universal context so that opportunities for access to culture may have significance for the whole international community;

(j) take account of the important contribution that the press, books, audiovisual media, and in particular television, can make to the mutual understanding of nations and to their knowledge of the cultural achievements of other nations; encourage the use of communication media, including telecommunication satellites,

to promote the ideals of peace, human rights and fundamental freedoms, friendship among men and international understanding and co-operation, and thus create the necessary conditions to enable their national cultures to resist ideas of hatred between peoples, war, force and racism, in view of their adverse consequences and their corruptive effect on young people;

(k) provide appropriate financial facilities for activities which aim at promoting international exchanges and cultural co-operation.

V. Federal or confederate States

19. In the implementation of this Recommendation, Member States with a federal or confederate constitution shall not be bound to carry the provisions of the Recommendation into effect when competence for the latter is constitutionally vested in each of the constituent states, provinces or cantons; in such a case, the sole obligation of the federal or confederate government concerned shall be to inform the states, provinces or cantons of those provisions and to recommend their adoption.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi, and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

The President of the General Conference
The Director-General

The Deschambault Charter

CHARTER FOR THE PRESERVATION OF QUEBEC'S HERITAGE
Deschambault Declaration

Adopted by the Conseil des monuments et des sites du Québec,
ICOMOS Canada French-Speaking Committee, April 1982.

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1. WHY THE CHARTER?

The postwar period has witnessed the worldwide spread of various currents of thought that seem to adjust people's way of living to new socio- economic conditions, and to criticize the consequences of industrialization, of urbanization on a massive scale, of progress at all costs, and of the consumer society. Whether extreme or moderate, these ideologies have helped to make people aware of certain human values that merited preservation. These things of value include the architectural, artistic or simply material remains that our predecessors have bequeathed us.

The basic principles of heritage preservation were set forth in the

Venice International Charter of 1964, which was signed by experts from many countries. The aim of this charter was to regulate and promote efforts to safeguard national heritages. Subsequently, at Amsterdam and Nairobi this initial undertaking was further developed by the addition of other basic principles that expressed an increased desire not only to pass on an accumulated heritage, but also to broaden the concept of heritage itself. Henceforth, people wanted to ensure the preservation of all aspects of national heritage.

This movement began to have a noticeable influence on Quebec from 1960 on. The Quebec government's first action in this field was to create a Ministry of Cultural Affairs which made it possible to pass the Cultural Properties Act in 1972. At that moment our heritage acquired value in the eyes of the law. However, even before this Act was passed, the community had organized itself into groups that differed in structure, but shared a common desire to become involved in safeguarding their environment and culture, and to develop strategies that would make the different levels of government aware of the issue.

This individual and collective commitment resulted in significant achievements in the areas of preservation, stimulation of community participation and development. Whether through municipal, provincial or federal programs, large-scale projects or more modest actions, the people of Quebec have shown that they are interested in their heritage and are determined to revive it.

The Conseil des monuments et sites du Québec offers this charter in support of these efforts. The Charter is intended as an orientation guide, a reference tool, a remedy and above all a code of ethics that we should adopt in dealing with our heritage. While this charter draws upon previous experience and on international currents of thought, the principles of preservation and development it contains may be applied by all individuals and organizations that are concerned with the protection of the natural, cultural and historical aspects of the Quebec heritage.

The first aim of this charter, which has been specifically drafted for Quebec, is to try to identify our cultural personality, and thereby define the special nature of our heritage. Secondly, the charter seeks to encourage people to think before they act; and finally, it proposes a framework for action that is positive and objective, that provides incentive, and that takes into account both the particular problems of Quebec and contemporary doctrines of heritage development.

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2. THE QUEBEC CULTURAL CONTEXT

The experience of Quebec is similar to that of other nations in that the specific character of its culture has been determined by its history which has taken place in a particular environment. The main features of this environment are a harsh climate, a vast territory, the relatively recent establishment of a North American civilization that is European in origin, the French fact, Catholicism and a particular pattern of human settlement.

Wrested from the American Indians who were its original inhabitants, Quebec became first a French, then a British colony, and finally a part of the Canadian confederation. Quebec's political history has been marked by the struggle to preserve its French and Catholic roots on a North American continent where the majority of the population is and has been English-speaking.

Nevertheless, a variety of elements has contributed to the development of our social fabric. In the course of time, immigrants from different places have been added to the amalgam of the three peoples who originally fought over the territory of Quebec. Sometimes immigration occurred all at once, as in the case of the Loyalists and the Irish; and sometimes it was spread over time, as happened with the Italians and the Chinese. Little by little, the immigrant phenomenon has altered the physiognomy and mentality of Quebec's population.

Our material heritage has been marked not only by this mixture of cultural traits, but also by certain fashions that have had international currency. Of these, the Victorian influence is certainly the most important, but we also find traces of Art Nouveau, the skyscraper era and many other esthetic or technological vogues.

Economic life, that mainspring of societies, has probably had the greatest impact on the distribution of Quebec's population. From the very beginning, more or less densely populated communities were concentrated in areas that had acquired importance because of the fur trade. Seigniorial estates and English townships provided the framework for the development of agriculture. Many elements of our society were drawn northward by the forest products and mining industries. Finally, the spectacular growth of the United States had repercussions of the utmost importance on our economic model and our way of life: massive urbanization, high rate of consumption, establishment of large industrial centres and development of means of transportation for natural, human and energy resources.

Many other factors have contributed to the shaping of our image. The preponderance of Catholicism prompted the proliferation of churches and convents and gave rise to an art that was centered on the sacred. The rigors of the climate forced people to make adaptations in every aspect of their way of life. As for the distribution of population, it was for the most part determined by the waterways of the St. Lawrence basin.

It would be pointless to offer here an exhaustive list of all the geographic, social, historical and economic factors that have contributed to the development of our cultural fabric. Suffice it to say that this ferment of ideas, habits and customs, taking place as it did in a particular geographic context, has given rise to traditions, a folklore, a mentality, ways of doing things, and architecture, a social structure and, in sum, an art of living that is uniquely Quebecois. Though the elements that make up this culture have not all been integrated to the same degree, nor in the same way, their importance cannot be doubted. They constitute our heritage, which is nourished and strengthened by the past, and continues to flourish in the lives of the present generations. We cannot allow this dynamic growth to be cut off from its roots.

3. THE SITUATION TODAY

We felt the need to publish this charter because all too often our heritage is threatened, when it is not forgotten or destroyed. This problem, of course, is not peculiar to Quebec. Modernization and the

pursuit of new lifestyles have, in fact, relentlessly imperiled national heritages everywhere. Such is the price of progress!

In Quebec, the great distances between population centres and the immensity of the territory have led to a more or less integrated development. All these factors have been unfavorable to the preservation of our national heritage. Consequently, we must show greater vigilance, enhance dialogue and consultation, and do more to mobilize the forces of the community.

The climate is also, at times, a menace to our architectural heritage and to the remains of former times. Frost, especially combined with thawing, has a serious effect on buildings in Quebec. Rapid and technologically competent action is necessary in this area.

Finally, our European and North American cultural heritage is threatened by a danger that is less perceptible but no less real than the others. Because this culture is of recent origin and only extends over a short span of time, it would be inappropriate to rely solely on chronological classification to determine the relative value of its different elements. One should not, for example, attribute greater value to the remains of the 18th century than to those of the 19th. Of course, the older things are, the rarer and more valuable they generally are; however, one must use subtlety in judging these matters.

DEFINITION OF HERITAGE AND PRESERVATION

Heritage is defined as "the combined creations and products of nature and man, in their entirety, that make up the environment in which we live in space and time.

Heritage is a reality, a possession of the community, and a rich inheritance that may be passed on, which invites our recognition and our participation."

(Quebec Association for the Interpretation of the National Heritage, Committee on Terminology, July 1980).

The concept of heritage as defined above is intended to cover much more than buildings erected in a more or less distant past. Neither in the past nor in the future is heritage limited in time. We use the heritage of yesterday to build the heritage of tomorrow, for culture is by its very nature dynamic and is constantly being renewed and enriched.

Heritage, in our view, is a very comprehensive term that includes three major entities: material culture (cultural properties) and the geographic and human environments. People are, of course, most familiar with the concept of cultural properties since these are defined by law. We should remember, however, that in addition to formal and popular architecture, these properties include all other forms of material evidence, such as archaeological and ethnographical objects, iconography, written archives, furniture, art objects and, in sum, the whole of the material environment in which we live. The geographical environment is nature as it manifests itself on the territory of Quebec in coast, mountain and plain. We wish to insist above all on the great importance of our landscapes and our natural sites, which have a unique esthetic and/or panoramic value. And let us note, finally, that the people in their environment, who have their own customs and traditions, whose memory is furnished with a particular folklore, and whose way of living is adapted to this specific setting, are a human and social treasure that also requires protection.

This broad definition of our national heritage includes, then, all the elements of our civilization, as they exist not only individually but also as components of larger historical, cultural and traditional unities or, to put it in simpler terms, as examples of man's adaptation to his environment. This concept of heritage includes the idea of a cultural landscape which may be defined as the result of the interaction of human society and nature.

Preservation of the national heritage may be viewed, in this light, as that combination of study, expertise and physical intervention which aims at conserving every element of this heritage in the best possible condition. This activity involves proper maintenance, consolidation, repair, safeguarding and restoration, to prevent the deterioration and, at worst, the destruction of the national heritage.

Article I

THE CITIZENS OF QUEBEC ARE THE FOREMOST PROTECTORS OF THE NATIONAL HERITAGE

Article I-A
The citizens of Quebec have, in the first place, an individual responsibility to protect their heritage. They must do all they can to appreciate its value, to strive to understand its full significance, and to contribute to its preservation.

Article I-B
This individual responsibility must also find expression in every decision that is made on behalf of the community, whether by elected representatives or by corporate or institutional managers.

Article II

THE NATIONAL HERITAGE IS A TREASURE THAT BELONGS TO THE COMMUNITY. IT IS PRECIOUS AND NON-RENEWABLE

Article II-A
The national heritage must be preserved, safeguarded and developed for the benefit of present and future generations. This treasure does not belong to us; it has been entrusted to us so we may pass it on to others. We must ensure its proper use and conservation.

Article II-B
All the laws and regulations as well as the fiscal, financial and administrative mechanisms in their entirety must further the preservation and development of the national heritage. This action must start at the municipal level, for the municipalities are the primary legal representatives of the community.

Article II-C
The national heritage must remain in the possession of the people of Quebec, and it must be recognized that cultural properties belong in their place of origin.

Article II-D
The greatest possible attention must be paid to authenticity in preserving and developing the national heritage, and in passing it on to future generations. When only certain elements of this heritage remain, these must be treated as integral wholes. Any action taken must be comprehensible and reversible.

Article III

KNOWLEDGE OF THE NATIONAL HERITAGE IS AN ESSENTIAL PREREQUISITE FOR ITS PRESERVATION

Article III-A
All the appropriate means for acquiring this knowledge must be provided. In particular, we must have up-to-date inventories and the specialized expertise that is required before any action can be taken.

Article IV

THE NATIONAL HERITAGE MUST ENJOY PUBLIC AND UNCONDITIONAL RECOGNITION

Article IV-A
Interdisciplinary teams must assess the cultural, historical, natural, social and esthetic importance of our heritage on the national, regional and local levels.

Article IV-B
Respect must be shown for the significant contribution of every historical period.

Article V

THE PRESERVATION OF THE NATIONAL HERITAGE REQUIRES MAINTENANCE, PROTECTION AND DEVELOPMENT

Article V-A
Protection of our national heritage must be ensured, in the first place, by ongoing maintenance.

Article V-B
The development of cultural properties is of essential importance. This development includes all measures that serve to make them accessible and useful, and that, if necessary, make it possible to reintroduce them into the daily life of the people of Quebec.

Article V-C
Every action to preserve the national heritage should be designed to conserve as much as possible of the original, and to avoid reconstruction based on conjecture.

Article V-D
The development of cultural properties should be followed up by the dissemination of that practical knowledge that is required for passing on these properties to future generations and ensuring their permanent protection.

Article VI

THE NATIONAL HERITAGE MUST BE GIVEN PRIORITY IN ALL AREAS

Article VI-A
Legislation affecting the national heritage must take precedence over all other legislation.

Article VI-B
The principles of protection and development of the national heritage must have primacy in all development plans.

Article VI-C
When the importance, for our heritage, of a building or group of buildings or landscapes has been recognized, these must take precedence over the rest of the environment. This consideration must be a decisive factor in any alteration of that environment, and the adaption, integration and respect of the heritage material must be ensured.

Article VI-D
Any contemporary additions, which must be creative works in their own right, have to be integrated and harmonized with the surrounding context in regard to tonality, texture, proportions, pattern of filled and empty spaces, and overall composition.

It must not be forgotten that an archaeological analysis of all ground where new construction is planned is absolutely essential, to uncover the earlier remains of construction and habitation and, where necessary, to examine the possibilities of conservation in site.

Article VII

THE PUBLIC HAS A LEGITIMATE RIGHT TO PARTICIPATE IN ANY DECISION IN REGARD TO ACTIONS TO PRESERVE THE NATIONAL HERITAGE

Article VII-A
At all times, those who may become involved in actions to preserve our heritage have a responsibility to disseminate information on that heritage, to implement procedures ensuring the circulation of ideas, to further community participation, and to promote the preservation of our heritage.

Article VII-B
When the national heritage is affected by a particular action, those responsible for that action must consult with the citizens and inform them of the scope of that action.

Documents relating to such actions must be made available to the public and must be prepared in such a way that non-specialists can understand them.

Furthermore, those involved in furthering these actions must develop adequate consultation procedures in order to take note of the opinions of the public. Such procedures will, in particular, include public hearings, information sessions and exhibitions.

Article VIII

THE REVIVAL OF OUR HERITAGE MUST BE COMPATIBLE WITH THE MAINTENANCE, AND EVEN THE IMPROVEMENT, OF ITS SPECIFIC IDENTITY, INTEGRITY AND CULTURAL VALUES

Article VIII-A
Our heritage must be employed in such a way as to maintain or introduce functions that are useful to society and that are compatible with the structure and nature of the buildings, spaces and sites of which it is made up. In using our heritage, we must show consideration for its integration into the economic and social activities of the surrounding community.

Article VIII-B
We must promote the continuous use of our heritage, without any interruption of occupation.

Article VIII-C
Whenever we decide to make new use of heritage material, we must ensure the preservation of all the important characteristics of that material.

Any changes that are made must, at all times, be reversible.

Article VIII-D

The selection of a new function for heritage material must avoid excessive use and the deterioration that would result from such use.

Article IX

THE PRESERVATION OF THE DYNAMIC AND FUNCTIONAL CHARACTER OF OUR HERITAGE IS ENSURED BY LOCAL RESIDENTS WHO ARE AN INTEGRAL PART OF THAT HERITAGE AND CONTRIBUTE TO ITS PROTECTION AND ITS VITALITY

Article IX-A
In using our heritage, we must preserve or reintroduce everyday life rather than the artificial life of museums and tourist centres. Preference should be given to traditional occupations; and we must, in any case, respect the needs and legitimate aspirations of the inhabitants, even if this requires us to adopt uses that are different from the original uses.

Article IX-B
In other words, it is necessary to encourage respect for the established rights of the local population. The housing function should take precedence over all other uses and be given first priority.

Article X

OUR EDUCATIONAL INSTITUTIONS MUST PROMOTE THE IDEA THAT EVERYONE HAS TO TAKE RESPONSIBILITY FOR PRESERVING THE NATIONAL HERITAGE

Article X-A
Our educational system must disseminate knowledge pertaining to our heritage, to make people aware of its value and of the need to preserve it.

Article X-B
The educational system must ensure that traditions are passed on, and thereby encourage the training of artisans, technicians and professionals who will be able to work to safeguard our heritage.

Article X-C
Other educational authorities (the family, newspapers and magazines, radio and TV, etc.) must also do their part in furthering heritage education. In particular, heritage practitioners and specialists increase awareness through the communication of their knowledge to the general public.

BACK

United Nations
Educational, Scientific and
Cultural Organization

World Heritage Convention

המלצות לשיפור היכולת להפחתת סיכונים ואסונות באתרי מורשת עולמית:

פרוטוקול אולימפיה לשיתוף פעולה בינלאומי

אונסקו – מרכז המורשת העולמי

2009

משרד החינוך, הוועד הישראלי לאונסקו

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BACK

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1. הקדמה:, מהו המסמך וכיצד להשתמש בו

מסמך זה הוא תוצר של *סדנה בנושא ניהול סיכונים ואסונות באתרי מורשת עולמי*ת, אשר אורגנה ע"י משרד התרבות היווני ומרכז מורשת עולמי של אונסקו, בתמיכת השגרירה של רצון טוב באונסקו, גב' Marianna Vardinoyannis (אולימפיה יוון, 11/2008)

*במהלך הסדנה שהשתתפו בה מומחים ומנהלי אתרי מורשת שונים, דנו בהיקפה ובתוכנה של "תוכנית אפשרית לצמצום באתרי מורשת עולמית, אשר יסייעו ביישום "האסטרטגיה לצמצום סיכוני אסון באתרי מורשת עולמית", אשר אומצה ע"י ועדת מורשת עולמית בשנת 2007[1]. המסמך מסכם שהתקיימו באולימפיה בהתייחס לתוכנית אפשרית זו.

משתתפי סדנת אולימפיה סברו כי התוכנית לצמצום סיכוני האסון במתחמי המורשת העולמיים צפויה להיות בעלת היקף נרחב וידרוש מאמץ משותף של כל בעלי העניין ביישום אמנת המורשת העולמית. בהתחשב בקשיים וזמינות המשאבים עבור התוכנית כולה כמקשה אחת, הועלתההצעה כי יישומה של התוכנית יתבצע בשלבים ולא ייושם במסגרת לוח-זמנים מוגדר, כפי שנהוג בפרויקטים תקניים, אלא תגדיר מסגרת לפיה ניתן

[1] האסטרטגיה: WHC-07/31.COM/7.2, נגישה בבאינטרנט: http://whc.unesco.org/archive/2007/whc07-31com-72.doc

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יהיה לפתח, לממן ולבצע פעילויות נפרדות אך קשורותהמופיעות ב"פרוטוקול אולימפיה לשיתוף פעולה בינלאומי".

קיימת תקווה, אמנם, כי המדינות תעשנה שימוש במסמך זה כמסגרת כללית, או פרוטוקול, לפיתוח שיתוף פעולה מקומי – באמצעות שותפויות ותאום בקרב מתחמי המורשת העולמיים החולקים סיכוני אסון דומים.בד בבד, מומלץ כי המדינות ותורמים פוטנציאליים אחרים יעניקו תמיכה על מנת לאפשר למרכז מורשת עולמית של אונסקו ושותפים אחרים להבטיח תאום כולל של היוזמה ויישום הפעילויות המוצעות ברמה העולמית, במסגרת האסטרטגיה הנ"ל.

פעילויות מסוימות במסגרת מסמך זה כבר יושמו ואחרות עשויות להתבצע באמצעות מימון של תוכנית הסיוע הבינלאומי של קרן מורשת עולמית, או בתמיכת המדינות ותורמים אחרים. מרביתן, עם זאת, אינן זוכות לפי שעה למימון. גיוס יותר משאבים, יגביר היקף היוזמה שתיושם במספר רב של אתרי מורשת עולמית.

המסמך הנוכחי כולל הסבר מדוע קיים צורך בפרוטוקול זה, מטרותיו העיקריות ותיאור הפעילויות המוצעות. הן הפעילויות הגלובאליות והן הפעילויות המקומיות תוגדרנה במסגרת אסטרטגיה יחידה ועקבית, בה כל צעד תורם למימוש מטרותיו הרחבות יותר של הפרוטוקול.

2. רציונל: מדוע יש לצמצם סיכוני אסונות

אתרי מורשת עולמית, כפי שנכון עבור כל המורשת, חשופים לאסונות טבע ומעשה ידי אדם המאיימים על שלמותם והעלולים לסכן את ערכיהם.

המונח "אסון" פירושו אירוע פתאומי אשר השפעתו עולה על יכולתם של מנהלי האתרים, או של הקהילות, לפקח על תוצאותיו.

אובדן או הידרדרות של אתרים בעלי ערך יוצא מהכלל תשפיע לרעה על המדינה והקהילה המקומית, הן עקב חשיבותם התרבותית כמשאב זהות ולמידע היסטורי, והן עקב ערכם החברתי-כלכלי. הניסיון,בעבר הראה כי

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שימור אתרי מורשת תרבותית, העברת הטכנולוגיה המסורתית, הכישורים ומערכת הידע המקומי חשובות לא רק , הודות לחשיבותם ההיסטורית או המדעית הפנימית, אלא גם משום שהם עשויים לתרום באופן משמעותי לפיתוח בר-קיימא, לרבות לצמצום הסיכון מפני אסונות. נוהלים רגישימורשת, למעשה, עשויים לסייע בצמצום משמעותי של סיכונים מפני אסונות, לפני, במהלך ולאחר שקרו.

למשל, מחקרים שהתקיימו באזורים רגישים להשפעות סיסמיות הראו כי בניינים אשר נבנו בטכניקות מסורתיות הוכיחו עצמם, פעמים רבות, כעמידים מאוד מפני רעידות אדמה, כאשר הם מתוחזקים כראוי, בהשוואה למבנים מודרניים יותר. שימוש בר-קיימא בקרקעות למטרות חקלאות וליערות מסייע למניעת מפולות אדמה ושיטפונות, שבכל שנה גורמים ליותר פגיעות בנפש מרעידות אדמה בחלקים נרחבים ברחבי העולם.

סיכונים הנוגעים לאסונות באתרי מורשת תלויים במידת פגיעותם בפוטנציאלי לסיכונים אחרים. אסונות הטבע שאירעו לאחרונה בבם, איראן, או במבצר העתיק Galle בסרי לנקה, הינם דוגמאות חשובות להמחשת מידת הפגיעות של אתרי מורשת ברחבי העולם. כמובן, גם אתרי מורשת טבעית עלולים להימצא בסיכון, בנסיבות יוצאות דופן, מפני אסונות טבעי. הסיכונים, עם זאת, עלולים גם להיות מעשה ידי-אדם, כגון שריפה, פיצוץ וכו'. שריפות יער אקראיות, סכסוכים אלימים, תנועות פליטים רחבות-היקף, התפוצצות סכרי פסולת, כמו ב-Donana, ספרד, הינם בהחלט מקור לדאגה עבור אתרי מורשת טבעית עולמית. אם אסונות טבע הינם בלתי נמנעים או נשלטים, הרי ניתן להימנע מסיכונים הנובעים מפעולות אנושיות, ובכך לצמצם הסיכון לאתר.

חרף זאת, במרבית אתרי המורשת העולמית, ובפרט באזורים מתפתחים בעולם, לא מיישמים מדיניות או תוכנית לניהול סיכונים לאור הסכנות הפוטנציאליות. מנגנוני ההיערכות הארציים והמקומיים הקיימים, אינם מתייחסים לאתרים אלו ואינם מקצים מומחים לאתרי מורשת. בד בבד, ידע מסורתי ונוהלים ברי-קיימא אשר הבטיחו רמת הגנה מסוימת מפני השפעותיהם החמורות ביותר של סיכוני טבע ננטשים במידה הולכת וגוברת. כתוצאה מכך, מאות אתרים הינם חסרי הגנה בפועל מפני סיכונים ואסונות פוטנציאלים.

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שיפור כושר הניהול של סיכונים ואסונות באתרי מורשת עולמית, הינו חיוני במניעת ובצמצום הנזקים הצפויים מאסונות ובשימור ערכיהם התרבותיים והטבעיים, והגנה על מקור חיוני לרווחתם החברתית והכלכלית של קהילותיהם.

אונסקו וארגונים אחרים (ICCROM, ICOMOS, IUCN ו-ICOM) פיתחו בשנים האחרונות מספר יוזמות המיועדות לחיזוק ושיפור יכולתם של מנהלי אתרים להתמודד עם אתגרי ניהול סיכונים מפני אסונות באתרי מורשת תרבותית וטבעית עולמית. יוזמות אלה קמו בצל חששות, לאחר מלחמת העולם השנייה,וזכו לתשומת לב מחודשת בשנת 1992 עקב שיעור התקריות הגבוה והבולט של אסונות וסכסוכים מזוינים בתחילת שנות ה-90. אלה היוו חלק מעדכון כולל של הגישות הטיפוליות כלפי אסונות לגישות מניעה, ומניהול התערבויות לניהול אתרים.

בעוד הצורך בחיזוק כושר ניהול סיכונים ואסונות באתרי מורשת אמנם הודגש בעבר, המחוייבות הממשלתית לא מומשה בנושא עד כה. בפרט, הצהרת Kobe-Tokyo בשנת 1997 והמלצות המושב התמטי בנושא ניהול סיכונים ואסונות באתרי מורשת תרבותית בשנת 2005 הצביעו על הצורך באינטגרציה טובה יותר של המלצות אלו ושל המומחיות המקומית בנושא. הצהרת Davos, אשר אומצה בשנת 2006 ע"י הוועידה הבינלאומית למניעת אסונות (IDRC – International Disaster Reduction Conference), הדגישה מחדש עקרונות אלה.[2]

ICCROM פרסם מדריך לשילוב היערכות סיכונים בניהול אתרי מורשת תרבותית עולמית (Stovel, 1998) ולאחרונה תאם פיתוח מדריך לצמצום סיכונים ואסונות עבור אתרי מורשת עולמית, בשיתוף מרכז מורשת עולמית וה-IUCN. המדריך מצוי כרגע בבדיקה ובשלבי ליטוש אחרונים, וצפויה לפרסום במהלך שנת 2009.

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[2] ניתן לעיין להצהרת Davos בכתובת האינטרנט:
http://www.idrc.info/userfiles/image/PDF_2006/IDRC_Davos/Declaration_2006.pdf

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ICOM, מבחינתה, פרסמה בשנת 2003, במסגרת תוכנית חירום למוזיאונים (MEP – Museums Emergency Programme), דוח סימפוזיון בינלאומי, המציג מקרי מבחן שונים ברחבי העולם לניהול אסונות באתרי מורשת תרבותית נייחים ונכסי תרבות ניידים, ההיבט של ההכשרה, ICOM יזמה שותפות עם ICCROM ומכון Getty לשימור, פיתוח הקורס "עבודת צוות משולב לניהול מקרהחירום" (TIEM – Teamwork for Integrated Emergency Management). במסגרת זו, הופק חומר דידקטי המיועד באופן לבעלי מקצוע המתמחים בנכסי תרבות ניידים. ICOM החלה באיסוף ביבליוגרפיה רלוונטית של תוכנית מקרי החירום במוזיאונים, הזמינה בכתובת האינטרנט של מכון Getty לשימור.. הנושאים מתייחסים לנוהלים שונים הערכת סיכונים, פיתוח תוכניות ושיקום.

3. יעדים כוללים ואסטרטגיות ליישום

היעד של פרוטוקול זה הינו להעניק מסגרת כללית לפיתוח שיתוף פעולה במדינות על מנת ליישם את האסטרטגייה לצמצום סיכונים ואסונות באתרי מורשת עולמית ולתרגמה לפעילות קונקרטית ברמת האתר. הפרוטוקול מבוסס על שילוב בין פעולות גלובאליות לבין פעולות מבוססות אתר המשלימות זו את זו והתורמות למטרתו המרכזית. מרכיביו העיקריים הינם כדלקמן:

א. הקמת מרכז מידע בנושא צמצום סיכוני אסון;

ב. ארגון הסדנאות הבינלאומי להטמעת האסטרטגיה לצמצום סיכונים ואסונות באתרי מורשת עולמית (2007) והפרוטוקול הנוכחי לשיתוף פעולה. סדנאות אלו אמורות לשמש לזיהוי אתרי פיילוט – ולתיאום שיתוף פעולה ביניהם לצורך יישום הפרוטוקול;

ג. פיתוח, בעיקר באמצעות שותפויות מתואמות, של גישות ואמצעים באתרי פיילוט שברשימת אתרי המורשת, ממנה ייבחרו האתרים הפגיעים יותר לסיכונים פוטנציאליים באזורים שונים

בעולם, תוך שימוש, במתודולוגיה, שפותחה במדריך לצמצום סיכונים ואסונות באתרי מורשת עולמית;

ד. ארגון סדנאות בינלאומיות להערכת ההתקדמות שהושגה באתרי הפיילוט השונים, תוך הצגת הגישות השונות ותחלופת מידע בדבר הלקחים אשר הופקו. הניסיון המצטבר הודות לפעילויות אלה יפורסם ברבים במהלך פגישות אזוריות, באינטרנט וכיוצ"ב;

ה. פיתוח יוזמות משלימות להקניית-יכולות, הכשרה, חינוך ותקשורת.

4. פעילויות ותוצאות צפויות

תיאור מפורט של הפעילויות המוצעות מאורגן על-פי שלושת היעדים של אמנת המורשת העולמית, דהיינו, "שימור", "בניית-יכולות" ו"תקשורת", תוך התייחסות ליעד "קהילה", אשר אומץ ע"י הוועדה (2007),הפעילויות המוצעות ליישום באופן ישיר ע"י המדינות , במסגרת התאום, מסומנות בכוכבית.

שימור

4.1 הקמת מרכז מידע בנושא צמצום סיכונים ואסונות

הועלתה הצעה לפתח מרכז מידע של חומרים ומשאבים בנושא, (במרכז מורשת עולמית או ב-ICCROM) – לרבות מסמכי מדיניות, הנחיות, מקרה מבחן ודוגמאות בינ"ל ומקומיים. המרכז יכלול גם מידע על יוזמות ושיתוף הפעולה בין אתרי מורשת עולמית. ICOM תמשיך לאסוף ולהנגיש חומרים ומשאבים הנוגעים באופן עקרוני לצמצום סיכונים של נכסי מורשת ניידים.

תוצאה צפויה: הנגשת מידע ומקורות בנושא צמצום סיכונים ואסונות אתרי מורשת עולמית.

4.2 סדנאות בינלאומיות[3] להטעמת הפרוטוקול, לזיהוי אתרי פיילוט ולקידום שיתוף פעולה

סדנאות בינלאומיות אלו יכללו מפגש של בעלי מקצוע ניהוליים חשובים מאתרים נבחרים, יחד עם מומחים לצמצום סיכוני אסונות עבור אתרי מורשת תרבותית ו/או טבעית, באתרי הפיילוט: אופן יישום הפרוטוקול לשיתוף פעולה בינלאומי והאסטרטגיה, מקרה מבחן. באתרים פוטנציאליים, תוענק תשומת לב למגוון טיפולוגיות תוך התייחסות לאזורים שעברו אסון ולהיבט שינויי האקלים ותינתן עדיפות לאתרים החשופים לסיכונים מרובים.

תוצאה צפויה: הטמעת מטרת הפרוטוקול לשיתוף פעולה כמתודולוגיה לפיתוח אסטרטגיות לצמצום סיכונים לאסונות עבור כל אתר. הניסיון שהצטבר יוגשלחברי סגל ניהולי, המשתפים פעולה באתרי מורשת עולמית: תשופר המודעות ל"אסטרטגיית צמצום סיכונים ואסונות באתרי מורשת עולמית (2007).

4.3* סדנאות להכשרה לבעלי עניין והשקת פיתוח אסטרטגית ניהול סיכונים ואסונות מתאימה באתרים נבחרים

סדנאות אלה, אשר תתקיימנה לאחר ששני אתרי מורשת עולמיים או יותר החליטו לשתף פעולה, תזמנה כללנה חברי סגל ניהולי בכיר מכל אתר, נציגי רשויות מקומיות וארציות האחראיות (ההגנה האזרחית) . הסדנה תכלול: הקדמה, בהתבסס על מקרה מבחן, תזוהינה שיטות לשיתוף פעולה ארוך-טווח במסגרת לוחות-זמנים מוגדרים. הדבר יהווה צעד ראשון לקראת פיתוח שיטות לצמצום סיכונים מתאימות באתרי מורשת עולמית.

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[3] סדנת אולימפיה נובמבר 2008 מיועדת למימוש יעדים אלה, וכן גם מהווה הזדמנות להשקת התוכנית ופרוטוקול זה לשיתוף בינלאומי.

תוצאה צפויה: בניית יכולות בקרב בעלי העניין והגדרת תוכנית פעולה קונקרטית בעלת לו"ז מוגדר ליישום הסכמי שיתוף פעולה בקרב המדינות ושותפים אחרים.

4.4* הערכת סיכונים באתרי פיילוט נבחרים

הערכה וניתוח הסיכונים המאיימים על אתרי פיילוט נבחרים ועל הקהילה המתגוררים בקרבתם יתבצעו ע"י מנהלי האתרים האחראיים, בשיתוף פעולה עם נציגי ההגנה האזרחית המקומית ובהתייעצות עם מומחים לסיכונים ואסונות, תוך התייחסות למקרים בעבר, סיכונים פוטנציאליים ומידת הפגיעות של האתר. הערכה זו תעניק הבנה של נהלי מדיניות והאמצעים לצמצום השפעת האסונות (אם בכלל) על אתר מורשת עולמית, ותאפשר שיתוף פעולה עם מוסדות רלוונטיים אחרים.

תוצאה צפויה: יוגדרו הסיכונים לאתרי מורשת עולמית, שיצומצמו על-ידי זיהוי מתאים של סיכונים פוטנציאליים ואלמנטים פגיעים באתר. יוגדרו סדרי עדיפויות להתערבות.

4.5* ניתוח ומחקר כלל-חברתי של כישורים מסורתיים ומערכות ידע מקומית הרלוונטית לצמצום סיכונים ואסונות

פעילות כזו תחזק את הבנת ההזדמנויות והסיכונים הנובעים בפרט מן האינטראקציה בין הקהילות המקומיות ואתרי מורשת עולמי, תוך התייחסות לסיכונים הקשורים לאסונות. יתבצע מחקר בנושא שימושי קרקע מסורתיים, כישורים, מערכות ידע העשויים להועיל לחיזוק ההגנה וההיערכות מפני אסונות. יתבצע מחקר בנושא ידע מסורתי הקשור בניהול סיכונים של נכסי מורשת ניידים. בד בבד, המחקר ייקח בחשבון את

הסבירות החברתית והכלכלית של הטמעת ידע מסורתי זה בניהול סיכונים בשטח האתר, ויועלו הצעות להתאמתו לאילוצים ולדרישות המודרניים.

תוצאה צפויה: מידע חיוני יוענק על בסיס התייעצויות ותובנות עם הקהילה המקומית בדבר שיתוף פעולה בהקשר של ניהול אתרי מורשת עולמית שלה.

4.6* סדנאות בין-ארגונים לצמצום סיכונים ואסונות ברמת-האתר

לארגן סדנה בין-ארגונים בכל אחד מאתרי הפיילוט, שתכלול נציגים מסוכנויות המורשת האחראיים להגנת המתחם, ברמה הארצית וברמה המקומית.הסדנה, תקדם החלפת מידע בדבר סיכונים באתרי מורשת עולמית ומדיניות ונהלים קיימים אשר תפקידם לצמצם את השפעת האסונות. הדבר יעניק משוב חיוני לשילוב הדאגה לסיכונים בתוכניות הניהול של האתר.

תוצאה צפויה: הפצת המשמעויות, הצרכים, התפקידים והיכולות השונים הדרושים לצמצום סיכונים המאיימים על אתר מורשת עולמית וזיהוי נקודות התורפה האפשריות והאפשרות לשיתוף פעולה ואינטגרציה יעילים יותר.

4.7* סמינרים עם קהילות מקומיות

סמינר עם נציגי הקהילות המקומיות ייערך בכל אתר נבחר על-מנת להביא לתשומת ליבם את: הסיכונים הקיימים באתר המצוי בקרבת מקום, ההשפעות האפשריות של סיכונים אלה על בריאותם ורווחתם. הסמינר יציג ויכלול דיון בתוצאות המחקר (נקודות 4.4 ו-4.5 לעיל) ויבקש מעורבות ישירה של הקהילות המקומיות אפשרית בפעילויות לצמצום הסיכונים לטובת הגנת אתרי מורשת עולמית, והדרכים המתאימות להשגת יעד זה.

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תוצאה צפויה: הקהילות המקומיות תזכינה להכיר את ההזדמנויות והמגבלות בשילוב הענייני ויכולות הקהילה המקומית בתוכנית הניהול עבור אתר מורשת עולמית.

4.8 סדנת ביניים בינלאומית להערכת התקדמות הפעילויות ואימות המתודולוגיות לפיתוח אסטרטגיית ניהול מתאימה ברמת האתר

סדנה בינלאומית אשר תפגיש נציגים מאתרי הפיילוט בהן מיושמות הפעילויות, תאפשר הערכת הניסיון והלמידה של אתרים המשתתפים, והשוואת ההצעות להשלמת תוכניות הניהול רגישות-הסיכונים המתאימות להם.

תוצאה צפויה: הגישה והמתודולוגיות המפותחות בכל אתר מתעדכנות והידע המיטבי מוסף בין האתרים המשתתפים, ורישות המשתתפים ביוזמה יתחזק.

4.9* פיתוח אסטרטגיות לצמצום סיכון אסונות במתחמי מורשת עולמית נבחרים

לאחר השלמת פעילויות 4.1 עד 4.7, סוכנויות שימור אתרי מורשת, תפתחנה אסטרטגיות מתאימות לצמצום סיכונים ואסונות עבור אתריהן, תוך התייחסות לכל המידע שנאסף במהלך התוכנית. אלה יוטמעו בתוכניות הניהול של האתרים, ובתוכניות ההיערכות, המענה והשיקום בשעת אסון ברמה הארצית ומקומית. התוכניות תזהנה אינדיקאטורים לניטור וניהולן האפקטיבי של גורמי סיכון באתרים.

תוצאה צפויה: השימור באתרי מורשת עולמית נבחרים יתחזק הודות לפיתוח אסטרטגיות משופרות לצמצום סיכונים מפני אסונות.

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United Nations
Educational, Scientific and
Cultural Organization

World Heritage Convention

4.10* מעקב אחרי אתרי הפיילוט

מומלץ לבצע מעקב בכל אחד מאתרי מורשת עולמית בקבוצת הפיילוט הנבחרת, אשר תבחן את השפעת פעילויות השימור שבוצעו ואת יעילות ניהול האתרים. הערכה זו יכולה להתבצע כשנתיים לאחר השלמתה של פעילות 4.9 לעיל.

תוצאה צפויה: יופקו לקחים מפעילויות העבר ויזוהו אמצעים לפעולה מתקנת.

בניית יכולות, פיתוח והשרה כוח אדם ותקשורת

4.11 פרסומים והפצת חומרים ברשת

לאחר השלמת העבודה בקבוצת אתרי הפיילוט, יוכן פרסום מתאים אשר יתורגם לשפות הרשמיות של אונסקו. כמשלים למדריך שפותח ע"י ICCROM, IUCN ומרכז מורשת עולמית, הפרסום יאפשר התייחסות קונקרטיות לידע המיטבי, כיצד ניתן ליישם בפועל את המתודולוגיה המתוארת במדריך. המדריך יהיה זמין ברשת, בפורמט ידידותי יותר למשתמש.

תוצאה צפויה: פרסומים וחומרים (לרבות באתר מרכז מורשת עולמית) בנושא צמצום סיכונים ואסונות מופצים למנהלי אתרים ברחבי העולם.

4.12 הפצת המידע ברמה האזורית

הפצת תוצאותיהן של הפעילויות המצוינות לעיל תתבצע באמצעות פגישות אזוריות מתוזמנות עבור כל אחד מחמשת האזורים של אונסקו, אפריקה; מדינות ערב; אסיה ומדינות האוקיינוס השקט; אירופה וצפון אמריקה; אמריקה הלטינית ומדינות הקריביים. חברי הסגל של סוכנויות שימור אתרי מורשת בכל אתר פיילוט יתבקשו לתרום, להציג ולחלוק מניסיונם ולסייע לפעילות המתבצעת באזורם.

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תוצאה צפויה: הפצת ידע ממקור ראשון בדבר פיתוח אסטרטגיות לצמצום סיכונימאתרי הפיילוט.

4.13 פיתוח תוכנית לימודים לקורס ההכשרה בנושא צמצום סיכונים ואסונות

בהתבסס על ניסיון הפעילויות שהתקיימו וכן על המתודולוגיה המתוארת במדריך, מומלץ לפתח תוכנית לימודים עבור קורס קצר (בן שבוע או שבועיים) בנושא צמצום גורמי הסיכון באתרי מורשת עולמית, העשוי להפוך למרכיב קבוע בתוכניות ההכשרה של ICCROM. ניתן להציע קורס זה באזורים שונים בעולם, בשיתוף מרכזי מורשת עולמית מקטגוריה 2 המוקמים בימים אלה, תוך שימוש באחד מאתרי מורשת עולמית המשתתפים במיזם.

תוצאה צפויה: מושגת התקדמות בפיתוח תוכנית ההכשרה החיונית אשר תשמש לבניית יכולות לצמצום הסיכון מפני אסונות בקרב האחראיים לשימור אתרי מורשת עולמית.

4.14 פיתוח תוכניות לימודים במסגרת הערכה הבית-ספרית לשימור בידיים צעירות (World Heritage in Young Hands School Kit)

מוצע כי "ההערכה הבית-ספרית לשימור בידיים צעירות" תורחב ע"י הוספת אלמנטים לצמצום סיכונים. הפעילויות תכלולנה ביקורים באתרים החשופים לסיכונים ופעילויות לצמצומם.

תוצאה צפויה: יפותח חומר חינוכי אשר יתרום להעלאת המודעות בקרב צעירים לאיומים וסיכונים הקיימים באתרי מורשת עולמית.

4.15 יום צמצום סיכונים ואסונות בינלאומי באתרי מורשת עולמיים

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מוצע כי יוכרז על יום צמצום סיכונים ואסונות בינלאומי באתרי מורשת עולמיים, במתואם עם היום הבינל"מ לסיכונים הקיים (אשר חל בתחילת אוקטובר מדי שנה), על מנת להגביר את החשיפה ואת המודעות לסוגיה חשובה זו. אירוע שנתי זה יעניק הזדמנויות לביצוע פעילויות חינוכיות, לרבות תערוכות, באתרי מורשת עולמית.

תוצאה צפויה: הגברת המודעות ברמה המקומית והעולמית בנושא סיכונים ואסונות המשפיעים על אתרי מורשת עולמית והדרכים לצמצומם. בד בבד, חיזוק ההיערכות למענה אפקטיבי ברמת האתר.

5. שיטות ליישום

אם המשאבים המתאימים היו זמינים, ניתן יהיה לתאם את הפעילויות לשיתוף פעולה בינלאומי המפורטות בפרוטוקול זה ע"י מרכז המורשת העולמי של אונסקו, ייתכן שבאמצעות הקמת מוקד, שיתופעל בידי שותפים שונים בהתאם לשיטות השונות, לרבות, כפי שצוין לעיל, שיתוף פעולה בילטרלי.

פעילויות גלובאליות כגון סדנאות בינלאומיות, פרסומים וקורסי הכשרה ייושמו ישירות ע"י מרכז מורשת עולמית בשיתוף עם הארגונים המייעצים ושותפים רלוונטיים אחרים, לרבות ICOM, המגן הכחול (Blue Shield) והאסטרטגיה הבינלאומית של האו"ם למניעת אסונות.

כפי שהוסבר קודם לכן, בהתחשב בקשיים הקיימים בזיהוי וגיוס משאבים עבור כל הפעילויות המוצעות בפרוטוקול, צפוי כי יישומו עשוי להתבצע בשלבים. הפעילויות המתוארות בסעיף 4 לעיל, עשויות להתבצע במידת מה של גמישות. פעילויות מבוססות-אתר, למשל, יכולות להתבצע באופן שאינו תלוי בפעילויות הגלובאליות במסגרת "חבילות" ספציפיות, מספר האתרים תלוי בזמינות המשאבים ובסדרי שיתוף הפעולה שנקבעו.

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כאשר התוכנית תגיע למסה קריטית של פעילויות, מוצע להקים קבוצת היגוי מייעצת בשיתוף עם הארגונים המייעצים לאמנת מורשת עולמית, ו-ISDR-UN, ICOM המגן הכחול, מועצת אירופה ומוסדות רלוונטיים אחרים. תפקידה של קבוצת היגוי זו יהיה להעריך את התקדמות התוכנית ולספק הנחיות לשיפור ביצועה.

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המלצות לשיפור היכולת להפחתת סיכונים ואסונות באתרי מורשת עולמית:

פרוטוקול אולימפיה לשיתוף פעולה בינלאומי

אונסקו – מרכז המורשת העולמי

2009

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1. הקדמה:, מהו המסמך וכיצד להשתמש בו

מסמך זה הוא תוצר של *סדנה בנושא ניהול סיכונים ואסונות באתרי מורשת עולמי*ת, אשר אורגנה ע"י משרד התרבות היווני ומרכז מורשת עולמי של אונסקו, בתמיכת השגרירה של רצון טוב באונסקו, גב' Marianna Vardinoyannis (אולימפיה יוון, 11/2008)

*במהלך הסדנה שהשתתפו בה מומחים ומנהלי אתרי מורשת שונים, דנו בהיקפה ובתוכנה של "תוכנית אפשרית לצמצום באתרי מורשת עולמית, אשר יסייעו ביישום "האסטרטגיה לצמצום סיכוני אסון באתרי מורשת עולמית", אשר אומצה ע"י ועדת מורשת עולמית בשנת 2007[1]. המסמך מסכם שהתקיימו באולימפיה בהתייחס לתוכנית אפשרית זו.

משתתפי סדנת אולימפיה סברו כי התוכנית לצמצום סיכוני האסון במתחמי המורשת העולמיים צפויה להיות בעלת היקף נרחב וידרוש מאמץ משותף של כל בעלי העניין ביישום אמנת המורשת העולמית. בהתחשב בקשיים וזמינות המשאבים עבור התוכנית כולה כמקשה אחת, הועלתההצעה כי יישומה של התוכנית יתבצע בשלבים ולא ייושם במסגרת לוח-זמנים מוגדר, כפי שנהוג בפרויקטים תקניים, אלא תגדיר מסגרת לפיה ניתן

[1] האסטרטגיה: WHC-07/31.COM/7.2, נגישה בבאינטרנט: http://whc.unesco.org/archive/2007/whc07-31com-72.doc

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יהיה לפתח, לממן ולבצע פעילויות נפרדות אך קשורותהמופיעות ב"פרוטוקול אולימפיה לשיתוף פעולה בינלאומי".

קיימת תקווה, אמנם, כי המדינות תעשנה שימוש במסמך זה כמסגרת כללית, או פרוטוקול, לפיתוח שיתוף פעולה מקומי – באמצעות שותפויות ותאום בקרב מתחמי המורשת העולמיים החולקים סיכוני אסון דומים.בד בבד, מומלץ כי המדינות ותורמים פוטנציאליים אחרים יעניקו תמיכה על מנת לאפשר למרכז מורשת עולמית של אונסקו ושותפים אחרים להבטיח תאום כולל של היוזמה ויישום הפעילויות המוצעות ברמה העולמית, במסגרת האסטרטגיה הנ"ל.

פעילויות מסוימות במסגרת מסמך זה כבר יושמו ואחרות עשויות להתבצע באמצעות מימון של תוכנית הסיוע הבינלאומי של קרן מורשת עולמית, או בתמיכת המדינות ותורמים אחרים. מרביתן, עם זאת, אינן זוכות לפי שעה למימון. גיוס יותר משאבים, יגביר היקף היוזמה שתיושם במספר רב של אתרי מורשת עולמית.

המסמך הנוכחי כולל הסבר מדוע קיים צורך בפרוטוקול זה, מטרותיו העיקריות ותיאור הפעילויות המוצעות. הן הפעילויות הגלובאליות והן הפעילויות המקומיות תוגדרנה במסגרת אסטרטגיה יחידה ועקבית, בה כל צעד תורם למימוש מטרותיו הרחבות יותר של הפרוטוקול.

2. רציונל: מדוע יש לצמצם סיכוני אסונות

אתרי מורשת עולמית, כפי שנכון עבור כל המורשת, חשופים לאסונות טבע ומעשה ידי אדם המאיימים על שלמותם והעלולים לסכן את ערכיהם.

המונח "אסון" פירושו אירוע פתאומי אשר השפעתו עולה על יכולתם של מנהלי האתרים, או של הקהילות, לפקח על תוצאותיו.

אובדן או הידרדרות של אתרים בעלי ערך יוצא מהכלל תשפיע לרעה על המדינה והקהילה המקומית, הן עקב חשיבותם התרבותית כמשאב זהות ולמידע היסטורי, והן עקב ערכם החברתי-כלכלי. הניסיון,בעבר הראה כי

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שימור אתרי מורשת תרבותית, העברת הטכנולוגיה המסורתית, הכישורים ומערכת הידע המקומי חשובות לא רק , הודות לחשיבותם ההיסטורית או המדעית הפנימית, אלא גם משום שהם עשויים לתרום באופן משמעותי לפיתוח בר-קיימא, לרבות לצמצום הסיכון מפני אסונות. נוהלים רגישימורשת, למעשה, עשויים לסייע בצמצום משמעותי של סיכונים מפני אסונות, לפני, במהלך ולאחר שקרו.

למשל, מחקרים שהתקיימו באזורים רגישים להשפעות סיסמיות הראו כי בניינים אשר נבנו בטכניקות מסורתיות הוכיחו עצמם, פעמים רבות, כעמידים מאוד מפני רעידות אדמה, כאשר הם מתוחזקים כראוי, בהשוואה למבנים מודרניים יותר. שימוש בר-קיימא בקרקעות למטרות חקלאות וליערות מסייע למניעת מפולות אדמה ושיטפונות, שבכל שנה גורמים ליותר פגיעות בנפש מרעידות אדמה בחלקים נרחבים ברחבי העולם.

סיכונים הנוגעים לאסונות באתרי מורשת תלויים במידת פגיעותם בפוטנציאלי לסיכונים אחרים. אסונות הטבע שאירעו לאחרונה בבם, איראן, או במבצר העתיק Galle בסרי לנקה, הינם דוגמאות חשובות להמחשת מידת הפגיעות של אתרי מורשת ברחבי העולם. כמובן, גם אתרי מורשת טבעית עלולים להימצא בסיכון, בנסיבות יוצאות דופן, מפני אסונות טבעי. הסיכונים, עם זאת, עלולים גם להיות מעשה ידי-אדם, כגון שריפה, פיצוץ וכו'. שריפות יער אקראיות, סכסוכים אלימים, תנועות פליטים רחבות-היקף, התפוצצות סכרי פסולת, כמו ב-Donana, ספרד, הינם בהחלט מקור לדאגה עבור אתרי מורשת טבעית עולמית. אם אסונות טבע הינם בלתי נמנעים או נשלטים, הרי ניתן להימנע מסיכונים הנובעים מפעולות אנושיות, ובכך לצמצם הסיכון לאתר.

חרף זאת, במרבית אתרי המורשת העולמית, ובפרט באזורים מתפתחים בעולם, לא מיישמים מדיניות או תוכנית לניהול סיכונים לאור הסכנות הפוטנציאליות. מנגנוני ההיערכות הארציים והמקומיים הקיימים, אינם מתייחסים לאתרים אלו ואינם מקצים מומחים לאתרי מורשת. בד בבד, ידע מסורתי ונוהלים ברי-קיימא אשר הבטיחו רמת הגנה מסוימת מפני השפעותיהם החמורות ביותר של סיכוני טבע ננטשים במידה הולכת וגוברת. כתוצאה מכך, מאות אתרים הינם חסרי הגנה בפועל מפני סיכונים ואסונות פוטנציאלים.

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שיפור כושר הניהול של סיכונים ואסונות באתרי מורשת עולמית, הינו חיוני במניעת ובצמצום הנזקים הצפויים מאסונות ובשימור ערכיהם התרבותיים והטבעיים, והגנה על מקור חיוני לרווחתם החברתית והכלכלית של קהילותיהם.

אונסקו וארגונים אחרים (ICCROM, ICOMOS, IUCN ו-ICOM) פיתחו בשנים האחרונות מספר יוזמות המיועדות לחיזוק ושיפור יכולתם של מנהלי אתרים להתמודד עם אתגרי ניהול סיכונים מפני אסונות באתרי מורשת תרבותית וטבעית עולמית. יוזמות אלה קמו בצל חששות, לאחר מלחמת העולם השנייה,וזכו לתשומת לב מחודשת בשנת 1992 עקב שיעור התקריות הגבוה והבולט של אסונות וסכסוכים מזוינים בתחילת שנות ה-90. אלה היוו חלק מעדכון כולל של הגישות הטיפוליות כלפי אסונות לגישות מניעה, ומניהול התערבויות לניהול אתרים.

בעוד הצורך בחיזוק כושר ניהול סיכונים ואסונות באתרי מורשת אמנם הודגש בעבר, המחוייבות הממשלתית לא מומשה בנושא עד כה. בפרט, הצהרת Kobe-Tokyo בשנת 1997 והמלצות המושב התמטי בנושא ניהול סיכונים ואסונות באתרי מורשת תרבותית בשנת 2005 הצביעו על הצורך באינטגרציה טובה יותר של המלצות אלו ושל המומחיות המקומית בנושא. הצהרת Davos, אשר אומצה בשנת 2006 ע"י הוועידה הבינלאומית למניעת אסונות (IDRC – International Disaster Reduction Conference), הדגישה מחדש עקרונות אלה.[2]

ICCROM פרסם מדריך לשילוב היערכות סיכונים בניהול אתרי מורשת תרבותית עולמית (Stovel, 1998) ולאחרונה תאם פיתוח מדריך לצמצום סיכונים ואסונות עבור אתרי מורשת עולמית, בשיתוף מרכז מורשת עולמית וה-IUCN. המדריך מצוי כרגע בבדיקה ובשלבי ליטוש אחרונים, וצפויה לפרסום במהלך שנת 2009.

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[2] ניתן לעיין להצהרת Davos בכתובת האינטרנט:
http://www.idrc.info/userfiles/image/PDF_2006/IDRC_Davos/Declaration_2006.pdf

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ICOM, מבחינתה, פרסמה בשנת 2003, במסגרת תוכנית חירום למוזיאונים (MEP – Museums Emergency Programme), דוח סימפוזיון בינלאומי, המציג מקרי מבחן שונים ברחבי העולם לניהול אסונות באתרי מורשת תרבותית נייחים ונכסי תרבות ניידים, ההיבט של ההכשרה, ICOM יזמה שותפות עם ICCROM ומכון Getty לשימור, פיתוח הקורס "עבודת צוות משולב לניהול מקרהחירום" (TIEM – Teamwork for Integrated Emergency Management). במסגרת זו, הופק חומר דידקטי המיועד באופן לבעלי מקצוע המתמחים בנכסי תרבות ניידים. ICOM החלה באיסוף ביבליוגרפיה רלוונטית של תוכנית מקרי החירום במוזיאונים, הזמינה בכתובת האינטרנט של מכון Getty לשימור.. הנושאים מתייחסים לנוהלים שונים הערכת סיכונים, פיתוח תוכניות ושיקום.

3. יעדים כוללים ואסטרטגיות ליישום

היעד של פרוטוקול זה הינו להעניק מסגרת כללית לפיתוח שיתוף פעולה במדינות על מנת ליישם את האסטרטגייה לצמצום סיכונים ואסונות באתרי מורשת עולמית ולתרגמה לפעילות קונקרטית ברמת האתר. הפרוטוקול מבוסס על שילוב בין פעולות גלובאליות לבין פעולות מבוססות אתר המשלימות זו את זו והתורמות למטרתו המרכזית. מרכיביו העיקריים הינם כדלקמן:

א. הקמת מרכז מידע בנושא צמצום סיכוני אסון;

ב. ארגון הסדנאות הבינלאומי להטמעת האסטרטגיה לצמצום סיכונים ואסונות באתרי מורשת עולמית (2007) והפרוטוקול הנוכחי לשיתוף פעולה. סדנאות אלו אמורות לשמש לזיהוי אתרי פיילוט – ולתיאום שיתוף פעולה ביניהם לצורך יישום הפרוטוקול;

ג. פיתוח, בעיקר באמצעות שותפויות מתואמות, של גישות ואמצעים באתרי פיילוט שברשימת אתרי המורשת, ממנה ייבחרו האתרים הפגיעים יותר לסיכונים פוטנציאליים באזורים שונים

בעולם, תוך שימוש, במתודולוגיה, שפותחה במדריך לצמצום סיכונים ואסונות באתרי מורשת עולמית;

ד. ארגון סדנאות בינלאומיות להערכת ההתקדמות שהושגה באתרי הפיילוט השונים, תוך הצגת הגישות השונות ותחלופת מידע בדבר הלקחים אשר הופקו. הניסיון המצטבר הודות לפעילויות אלה יפורסם ברבים במהלך פגישות אזוריות, באינטרנט וכיוצ"ב;

ה. פיתוח יוזמות משלימות להקניית-יכולות, הכשרה, חינוך ותקשורת.

4. פעילויות ותוצאות צפויות

תיאור מפורט של הפעילויות המוצעות מאורגן על-פי שלושת היעדים של אמנת המורשת העולמית, דהיינו, "שימור", "בניית-יכולות" ו"תקשורת", תוך התייחסות ליעד "קהילה", אשר אומץ ע"י הוועדה (2007),הפעילויות המוצעות ליישום באופן ישיר ע"י המדינות , במסגרת התאום, מסומנות בכוכבית.

שימור

4.1 הקמת מרכז מידע בנושא צמצום סיכונים ואסונות

הועלתה הצעה לפתח מרכז מידע של חומרים ומשאבים בנושא, (במרכז מורשת עולמית או ב-ICCROM) – לרבות מסמכי מדיניות, הנחיות, מקרה מבחן ודוגמאות בינ"ל ומקומיים. המרכז יכלול גם מידע על יוזמות ושיתוף הפעולה בין אתרי מורשת עולמית. ICOM תמשיך לאסוף ולהנגיש חומרים ומשאבים הנוגעים באופן עקרוני לצמצום סיכונים של נכסי מורשת ניידים.

תוצאה צפויה: הנגשת מידע ומקורות בנושא צמצום סיכונים ואסונות אתרי מורשת עולמית.

4.2 סדנאות בינלאומיות[3] להטעמת הפרוטוקול, לזיהוי אתרי פיילוט ולקידום שיתוף פעולה

סדנאות בינלאומיות אלו יכללו מפגש של בעלי מקצוע ניהוליים חשובים מאתרים נבחרים, יחד עם מומחים לצמצום סיכוני אסונות עבור אתרי מורשת תרבותית ו/או טבעית, באתרי הפיילוט: אופן יישום הפרוטוקול לשיתוף פעולה בינלאומי והאסטרטגיה, מקרה מבחן. באתרים פוטנציאליים, תוענק תשומת לב למגוון טיפולוגיות תוך התייחסות לאזורים שעברו אסון ולהיבט שינויי האקלים ותינתן עדיפות לאתרים החשופים לסיכונים מרובים.

תוצאה צפויה: הטמעת מטרת הפרוטוקול לשיתוף פעולה כמתודולוגיה לפיתוח אסטרטגיות לצמצום סיכונים לאסונות עבור כל אתר. הניסיון שהצטבר יוגשלחברי סגל ניהולי, המשתפים פעולה באתרי מורשת עולמית: תשופר המודעות ל"אסטרטגיית צמצום סיכונים ואסונות באתרי מורשת עולמית (2007).

4.3* סדנאות להכשרה לבעלי עניין והשקת פיתוח אסטרטגית ניהול סיכונים ואסונות מתאימה באתרים נבחרים

סדנאות אלה, אשר תתקיימנה לאחר ששני אתרי מורשת עולמיים או יותר החליטו לשתף פעולה, תזמנה כללנה חברי סגל ניהולי בכיר מכל אתר, נציגי רשויות מקומיות וארציות האחראיות (ההגנה האזרחית) . הסדנה תכלול: הקדמה, בהתבסס על מקרה מבחן, תזוהינה שיטות לשיתוף פעולה ארוך-טווח במסגרת לוחות-זמנים מוגדרים. הדבר יהווה צעד ראשון לקראת פיתוח שיטות לצמצום סיכונים מתאימות באתרי מורשת עולמית.

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[3] סדנת אולימפיה נובמבר 2008 מיועדת למימוש יעדים אלה, וכן גם מהווה הזדמנות להשקת התוכנית ופרוטוקול זה לשיתוף בינלאומי.

תוצאה צפויה: בניית יכולות בקרב בעלי העניין והגדרת תוכנית פעולה קונקרטית בעלת לו"ז מוגדר ליישום הסכמי שיתוף פעולה בקרב המדינות ושותפים אחרים.

4.4* הערכת סיכונים באתרי פיילוט נבחרים

הערכה וניתוח הסיכונים המאיימים על אתרי פיילוט נבחרים ועל הקהילה המתגוררים בקרבתם יתבצעו ע"י מנהלי האתרים האחראיים, בשיתוף פעולה עם נציגי ההגנה האזרחית המקומית ובהתייעצות עם מומחים לסיכונים ואסונות, תוך התייחסות למקרים בעבר, סיכונים פוטנציאליים ומידת הפגיעות של האתר. הערכה זו תעניק הבנה של נהלי מדיניות והאמצעים לצמצום השפעת האסונות (אם בכלל) על אתר מורשת עולמית, ותאפשר שיתוף פעולה עם מוסדות רלוונטיים אחרים.

תוצאה צפויה: יוגדרו הסיכונים לאתרי מורשת עולמית, שיצומצמו על-ידי זיהוי מתאים של סיכונים פוטנציאליים ואלמנטים פגיעים באתר. יוגדרו סדרי עדיפויות להתערבות.

4.5* ניתוח ומחקר כלל-חברתי של כישורים מסורתיים ומערכות ידע מקומית הרלוונטית לצמצום סיכונים ואסונות

פעילות כזו תחזק את הבנת ההזדמנויות והסיכונים הנובעים בפרט מן האינטראקציה בין הקהילות המקומיות ואתרי מורשת עולמי, תוך התייחסות לסיכונים הקשורים לאסונות. יתבצע מחקר בנושא שימושי קרקע מסורתיים, כישורים, מערכות ידע העשויים להועיל לחיזוק ההגנה וההיערכות מפני אסונות. יתבצע מחקר בנושא ידע מסורתי הקשור בניהול סיכונים של נכסי מורשת ניידים. בד בבד, המחקר ייקח בחשבון את

הסבירות החברתית והכלכלית של הטמעת ידע מסורתי זה בניהול סיכונים בשטח האתר, ויועלו הצעות להתאמתו לאילוצים ולדרישות המודרניים.

תוצאה צפויה: מידע חיוני יוענק על בסיס התייעצויות ותובנות עם הקהילה המקומית בדבר שיתוף פעולה בהקשר של ניהול אתרי מורשת עולמית שלה.

4.6* סדנאות בין-ארגונים לצמצום סיכונים ואסונות ברמת-האתר

לארגן סדנה בין-ארגונים בכל אחד מאתרי הפיילוט, שתכלול נציגים מסוכנויות המורשת האחראיים להגנת המתחם, ברמה הארצית וברמה המקומית.הסדנה, תקדם החלפת מידע בדבר סיכונים באתרי מורשת עולמית ומדיניות ונהלים קיימים אשר תפקידם לצמצם את השפעת האסונות. הדבר יעניק משוב חיוני לשילוב הדאגה לסיכונים בתוכניות הניהול של האתר.

תוצאה צפויה: הפצת המשמעויות, הצרכים, התפקידים והיכולות השונים הדרושים לצמצום סיכונים המאיימים על אתר מורשת עולמית וזיהוי נקודות התורפה האפשריות והאפשרות לשיתוף פעולה ואינטגרציה יעילים יותר.

4.7* סמינרים עם קהילות מקומיות

סמינר עם נציגי הקהילות המקומיות ייערך בכל אתר נבחר על-מנת להביא לתשומת ליבם את: הסיכונים הקיימים באתר המצוי בקרבת מקום, ההשפעות האפשריות של סיכונים אלה על בריאותם ורווחתם. הסמינר יציג ויכלול דיון בתוצאות המחקר (נקודות 4.4 ו-4.5 לעיל) ויבקש מעורבות ישירה של הקהילות המקומיות אפשרית בפעילויות לצמצום הסיכונים לטובת הגנת אתרי מורשת עולמית, והדרכים המתאימות להשגת יעד זה.

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תוצאה צפויה: הקהילות המקומיות תזכינה להכיר את ההזדמנויות והמגבלות בשילוב הענייני ויכולות הקהילה המקומית בתוכנית הניהול עבור אתר מורשת עולמית.

4.8 סדנת ביניים בינלאומית להערכת התקדמות הפעילויות ואימות המתודולוגיות לפיתוח אסטרטגיית ניהול מתאימה ברמת האתר

סדנה בינלאומית אשר תפגיש נציגים מאתרי הפיילוט בהן מיושמות הפעילויות, תאפשר הערכת הניסיון והלמידה של אתרים המשתתפים, והשוואת ההצעות להשלמת תוכניות הניהול רגישות-הסיכונים המתאימות להם.

תוצאה צפויה: הגישה והמתודולוגיות המפותחות בכל אתר מתעדכנות והידע המיטבי מוסף בין האתרים המשתתפים, ורישות המשתתפים ביוזמה יתחזק.

4.9* פיתוח אסטרטגיות לצמצום סיכון אסונות במתחמי מורשת עולמית נבחרים

לאחר השלמת פעילויות 4.1 עד 4.7, סוכנויות שימור אתרי מורשת, תפתחנה אסטרטגיות מתאימות לצמצום סיכונים ואסונות עבור אתריהן, תוך התייחסות לכל המידע שנאסף במהלך התוכנית. אלה יוטמעו בתוכניות הניהול של האתרים, ובתוכניות ההיערכות, המענה והשיקום בשעת אסון ברמה הארצית ומקומית. התוכניות תזהנה אינדיקאטורים לניטור וניהולן האפקטיבי של גורמי סיכון באתרים.

תוצאה צפויה: השימור באתרי מורשת עולמית נבחרים יתחזק הודות לפיתוח אסטרטגיות משופרות לצמצום סיכונים מפני אסונות.

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4.10* מעקב אחרי אתרי הפיילוט

מומלץ לבצע מעקב בכל אחד מאתרי מורשת עולמית בקבוצת הפיילוט הנבחרת, אשר תבחן את השפעת פעילויות השימור שבוצעו ואת יעילות ניהול האתרים. הערכה זו יכולה להתבצע כשנתיים לאחר השלמתה של פעילות 4.9 לעיל.

תוצאה צפויה: יופקו לקחים מפעילויות העבר ויזוהו אמצעים לפעולה מתקנת.

בניית יכולות, פיתוח והשרה כוח אדם ותקשורת

4.11 פרסומים והפצת חומרים ברשת

לאחר השלמת העבודה בקבוצת אתרי הפיילוט, יוכן פרסום מתאים אשר יתורגם לשפות הרשמיות של אונסקו. כמשלים למדריך שפותח ע"י ICCROM, IUCN ומרכז מורשת עולמית, הפרסום יאפשר התייחסות קונקרטיות לידע המיטבי, כיצד ניתן ליישם בפועל את המתודולוגיה המתוארת במדריך. המדריך יהיה זמין ברשת, בפורמט ידידותי יותר למשתמש.

תוצאה צפויה: פרסומים וחומרים (לרבות באתר מרכז מורשת עולמית) בנושא צמצום סיכונים ואסונות מופצים למנהלי אתרים ברחבי העולם.

4.12 הפצת המידע ברמה האזורית

הפצת תוצאותיהן של הפעילויות המצוינות לעיל תתבצע באמצעות פגישות אזוריות מתוזמנות עבור כל אחד מחמשת האזורים של אונסקו, אפריקה; מדינות ערב; אסיה ומדינות האוקיינוס השקט; אירופה וצפון אמריקה; אמריקה הלטינית ומדינות הקריביים. חברי הסגל של סוכנויות שימור אתרי מורשת בכל אתר פיילוט יתבקשו לתרום, להציג ולחלוק מניסיונם ולסייע לפעילות המתבצעת באזורם.

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תוצאה צפויה: הפצת ידע ממקור ראשון בדבר פיתוח אסטרטגיות לצמצום סיכונימאתרי הפיילוט.

4.13 פיתוח תוכנית לימודים לקורס ההכשרה בנושא צמצום סיכונים ואסונות

בהתבסס על ניסיון הפעילויות שהתקיימו וכן על המתודולוגיה המתוארת במדריך, מומלץ לפתח תוכנית לימודים עבור קורס קצר (בן שבוע או שבועיים) בנושא צמצום גורמי הסיכון באתרי מורשת עולמית, העשוי להפוך למרכיב קבוע בתוכניות ההכשרה של ICCROM. ניתן להציע קורס זה באזורים שונים בעולם, בשיתוף מרכזי מורשת עולמית מקטגוריה 2 המוקמים בימים אלה, תוך שימוש באחד מאתרי מורשת עולמית המשתתפים במיזם.

תוצאה צפויה: מושגת התקדמות בפיתוח תוכנית ההכשרה החיונית אשר תשמש לבניית יכולות לצמצום הסיכון מפני אסונות בקרב האחראיים לשימור אתרי מורשת עולמית.

4.14 פיתוח תוכניות לימודים במסגרת הערכה הבית-ספרית לשימור בידיים צעירות (World Heritage in Young Hands School Kit)

מוצע כי "ההערכה הבית-ספרית לשימור בידיים צעירות" תורחב ע"י הוספת אלמנטים לצמצום סיכונים. הפעילויות תכלולנה ביקורים באתרים החשופים לסיכונים ופעילויות לצמצומם.

תוצאה צפויה: יפותח חומר חינוכי אשר יתרום להעלאת המודעות בקרב צעירים לאיומים וסיכונים הקיימים באתרי מורשת עולמית.

4.15 יום צמצום סיכונים ואסונות בינלאומי באתרי מורשת עולמיים

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מוצע כי יוכרז על יום צמצום סיכונים ואסונות בינלאומי באתרי מורשת עולמיים, במתואם עם היום הבינל"מ לסיכונים הקיים (אשר חל בתחילת אוקטובר מדי שנה), על מנת להגביר את החשיפה ואת המודעות לסוגיה חשובה זו. אירוע שנתי זה יעניק הזדמנויות לביצוע פעילויות חינוכיות, לרבות תערוכות, באתרי מורשת עולמית.

תוצאה צפויה: הגברת המודעות ברמה המקומית והעולמית בנושא סיכונים ואסונות המשפיעים על אתרי מורשת עולמית והדרכים לצמצומם. בד בבד, חיזוק ההיערכות למענה אפקטיבי ברמת האתר.

5. שיטות ליישום

אם המשאבים המתאימים היו זמינים, ניתן יהיה לתאם את הפעילויות לשיתוף פעולה בינלאומי המפורטות בפרוטוקול זה ע"י מרכז המורשת העולמי של אונסקו, ייתכן שבאמצעות הקמת מוקד, שיתופעל בידי שותפים שונים בהתאם לשיטות השונות, לרבות, כפי שצוין לעיל, שיתוף פעולה בילטרלי.

פעילויות גלובאליות כגון סדנאות בינלאומיות, פרסומים וקורסי הכשרה ייושמו ישירות ע"י מרכז מורשת עולמית בשיתוף עם הארגונים המייעצים ושותפים רלוונטיים אחרים, לרבות ICOM, המגן הכחול (Blue Shield) והאסטרטגיה הבינלאומית של האו"ם למניעת אסונות.

כפי שהוסבר קודם לכן, בהתחשב בקשיים הקיימים בזיהוי וגיוס משאבים עבור כל הפעילויות המוצעות בפרוטוקול, צפוי כי יישומו עשוי להתבצע בשלבים. הפעילויות המתוארות בסעיף 4 לעיל, עשויות להתבצע במידת מה של גמישות. פעילויות מבוססות-אתר, למשל, יכולות להתבצע באופן שאינו תלוי בפעילויות הגלובאליות במסגרת "חבילות" ספציפיות, מספר האתרים תלוי בזמינות המשאבים ובסדרי שיתוף הפעולה שנקבעו.

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כאשר התוכנית תגיע למסה קריטית של פעילויות, מוצע להקים קבוצת היגוי מייעצת בשיתוף עם הארגונים המייעצים לאמנת מורשת עולמית, ו-ISDR-UN, ICOM המגן הכחול, מועצת אירופה ומוסדות רלוונטיים אחרים. תפקידה של קבוצת היגוי זו יהיה להעריך את התקדמות התוכנית ולספק הנחיות לשיפור ביצועה.

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BACK

תוכנית לשיפור הניהול של סיכוני אסונות בנכסי מורשת עולמית

הרציונל

כמו כל נכס מורשת אחר, גם נכסי מורשת עולמית חשופים לאסונות טבע ולאסונות מעשה ידי אדם המאיימים על שלמותם ועלולים לפגוע בערכם.

במונח 'אסון', כוונתנו לאירוע פתאומי שהשפעתו חורגת מהיכולת הרגילה של מנהלי הנכס או של הקהילה, בכל הנוגע לשליטה בתוצאות.

הרס או פגיעה בנכסים ייחודיים אלה עלולים להשפיע לרעה על הקהילה הלאומית והמקומית, הן בשל חשיבותם התרבותית כמקור של זהות ומידע על העבר והן בשל ערכם החברתי-כלכלי. יתרה מזו, הניסיון מלמד כי שימור של מורשת תרבות והעברתן של טכנולוגיות מסורתיות, מיומנויות ומערכות של ידע מקומי חשובים לא רק בזכות המשמעות ההיסטורית, האמנותית או המדעית, הם עשויים לתרום באופן מהותי לפיתוח אחראי, כולל צמצום הנזקים של אסונות. למעשה, נוהלי פעולה רגישים למורשת יכולים לסייע לצמצום משמעותי של השפעותיהם השליליות של אסונות – לפני התרחשותם, במהלכה ואחריה.

לדוגמה, מחקרים באזורים של פעילות סייסמית הוכיחו כי במקרים רבים, מבנים שהוקמו בטכניקות מסורתיות שהתחזוקה שלהם תקינה עמידים ביותר לרעשי אדמה מאשר מבנים שנבנו בשיטות מודרניות. שיטות לניצול אחראי של הקרקע לגידולים חקלאיים ויערות מונעים מפולות אדמה וגלישות קרקע ו-Hoods, הגורמים מדי שנה יותר מקרי מוות מאשר רעשי אדמה בחלקים רבים של העולם.

בתוך אתרי מורשת, הסיכונים הקשורים באסונות הם פונקציה של פגיעותם של האתרים לאיומים הפוטנציאליים. אסון הטבע שאירע לאחרונה בעיר באם שבאיראן או בנמל גאל העתיק בסרי לנקה הם דוגמאות מפורסמות של פגיעות של אתרי מורשת עולמית בעולם. במקרי מסוימים, גם אתרי מורשת טבע עלולים לעמוד מול איומים, למשל מאסונות טבע. ואולם האיומים עלולים לנבוע גם מפעילות אנושית, כמו דליקות, פיצוצים וכו'. דליקות יער הפורצות כתוצאה מחוסר זהירות, עימותים, תנועה המונית של פליטים, קריסת סכרים בבריכות אגירה כמו זה שבפארק הלאומי דונייאנה הם מהסכנות המאיימות על אתרי מורשת טבע עולמיים. אסונות טבע הם אירועים שקשה למנוע או לשלוט בהם אך הסיכונים הנובעים מפעילות האדם הם מניעים ולפיכך ניתן לצמצם את הפגיעות של אתרי מורשת לאסונות – הן אסונות טבע והן אסונות מעשה ידי אדם, וכתוצאה מכך להפחית את הסיכון הכולל המאיים על נכס נתון.

על אף זאת, רוב נכסי המורשת העולמית, בייחוד באזורים מתפתחים, אינם מנוהלים על פי מדיניות או תוכניות מוגדרות לניהול הסיכונים הקשורים באסונות פוטנציאליים. יתרה מזו, מנגנוני מוכנות לקראת אסונות ברמה הארצית והמקומית בדרך כלל אינם מביאים בחשבון את המשמעות של אתרים אלה ולכן אין בהם חלקים המתייחסים מקצועית ומעשית לאתרים אלה. במקביל, הידע המסורתי והשיטות האחראיות שהבטיחו מידה מסוימת של הגנה מעיקר ההשפעות השליליות של אסונות טבע ננטשים במידה גוברת. כתוצאה מכך, מאות אתרים נותרים חסרי הגנה כמעט לגמרי בכל הנוגע לאסונות פוטנציאליים.

לפיכך יש לשפר את ניהול הסיכונים המאיימים על נכסים שנכללו ברשימת אתרי המורשת העולמית כדי למנוע או לצמצם את הנזקים מאסונות ולשמר את ערכי התרבות והטבע שאתרים אלה מייצגים ואשר תומכים ברווחה החברתית והכלכלית של הקהילות.

אונסקו ומוסדות שותפים אחרים כמו ICCROM, ICOMOS, IUCN ו-ICOM, פיתחו בשנים האחרונות מספר יוזמות שמטרתן לשפר את היכולת של הגורמים המנהלים אתרי מורשת להתמודד עם ניהול סיכונים

באתרי מורשת תרבות וטבע עולמיים. אלה כוללים הכנת הנחיות לשילוב מוכנות לסיכונים בניהול של אתרי מורשת תרבות (Stovel, 1998) ולאחרונה פותחו *ערכות הדרכה בנושא מוכנות לסיכונים* על-ידי ICCROM. היוזמות נבעו מחששות שמקורם בתקופה שלאחר מלחמת העולם השנייה, שהתחדשו ב-1992 בשל השכיחות והנראות של אסונות ועימותים מזוינים במדיה הטלוויזיונית בראשית שנות ה-90. היוזמות היו חלק ממגמה כללית של מעבר מגישות מתקנות בנושאי שימור לגישות מונעות ומניהול של מהלכי התערבות לניהול פעיל של אתרי מורשת.

אף שגם בעבר הובלט הצורך בשיפור הניהול של סיכונים לאתרי מורשת עולמית, לא באו בעקבות זאת הצהרות על מחויבות מצד ממשלות. ניתן לציין בייחוד את *הצהרת קובה-טוקיו* משנת 1997 ואת *ההמלצות מהמושב בנושא ניהול סיכונים למורשת עולמית* שהתקיים בקובה ב-2005, שהגדירו באופן מדויק את הצורך בשיפור השילוב של הטיפול בסיכונים בניהול הכולל של אתרי מורשת עולמית ותרמו להכרה בערכו של הידע המקומי והילידי בכל הנוגע לצמצום סיכונים. ואולם בעקבות רעש האדמה בסומטרה והצונאמי שפקד את דרום מזרח אסיה, ארגון אונסקו התחייב להתייצב בחזית הנושא של ניהול סיכונים בעולם ולערב בכך את כל אגפיו. המורשת העולמית היא ללא ספק תחום חשוב שבו יוכל אונסקו לתרום ולתמוך.

מטרה כוללת ואסטרטגיה

המטרה הכוללת של התוכנית היא לשפר את ניהול הסיכונים המאיימים על נכסי מורשת עולמית ולצמצם בכך את ההשפעות של אסונות על המשאבים החיוניים לפיתוח האחראי של קהילות טעונות טיפוח.

התוכנית המוצעת שואפת לממש את המטרה הזאת על ידי שילוב הטיפול בסיכונים בניהול הכולל של נכסי מורשת עולמית (דהיינו בתוכניות הניהול שלהם, אם יש) ועל ידי שילוב הטיפול במורשת באסטרטגיות של הגנה אזרחית, על פי הצורך.

הפיתוח של אסטרטגיות לטיפול בסיכונים ייבחן בתוכנית ניסיונית שתתממש בחמישה אתרים הכלולים ברשימת אתרי המורשת העולמית[1], שנבחרו מתוך האתרים הפגיעים יותר באזורים שונים של העולם.

במסגרת התהליך תשפר התוכנית את יכולתם של צוותי הגופים האחראים להגנה על אותם אתרי מורשת להתמודד עם הסיכונים הנובעים מאסונות ואילו בקרב מוסדות אחרים ובקרב הקהילות המקומיות תגדל המודעות לסיכונים המאיימים על נכסי המורשת שלהם ולאופנים שבהם יוכלו הקהילות לסייע בצמצום ההשפעות השליליות של אסונות.

התוצאה תהיה הקמת רשת של מומחים ובהם אנשי ניהול מרכזיים מכל אתר ונציגי הרשויות בדרג הארצי בכל מדינה, שיוכלו להתמודד עם הנושא בעזרת מומחים בינלאומיים לניהול סיכונים באתרי מורשת תרבות וטבע. התוכנית כוללת גם פיתוח של מדדים ואינדיקטורים למעקב אחר מצב ההתקדמות ומידת האפקטיביות של מהלכי ניהול הסיכונים בנכסי מורשת עולמית באופן כללי.

לבסוף, הניסיון שייצבר מהפעלת התוכנית יזכה לתפוצה נרחבת באמצעות פרסומים וכינוסים אזוריים.

<u>בכל אתר המשתתף בתוכנית הניסיונית</u> יכלול הפרויקט את הפעילויות הבאות, שיתרמו בדרכים שונות לפיתוח נושאים הקשורים בסיכונים בתוכנית הניהול וביצירת קונצנזוס לגבי יישומם.

<u>פעילויות ותוצאות צפויות</u>

1. סדנה בינלאומית לגיבוש מתודולוגיה לפיתוח אסטרטגיה מתאימה לניהול סיכונים ברמת האתר.

הסדנה הבינלאומית כרוכה בהשתתפות אנשי ניהול מרכזיים מכל אתר ונציגים של הרשויות ברמה המקומית והארצית מכל מדינה, לצד מומחים לניהול סיכונים באתרי מורשת תרבות. מטרת המפגש תהיה לדון ביישום התוכנית ברמת האתר.

בסדנה יוצגו לפני השותפים העיקריים מטרות התוכנית והיקפה והתוצאה תהיה מתווה של מתודולוגיה לפיתוח אסטרטגיית ניהול סיכונים לכל אתר, כמו גם יעדי למידה מרכזיים לתוכנית ההכשרה של כל אתר.
הסדנה תכלול הצגה של הרעיונות הבסיסיים של ערכות ההדרכה של ICCROM ו-IUCN.

[1] נספח 1, תיאור של חמשת האתרים שנבחרו לתוכנית הניסיונית.

2. הכשרה בניהול סיכונים לעובדי סוכנויות שימור מורשת והגנה אזרחית

לאחר הסדנה הבסיסית יתקיים סמינר הכשרה בן שבוע בכל נכס מורשת עולמית שייבחר. הסמינר יכוון לעובדי הסוכנות או הסוכנויות האחראיות לשימור המורשת ולפקידי ההגנה האזרחית המקומיים. הסמינר יתבסס על ערכת ההכשרה הנזכרת לעיל אשר פותחה על ידי ICCROM (או IUCN, באתרי מורשת טבע) ויתקיים בעזרת מרכז המורשת העולמית. הסמינר יציג לפני המשתתפים את הרעיונות, המונחים והעקרונות של ניהול סיכונים באתרי מורשת תרבות וטבע, כמו גם את ההיקף והיעדים של התוכנית. דגש מיוחד יושם על חשיבות השילוב והמעורבות של מוסדות אחרים בעלי אינטרס ושל הקהילה המקומית בהכנה המפורטת וביישום של תוכניות מוכנות לאסונות.

לאחר השלמת ההכשרה תוקנה לצוות הסוכנות לשימור המורשת הבנה בנושאים של ניהול סיכונים והם יוכלו לתרום באורח אפקטיבי למרכיבים הבאים של התוכנית.

3. הערכת סיכונים

הערכת הסיכונים המאיימים על האתר ועל האנשים המתגוררים בתוכו תתבצע על ידי המנהלים האחראים לאתר ותתקיים בשיתוף עם עובדי ההגנה האזרחית המקומיים, תוך התחשבות בתיעוד של אסונות קודמים, סיכונים פוטנציאליים ומידת הפגיעות של הנכס. ההערכה תכלול גם הבנה מלאה של עקרונות מדיניות ואמצעים קיימים לצמצום ההשלכות של אסונות (אם יש) באתר המורשת העולמית ואת האפשרויות לשיתוף פעולה עם המוסדות הרלוונטיים.

רכיב זה יגדיר את הסיכונים שייתכן כי יהיה צורך לנהל באמצעות אסטרטגיה מתאימה, כדי לצמצם את ההשפעות של אסונות על אתר המורשת העולמית. זאת יש לעשות על ידי זיהוי סיכונים ופגיעויות פוטנציאליים באתר וקביעת סדר עדיפויות לפעולות התערבות.

4. ניתוח חברתי-כלכלי ומחקר לגבי מיומנויות מסורתיות ומערכות ידע מקומיות שיש בהן רלוונטיות לניהול סיכונים

מרכיב זה בתוכנית יאפשר להגיע להבנת האפשרויות והאיומים הנובעים מקשרי הגומלין בין הקהילה המקומית לבין אתר המורשת העולמית בהתייחס לאיומים מאסונות. המחקר יתבצע בנושאים כמו שימושי קרקע מסורתיים, מיומנויות, מערכות ידע וכו', אשר שימורם או החייאתם עשויים להועיל ולחזק את המוכנות לאסונות לצורך הגנה על אתר המורשת העולמית. במקביל, המחקר יביא בחשבון את ההיתכנות החברתית והכלכלית של שילוב הידע המסורתי בניהול הסיכונים ביחס לאתר וינסח המלצות להתאמת הידע המסורתי לאילוצים ולדרישות של העידן המודרני.

מרכיב זה יספק מידע חיוני למפגשי התייעצות עם הקהילה המקומית, כמו גם תובנות חשובות לגבי השתתפות הקהילה בפעילויות מוכנות בהקשר של תוכנית הניהול המביאה בחשבון סיכונים עתידיים.

5. סדנה בין-מוסדית בנושא ניהול סיכונים ברמת האתר

בשלב זה של התוכנית תתקיים סדנה בין-מוסדית בכל אחד מהאתרים המשתתפים בתוכנית הניסיונית. ישתתפו בסדנה נציגים מסוכנות השימור האחראית להגנה על הנכס וכל שאר המוסדות והגופים, ברמה הארצית והמקומית, העוסקים במוכנות לקראת אסונות. הסדנה, בהנחיית משאב בינלאומי, תעודד חילופי מידע לגבי סיכונים פוטנציאליים לאתר המורשת העולמית ותדון בעקרונות מדיניות ונהלים קיימים לצמצום ההשפעה של אסונות.

בסיום הסדנה, צפוי כי המוסדות המשתתפים יגיעו לכלל הבנה של הצרכים, התפקידים והיכולות של כל גורם בהקשר עם ניהול סיכונים באותו אתר מורשת ויוכלו לזהות נקודות תורפה אפשריות ואפשרויות לשיפור התיאום והשילוב. דבר זה יאפשר ניסוח של הערות חיוניות לגיבוש תוכנית ניהול בעלת רגישות לסיכונים לגבי אתר המורשת העולמית הרלוונטי.

6. סמינר בהשתתפות הקהילה המקומית

סמינר בהשתתפות נציגי הקהילה המקומית יתקיים בכל אתר המשתתף בתוכנית הניסיונית במטרה להגביר את המודעות המקומית לסיכונים מאסונות העלולים להשפיע על אתר המורשת העולמית שבתוכו או בקרבתו מתגוררת הקהילה המקומית, ולהסביר את ההשלכות האפשריות על בטיחותם ורווחתם של בני הקהילה. הסמינר יציג את תוצאות המחקר (סעיף 3 לעיל) כדי לקיים דיונים ולקבל את תגובת הקהילה המקומית לגבי האפשרות למעורבות ישירה בפעילויות של מוכנות לקראת אסון, לצורך הגנה על אתר המורשת העולמית – ולגבי הדרכים המתאימות לבצע זאת.

בסיום הסמינר תהיה לסוכנות לשימור המורשת הבנה מלאה של האפשרויות והאילוצים הקשורים בשילוב חששותיה ויכולתה של הקהילה המקומית בנוגע לניהול סיכונים, בתוכנית הניהול של אתר המורשת העולמית.

7. סדנה בינלאומית שנייה לבדיקת מצב יישום התוכנית ואימות המתודולוגיות לפיתוח אסטרטגיה מתאימה לניהול סיכונים ברמת האתר.

הסדנה הבינלאומית השנייה, בהשתתפות קבוצה זהה של נציגים, תאפשר בדיקת ביניים של הניסיון והלמידה שהתפתחו באתרים המשתתפים בתוכנית הניסיונית והשוואה בין הצעות נוסח סופיות של תוכניות הניהול הרגישות לסיכונים בכל אתר.

תוצאת הסדנה תהיה אישור הגישה או שינוי הגישה המתגבשת בכל אתר והידוק הקשר בין כל משתתפי התוכנית.

8. פיתוח תוכנית ניהול רגישה לסיכונים לאתר

עם סיומן של פעילויות 1 עד 7, הסוכנות לשימור המורשת, בסיוע משאבים בינלאומיים, תפתח תוכנית לניהול אתר המורשת העולמית. התוכנית תביא בחשבון את כל המרכיבים שגובשו במהלך הפרויקט. ההוראות הנוגעות בניהול סיכונים ישולבו בתוכניות התגובה במקרי אסון ובתוכניות המוכנות ברמה הארצית והמקומית. בכל תוכנית יזוהו אינדיקטורים לפיקוח על ניהול הסיכונים באתר.

הפירוט והיישום של תוכניות ניהול רגישות לסיכונים בחמשת אתרי המורשת העולמית שישתתפו בתוכנית הניסיונית ישפרו במידה ניכרת את המוכנות של אותם אתרים לקראת אסונות ויוכלו לצמצם את סכנת הנזק למרכיבים בעלי משמעות במורשת התרבות ו/או הטבע.

9. פרסום

עם סיום הפרוייקט הניסיוני באתרים שייבחרו יוכן המסמך לפרסום ויתורגם לשפות הרשמיות של אונסקו . המסמך, במתכונת של מדריך להכנת תוכניות ניהול רגישות לסיכונים לאתרי מורשת עולמית, יהיה ידידותי למשתמש, יתבסס על נושאים מוגדרים ויציג את חמשת אתרי התוכנית הניסיונית כמקרים לדוגמה בכל הנוגע לפתרון אפשרי לבעיות חוזות שמנהלי אתרים נדרשים להתמודד עמן בתחום של ניהול סיכונים.

הפצת הפרסום, בין השאר באתר האינטרנט של מרכז המורשת העולמית, צפויה לשפר במידה משמעותית את יכולתם של מנהלי אתרי מורשת עולמית ברחבי העולם לקדם את המוכנות של נכסיהם לקראת התמודדות עם אסונות.

10. הפצת המידע

הפצת התוצאות שיתקבלו מהפעילויות המתוארות לעיל תתבצע בתיאום עם המפגשים האזוריים המתוכננים לפי החלוקה הגיאוגרפית הבאה : אפריקה, מדינות ערב, אסיה ואזור הפאסיפיק, אירופה וצפון אמריקה, אמריקה הלטינית והאזור הקריבי. צוותי הסוכנויות לשימור המורשת מכל אתר שהשתתף בתוכנית הניסיונית יתבקשו לתרום מידע במפגשים ולהציג את הפרסום הנזכר לעיל כדי לשתף את הנוכחים בניסיונם בגיבוש תוכנית ניהול רגישה לסיכונים לאתרי המורשת שלהם בכל אחד מחמשת האזורים.

חילופי המידע מכלי ראשון לגבי הכנת תוכניות ניהול רגישות לסיכונים יהוו זרז ליישום התוצאות מחמשת אתרי התוכנית הניסיונית.

11. הערכה ומעקב

התוכנית כוללת בדיקה של התוצאות שיושגו במטרה להעריך את האפשרויות להמשיך או להרחיב את התוכנית. הדבר יבוצע על ידי מתאם/רכז הפרויקט, בשיתוף עם מרכז המורשת העולמית ועל פי העניין, נציג או נציגים של הסוכנות התורמת.

אופני יישום ולוח זמנים

התוכנית תיושם על ידי מרכז המורשת העולמית של אונסקו . התיאום הטכני יופקד בידי מומחה בינלאומי בניהול סיכונים לאתרי מורשת, שיועסק במשרה חלקית לאורך כל תקופת התוכנית. המתאם יסתייע במומחים בינלאומיים אחרים, שיהיו להם כישורים ספציפיים בתחומים שונים (חברה וכלכלה, שימור, הגנה אזרחית וכו') ואשר יועסקו לתקופות קבוצות כדי לספק הערות במהלך ביצוע התוכנית.
כמו כן יוקמו קבוצות עבודה בכל אתר מורשת עולמית שייבחר להשתתף בתוכנית, בהשתתפות מומחים לאומיים בתחומים הרלוונטיים.

משך התוכנית הצפוי הוא 3 שנים והיא תתחיל ברגע שיהיו משאבים כספיים זמינים.

GUIDELINES FOR EDUCATION AND TRAINING IN THE CONSERVATION OF MONUMENTS, ENSEMBLES AND SITES

The General Assembly of the International Council on Monuments and Sites, ICOMOS, meeting in Colombo, Sri Lanka, at its tenth session from July 30 to August 7, 1993;

Considering the breadth of the heritage encompassed within the concept of monuments, ensembles and sites;

Considering the great variety of actions and treatments required for the conservation of these heritage resources, and the necessity of a common discipline for their guidance;

Recognizing that many different professions need to collaborate within the common discipline of conservation in the process and require proper education and training in order to guarantee good communication and coordinated action in conservation;

Noting the Venice Charter and related ICOMOS doctrine, and the need to provide a reference for the institutions and bodies involved in developing training programmes, and to assist in defining and building up appropriate standards and criteria suitable to meet the specific cultural and technical requirements in each community or region;

Adopts the following guidelines, and Recommends that they be diffused for the information of appropriate institutions, organizations and authorities.

AIM OF THE GUIDELINES

1. The aim of this document is to promote the establishment of standards and guidelines for education and training in the conservation of monuments, groups of buildings ("ensembles") and sites defined as cultural heritage by the World Heritage Convention of 1972. They include historic buildings, historic areas and towns, archaeological sites, and the contents therein, as well as historic and cultural landscapes. Their conservation is now, and will continue to be a matter of urgency.

CONSERVATION

2. Conservation of cultural heritage is now recognized as resting within the general field of environmental and cultural development. Sustainable management strategies for change which respect cultural heritage require the integration of conservation attitudes with contemporary economic and social goals including tourism.

3. The object of conservation is to prolong the life of cultural heritage and, if possible, to clarify the artistic and historical messages therein without the loss of authenticity and meaning. Conservation is a cultural, artistic, technical and craft activity based on humanistic and scientific studies and systematic research. Conservation must respect the cultural context.

EDUCATIONAL AND TRAINING PROGRAMMES AND COURSES

4. There is a need to develop a holistic approach to our heritage on the basis of cultural pluralism and diversity, respected by professionals, craftspersons and administrators. Conservation requires the ability to observe, analyze and synthesize. The conservationist

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should have a flexible yet pragmatic approach based on cultural consciousness which should penetrate all practical work, proper education and training, sound judgement and a sense of proportion with an understanding of the community's needs. Many professional and craft skills are involved in this interdisciplinary activity.

5. Conservation works should only be entrusted to persons competent in these specialist activities. Education and training for conservation should produce from a range of professionals, conservationists who are able to:

a. read a monument, ensemble or site and identify its emotional, cultural and use significance;

b. understand the history and technology of monuments, ensembles or sites in order to define their identity, plan for their conservation, and interpret the results of this research;

c. understand the setting of a monument, ensemble or site, their contents and surroundings, in relation to other buildings, gardens or landscapes;

d. find and absorb all available sources of information relevant to the monument, ensemble or site being studied;

e. understand and analyze the behaviour of monuments, ensembles and sites as complex systems;

f. diagnose intrinsic and extrinsic causes of decay as a basis for appropriate action;

g. inspect and make reports intelligible to non-specialist readers of monuments, ensembles or sites, illustrated by graphic means such as sketches and photographs;

h. know, understand and apply Unesco conventions and recommendations, and ICOMOS and other recognized Charters, regulations and guidelines;

i. make balanced judgements based on shared ethical principles, and accept responsibility for the long-term welfare of cultural heritage;

j. recognize when advice must be sought and define the areas of need of study by different specialists, e.g. wall paintings, sculpture and objects of artistic and historical value, and/or studies of materials and systems;

k. give expert advice on maintenance strategies, management policies and the policy framework for environmental protection and preservation of monuments and their contents, and sites;

l. document works executed and make same accessible;

m. work in multi-disciplinary groups using sound methods;

n. be able to work with inhabitants, administrators and planners to resolve conflicts and to develop conservation strategies appropriate to local needs, abilities and resources;

AIMS OF COURSES

6. There is a need to impart knowledge of conservation attitudes and approaches to all those who may have a direct or indirect impact on cultural property.

7. The practice of conservation is interdisciplinary; it therefore follows that courses should also be multidisciplinary. Professionals, including academics and specialized craftspersons, who have already received their normal qualification will need further training in order to become conservationists; equally those who seek to act competently in historic environment.

8. Conservationists should ensure that all artisans and staff working on a monument, ensemble or site respect its significance.

9. Training in disaster preparedness and in methods of mitigating damage to cultural property, by strengthening and improving fire prevention and other security measures, should be included in courses.

10. Traditional crafts are a valuable cultural resource. Craftspersons, already with high level manual skills, should be further trained for conservation work with instruction in the history of their craft, historic details and practices, and the theory of conservation with the need for documentation. Many historic skills will have to be recorded and revived.

ORGANIZATION OF EDUCATION AND TRAINING

11. Many satisfactory methods of achieving the required education and training are possible. Variations will depend on traditions and legislation, as well as on administrative and economic context of each cultural region. The active exchange of ideas and opinions on new approaches to education and training between national institutes and at international levels should be encouraged. Collaborative network of individuals and institutions is essential to the success of this exchange.

12. Education and sensitization for conservation should begin in schools and continue in universities and beyond. These institutions have an important role in raising visual and cultural awareness - improving ability to read and understand the elements of our cultural heritage - and giving the cultural preparation needed by candidates for specialist education and training. Practical hands-on training in craft work should be encouraged.

13. Courses for continuing professional development can enlarge on the initial education and training of professionals. Long-term, part-time courses are a valuable method for advanced teaching, and useful in major population centres. Short courses can enlarge attitudes, but cannot teach skills or impart profound understanding of conservation. They can help introduce concepts and techniques of conservation in the management of the built and natural environment and the objects within it.

14. Participants in specialist courses should be of a high calibre normally having had appropriate education and training and practical working experience. Specialist courses should be multidisciplinary with core subjects for all participants, and optional subjects to extend capacities and/or to fill the gaps in previous education and training. To complete the education and training of a conservationist an internship is recommended to give practical experience.

15. Every country or regional group should be encouraged to develop at least one comprehensively organized institute giving education and training and specialist courses. It may take decades to establish a fully competent conservation service. Special short-term measures may therefore be required, including the grafting of new initiatives onto existing

programmes in order to lead to fully developed new programmes. National, regional and international exchange of teachers, experts and students should be encouraged. Regular evaluation of conservation training programmes by peers is a necessity.

RESOURCES

16. Resources needed for specialist courses may include e.g.:

a. an adequate number of participants of required level ideally in the range of 15 to 25;
b. a full-time co-ordinator with sufficient administrative support;
c. instructors with sound theoretical knowledge and practical experience in conservation and teaching ability;
d. fully equipped facilities including lecture space with audio-visual equipment, video, etc. studios, laboratories, workshops, seminar rooms, and staff offices;
e. library and documentation centre providing reference collections, facilities for coordinating research, and access to computerized information networks;
f. a range of monuments, ensembles and sites within a reasonable radius.

17. Conservation depends upon documentation adequate for understanding of monuments, ensembles or sites and their respective settings. Each country should have an institute for research and archive for recording its cultural heritage and all conservation works related thereto. The course should work within the archive responsibilities identified at the national level.

18. Funding for teaching fees and subsistence may need special arrangements for mid-career participants as they may already have personal responsibilities.

Cultural Heritage Policy Documents

Document of Pavia (1997)

Associazione Secco Suardo

The Document of Pavia is the result of a European effort to develop standards for the education and training of conservators/restorers. It encourages the European Union and specialists in the field to promote the field of conservation-restoration, recommends interdisciplinary exchange with other disciplines, and the definition of professional competencies of the conservator-restorer for Europe. In terms of the training conservators-restorers receive, the document recommends:

- a balancing of theoretical and practical knowledge,
- the teaching of communication strategies,
- the establishment of cooperative exchange programs among training institutions, and
- the promotion of research in conservation-restoration.

Publication of a multilingual glossary of conceptual definitions is recommended. The Document also encourages the establishment of a regulatory framework to ensure the quality of conservation-restoration interventions; this should include qualifications of team members and development of specifications for projects. The establishment of the European Network for Conservation/Restoration Education (ENCoRE) furthers this effort.

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Charter on the Preservation of Digital Heritage

15 October 2003

The General Conference,

Considering that the disappearance of heritage in whatever form constitutes an impoverishment of the heritage of all nations,

Recalling that the Constitution of UNESCO provides that the Organization will 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, that its "Information for All" Programme provides a platform for discussions and action on information policies and the safeguarding of recorded knowledge, and that its "Memory of the World" Programme aims to ensure the preservation and universal accessibility of the world's documentary heritage,

Recognizing that such resources of information and creative expression are increasingly produced, distributed, accessed and maintained in digital form, creating a new legacy – the digital heritage,

Aware that access to this heritage will offer broadened opportunities for creation, communication and sharing of knowledge among all peoples,

Understanding that this digital heritage is at risk of being lost and that its preservation for the benefit of present and future generations is an urgent issue of worldwide concern,

Proclaims the following principles and **adopts** the present Charter.

The digital heritage as a common heritage

Article 1 – Scope

The digital heritage consists of unique resources of human knowledge and expression. It embraces cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources. Where resources are "born digital", there is no other format but the digital object.

Digital materials include texts, databases, still and moving images, audio, graphics, software and web pages, among a wide and growing range of formats. They are frequently ephemeral, and require purposeful production, maintenance and management to be retained.

Many of these resources have lasting value and significance, and therefore constitute a heritage that should be protected and preserved for current and future generations. This ever-growing heritage may exist in any language, in any part of the world, and in any area of human knowledge or expression.

Article 2 – Access to the digital heritage

The purpose of preserving the digital heritage is to ensure that it remains accessible to the public. Accordingly, access to digital heritage materials, especially those in the public domain, should be free of unreasonable restrictions. At the same time, sensitive and personal information should be protected from any form of intrusion.

Member States may wish to cooperate with relevant organizations and institutions in encouraging a legal and practical environment which will maximize accessibility of the digital heritage. A fair balance between the legitimate rights of creators and other rights holders and the interests of the public to access digital heritage materials should be reaffirmed and promoted, in accordance with international norms and agreements.

Guarding against loss of heritage

Article 3 – The threat of loss

The world's digital heritage is at risk of being lost to posterity. Contributing factors include the rapid obsolescence of the hardware and software which brings it to life, uncertainties about resources, responsibility and methods for maintenance and preservation, and the lack of supportive legislation.

Attitudinal change has fallen behind technological change. Digital evolution has been too rapid and costly for governments and institutions to develop timely and informed preservation strategies. The threat to the economic, social, intellectual and cultural potential of the heritage – the building blocks of the future – has not been fully grasped.

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Article 4 – Need for action

Unless the prevailing threats are addressed, the loss of the digital heritage will be rapid and inevitable. Member States will benefit by encouraging legal, economic and technical measures to safeguard the heritage. Awareness-raising and advocacy is urgent, alerting policy-makers and sensitizing the general public to both the potential of the digital media and the practicalities of preservation.

Article 5 – Digital continuity

Continuity of the digital heritage is fundamental. To preserve digital heritage, measures will need to be taken throughout the digital information life cycle, from creation to access. Long-term preservation of digital heritage begins with the design of reliable systems and procedures which will produce authentic and stable digital objects.

Measures required

Article 6 – Developing strategies and policies

Strategies and policies to preserve the digital heritage need to be developed, taking into account the level of urgency, local circumstances, available means and future projections. The cooperation of holders of copyright and related rights, and other stakeholders, in setting common standards and compatibilities, and resource sharing, will facilitate this.

Article 7 – Selecting what should be kept

As with all documentary heritage, selection principles may vary between countries, although the main criteria for deciding what digital materials to keep would be their significance and lasting cultural, scientific, evidential or other value. "Born digital" materials should clearly be given priority. Selection decisions and any subsequent reviews need to be carried out in an accountable manner, and be based on defined principles, policies, procedures and standards.

Article 8 – Protecting the digital heritage

Member States need appropriate legal and institutional frameworks to secure the protection of their digital heritage.

As a key element of national preservation policy, archive legislation and legal or voluntary deposit in libraries, archives, museums and other public repositories should embrace the digital heritage.

Access to legally deposited digital heritage materials, within reasonable restrictions, should be assured without causing prejudice to their normal exploitation.

Legal and technical frameworks for authenticity are crucial to prevent manipulation or intentional alteration of digital heritage. Both require that the content, functionality of files and documentation be maintained to the extent necessary to secure an authentic record.

Article 9 – Preserving cultural heritage

The digital heritage is inherently unlimited by time, geography, culture or format. It is culture-specific, but potentially accessible to every person in the world. Minorities may speak to majorities, the individual to a global audience.

The digital heritage of all regions, countries and communities should be preserved and made accessible, so as to assure over time representation of all peoples, nations, cultures and languages.

Responsibilities

Article 10 – Roles and responsibilities

Member States may wish to designate one or more agencies to take coordinating responsibility for the preservation of the digital heritage, and to make available necessary resources. The sharing of tasks and responsibilities may be based on existing roles and expertise.

Measures should be taken to:

(a) urge hardware and software developers, creators, publishers, producers and distributors of digital materials as well as other private sector partners to cooperate with national libraries, archives, museums and other public heritage organizations in preserving the digital heritage;

(b) develop training and research, and share experience and knowledge among the institutions and professional associations concerned;

(c) encourage universities and other research organizations, both public and private, to ensure preservation of research data.

Article 11 – Partnerships and cooperation

Preservation of the digital heritage requires sustained efforts on the part of governments, creators, publishers, relevant industries and heritage institutions.

In the face of the current digital divide, it is necessary to reinforce international cooperation and solidarity to enable all countries to ensure creation, dissemination, preservation and continued accessibility of their digital heritage.

Industries, publishers and mass communication media are urged to promote and share knowledge and technical expertise.

The stimulation of education and training programmes, resource-sharing arrangements, and dissemination of research results and best practices will democratize access to digital preservation techniques.

Article 12 – The role of UNESCO

UNESCO, by virtue of its mandate and functions, has the responsibility to:

(a) take the principles set forth in this Charter into account in the functioning of its programmes and promote their implementation within the United Nations system and by intergovernmental and international non-governmental organizations concerned with the preservation of the digital heritage;

(b) serve as a reference point and a forum where Member States, intergovernmental and international non-governmental organizations, civil society and the private sector may join together in elaborating objectives, policies and projects in favour of the preservation of the digital heritage;

(c) foster cooperation, awareness-raising and capacity-building, and propose standard ethical, legal and technical guidelines, to support the preservation of the digital heritage;

(d) determine, on the basis of the experience gained over the next six years in implementing the present Charter and the guidelines, whether there is a need for further standard-setting instruments for the promotion and preservation of the digital heritage.

BACK

EUROPEAN CULTURAL CONVENTION

Signed at Paris, 19 December 1954
Entered into force: 5 May 1955

The Governments signatory hereto, being Members of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members for the purpose, among others, of safeguarding and realising the ideals and principles which are their common heritage;

Considering that the achievement of this aim would be furthered by a greater understanding of one another among the peoples of Europe;

Considering that for these purposes it is desirable not only to conclude bilateral cultural conventions between Members of the Council but also to pursue a policy of common action designed to safeguard and encourage the development of European culture;

Having resolved to conclude a general European Cultural Convention designed to foster among the nationals of all Members, and of such other European States as may accede thereto, the study of the languages, history and civilisation of the others and of the civilisation which is common to them all,

Have agreed as follows:

Article 1

Each Contracting Party shall take appropriate measures to safeguard and to encourage the development of its national contribution to the common cultural heritage of Europe.

Article 2

Each Contracting Party shall, insofar as may be possible,

a. encourage the study by its own nationals of the languages, civilisation of the other Contracting Parties and grant facilities to those Parties to promote such studies in its territory, and
b. endeavour to promote the study of its language or languages, civilisation in the territory of the other Contracting Parties and grant facilities to the nationals of those Parties to pursue such studies in its territory.

Article 3

The Contracting Parties shall consult with one another within the framework of the Council of Europe with a view to concerted action in promoting cultural activities of European interest.

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Article 4

Each Contracting Party shall, insofar as may be possible, facilitate the movement and exchange of persons as well as of objects of cultural value so that Articles 2 and 3 may be implemented.

Article 5

Each Contracting Party shall regard the objects of European cultural value placed under its control as integral parts of the common cultural heritage of Europe, shall take appropriate measures to safeguard them and shall ensure reasonable access thereto.

Article 6

1. Proposals for the application of the provisions of the present Convention and questions relating to the interpretation thereof shall be considered at meetings of the Committee of Cultural Experts of the Council of Europe.

2. Any State not a member of the Council of Europe which has acceded to the present Convention in accordance with the provisions of paragraph 4 of Article 9 may appoint a representative or representatives to participate in the meetings provided for in the preceding paragraph.

3. The conclusions reached at the meetings provided for in paragraph 1 of this Article shall be submitted in the form of recommendations to the Committee of Ministers of the Council of Europe, unless they are decisions which are within the competence of the Committee of Cultural Experts as relating to matters of an administrative nature which do not entail additional expenditure.

4. The Secretary-General of the Council of Europe shall communicate to the Members of the Council and to the Government of any State which has acceded to the present Convention any decisions relevant thereto which may be taken the by the Committee of Ministers or by the Committee of Cultural Experts.

5. Each Contracting Party shall notify the Secretary-General of the Council of Europe in due course of any action which may be taken by it for the application of the provisions of the present Convention consequent on the decisions of the Committee of Ministers or of the Committee of Cultural Experts.

6. In the event of certain proposals for the application of the present Convention being found to interest only a limited number of the Contracting Parties, such proposals may be further considered in accordance with the provisions of Article 7, provided that their implementation entails no expenditure by the Council of Europe.

Article 7

If, in order to further the aims of the present Convention, two or more Contracting Parties desire to arrange meetings at the seat of the Council of Europe other than those specified in paragraph 1 of Article 6, the Secretary-General of the Council shall afford them such administrative assistance as they may require.

Article 8

Nothing in the present Convention shall be deemed to affect

a. the provisions of any existing bilateral cultural convention to which any of the Contracting Parties may be signatory or to render less desirable the conclusion of any further such convention by any of the Contracting Parties, or
b. the obligation of any person to comply with the laws and regulations in force in the territory of any Contracting Party concerning the entry, residence and departure of foreigners.

Article 9

1. The present Convention shall be open to the signature of the Members of the Council of Europe. It shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the Council of Europe.

2. As soon as three signatory Governments have deposited their instruments of ratification, the present Convention shall enter into force as between those Governments.

3. With respect to each signatory Government ratifying subsequently, the Convention shall enter into force on the date of deposit of its instrument of ratification.

4. The Committee of Ministers of the Council of Europe may decide, by a unanimous vote, to invite, upon such terms and conditions as it deems appropriate, any European State which is not a member of the Council to accede to the present Convention. Any State so invited may accede by depositing its instrument of accession with the Secretary-General of the Council of Europe. Such accession shall take effect on the date of receipt of the said instrument.

5. The Secretary-General of the Council of Europe shall notify all Members of the Council and any acceding States of the deposit of all instruments of ratification and accession.

Article 10

Any Contracting Party may specify the territories to which the provisions of the present Convention shall apply by addressing to the Secretary-General of the Council of Europe a declaration which shall be communicated by the latter to all the other Contracting Parties.

Article 11

1. Any Contracting Party may denounce the present Convention at any time after it has been in force for a period of five years by means of a notification in writing addressed to the Secretary-General of the Council of Europe, who shall inform the other Contracting Parties.

2. Such denunciation shall take effect for the Contracting Party concerned six months after the date on which it is received by the Secretary-General of the Council of Europe.

IN WITNESS WHEREOF the undersigned, duly authorised thereto by their respective Governments, have signed the present Convention.

DONE at Paris this 19th day of December, 1954, in the English and French languages, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory and acceding Governments.

BACK

Paris, 17 October 2003

Depositary - Entry into force - Authoritative texts - States Parties - Declarations and Reservations - Territorial Application - Monitoring

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The General Conference of the United Nations Educational, Scientific and Cultural Organization hereinafter referred to as UNESCO, meeting in Paris, from 29 September to 17 October 2003, at its 32nd session,

Referring to existing international human rights instruments, in particular to the Universal Declaration on Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights of 1966, and the International Covenant on Civil and Political Rights of 1966,

Considering the importance of the intangible cultural heritage as a mainspring of cultural diversity and a guarantee of sustainable development, as underscored in the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989, in the UNESCO Universal Declaration on Cultural Diversity of 2001, and in the Istanbul Declaration of 2002 adopted by the Third Round Table of Ministers of Culture,

Considering the deep-seated interdependence between the intangible cultural heritage and the tangible cultural and natural heritage,

Recognizing that the processes of globalization and social transformation, alongside the conditions they create for renewed dialogue among communities, also give rise, as does the phenomenon of intolerance, to grave threats of deterioration, disappearance and destruction of the intangible cultural heritage, in particular owing to a lack of resources for safeguarding such heritage,

Being aware of the universal will and the common concern to safeguard the intangible cultural heritage of humanity,

Recognizing that communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and re-creation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity,

Noting the far-reaching impact of the activities of UNESCO in establishing normative instruments for the protection of the cultural heritage, in particular the Convention for the Protection of the World Cultural and Natural Heritage of 1972,

Noting further that no binding multilateral instrument as yet exists for the safeguarding of the intangible cultural heritage,

Considering that existing international agreements, recommendations and resolutions concerning the cultural and natural heritage need to be effectively enriched and supplemented by means of new provisions relating to the intangible cultural heritage,

Considering the need to build greater awareness, especially among the younger generations, of the importance of the intangible cultural heritage and of its safeguarding,

Considering that the international community should contribute, together with the States Parties to this Convention, to the safeguarding of such heritage in a spirit of cooperation and mutual assistance,

Recalling UNESCO's programmes relating to the intangible cultural heritage, in particular the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity,

Considering the invaluable role of the intangible cultural heritage as a factor in bringing human beings closer together and ensuring exchange and understanding among them,

Adopts this Convention on this seventeenth day of October 2003.

I. General provisions

Article 1 – Purposes of the Convention

The purposes of this Convention are:

(a) to safeguard the intangible cultural heritage;

(b) to ensure respect for the intangible cultural heritage of the communities, groups and individuals concerned;

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(c) to raise awareness at the local, national and international levels of the importance of the intangible cultural heritage, and of ensuring mutual appreciation thereof;

(d) to provide for international cooperation and assistance.

Article 2 – Definitions

For the purposes of this Convention,

1. The "intangible cultural heritage" means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.

2. The "intangible cultural heritage", as defined in paragraph 1 above, is manifested inter alia in the following domains:

(a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;

(b) performing arts;

(c) social practices, rituals and festive events;

(d) knowledge and practices concerning nature and the universe;

(e) traditional craftsmanship.

3. "Safeguarding" means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage.

4. "States Parties" means States which are bound by this Convention and among which this Convention is in force.

5. This Convention applies mutatis mutandis to the territories referred to in Article 33 which become Parties to this Convention in accordance with the conditions set out in that Article. To that extent the expression "States Parties" also refers to such territories.

Article 3 – Relationship to other international instruments

Nothing in this Convention may be interpreted as:

(a) altering the status or diminishing the level of protection under the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage of World Heritage properties with which an item of the intangible cultural heritage is directly associated; or

(b) affecting the rights and obligations of States Parties deriving from any international instrument relating to intellectual property rights or to the use of biological and ecological resources to which they are parties.

II. Organs of the Convention

Article 4 – General Assembly of the States Parties

1. A General Assembly of the States Parties is hereby established, hereinafter referred to as "the General Assembly". The General Assembly is the sovereign body of this Convention.

2. The General Assembly shall meet in ordinary session every two years. It may meet in extraordinary session if it so decides or at the request either of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage or of at least one-third of the States Parties.

3. The General Assembly shall adopt its own Rules of Procedure.

Article 5 – Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage

1. An Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, hereinafter referred to as "the Committee", is hereby established within UNESCO. It shall be composed of representatives of 18 States Parties, elected by the States Parties meeting in General Assembly, once this Convention enters into force in accordance with Article 34.

2. The number of States Members of the Committee shall be increased to 24 once the number of the States Parties to the Convention reaches 50.

Article 6 – Election and terms of office of States Members of the Committee

1. The election of States Members of the Committee shall obey the principles of equitable geographical representation and rotation.

2. States Members of the Committee shall be elected for a term of four years by States Parties to the Convention meeting in General Assembly.

3. However, the term of office of half of the States Members of the Committee elected at the first election is limited to two years. These States shall be chosen by lot at the first election.

4. Every two years, the General Assembly shall renew half of the States Members of the Committee.

5. It shall also elect as many States Members of the Committee as required to fill vacancies.

6. A State Member of the Committee may not be elected for two consecutive terms.

7. States Members of the Committee shall choose as their representatives persons who are qualified in the various fields of the intangible cultural heritage.

Article 7 – Functions of the Committee

Without prejudice to other prerogatives granted to it by this Convention, the functions of the Committee shall be to:

(a) promote the objectives of the Convention, and to encourage and monitor the implementation thereof;

(b) provide guidance on best practices and make recommendations on measures for the safeguarding of the intangible cultural heritage;

(c) prepare and submit to the General Assembly for approval a draft plan for the use of the resources of the Fund, in accordance with Article 25;

(d) seek means of increasing its resources, and to take the necessary measures to this end, in accordance with Article 25;

(e) prepare and submit to the General Assembly for approval operational directives for the implementation of this Convention;

(f) examine, in accordance with Article 29, the reports submitted by States Parties, and to summarize them for the General Assembly;

(g) examine requests submitted by States Parties, and to decide thereon, in accordance with objective selection criteria to be established by the Committee and approved by the General Assembly for:

(i) inscription on the lists and proposals mentioned under Articles 16, 17 and 18;

(ii) the granting of international assistance in accordance with Article 22.

Article 8 – Working methods of the Committee

1. The Committee shall be answerable to the General Assembly. It shall report to it on all its activities and decisions.

2. The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members.

3. The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task.

4. The Committee may invite to its meetings any public or private bodies, as well as private persons, with recognized competence in the various fields of the intangible cultural heritage, in order to consult them on specific matters.

Article 9 – Accreditation of advisory organizations

1. The Committee shall propose to the General Assembly the accreditation of non-governmental organizations with recognized competence in the field of the intangible cultural heritage to act in an advisory capacity to the Committee.

2. The Committee shall also propose to the General Assembly the criteria for and modalities of such accreditation.

Article 10 – The Secretariat

1. The Committee shall be assisted by the UNESCO Secretariat.

2. The Secretariat shall prepare the documentation of the General Assembly and of the Committee, as well as the draft agenda of their meetings, and shall ensure the implementation of their decisions.

III. Safeguarding of the intangible cultural heritage at the national level

Article 11 – Role of States Parties

Each State Party shall:

(a) take the necessary measures to ensure the safeguarding of the intangible cultural heritage present in its territory;

(b) among the safeguarding measures referred to in Article 2, paragraph 3, identify and define the various elements of the intangible cultural heritage present in its territory, with the participation of communities, groups and relevant non-governmental organizations.

Article 12 – Inventories

1. To ensure identification with a view to safeguarding, each State Party shall draw up, in a manner geared to its own situation, one or more inventories of the intangible cultural heritage present in its territory. These inventories shall be regularly updated.

2. When each State Party periodically submits its report to the Committee, in accordance with Article 29, it shall provide relevant information on such inventories.

Article 13 – Other measures for safeguarding

To ensure the safeguarding, development and promotion of the intangible cultural heritage present in its territory, each State Party shall endeavour to:

(a) adopt a general policy aimed at promoting the function of the intangible cultural heritage in society, and at integrating the safeguarding of such heritage into planning programmes;

(b) designate or establish one or more competent bodies for the safeguarding of the intangible cultural heritage present in its territory;

(c) foster scientific, technical and artistic studies, as well as research methodologies, with a view to effective safeguarding of the intangible cultural heritage, in particular the intangible cultural heritage in danger;

(d) adopt appropriate legal, technical, administrative and financial measures aimed at:

(i) fostering the creation or strengthening of institutions for training in the management of the intangible cultural heritage and the transmission of such heritage through forums and spaces intended for the performance or expression thereof;

(ii) ensuring access to the intangible cultural heritage while respecting customary practices governing access to specific aspects of such heritage;

(iii) establishing documentation institutions for the intangible cultural heritage and facilitating access to them.

Article 14 – Education, awareness-raising and capacity-building

Each State Party shall endeavour, by all appropriate means, to:

(a) ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society, in particular through:

(i) educational, awareness-raising and information programmes, aimed at the general public, in particular young people;

(ii) specific educational and training programmes within the communities and groups concerned;

(iii) capacity-building activities for the safeguarding of the intangible cultural heritage, in particular management and scientific research; and

(iv)non-formal means of transmitting knowledge;

(b) keep the public informed of the dangers threatening such heritage, and of the activities carried out in pursuance of this Convention;

(c) promote education for the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage.

Article 15 – Participation of communities, groups and individuals

Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management.

IV. Safeguarding of the intangible cultural heritage at the international level

Article 16 – Representative List of the Intangible Cultural Heritage of Humanity

1. In order to ensure better visibility of the intangible cultural heritage and awareness of its significance, and to encourage dialogue which respects cultural diversity, the Committee, upon the proposal of the States Parties concerned, shall establish, keep up to date and publish a Representative List of the Intangible Cultural Heritage of Humanity.

2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this Representative List.

Article 17 – List of Intangible Cultural Heritage in Need of Urgent Safeguarding

1. With a view to taking appropriate safeguarding measures, the Committee shall establish, keep up to date and publish a List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and shall inscribe such heritage on the List at the request of the State Party concerned.

2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this List.

3. In cases of extreme urgency – the objective criteria of which shall be approved by the General Assembly upon the proposal of the Committee – the Committee may inscribe an item of the heritage concerned on the List mentioned in paragraph 1, in consultation with the State Party concerned.

Article 18 – Programmes, projects and activities for the safeguarding of

the intangible cultural heritage

1. On the basis of proposals submitted by States Parties, and in accordance with criteria to be defined by the Committee and approved by the General Assembly, the Committee shall periodically select and promote national, subregional and regional programmes, projects and activities for the safeguarding of the heritage which it considers best reflect the principles and objectives of this Convention, taking into account the special needs of developing countries.

2. To this end, it shall receive, examine and approve requests for international assistance from States Parties for the preparation of such proposals.

3. The Committee shall accompany the implementation of such projects, programmes and activities by disseminating best practices using means to be determined by it.

V. International cooperation and assistance
Article 19 – Cooperation

1. For the purposes of this Convention, international cooperation includes, inter alia, the exchange of information and experience, joint initiatives, and the establishment of a mechanism of assistance to States Parties in their efforts to safeguard the intangible cultural heritage.

2. Without prejudice to the provisions of their national legislation and customary law and practices, the States Parties recognize that the safeguarding of intangible cultural heritage is of general interest to humanity, and to that end undertake to cooperate at the bilateral, subregional, regional and international levels.

Article 20 – Purposes of international assistance

International assistance may be granted for the following purposes:

(a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;

(b) the preparation of inventories in the sense of Articles 11 and 12;

(c) support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of the intangible cultural heritage;

(d) any other purpose the Committee may deem necessary.

Article 21 – Forms of international assistance

The assistance granted by the Committee to a State Party shall be governed by the operational directives foreseen in Article 7 and by the agreement referred to in Article 24, and may take the following forms:

(a) studies concerning various aspects of safeguarding;

(b) the provision of experts and practitioners;

(c) the training of all necessary staff;

(d) the elaboration of standard-setting and other measures;

(e) the creation and operation of infrastructures;

(f) the supply of equipment and know-how;

(g) other forms of financial and technical assistance, including, where appropriate, the granting of low-interest loans and donations.

Article 22 – Conditions governing international assistance

1. The Committee shall establish the procedure for examining requests for international assistance, and shall specify what information shall be included in the requests, such as the measures envisaged and the interventions required, together with an assessment of their cost.

2. In emergencies, requests for assistance shall be examined by the Committee as a matter of priority.

3. In order to reach a decision, the Committee shall undertake such studies and consultations as it deems necessary.

Article 23 – Requests for international assistance

1. Each State Party may submit to the Committee a request for international assistance for the safeguarding of the intangible cultural heritage present in its territory.

2. Such a request may also be jointly submitted by two or more States Parties.

3. The request shall include the information stipulated in Article 22, paragraph 1, together with the necessary documentation.

Article 24 – Role of beneficiary States Parties

1. In conformity with the provisions of this Convention, the international assistance granted shall be regulated by means of an agreement between the beneficiary State Party and the Committee.

2. As a general rule, the beneficiary State Party shall, within the limits of its resources, share the cost of the safeguarding measures for which international assistance is provided.

3. The beneficiary State Party shall submit to the Committee a report on the use

made of the assistance provided for the safeguarding of the intangible cultural heritage.

VI. Intangible Cultural Heritage Fund

Article 25 – Nature and resources of the Fund

1. A "Fund for the Safeguarding of the Intangible Cultural Heritage", hereinafter referred to as "the Fund", is hereby established.

2. The Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO.

3. The resources of the Fund shall consist of:

(a) contributions made by States Parties;

(b) funds appropriated for this purpose by the General Conference of UNESCO;

(c) contributions, gifts or bequests which may be made by:

(i) other States;

(ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations;

(iii) public or private bodies or individuals;

(d) any interest due on the resources of the Fund;

(e) funds raised through collections, and receipts from events organized for the benefit of the Fund;

(f) any other resources authorized by the Fund's regulations, to be drawn up by the Committee.

4. The use of resources by the Committee shall be decided on the basis of guidelines laid down by the General Assembly.

5. The Committee may accept contributions and other forms of assistance for general and specific purposes relating to specific projects, provided that those projects have been approved by the Committee.

6. No political, economic or other conditions which are incompatible with the objectives of this Convention may be attached to contributions made to the Fund.

Article 26 – Contributions of States Parties to the Fund

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay into the Fund, at least every two years, a contribution, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly. This decision of the General Assembly shall be taken by a majority of the States Parties present and voting which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the contribution of the State Party exceed 1% of its contribution to the regular budget of UNESCO.

2. However, each State referred to in Article 32 or in Article 33 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance, approval or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.

3. A State Party to this Convention which has made the declaration referred to in paragraph 2 of this Article shall endeavour to withdraw the said declaration by notifying the Director-General of UNESCO. However, the withdrawal of the declaration shall not take effect in regard to the contribution due by the State until the date on which the subsequent session of the General Assembly opens.

4. In order to enable the Committee to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article shall be paid on a regular basis, at least every two years, and should be as close as possible to the contributions they would have owed if they had been bound by the provisions of paragraph 1 of this Article.

5. Any State Party to this Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the Committee; this provision shall not apply to the first election. The term of office of any such State which is already a Member of the Committee shall come to an end at the time of the elections provided for in Article 6 of this Convention.

Article 27 – Voluntary supplementary contributions to the Fund

States Parties wishing to provide voluntary contributions in addition to those foreseen under Article 26 shall inform the Committee, as soon as possible, so as to enable it to plan its operations accordingly.

Article 28 – International fund-raising campaigns

The States Parties shall, insofar as is possible, lend their support to international fund-raising campaigns organized for the benefit of the Fund under the auspices of UNESCO.

VII. Reports

Article 29 – Reports by the States Parties

The States Parties shall submit to the Committee, observing the forms and

periodicity to be defined by the Committee, reports on the legislative, regulatory and other measures taken for the implementation of this Convention.

Article 30 – Reports by the Committee

1. On the basis of its activities and the reports by States Parties referred to in Article 29, the Committee shall submit a report to the General Assembly at each of its sessions.

2. The report shall be brought to the attention of the General Conference of UNESCO.

VIII. Transitional clause

Article 31 – Relationship to the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity

1. The Committee shall incorporate in the Representative List of the Intangible Cultural Heritage of Humanity the items proclaimed "Masterpieces of the Oral and Intangible Heritage of Humanity" before the entry into force of this Convention.

2. The incorporation of these items in the Representative List of the Intangible Cultural Heritage of Humanity shall in no way prejudge the criteria for future inscriptions decided upon in accordance with Article 16, paragraph 2.

3. No further Proclamation will be made after the entry into force of this Convention.

IX. Final clauses

Article 32 – Ratification, acceptance or approval

1.This Convention shall be subject to ratification, acceptance or approval by States Members of UNESCO in accordance with their respective constitutional procedures.

2. The instruments of ratification, acceptance or approval shall be deposited with the Director-General of UNESCO.

Article 33 – Accession

1. This Convention shall be open to accession by all States not Members of UNESCO that are invited by the General Conference of UNESCO to accede to it.

2. This Convention shall also be open to accession by territories which enjoy full internal self-government recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV), and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of such matters.

3. The instrument of accession shall be deposited with the Director-General of UNESCO.

Article 34 – Entry into force

This Convention shall enter into force three months after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, but only with respect to those States that have deposited their respective instruments of ratification, acceptance, approval, or accession on or before that date. It shall enter into force with respect to any other State Party three months after the deposit of its instrument of ratification, acceptance, approval or accession.

Article 35 – Federal or non-unitary constitutional systems

The following provisions shall apply to States Parties which have a federal or non-unitary constitutional system:

(a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;

(b) with regard to the provisions of this Convention, the implementation of which comes under the jurisdiction of individual constituent States, countries, provinces or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 36 – Denunciation

1. Each State Party may denounce this Convention.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of UNESCO.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall in no way affect the financial obligations of the denouncing State Party until the date on which the withdrawal takes effect.

Article 37 – Depositary functions

The Director-General of UNESCO, as the Depositary of this Convention, shall inform the States Members of the Organization, the States not Members of the Organization referred to in Article 33, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles 32 and 33, and of the denunciations provided for in Article 36.

Article 38 – Amendments

1. A State Party may, by written communication addressed to the Director-General, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, not less than one half of the States Parties reply favourably to the request, the Director-General shall present such proposal to the next session of the General Assembly for discussion and possible adoption.

2. Amendments shall be adopted by a two-thirds majority of States Parties present and voting.

3. Once adopted, amendments to this Convention shall be submitted for ratification, acceptance, approval or accession to the States Parties.

4. Amendments shall enter into force, but solely with respect to the States Parties that have ratified, accepted, approved or acceded to them, three months after the deposit of the instruments referred to in paragraph 3 of this Article by two-thirds of the States Parties. Thereafter, for each State Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that State Party of its instrument of ratification, acceptance, approval or accession.

5. The procedure set out in paragraphs 3 and 4 shall not apply to amendments to Article 5 concerning the number of States Members of the Committee. These amendments shall enter into force at the time they are adopted.

6. A State which becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered:

(a) as a Party to this Convention as so amended; and

(b) as a Party to the unamended Convention in relation to any State Party not bound by the amendments.

Article 39 – Authoritative texts

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

Article 40 – Registration

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

DONE at Paris, this third day of November 2003,in two authentic copies bearing the signature of the President of the 32nd session of the General Conference and of the Director-General of UNESCO. These two copies shall be deposited in the archives of UNESCO. Certified true copies shall be delivered to all the States referred to in Articles 32 and 33, as well as to the United Nations.

Depositary :

UNESCO

Entry into force :

20 April 2006, according to its Article 34.

Authoritative texts :

Arabic, Chinese, English, French, Russian and Spanish

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Argentina
"Declaration: The Argentine Republic, in accordance with Article 26, paragraph 2 of the Convention, shall not be bound by the provisions of paragraph 1 of this Article.
Reservation: The Argentine Republic considers that Article 33, paragraph 2 and the correlative Article 2, paragraph 5 of the Convention are not applicable in respect of the territories that are the subject of a sovereignty dispute between two States Parties to the Convention that is recognized by the General Assembly of the United Nations." [original: Spanish]

Colombia
"Statement:
Amendments to Article 5 and other amendments that have entered into force at such time as Colombia becomes a Party to the Convention, as referred to in Article 38, paragraphs 5 and 6, will only enter into force for Colombia once the internal procedure has been completed for the approval and revision of these amendments prior to ratification as provided for under Article 150, paragraph 16, and Article 241, paragraph 10, of the Political Constitution of Colombia." [original:Spanish]

Denmark
The instrument contains the following declaration : "Until further notice, the Convention shall not apply to the Faroe Islands and Greenland." [Original:

English]

Indonesia
"The Government of the Republic of Indonesia, by virtue of Article 26 paragraph (2) of this present Convention, declares that it shall not be bound by the provision of Article 26 paragraph (1)" [Original: English]

Saudi Arabia
"I announce under this document on the accession of Saudi Arabia and the acceptance of the International Convention of the Safeguarding of the Intangible Cultural Heritage and its commitment to implement its items without any association of the provisions of paragraph (1) of Article (26) of this convention" [Original: arabe, avec traduction officielle en anglais communiquée par l'Arabie saoudite]

Seychelles
"The Republic of Seychelles, by virtue of this present Instrument, ratifies the United Nations Educational, Scientific and Cultural Organisation Convention for the Safeguarding of the Intangible Cultural Heritage reserving the right not to be bound by Article 26 paragraph 1."

Syrian Arab Republic
"The fact that the Syrian Arab Republic is joining the Convention does not, in any way, mean recognizing Israel, and does not lead to entering with it any kind of dealings under the provisions of this Convention" [original: Arabic, with official translation in English provided by the Syrian Arab Republic].

Territorial Application :

Notification by	Date of receipt of notification	Extension to
China	6 January 2005	Hong Kong

Monitoring :

- General Assembly of States Parties (Rules of Procedure)

- 3rd ordinary session (Paris, 22 - 24 June 2010)
  - Resolutions
  - Documents
- 2nd ordinary session (Paris, 16 - 19 June 2008)
  - Resolutions
  - Documents
- 1st extraordinary session (Paris, 9 November 2006)
  - Resolutions
  - Documents
- 1st ordinary session (Paris, 27 – 29 June 2006)
  - Resolutions
  - Documents

- Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (Rules of Procedure)

- 5th ordinary session (Nairobi, Kenya, 15 – 19 November 2010)
  - Documents
- 4th ordinary session (Abu Dhabi, United Arab Emirates, 28 September – 2 October 2009)
  - Decisions
  - Documents
  - 3rd ordinary session (Istanbul, Turkey, 4 – 8 November 2008)
    - Decisions
    - Documents
  - 3rd extraordinary session (Paris, 16 – 19 June 2008)
    - Decisions
    - Documents
  - 2nd extraordinary session (Sofia, Bulgaria, 18 – 22 February 2008)
    - Decisions
    - Documents
  - 2nd ordinary session (Tokyo, Japan, 3 – 7 September 2007)
    - Decisions
    - Documents
- 1st extraordinary session (Chengdu, China, 23 – 27 May 2007)
  - Decisions
  - Documents
- 1st ordinary session (Algiers, Algeria, 18 – 19 November 2006)
  - Decisions
  - Documents

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United Nations
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הוועד הישראלי לאונסקו
ISRAEL NATIONAL
COMMISSION FOR UNESCO
اللجنة الإسرائيلية لليونيسكو

האמנה לשימור המורשת התרבותית הלא-מוחשית*

* תורגם ע"י הוועד הישראלי לאונסקו (9/2006)

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United Nations
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האמנה לשימור המורשת התרבותית הלא-מוחשית*

הוועידה הכללית ה-32 של אונסקו:

בהתייחסה לאמצעים המשפטיים הבינלאומיים הקיימים בנושא זכויות האדם, במיוחד ל"הצהרה האוניברסלית על זכויות האדם "(1948), ל"אמנה הבינלאומית על הזכויות הכלכליות, החברתיות והתרבותיות" (1966) ול"אמנה הבינלאומית בנושא זכויות אזרחיות ופוליטיות" (1966),

בהביאה בחשבון את חשיבותה של המורשת התרבותית הלא-מוחשית כמניע עיקרי לשונות תרבותית וכערובה להתפתחות בת-קיימא, כמצוין בהמלצת אונסקו "השמירה על תרבות ופולקלור מסורתיים" (1989), בהצהרה של אונסקו "שונות תרבותית" (2001) ובהצהרת איסטנבול (2002) שאומצה על-ידי "השולחן העגול השלישי" של שרי התרבות,

בהביאה בחשבון את התלות ההדדית המושרשת היטב בין המורשת התרבותית הלא-מוחשית לבין המורשת התרבותית והטבעית המוחשית,

בהכירה שתהליכי הגלובליזציה והשינוי החברתי, לצד התנאים שהם יוצרים לחידוש הדיאלוג בין קהילות, גם מאפשרים, כמו התופעה של חוסר הסובלנות, את קיומם של איומים חמורים להידרדרות, הכחדה והרס של המורשת התרבותית הלא-מוחשית, ובמיוחד לנוכח המחסור במשאבים להגנה על מורשת שכזו,

במודעות לרצון האוניברסלי ולדאגה המשותפת לשמירה על המורשת התרבותית הלא-מוחשית של האנושות,

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* אומצה ואושרה ע"י הוועידה הכללית ה-32 של אונסקו, 17 באוקטובר 2003

בהכירה שלקהילות, במיוחד לקבוצות ילידיות, ובמקרים מסוימים גם ליחידים, נכון תפקיד חשוב ביצירתה של המורשת התרבותית כמו גם בשמירה עליה, בתחזוקתה ובשחזורה, ובכך לסייע להעשיר את השונות תרבותית ואת היצירתיות האנושית,

בציינה את ההשפעה ארוכת-הטווח של פעילויות אונסקו לכינון כלים נורמטיביים להגנה על המורשת התרבותית, במיוחד האמנה להגנה על המורשת התרבותית והטבעית העולמית משנת 1972,

בציינה בנוסף שלא קיים לפי שעה שום אמצעי משפטי מולטילטראלי מחייב לשמירה על המורשת התרבותית הלא-מוחשית,

בהתייחסה שיש לשפר אמנות, המלצות והחלטות בינלאומיים קיימים בנושא המורשת התרבותית והטבעית ולהשלימם בצורה יעילה על-ידי התייחסות לתנאים חדשים רלוונטיים למורשת התרבותית הלא-מוחשית,

בהתייחסה לצורך להגביר את המודעות, במיוחד בקרב הדורות הצעירים, לחשיבותה של המורשת התרבותית הלא-מוחשית ולשמירה עליה,

בהביאה בחשבון שעל הקהילה הבינלאומית לתרום, יחד עם המדינות החברות לאמנה זו, לשמירה על מורשת זו ברוח של שיתוף פעולה ושל עזרה הדדית,

בהקשר של תוכניות אונסקו המתייחסות למורשת התרבותית הלא-מוחשית, ובמיוחד בהקשר של "ההכרזה על יצירות המופת של המורשת שבעל-פה והמורשת הלא-מוחשית של האנושות",

בהתייחסה לתפקיד רב-הערך של המורשת התרבותית הלא-מוחשית כגורם המלכד בני אדם ומבטיח קשרים והבנה ביניהם,

מאמצת אמנה זו

I. תנאים כלליים

סעיף 1 – מטרות האמנה

מטרות האמנה הן:

א. לשמור על המורשת התרבותית הלא-מוחשית.

ב. להבטיח יחס של כבוד כלפי המורשת התרבותית הלא-מוחשית של קהילות, קבוצות ויחידים הנוגעים בדבר.

ג. להגביר את המודעות במישור המקומי, הלאומי והבינלאומי לחשיבותה של המורשת התרבותית הלא-מוחשית ולהבטיח הערכה הדדית כלפיה.

ד. לאפשר שיתוף פעולה וסיוע בינלאומיים.

סעיף 2 – הגדרות

לצורך אמנה זו,

א. המשמעות של "המורשת התרבותית הלא-מוחשית" היא המנהגים, המצגות, הביטויים, הידע, הכישורים – כמו גם הכלים, העצמים, החפצים והמרחבים התרבותיים הכרוכים בהם – שקהילות, קבוצות ובמקרים מסוימים גם יחידים מתייחסים אליהם כאל חלק ממורשתם התרבותית. מורשת תרבותית לא-מוחשית זו, המועברת מדור לדור, משוחזרת בלא הרף על-ידי קהילות וקבוצות במענה לסביבתן, לקשרי הגומלין שלהן עם הטבע

וההיסטוריה, ומעניקה להן תחושת זהות והמשכיות ובכך מקדמת את יחס הכבוד כלפי שונות תרבותית ויצירתיות.

לצורך אמנה זו ההתייחסות למורשת תרבותית לא-מוחשית תהיה אך ורק אם היא עולה בקנה אחד עם האמצעים המשפטיים הבינלאומיים של זכויות האדם, כמו גם עם הדרישות בדבר כבוד הדדי בקרב קהילות, קבוצות ויחידים ועם פיתוח בר-קיימא.

ב. "המורשת התרבותית הלא-מוחשית", כפי שהוגדרה בפסקה א' לעיל, מתבטאת בין השאר בתחומים הבאים:

i. מסורות ומבעים שבעל-פה, ובכלל זה השפה ככלי של המורשת התרבותית הלא-מוחשית.

ii. אמנויות הבמה.

iii. מנהגים חברתיים, טקסים ואירועים חגיגיים.

iv. ידע ומנהגים הנוגעים לטבע וליקום.

v. אומנות מסורתית.

ג. "שמירה" פירושה נקיטת אמצעים שמטרתם להבטיח את קיומה של המורשת התרבותית הלא-מוחשית, ובכלל זה זיהוי, תיעוד, מחקר, שימור, הגנה, עידוד, קידום, הטמעה ותצוגה, במיוחד באמצעות חינוך פורמאלי ובלתי פורמאלי, כמו גם החייאה של היבטים מסוימים של מורשת שכזו.

ד. "מדינות חברות" פירושו מדינות המחויבות על-פי אמנה זו אם אושררה על-ידן.

ה. האמנה מתייחסת, עם השינויים המחייבים, לטריטוריות הנזכרות בסעיף 33, המצטרפות לאמנה בהתאם לתנאים שנקבעו בפסקה זו. באשר לכך, הביטוי "מדינות חברות" מתייחס גם לטריטוריות שכאלה.

סעיף 3 – הקשר לאמצעים משפטיים בינלאומיים אחרים

אין לפרש דבר באמנה זו כ-

א. שינוי במעמד או הפחתה של רמת ההגנה על-פי אמנת 1972 המתייחסת להגנה על המורשת התרבותית והטבעית העולמית של נכסי המורשת העולמית, שפריט כלשהו מהמורשת התרבותית הלא-מוחשית קשור אליו ישירות, או

ב. השפעה על הזכויות והחובות של המדינות החברות הנובעות מאמצעי משפטי בינלאומי כלשהו שהן חברות בו ושמתייחס לזכויות הקניין הרוחני או לשימוש במשאבים ביולוגיים ואקולוגיים.

II. הגופים באמנה

סעיף 4 – אסיפה כללית של המדינות החברות

א. נוסדה בזאת אסיפה כללית של המדינות החברות, להלן "האסיפה הכללית". האסיפה הכללית היא הגוף העליון של האמנה.

ב. האסיפה הכללית תתכנס למושב מן המניין אחת לשנתיים. היא עשויה להתכנס למושב שלא מן המניין על-פי החלטתה או לבקשה של הוועדה הבין-ממשלתית לשמירה על המורשת התרבותית הלא-מוחשית או של לפחות שליש מהמדינות החברות.

ג. האסיפה הכללית תאמץ נהלים משלה.

סעיף 5 – ועדה בין-ממשלתית לשמירה על המורשת התרבותית הלא-מוחשית

א. נוסדת בזאת ועדה בין-ממשלתית לשמירה על המורשת התרבותית הלא-מוחשית, להלן "הוועדה", במסגרת של אונסקו. היא תורכב מנציגים של 18 מדינות חברות, שייבחרו על-ידי המדינות החברות באספה הכללית ברגע שאמנה זו תיכנס לתוקפה על-פי סעיף 34.

ב. מספר המדינות החברות בוועדה יוגדל ל-24 ברגע שמספר המדינות המצטרפות לאמנה יגיע ל-50.

סעיף 6 – בחירות ותקופות כהונה של מדינות חברות בוועדה

א. בחירת המדינות החברות בוועדה תהיה בהתאם לעקרונות הייצוג הגיאוגרפי השוויוני והרוטאציה.

ב. מדינות ייבחרו לכהונה של ארבע שנים לוועדה על-ידי המדינות החברות באמנה בכינוס של האסיפה הכללית.

ג. ואולם, תקופת הכהונה של מחצית מהמדינות שנבחרו בבחירות הראשונות מוגבלת לשנתיים. מדינות אלו ייבחרו באמצעות הגרלה בבחירות הראשונות.

ד. אחת לשנתיים תחליף האסיפה הכללית מחצית מהמדינות החברות בוועדה.

ה. האסיפה הכללית גם תבחר לוועדה מדינות חברות רבות ככל שניתן כפי שיהיה דרוש להשלמת החסר.

ו. מדינה לא תכהן שתי תקופות כהונה רצופות כחברה בוועדה.

ז. המדינות החברות בוועדה יבחרו נציגים בעלי כישורים בתחומים השונים של המורשת התרבותית הלא-מוחשית.

סעיף 7 – תפקידיה של הוועדה

בלי לפגוע בזכויות אחרות שיוגדרו לוועדה על-ידי האסיפה הכללית, בין השאר תפקידיה של הוועדה יהיו :

א. לקדם את יעדיה של האמנה ולעודד לעקוב אחר יישומה.

ב. לספק הנחיה באשר ליישומים הנכונים ולהגיש המלצות באשר לצעדים לשמירה על המורשת התרבותית הלא-מוחשית.

ג. להכין ולהגיש, בהתאם לסעיף 25, לאישורה של האסיפה הכללית טיוטת תוכנית לשימוש במשאבי הקרן.

ד. לחפש, בהתאם לסעיף 25, אמצעים להגדלת משאביה ולנקוט בצעדים הנדרשים לשם כך.

ה. להכין ולהגיש לאישורה של האסיפה הכללית הנחיות אופרטיביות ליישומה של אמנה זו.

ו. לבחון, בהתאם לסעיף 29, את הדוחות שיוגשו על-ידי המדינות החברות ולסכמם בעבור האסיפה הכללית.

ז. לבחון בקשות שיוגשו על-ידי מדינות חברות ולהחליט בהתאם לקריטריונים האובייקטיביים לבחירה שתקבע הוועדה ושתאשר האסיפה הכללית בעניין:

i. רישום, על-פי סעיפים 16, 17 ו-18, של הרשימות וההצעות.

ii. הענקת סיוע בינלאומי בהתאם לסעיף 22.

סעיף 8 – שיטות העבודה של הוועדה

א. הוועדה כפופה לאספה הכללית ותדווח לה על כל פעולותיה והחלטותיה.

ב. הוועדה תאמץ נהלים משלה ברוב של שני שלישים מחבריה.

ג. הוועדה רשאית להקים, על בסיס זמני, גופי ייעוץ אד-הוק כלשהם הנחוצים לדעתה למילוי משימתה.

ד. הוועדה רשאית להזמין לישיבותיה גופים פרטיים או ציבוריים כלשהם, כמו גם אנשים פרטיים, בעלי יכולת מוכחת בתחומים השונים של המורשת התרבותית הלא-מוחשית כדי להיוועץ בהם בעניינים ספציפיים.

סעיף 9 – הכרה בארגונים מייעצים

א. הוועדה תציע לאספה הכללית להכיר בארגונים לא-ממשלתיים בעלי יכולת מוכחת בתחום של המורשת התרבותית הלא-מוחשית כדי לשמש בתפקיד ייעוצי לוועדה.

ב. הוועדה גם תציע לאספה הכללית קריטריונים ונהלים להכרה שכזו.

סעיף 10 – המזכירות

א. הוועדה תיעזר במזכירות של אונסקו.

ב. המזכירות תכין את המסמכים של האסיפה הכללית ושל הוועדה, כמו גם את טיוטת סדר היום של ישיבותיהן, ותוודא שההחלטות שלהן ייושמו.

III. שמירה על המורשת התרבותית הלא-מוחשית ברמה הלאומית

סעיף 11 – תפקידן של המדינות החברות

כל מדינה חברה:

א. תנקוט בצעדים הדרושים לוודא שתישמר המורשת התרבותית הלא-מוחשית בתחומה.

ב. תזהה ותגדיר מבין הצעדים לשמירה שכזו, המצוינים בסעיף 2 פסקה ג, את המרכיבים השונים של המורשת התרבותית הלא-מוחשית הקיימת בתחומה, תוך שיתופם של קהילות, קבוצות וארגונים לא-ממשלתיים רלבנטיים.

סעיף 12 – רשימות מצאי

1. כדי להבטיח זיהוי לצורך שמירה, תכין כל מדינה חברה, באופן המתאים למצבה, רשימת מצאי אחת או יותר של המורשת התרבותית הלא-מוחשית הקיימת בתחומה. רשימות מצאי אלה יעודכנו באופן סדיר.

2. במועד הקבוע שבו תגיש כל מדינה חברה את הדו"ח שלה לוועדה, בהתאם לסעיף 29, היא תספק גם מידע רלבנטי אודות רשימות מצאי שכאלה.

סעיף 13 – אמצעים אחרים לשמירה

כדי להבטיח את השמירה, הפיתוח והקידום של המורשת התרבותית הלא-מוחשית הקיימת בתחומה, תשאף כל מדינה חברה:

א. לאמץ מדיניות שתקדם את תפקודה של המורשת התרבותית הלא-מוחשית בחברה ותשלב את השמירה על מורשת זו בתוכניותיה.

ב. תייעד או תקים מסגרת ארגונית מקומית לשמירה על המורשת התרבותית הלא-מוחשית הקיימת בתחומה.

ג. תטפח מחקרים מדעיים, טכניים ואמנותיים, כמו גם שיטות מחקר, לצורך שמירה יעילה של המורשת התרבותית הלא-מוחשית בכלל ושל המורשת התרבותית הלא-מוחשית הנמצאת בסיכון בפרט.

ד. תאמץ אמצעים משפטיים, טכניים, אדמיניסטרטיביים וכספיים הולמים במטרה:

i. לקדם את הקמתם של מוסדות להכשרה בניהול המורשת התרבותית הלא-מוחשית או לחזק מוסדות קיימים, ולהקנות מורשת זו באמצעות פורומים ומרחבים שנועדו להציגה או לבטא אותה.

ii. להבטיח את הגישה למורשת התרבותית הלא-מוחשית תוך מתן כבוד למנהגים הקיימים המכוונים את הגישה להיבטים ספציפיים של מורשת כזו.

iii. להקים מוסדות לתיעוד בעבור המורשת התרבותית הלא-מוחשית והנגשתם של אלה לציבור.

סעיף 14 – חינוך, הגברת המודעות והכשרה

כל מדינה חברה תשאף, בכל האמצעים המתאימים:

א) להבטיח הכרה במורשת התרבותית הלא-מוחשית, לכבד אותה ולקדמה בחברה, במיוחד באמצעות:

i. תוכניות חינוכיות, המגבירות את המודעות ואת הידע, המכוונות לציבור הכללי ובמיוחד לצעירים.

ii. תוכניות מיוחדות לחינוך ולהכשרה בקרב הקהילות והקבוצות המעורבות.

iii. פעילויות לבניית מיומנויות לשמירה על המורשת התרבותית הלא-מוחשית, במיוחד ניהול ומחקר מדעי.

iv. אמצעים בלתי פורמאליים להקניית ידע.

ב) ליידע את הציבור באופן קבוע בדבר הסכנות המאיימות על מורשת כזו ובדבר הפעילויות המבוצעות בהתאם לאמנה.

ג) לקדם את החינוך להגנה על המרחבים הטבעיים ועל המקומות הראויים לציון, שקיומם נחוץ לצורך ביטוייה של המורשת התרבותית הלא-מוחשית.

סעיף 15 – השתתפות של קהילות, קבוצות ויחידים

במסגרת הפעולות לשמירת המורשת התרבותית הלא-מוחשית תשאף כל מדינה חברה להבטיח השתתפות רחבה ככל שניתן של קהילות, קבוצות ובמידת האפשר של יחידים שיוצרים, משמרים ומנחילים מורשת שכזו, ולערב את כל אלה בניהולה הפעיל.

IV. שמירה על המורשת התרבותית הלא-מוחשית במישור הבינלאומי

סעיף 16 – רשימה מייצגת של המורשת התרבותית הלא-מוחשית של האנושות

א. כדי להבטיח נראות טובה יותר של המורשת התרבותית הלא-מוחשית ומודעות כלפי משמעותה וכדי לעודד דיאלוג המכבד שונות תרבותית, תכונן הוועדה, על-פי הצעת המדינות החברות, רשימה מייצגת של המורשת התרבותית הלא-מוחשית של האנושות, תעדכן ותפרסם רשימה זו.

ב. הוועדה תכין ותגיש לאישורה של האסיפה הכללית את הקריטריונים להכנתה, לעדכונה ולפרסומה של רשימה מייצגת זו.

סעיף 17 – רשימה של המורשת התרבותית הלא-מוחשית הזקוקה להגנה מיידית

א. לצורך נקיטת צעדי הגנה הולמים, תכין הוועדה, תעדכן ותפרסם רשימה של המורשת התרבותית הלא-מוחשית הזקוקה להגנה מיידית ותצרף כל מורשת כזו לרשימה לבקשת המדינה החברה הנוגעת בדבר.

ב. הוועדה תכין ותגיש לאישורה של האסיפה הכללית את הקריטריונים להכנתה, לעדכונה ולפרסומה של רשימה זו.

ג. במקרי חירום קיצוניים – שהקריטריונים האובייקטיביים שלהם יאושרו ע"י האסיפה הכללית לפי הצעת הוועדה – הוועדה עשויה לצרף לרשימה הנזכרת בפסקה א' פריט מהמורשת הנוגעת בדבר, תוך היוועצות במדינה הנוגעת בדבר.

סעיף 18 – תוכניות, פרויקטים ופעילויות לשמירה על המורשת התרבותית הלא-מוחשית

א. על בסיס ההצעות שיוגשו ע"י המדינות ובהתאם לקריטריונים שיוגדרו ע"י הוועדה ויאושרו ע"י האסיפה הכללית, תבחר הוועדה ותקדם מפעם לפעם תוכניות לאומיות, תת-אזוריות ואזוריות, פרויקטים ופעולות לשמירה על המורשת, המשקפות לדעתה בצורה הטובה ביותר את העקרונות והיעדים של אמנה זו, תוך התחשבות בצרכיהן המיוחדים של מדינות מתפתחות.

ב. למטרה זו הוועדה תבחן ותאשר בקשות לסיוע בינלאומי ממדינות חברות על מנת להכין הצעות שכאלה.

ג. הוועדה תלווה את יישומם של פרויקטים, תוכניות ושימושים נכונים, באמצעים שייקבעו על-ידיה.

V. שיתוף פעולה וסיוע בינלאומיים

סעיף 19 – שיתוף פעולה

א. למטרותיה של אמנה, שיתוף הפעולה הבינלאומי כולל, בין השאר, חילופי מידע וניסיון, יוזמות משותפות והקמת מנגנון לסיוע למדינות החברות במאמציהן לשמור על המורשת התרבותית הלא-מוחשית.

ב. בלי לפגוע בתנאים של תחיקה לאומית ובנהלים הנהוגים אצלן, המדינות החברות מכירות בכך שהשמירה על המורשת התרבותית הלא-מוחשית היא אינטרס כללי של האנושות והן מקבלות על עצמן לשתף פעולה למטרה זו במישור הבילטראלי, התת-אזורי, האזורי והבינלאומי.

סעיף 20 – מטרות הסיוע הבינלאומי

הענקת סיוע בינלאומי נועדה למטרות הבאות:

א. שמירה על המורשת שצוינה ברשימה של המורשת התרבותית הלא-מוחשית הזקוקה להגנה מיידית.

ב. הכנת רשימות מלאי, בהתאם לסעיפים 11 ו-12.

ג. תמיכה בתוכניות, פרויקטים ופעולות המבוצעים במישור הלאומי, התת-אזורי והאזורי ושמטרתם לשמור על המורשת התרבותית הלא-מוחשית.

ד. לכל מטרה אחרת שתמצא הוועדה לנכון.

סעיף 21 – אופני הסיוע הבינלאומי

הסיוע שתעניק הוועדה למדינה החברה ייקבע ע"י ההנחיות האופרטיביות בסעיף 7 ועל-פי ההסכם שצוין בסעיף 24, והוא עשוי לבוא לידי ביטוי באופנים הבאים:

א. מחקרים בהיבטים שונים של שמירה.

ב. הקצאת מומחים ואנשי ביצוע.

ג. הכשרה של כוח אדם נחוץ.

ד. פיתוח של מערכת סטנדרטים ואמצעים אחרים.

ה. יצירת תשתיות והפעלתן.

ו. אספקת ציוד וידע.

ז. צורות אחרות של סיוע כספי וטכני, ובכלל זה, במקום המתאים, הענקת הלוואות בריבית נמוכה ומענקים.

סעיף 22 – תנאים הקובעים את הסיוע הבינלאומי

א. הוועדה תכונן הליך לבחינת בקשות לסיוע בינלאומי ותציין במפורש איזה מידע תכלול בקשה כגון הצעדים הצפויים וההתערבות הדרושה, לצד הערכה של עלותם.

ב. במקרי חירום תבחן הוועדה בקשות סיוע בעדיפות גבוהה.

ג. על מנת להגיע להחלטה, תבצע הוועדה מחקרים והתייעצויות כפי שתמצא לנכון.

סעיף 23 – בקשות לסיוע בינלאומי

א. כל מדינה חברה רשאית להגיש לוועדה בקשה לסיוע בינלאומי לשמירה על המורשת התרבותית הלא-מוחשית הקיימת בתחומה.

ב. ניתן להגיש בקשה כזו גם במשותף ע"י שתי מדינות-שותפות או יותר.

ג. הבקשה תכלול את המידע שצוין בתנאים בסעיף 22 פסקה א' בצירוף המסמכים הדרושים.

סעיף 24 – תפקידן של מדינות חברות מוטבות

א. בהתאם לתנאיה של אמנה, יוסדר הסיוע הבינלאומי הניתן באמצעות הסכם בין המדינה המוטבת לבין הוועדה.

ב. ככלל, תשתתף המדינה המוטבת, במגבלות המשאבים שלה, בהוצאות של אמצעי השמירה שבגינם מוענק לה סיוע בינלאומי.

ג. המדינה המוטבת תגיש לוועדה דו"ח על השימוש שנעשה בסיוע שניתן לה לשמירה על המורשת התרבותית הלא-מוחשית.

IV. קרן מורשת תרבות לא-מוחשית

סעיף 25 – אופייה של הקרן ומשאביה

א. מוקמת בזאת "קרן לשמירה על המורשת התרבותית הלא-מוחשית", להלן "הקרן".

ב. הקרן תכלול תרומות מיועדות, בהתאם לתקנות הפינאנסיות של אונסקו.

ג. משאבי הקרן יכללו:

i) תשלומים של המדינות החברות.

ii) קרנות שיועדו למטרה זו ע"י הוועידה הכללית של אונסקו.

iii) תשלומים, מתנות או עזבונות שניתנו ע"י:

א) מדינות אחרות

ב) אירגונים ותוכניות של המערכת של האו"ם, במיוחד תוכנית הפיתוח של האו"ם, כמו גם של ארגונים בינלאומיים אחרים.

ג) גופים ציבוריים או פרטיים או יחידים.

iv) ריבית שתתקבל על משאבי הקרן.

v) קרנות שגויסו במגביות ותקבולים מאירועים שאורגנו למען הקרן.

vi) כל משאב אחר המאושר לפי תקנות הקרן, כפי שיותוו ע"י הוועדה.

ד. השימוש במשאבים ייקבע על-ידי הוועדה על בסיס הקווים המנחים שהותוו על-ידי האסיפה הכללית.

ה. הוועדה עשויה לקבל תשלומים וסיוע בצורות אחרות למטרות כלליות וספציפיות המתייחסות לפרויקטים ספציפיים, בתנאי שפרויקטים אלה אושרו על-ידה.

ו. לא יוצבו תנאים פוליטיים, כלכליים או אחרים שאינן עולים בקנה אחד עם יעדיה של אמנה זו בהקשר לתשלומים המתבצעים לקרן.

סעיף 26 – תשלומים של המדינות החברות לקרן

א. בלי לפגוע בתרומות על בסיס התנדבותי, המדינות החברות לאמנה לוקחות על עצמן להעניק לקרן, לפחות אחת לשנתיים, תשלום בשיעור של אחוז מסוים אחיד שייקבע לגבי כל המדינות, כפי שתקבע האסיפה הכללית. החלטה זו של האסיפה הכללית תתקבל ע״י רוב של המדינות החברות הנוכחות והמצביעות שלא הגישו את ההצהרה הנזכרת בפסקה ב׳ בסעיף זה. בשום מקרה לא יעלה התשלום של מדינה על 1% מהתשלום שלה לתקציב הרגיל של אונסקו.

ב. למרות זאת, כל מדינה שנזכרת בסעיף 32 או בסעיף 33 לאמנה זו רשאית להכריז בעת הפקדת מסמכי האשרור, הקבלה, האישור או ההצטרפות שלה שהיא איננה מחויבת לתנאים של פסקה א׳ בסעיף זה.

ג. מדינה השותפה לאמנה זו שהגישה את ההצהרה הנזכרת בפסקה ב׳ לסעיף זה תשאף למשוך חזרה את ההצהרה האמורה באמצעות מתן הודעה למנהל הכללי של אונסקו. אולם משיכת ההצהרה לא תיכנס לתוקף ביחס לתשלום של אותה מדינה לפני מועד הפתיחה של הכינוס הבא של האסיפה הכללית.

ד. כדי לאפשר לוועדה לתכנן את פעולותיה ביעילות, ישולמו התשלומים של המדינות לאמנה, שהגישו את ההצהרה הנזכרת בפסקה ב' לסעיף זה, על בסיס קבוע, לפחות אחת לשנתיים, ועליהם להיות קרובים ככל שניתן לתשלומים שהיו חייבות לו היו מחויבות לתנאים שבפסקה א' בסעיף זה.

ה. כל מדינה החברה באמנה ומפגרת בתשלומי החובה או בתשלומים ההתנדבותיים לשנה הנוכחית ולשנה הקלנדארית הקודמת לא תהיה זכאית לשמש כחברה בוועדה. תנאי זה אינו מתייחס לבחירות הראשונות. תקופת הכהונה של כל מדינה כזו, שהיא כבר חברה בוועדה, תסתיים בזמן הבחירות, כפי שנקבעו בסעיף 6 לאמנה זו.

סעיף 27 – תרומות לקרן על בסיס התנדבותי

מדינות המעוניינות לתרום על בסיס התנדבותי, בנוסף לאלה המצוינים בסעיף 26, יודיעו על כך לוועדה בהקדם האפשרי כדי לאפשר לה לתכנן את פעולותיה בהתאם.

סעיף 28 – גיוס כספים

ככל שניתן, יושיטו המדינות החברות עזרה לקמפיינים בינלאומיים לגיוס כספים שיאורגנו לטובת הקרן בחסות אונסקו.

VII. דוחות

סעיף 29 – דוחות מדינות

המדינות החברות יגישו לוועדה, בהתאם לתבנית ולמועדים שתקבע הוועדה, דוחות אודות האמצעים התחיקתיים, השלטוניים והאחרים שננקטו ליישום אמנה זו.

סעיף 30 – דוחות הוועדה

א. על בסיס הפעילויות של הוועדה והדוחות של המדינות-השותפות שצוינו בסעיף 29, תגיש הוועדה לאספה הכללית דו"ח בכל אחת מישיבותיה.

ב. הדו"חות יוגשו לוועידה הכללית של אונסקו.

VIII. פרק מעבר

סעיף 31 – הקשר להכרזה על "יצירות המופת של המורשת שבעל-פה והמורשת הלא-מוחשית של האנושות"

א. הוועדה תשלב ברשימה המייצגת של המורשת התרבותית הלא-מוחשית את הפריטים שהוכרזו כ"יצירות מופת של המורשת שבעל-פה והמורשת הלא-מוחשית של האנושות" לפני כניסתה לתוקף של אמנה זו.

ב. שילובם של פריטים אלה ברשימה המייצגת של המורשת התרבותית הלא-מוחשית לא יפגע בשום דרך בקריטריונים לרישום עתידי שייקבעו בהתאם לסעיף 16 פסקה ב'.

ג. לא תוכן הכרזה נוספת לאחר כניסתה לתוקף של אמנה זו.

IX. פרק סיום

סעיף 32 - אשרור, קבלה ואישור

א. האמנה תהיה כפופה לאשרור, לקבלה ולאישור של המדינות החברות באונסקו בהתאם להליכים התחיקתיים המתאימים שלהן.

ב. מסמכי האשרור, הקבלה או האישור יופקדו בידי המנהל הכללי של אונסקו.

סעיף 33 – הצטרפות

א. אמנה תהיה פתוחה להצטרפות של כל המדינות שאינן חברות באונסקו שיוזמנו ע"י האסיפה הכללית להצטרף אליה.

ב. אמנה גם תהיה פתוחה להצטרפות של טריטוריות שנהנות משלטון עצמי פנימי מלא המוכר ככזה ע"י האו"ם אך טרם השיגו עצמאות מלאה בהתאם להחלטת העצרת הכללית 1514 (XV) ושהינם בעלי כשירות בעניינים האמורים באמנה, ובכלל זה הכשירות להצטרף לאמנות בעניינים שכאלה.

ג. מסמכי ההצטרפות יופקדו בידי המנהל הכללי של אונסקו.

סעיף 34 – כניסה לתוקף

אמנה תיכנס לתוקף שלושה חודשים לאחר התאריך שבו תפקיד המדינה השלושים במספר אשרור, קבלה, אישור או הצטרפות, אך רק לגבי אותן מדינות שהפקידו את המסמכים המתאימים של אשרור, הסכמה, אישור או הצטרפות עד לתאריך זה. האמנה תיכנס לתוקף לגבי כל מדינה-שותפה אחרת שלושה חודשים אחרי הפקדת מסמך האשרור, הקבלה, האישור או ההצטרפות שלה.

סעיף 35 – מערכות תחיקה פדראליות או בלתי אחידות

התנאים הבאים יחולו על מדינות-שותפות בעלות מערכת תחיקתית פדראלית או בלתי אחידה:

א. בנוגע לתנאים של האמנה, שיישומם נתון לסמכותו החוקית של השלטון המחוקק הפדראלי או המרכזי, יהיו מחויבויותיו של השלטון הפדראלי או המרכזי זהות לאלה של מדינות שאינן פדראליות.

ב. בנוגע לתנאים של אמנה שיישומם נתון לסמכותן של מדינות חברות באיחוד, של ארצות, של מחוזות או קנטונים, שהמערכת התחיקתית של הפדראציה אינה מחייבת אותם לנקוט בצעדי חקיקה, ידווח השלטון הפדראלי לשלטונות המוסמכים במדינות, ארצות, מחוזות או קנטונים שכאלה אודות התנאים האמורים וימליץ לאמצם.

סעיף 36 – סיום

1. כל מדינה רשאית לסיים את השתתפותה באמנה זו.
2. הודעה בדבר הסיום תימסר בכתב ותופקד בידי המנהל הכללי של אונסקו.
3. הסיום ייכנס לתוקף 12 חודשים מיום קבלת הודעת הסיום. ההודעה לא תשפיע בשום צורה על המחויבויות הכספיות של המדינה המסיימת עד לתאריך שבו ייכנס הסיום לתוקף.

סעיף 37 – תפקידים מופקדים

המנהל הכללי של אונסקו, כמי שאמנה זו מופקדת בידיו, יודיע למדינות החברות בארגון, למדינות שאינן חברות בארגון הנזכרות בסעיף 33, כמו גם לאו״ם, אודות הפקדת כל מסמכי האשרור, ההסכמה, האישור או ההצטרפות כמצוין בסעיפים 32 ו-33 ואודות הודעות הסיום כמצוין בסעיף 36.

סעיף 38 – תיקונים

א. מדינה רשאית לפנות בכתב למנהל הכללי ולהציע תיקונים לאמנה זו. המנהל הכללי יפיץ תכתובת שכזו לכל המדינות החברות. אם בתוך ששה חודשים מיום ההפצה של התכתובת לא ישיבו לפחות מחצית מהמדינות החברות בחיוב על הבקשה, יציג המנהל הכללי את ההצעה בפני האסיפה הכללית לדיון ולאפשרות של אימוץ ההצעה.

ב. תיקונים יאומצו ברוב של שני-שלישים מהמדינות החברות הנוכחות ומצביעות.

ג. משאומצו התיקונים לאמנה, הם יוגשו למדינות לאישור, לקבלה, לאישור או להצטרפות.

ד. התיקונים ייכנסו לתוקף, אולם אך ורק אצל אותן מדינות-שותפות שאשררו, קיבלו, אישרו או הצטרפו אליהם, שלושה חודשים מיום הפקדת המסמכים המצוינים בפסקה ג׳ לסעיף זה על-ידי שני-שלישים מהמדינות החברות. לאחר מכן, ייכנס התיקון האמור לתוקף אצל כל מדינה-שותפה שאשררה, קיבלה, אישרה או הצטרפה לתיקון, שלושה חודשים מיום הפקדת מסמך האשרור, הקבלה, האישור או ההצטרפות של אותה מדינה.

ה. ההליך שנקבע בפסקאות ג׳ ו-ד׳ לא יתייחס לתיקונים לסעיף 5 הנוגעים למספרן של המדינות החברות בוועדה. תיקונים אלה ייכנסו לתוקף בעת אימוצם.

ו. מדינה, שתהפוך חברה לאמנה לאחר כניסתם לתוקף של תיקונים אלה, בהתאם לפסקה ד׳ לסעיף זה, ושלא תביע כוונה אחרת, תיחשב:

i) כשותפה לאמנה כפי שתוקנה, וגם

ii) כשותפה לאמנה שלא תוקנה ביחס לכל מדינה-שותפה אחרת שאינה מחויבת לתיקונים אלה.

סעיף 39 – נוסחים מוסמכים

האמנה נכתבה בערבית, סינית, אנגלית, צרפתית, רוסית וספרדית, וששת הנוסחים מוסמכים במידה שווה.

סעיף 40 – הרשמה

בהתאם לסעיף 102 לאמנת האומות המאוחדות, תירשם אמנה זו אצל מזכירות האו"ם לבקשתו של המנהל הכללי של אונסקו.

Recommendation on the Safeguarding of Traditional Culture and Folklore

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 17 October to 16 November 1989 at its twenty-fifth session,

Considering that folklore forms part of the universal heritage of humanity and that it is a powerful means of bringing together different peoples and social groups and of asserting their cultural identity,

Noting its social, economic, cultural and political importance, its role in the history of the people, and its place in contemporary culture,

Underlining the specific nature and importance of folklore as an integral part of cultural heritage and living culture,

Recognizing the extreme fragility of the traditional forms of folklore, particularly those aspects relating to oral tradition and the risk that they might be lost,

Stressing the need in all countries for recognition of the role of folklore and the danger it faces from multiple factors,

Judging that the governments should play a decisive role in the safeguarding of folklore and that they should act as quickly as possible,

Having decided, at its twenty-fourth session, that the safeguarding of folklore should be the subject of a recommendation to Member States within the meaning of *Article IV, paragraph 4, of the Constitution*,

Adopts the present Recommendation this fifteenth day of November 1989:

The General Conference recommends that Member States should apply the following provisions concerning the safeguarding of folklore by taking whatever legislative measures or other steps may be required in conformity with the constitutional practice of each State to give effect within their territories to the principles and measures defined in this Recommendation.

The General Conference recommends that Member States bring this Recommendation to the attention of the authorities, departments or bodies responsible for matters relating to the safeguarding of folklore and to the attention of the various organizations or institutions concerned with folklore, and encourage their contacts with appropriate international organizations dealing with the safeguarding of folklore.

The General Conference recommends that Member States should, at such times and in such manner as it shall determine, submit to the Organization reports on the action they have taken to give effect to this recommendation.

A. Definition of folklore

BACK

For purposes of this Recommendation:

Folklore (or traditional and popular culture) is the totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognized as reflecting the expectations of a community in so far as they reflect its cultural and social identity; its standards and values are transmitted orally, by imitation or by other means. Its forms are, among others, language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts.

B. Identification of folklore

Folklore, as a form of cultural expression, must be safeguarded by and for the group (familial, occupational, national, regional, religious, ethnic, etc.) whose identity it expresses. To this end, Member States should encourage appropriate survey research on national, regional and international levels with the aim to:

a. develop a national inventory of institutions concerned with folklore with a view to its inclusion in regional and global registers of folklore, institutions;

b. create identification and recording systems (collection, cataloguing, transcription) or develop those that already exist by way of handbooks, collecting guides, model catalogues, etc., in view of the need to co-ordinate the classification systems used by different institutions;

c. stimulate the creation of a standard typology of folklore by way of:

    i. a general outline of folklore for global use;

    ii. a comprehensive register of folklore; and

    iii. regional classification of folklore, especially field-work pilot projects.

C. Conservation of folklore

Conservation is concerned with documentation regarding folk traditions and its object is, in the event of the non-utilization or evolution' of such traditions, to give researchers and tradition-bearers access to data enabling them to understand the process through which tradition changes. While living folklore, owing to its evolving character, cannot always be directly protected, folklore that has been fixed in a tangible form should be effectively protected. To this end,' Member States should:

a. establish national archives where collected folklore can be properly stored and made available;

b. establish a central national archive function for service purposes (central cataloguing, dissemination of information on folklore materials and standards of folklore work including the aspect of safeguarding);

c. create museums or folklore sections at existing museums where traditional and popular culture can be exhibited;

d. give precedence to ways of presenting traditional and popular cultures that emphasize the living or past aspects of those cultures (showing their surroundings, ways of life and the works, skills and techniques they have produced);

e. harmonize collecting and archiving methods;

f. train collectors, archivists, documentalists and other specialists in the conservation of folklore, from physical conservation to analytic work;

g. provide means for. making security and working copies of all folklore materials, and copies for regional institutions, thus securing the cultural community an access to the materials.

D. Preservation of folklore

Preservation is concerned with protection of folk traditions and those who are the transmitters, having regard to the fact that each people has a right to its own culture and that its adherence to that culture is often eroded by the impact of the industrialized culture purveyed by the mass media. Measures must be taken to guarantee the status of and economic support for folk traditions both in the communities which produce them beyond. To this end, Member States should:

a. design and introduce into both formal and out-of-school curricula the teaching and study of folklore in an appropriate manner laying particular emphasis on respect for folklore in the widest sense of the term, taking into account not only village and other rural cultures but also those created in urban areas by diverse social groups, professions, institutions, etc., and thus promoting a better understanding of cultural diversity and different world views, especially those not reflected in dominant cultures;

b. guarantee the right of access of various cultural communities to their own folklore by supporting their work in the fields of documentation, archiving, research, etc., as well as in the practice of traditions;

c. set up on an interdisciplinary, basis a National Folklore Council or similar co-ordinating body in which various interest groups will be represented;

d. provide moral and economic support for individuals and institutions studying, making known, cultivating or holding items of folklore;

e. promote scientific research relevant to the preservation of folklore.

E. Dissemination of folklore

The attention of people should be drawn to the importance of folklore as an ingredient of cultural identity. It is essential for the items that make up this cultural heritage to be widely disseminated so that the value of folklore and the need to preserve it can be recognized. However, distortion during dissemination should be avoided so that the integrity of the traditions can be safeguarded. To promote a fair dissemination, Member States should:

a. encourage the organization of national, regional and international events such as fairs, festivals, films, exhibitions, seminars, symposia, .workshops, training courses, congresses, etc., and support the dissemination and publication of their materials, papers and other results;

b. encourage a broader coverage of folklore material in national and regional press, publishing television, radio and other media, for instance through grants, by creating jobs for folklorists in these units, by ensuring the

   proper archiving and dissemination of these folklore materials collected by the mass media, and by the establishment of departments of folklore within those organizations;

c. encourage regions, municipalities, associations and other groups working in folklore to establish full-time jobs for folklorists to stimulate and co-ordinate folklore activities in the region;

d. support existing units and the creation of new units for the production of educational materials, as for example video films based on recent fieldwork, and encourage their use in schools, folklore museums, national and international folklore festivals and exhibitions;

e. ensure the availability of adequate information on folklore through documentation centers, libraries, museums, archives, as well as through special folklore bulletins and periodicals;

f. facilitate meetings and exchanges between individuals, groups and institutions concerned with folklore, both nationally and internationally, taking into account bilateral cultural agreements;

g. encourage the international scientific community to adopt a code of ethics ensuring a proper approach to and respect for traditional cultures.

F. Protection of folklore

In so far as folklore constitutes manifestations of intellectual creativity whether it be individual or collective, it deserves to be protected in a manner inspired by the protection provided for intellectual productions. Such protection of folklore has become indispensable as a means of promoting further development, maintenance and dissemination of those expressions, both within and outside the country, without prejudice to related legitimate interests. Leaving aside the `intellectual property aspects' of the protection of expressions of folklore, there are various categories of rights which are already protected and should continue' to enjoy protection in the future in folklore documentation centers and archives. To this end, Member States should:

a. regarding the `intellectual property' aspects call the attention of relevant authorities to the important work of UNESCO and WIPO in relation to intellectual property, while recognizing that this work relates to only one aspect of folklore protection and that the need for separate action in a range of areas to safeguard folklore is urgent;

b. regarding the other rights involved:

   i. protect the informant as the transmitter of tradition (protection of privacy and confidentiality);

   ii. protect the interest of the collector by ensuring that the materials gathered are conserved in archives in good condition and in a methodical manner;

   iii. adopt the necessary measures to safeguard the materials gathered against misuse, whether intentional or otherwise;

   iv. recognize the responsibility of archives to monitor the use made of the materials gathered.

G. International co-operation

In view of the need to intensify cultural co-operation and exchanges, in particular through the pooling of human and material resources, in order to carry out folklore development and revitalization programmes as well as research made by specialists who are the nationals of one Member State on the territory of another Member State, Member States should:

a. co-operate with international and regional associations, institutions and organizations concerned with folklore;

b. co-operate in the field of knowledge, dissemination and protection of folklore, in particular through:

   i. exchanges of information of every kind, exchanges of scientific and technical publications;

   ii. training of specialists, awarding of travel grants, sending of scientific and technical personnel and equipment;

   iii. the promotion of bilateral or multilateral projects in the field of the documentation of contemporary folklore;

   iv. the organization of meetings between specialists, of study courses and of working groups on particular subjects, especially on the classifying and cataloguing of folklore data and expressions and on modern methods and techniques in research;

c. co-operate closely so as to ensure internationally that the various interested parties (communities or natural or legal persons) enjoy the economic, moral and so-called neighbouring rights resulting from the investigation, creation, composition, performance, recording and/or dissemination of folklore;

d. guarantee Member States on whose territory research has been carried out the right to obtain from the Member States concerned, copies of all' documents, recordings, video-films, films and other material;

e. refrain from acts likely to damage folklore materials or to diminish their value or impede their dissemination or use, whether these

materials are to be found on their own territory or on the territory of other States;

f. take necessary measures to safeguard folklore against all human and natural dangers to which it is exposed, including the risks deriving from armed conflicts, occupation of territories, or public disorders of other kinds.

BACK

הכרזה על יצירות מופת של מורשת תרבות לא-מוחשית בעל-פה

BACK

I. מבוא

1. האמנה משנת 1972 למורשת תרבותית וטבעית של העולם זיהתה מונומנטים, אתרים ונופים שיש להם ערך יחיד במינו לאנושות כולה, וכללה אותם ברשימת המורשת העולמית. ואולם אין להחיל אמנה זו על מורשת תרבותית שאינה מוחשית.

2. המורשת הלא-מוחשית שנמסרת בעל-פה הוכרה ברחבי העולם כגורם חיוני לזהות התרבותית, לקידום היצירתיות ולשימור המגוון התרבותי. למורשת זו תפקיד חיוני בפיתוח לאומי ובין-לאומי של סובלנות ואינטראקציה הרמונית בין תרבויות שונות. בעידן הגלובליזציה הנוכחי, צורות רבות של מורשת תרבות נתונות בסכנה ועשויות להיעלם עקב איום הסטנדרטיזציה התרבותית, עימותים מזוינים, תיירות, תיעוש, עזיבת כפרים לטובת הערים, הגירה והתדרדרות הסביבה.

3. כדי להגיב על מצב החירום ההולך ומתהווה עם היעלמותה של המורשת התרבותית הלא-מוחשית, אימצה הוועידה הכללית של אונסקו במושבה ה-29, בנובמבר 1997, את החלטה 23, ובעקבותיה נוצרה הבחנה זו. ב-1998 אימץ הוועד המנהל במושבו ה-155 את התקנות הקשורות בהכרזה זו (החלטה 155 EX/3.5.5) (נספח 1).

II. יעדים

4. ואלה יעדיה העיקריים של ההכרזה:

א. לגייס את דעת הקהל להכרה בערכה של המורשת הנמסרת בעל-פה ואינה מוחשית ושל הצורך לשמור עליה ולהחיות אותה;

ב. להעריך ולרשום אתרים של מורשתבעולם הנמסרת בעל-פה ואינה מוחשית;

ג. לעודד מדינות לערוך רשימות מצאי לאומיות של המורשת שנמסרת בעל-פה ואינה מוחשית ולנקוט צעדים משפטיים ומנהליים כדי להגן עליה;

ד. לקדם השתתפות של אמנים מסורתיים ואנשי מקצוע מקומיים בזיהוי המורשת הלא-מוחשית ובחידושה.

ההכרזה באה לעודד ממשלות, ארגונים לא-ממשלתיים וקהילות מקומיות לזהות את מורשתם הנמסרת בעל-פה ואינה-מוחשית, לשמור עליה ולהחיותה. היא גם שמה לה למטרה לעודד קבוצות, מוסדות וארגונים שונים לתרום לניהול המורשת, לשימורה, להגנה עליה ולקידומה.

5. ההכרזה על יצירות מורשת הנמסרת בעל-פה ואינה מוחשית היא אחד משני פרויקטים מרכזיים ומקבילים שאונסקו מוציא אל הפועל בתחום המורשת הלא-מוחשית. הפרויקט האחר, לטווח ארוך יותר, הוא ניסוח אמנה בין-לאומית. החלטה עקרונית ברוח זו אימצה הוועידה הכללית במושבה ה-31 (נובמבר 2001).

III. הגדרה

6. הוועד המנהל של אונסקו במושבו ה-161 והוועידה הכללית של אונסקו במושבה ה-31 (אוקטובר-נובמבר 2001, 31 C/43) בחנו הגדרה חדשה של המורשת הנמסרת בעל-פה ואינה מוחשית. קבוצת מומחים בטורינו הציעה אותה במרס 2001.

הגדרה: "תהליכים, ידע, מיומנויות ויצירתיות שבני האדם פיתחו ולמדו, המשאבים והמוצרים שהם מייצרים, המרחבים וההיבטים האחרים של הקֶשר החברתי והטבעי שנחוצים לשימורם; תהליכים אלו מספקים לקהילות תחושה של המשכיות עם דורות קודמים והם חשובים לזהות התרבותית וכן לשמירה על מגוון תרבותי ועל יצירתיות של האנושות".

IV. נוהל הגשת מועמדות ואופן הערכתה

סוגי המורשת הנמסרת בעל-פה ואינה מוחשית

7. בהכרזה על יצירות מורשת האנושות הנמסרת בעל-פה ואינה מוחשית יש משום תעודת כבוד לשני סוגים של ביטויי המורשת הלא-מוחשית. למעשה, המורשת התרבותית הלא-מוחשית באה לידי ביטוי בשני אופנים: (א) כצורה של הבעה תרבותית המופיעה בקביעות, דוגמת מופעי מוזיקה או תאטרון, טקסים או חגיגות שונות, או (ב) כמרחב תרבותי המוגדר כמקום מפגש של ריכוז פעילויות תרבות עממיות ומסורתיות וגם כזמן לאירועים שמתרחשים בדרך-כלל בקביעות. מרחב הזמן והמקום הזה חב את קיומו למופעי התרבות שמתרחשים בו על-פי המסורת.

8. המדינות החברות מוזמנות לפיכך להגיש מועמדויות המציגות צורות ביטוי תרבותי או מרחב תרבותי שבהם המורשת הלא-מוחשית של קהילה נתונה באה לידי ביטוי. לדוגמה, אפשר שיהיו אלו מופעי תרבות הקשורים קשר הדוק בשפות, מסורות בעל-פה, אמנויות תאטרון וידע שקשורים בצורות של תרבות חומרית. אי-אפשר להגיש מועמדות בגין תעודות מוסרטות או ארכיונים אודיו-ויזואליים; את אלה יש להציג בתכנית "זיכרון העולם" של אונסקו.
(www.unesco.org/webworld/mdm/admi nist/en/MOW_finB.html)

מועמדויות לאומיות

9. כל מדינה חברה רשאית להציג אחת לשנתיים מועמדות לאומית יחידה.

10. אונסקו יקבל רק מועמדות שתוגש לו על-ידי הוועד הלאומי של המדינה החברה, ובהסכמתם של נציגי הקהילות הנדונות.

יזמת הצגת המועמדות עשויה לבוא מצד :

- ממשלותיהן של המדינות החברות ושל חברות נספחות ;
- ארגונים בין-ממשלתיים, בעצה אחת עם הוועד הלאומי לאונסקו במדינות החברות הנדונות ;
- ארגונים לא-ממשלתיים שיש להם קשרים רשמיים עם אונסקו, בעצה אחת עם הוועד הלאומי לאונסקו במדינתם.

11. במידת האפשר, את המועמדות יכינו חברי הקהילות הנדונות או קבוצת אנשים שבה מובטחת נציגות לחברי הקהילה.

מועמדויות רב-לאומיות

12. אם צורה של ביטוי תרבותי או של מרחב תרבותי חוצה גבולות פוליטיים, המדינות החברות מוזמנות להציג מועמדות רב-לאומית שבה יהיו שותפות כל המדינות שהתופעה רווחת אצלן. אנו מעודדים את המועמדויות הרב-לאומיות הללו, ואפשר להגיש אותן נוסף על מכסה השמורה לכל מדינה בנפרד. במקרה כזה, על כל המדינות המעורבות להשתתף השתתפות פעילה בהכנת קובץ המועמדות [סעיף 14(ו) במדריך ותבנית סטנדרטית להגשת מועמדות רב-לאומית]. כדי שהמועמדות תוצג בבירור, יש להראות את היקף התיאום המנהלי בין המדינות החברות המציגות מועמדות. את המועמדות יגיש הגוף המתאם המשותף באמצעות המדינה.

הכנת קובצי המועמדות

13. כדי להכין את המועמדות יש לייסד גוף לאומי שיגן על המורשת שנמסרת בעל-פה ואינה מוחשית (נספח II, חוזר CL/3603). גוף זה הוא שיבחר את הביטוי התרבותי שתציג המדינה החברה. לאחר שייבחר הביטוי התרבותי, תחול על גוף זה האחריות להכין את החלק הכתוב של המועמדות. עליו להסתייע בהוראות שבהמשך ובארבעת האלמנטים שמוזכרים בסעיפים 14(ב) עד 14(ה). יהיה עליו להכין לכל הפחות תכנית חומש שמטרתה לשמור ולהגן על צורת הביטוי התרבותי או המרחב התרבותי ולהחיותם, ובד בבד להתבסס על האמצעים המוצעים בהמלצות לשמירה על תרבות מסורתית ופולקלור משנת 1989 (נספח III).

באמצעים המוצעים ייכללו גם התחומים האלה:

א. **זיהוי** המורשת הנמסרת בעל-פה ואינה מוחשית

1. הכנת רשימת מצאי של המוסדות שעוסקים במורשת שנמסרת בעל-פה ואינה מוחשית;
2. יצירת שיטות זיהוי ורישום (איסוף, קטלוג, תעתיק);
3. עידוד יצירת טיפולוגיה סטנדרטית למורשת שעוברת בעל-פה ואינה מוחשית.

ב. **שמירה** על המורשת שנמסרת בעל-פה ואינה מוחשית

1. הקמת שירות ארכיב לאומי;
2. הקמת ארכיון לאומי מרכזי למטרות שירות (קטלוג והפצה של מידע);
3. הקמת מוזאונים חדשים או אגפים במוזאונים קיימים, למורשת שנמסרת בעל-פה ואינה מוחשית;
4. קביעת סדר עדיפות לאמצעים הנדרשים להצגת היבטים קיימים של המורשת שנמסרת בעל-פה ואינה מוחשית או החייאת היבטי העבר של אותה מורשת;
5. הרמוניזציה של שיטות איסוף וקטלוג;
6. הכשרת מומחים לשמירה;
7. אספקת אמצעים ליצירת העתקים של הארכיונים כדי להבטיח גישה לחומר שנאסף לאותה קהילה תרבותית.

ג. **שימור** המורשת הנמסרת בעל-פה ואינה מוחשית

1. תכנון והצגה נאותים של מחקר המורשת הנמסרת בעל-פה ואינה מוחשית בתכנית הלימודים הפורמלית של מערכת החינוך;

2. הבטחת זכות הגישה של קהילות לתרבויותיהן;
3. תמיכה מוסרית וכלכלית ביחידים ובמוסדות שפועלים בתחום המורשת הנמסרת בעל-פה ואינה מוחשית;
4. קידום המחקר המדעי הרלוונטי לשימור המורשת הנמסרת בעל-פה ואינה מוחשית.

ד. **הפצת** המורשת הנמסרת בעל-פה ואינה מוחשית

1. ארגון אירועים של המורשת הנמסרת בעל-פה ואינה מוחשית (פסטיבלים, סרטים, תערוכות, סמינרים, סימפוזיונים, סדנאות, קורסי הכשרה, קונגרסים) ותמיכה בפרסום תוצאותיהם של האירועים האלה;
2. סיקור נרחב יותר בכלי התקשורת למורשת שנמסרת בעל-פה ואינה מוחשית;
3. יצירת תקנים למשרות של מומחים במורשת שנמסרת בעל-פה ואינה מוחשית - ברשויות וארגונים מקומיים;
4. תמיכה בארגונים שיוצרים חומרים חינוכיים ועידוד הפצתם;
5. אספקת מידע מתאים על אודות המורשת הנמסרת בעל-פה ואינה מוחשית באמצעות מרכזי תיעוד;
6. ייזום מפגשים וחילופי מידע בין יחידים ומוסדות שפועלים להגנה על המורשת שנמסרת בעל-פה ואינה מוחשית;
7. עידוד הקהילה המדעית הבין-לאומית לאמץ קוד אתי שיבטיח גישה מתאימה לתרבויות מסורתיות וכיבודן;

ה. **הגנה** על המורשת הנמסרת בעל-פה ואינה מוחשית

1. הגנה על נאמני המסורת (סודיות הנתונים שנאספו);
2. הגנה על האינטרסים של האספנים;
3. הגנה על הנתונים שנאספו מפני שימוש לרעה בהם;
4. האצלת האחריות לניטור השימוש שנעשה בחומרים שנאספו לשירותי הארכיון.

תוכני המועמדות

14. לכל מועמדות חמישה רכיבים:

א. התבנית הסטנדרטית להגשת מועמדות סטנדרטית שמוצגת להלן, כוללת תכנית פעולה להגנה ולהחייאה;

ב. המועמדות תלווה בתעודות - דהיינו, מפות, תצלומים, ובהם השקופיות או התשלילים המתאימים, הקלטות קול או אודיו-ויזואליות (וידאו) או כל חומר אחר שעשוי לסייע להציג את המועמדות; כל זה **מלווה במכתב המאשר להפיץ את כל המסמכים האלה לצורכי קידום**, ניתוח של עבודות סימוכין בעניין וביבליוגרפיה מקיפה שתירשם כנהוג בעולם המדע והאקדמיה;

ג. מסמך וידאו באיכות מקצועית (Betacam דיגיטלית, Betacam Sp או DV), שאורכו לא יותר מעשר דקות. המסמך ישקף את ההיבטים המשמעותיים ביותר של קובץ המועמדות. הוא יוקרן בפני חבר שופטים בעת הדיונים (סעיף 19);

ד. מסמך כתוב, סרטון וידאו או הקלטת אודיו, או כל ראָיה אחרת שאי-אפשר להפריכה, המעידים על הסכמתם של הקהילה או של העוסקים בדבר לתוכן הקובץ.

ה. רשימה של חמש צורות של ביטוי תרבותי ו/או של מרחבים תרבותיים שהמדינה החברה מתכננת להציג את מועמדותם כדי שיוכרזו אולי כיצירות של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית, בעשר השנים שלאחר מכן.

ו. אם המועמדות רב-לאומית, יוצג מסמך המעיד על:

1. הסכמתה של כל מדינה חברה שמעורבת במועמדות לתוכנו של הקובץ;
2. התחייבות של כל אחת מהמדינות החברות המעורבות במועמדות, להכין וליישם תכנית פעולה כפי שצוינה בסעיף 5 של התבנית הסטנדרטית להגשת המועמדות.

15. על המדינות החברות לוודא כי תוכן המועמדות עולה בקנה אחד עם החזון המוצג במבוא לחוק ייסוד אונסקו, ובמיוחד עם הצהרת זכויות האדם האוניברסלית שאימצו האומות המאוחדות ב-1948, וכן עם ההמלצות להגנה על התרבות המסורתית ועל הפולקלור משנת 1989 (נספח III).

חבר השופטים

16. לפי תקנות ההכרזה - ובעצה אחת עם המדינות החברות, הארגונים הלא-ממשלתיים המוסמכים והמזכירות - ימנה המנהל הכללי פעם בארבע שנים חבר שופטים. ייטלו בו חלק 18 שופטים. הפרוצדורה התפעולית שעל-פיה יפעל חבר השופטים מפורטת בתקנות חבר השופטים הבין-לאומי העוסקות בהכרזה של אונסקו על יצירות המורשת שנמסרת בעל-פה ואינה מוחשית.

תהליך הערכת המועמדויות

17. המזכירות תבצע בדיקה מנהלית כדי לוודא שהמועמדות שהוצגה כראוי (מתייחסת לכל חמשת הרכיבים כמצוין בסעיף 14) ושצורת הביטוי התרבותי או המרחב התרבותי עולה בקנה אחד עם החזון של אונסקו (במובן של סעיף 15). לגבי מועמדויות רב-לאומיות, על כל המדינות השותפות למורשת לא מוחשית להשתתף באופן פעיל בהכנת המועמדויות.

18. עם רישום המועמדויות ולאחר הגשת תיעוד משלים, המזכירות תעביר אותם לארגונים הלא-ממשלתיים הנאותים או למומחים אחרים שמינה אונסקו, לצורך הערכה. ההערכה תתבסס על הקריטריונים שאישר הוועד המנהל בישיבתו ה-155. היא תוגש כדוח הערכה ובו המלצה בעד הכרזת המועמדות או נגדה. הדוח שיוגש לחבר השופטים יתמקד גם בהערכת איכות תכנית הפעולה.

התמקדות מיוחדת בתכנית הפעולה תהיה בנקודות האלה:

א. המנדט שניתן לגופים ציבוריים או לארגונים לא-ממשלתיים להבטיח את ההחייאה של צורת הביטוי או המרחב התרבותי;

ב. מידת המעורבות של הקהילה ושל העוסקים ה"מסורתיים" המוכרים בתכנית הפעולה, ההחייאה וההגנה;

ג. מידת יעילותם של האמצעים שכבר ננקטו ושל אמצעים שצפויים להינקט כדי להבטיח את השמירה על המורשת המוצגת (איסוף נתונים ושמירתם בארכיון), את העברתה ואת החייאתה.

ישיבת חבר השופטים הבין-לאומי

19. תיעוד הווידאו על המועמדות שכל מדינה חברה הכינה יוצג בפני חבר השופטים, וזה יקבל גם עותקים של דוחות ההערכה שהכינו ארגונים לא-ממשלתיים. לאור תיעוד זה, חבר השופטים עשוי להציע למִנהל הכללי של אונסקו רשימה של מועמדויות שהוא ממליץ;

* לקבל להכרזה,
* לדחות
* לבחון אותה שוב מקץ שנתיים.

המועמדויות שיידחו להכרזה הבאה ייבחנו לאחר מכן כאילו היו מועמדויות חדשות.

בטקס מיוחד שיהיה יום לאחר תום הדיונים של חבר השופטים הבין-לאומי, ובהתבסס על הצעותיו של חבר השופטים, יכריז המנהל הכללי על רשימת היצירות של המורשת שנמסרת בעל-פה ואינה מוחשית.

20. בישיבת חבר השופטים לא ישתתפו נציגי המדינות החברות. נציגי הארגונים הלא-ממשלתיים לא יתערבו למען מועמדות שהוצגה - אלא רק יספקו מידע נוסף בתשובה לשאלות שחבר השופטים עשוי להפנות אליהם.

אמות מידה לבחירת חבר שופטים

21. חבר השופטים בהערכתו יביא בחשבון את הקריטריון הבא: **המרחבים התרבותיים או צורות הביטוי התרבותי שמוכרזים כיצירות מורשת האנושות הנמסרת בעל-פה ואינה מוחשית יהיו בעלי ערך יוצא מהכלל וישקפו**:

א. ריכוז גבוה (מסה קריטית) של מורשת תרבותית לא-מוחשית יחידה במינה, או

ב. ביטוי תרבותי פופולרי ומסורתי בעל ערך יוצא מהכלל מבחינה היסטורית, אמנותית, אתנולוגית, סוציולוגית, אנתרופולוגית, לשונית או ספרותית.

22. על צורות הביטוי התרבותי או המרחבים התרבותיים לעמוד בששת הקריטריונים שהוזכרו בתקנות בעניין הכרזת אונסקו על יצירות מורשת האנושות העוברת בעל-פה ואינה מוחשית.

לפיכך, צורת הביטוי התרבותי או המרחב ישקפו את:

א. ערכה היוצא מהכלל כיצירת מופת של גאוניות המין האנושי;

ב. שורשיה הנטועים במסורת תרבותית או בהיסטוריה התרבותית של הקהילה שבה מדובר;

ג. תפקידה כאמצעי לחיזוק הזהות התרבותית של הקהילות התרבותיות ושל העמים שבהם מדובר, חשיבותה כמקור להשראה ולחילופים בין-תרבויות וכאמצעי להידוק הקשרים בין עמים וקהילות, ותפקידה התרבותי והחברתי בימינו בקהילה שמדובר בה;

ד. מצוינותה ביישום המיומנות, התכונות והאיכויות הטכניות שהוצגו;

ה. ערכה כהוכחה ייחודית למסורת תרבותית חיה;

ו. סכנת היעלמותה בגין היעדר אמצעים לשמירה או הגנה עליה או בגין תהליכי שינוי מהירים, עיור או אימוץ תרבות זרה.

23. על בסיס הניסיון הנצבר של ההכרזה הראשונה ובהתאם לסעיף 4ב של התקנות בעניין ההכרזה (נספח I), קבע חבר השופטים אמות מידה לבחירה אלה:

א. **כל המרחבים התרבותיים וכל צורות ביטויי התרבות הראויים להיות מוכרזים כיצירות של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית צריכים לעלות בקנה אחד עם חזונו של אונסקו, ועם הצהרת זכויות האדם האוניברסלית שאימצו האומות המאוחדות ב- 1948** (סעיף 1ב של התקנות בעניין ההכרזה);

ב. **ערכה היוצא מהכלל של היצירה כיצירת מופת המביאה לידי ביטוי את סגולות המין האנושי** (קריטריון כללי 1):

1. כדי להוכיח את ערכה היוצא מהכלל כיצירת מופת המבטאת את גאוניות המין האנושי, על כל מועמדות שמציגה מרחבים תרבותיים או צורות של ביטוי תרבותי לנסח טיעונים ברורים ומוצקים המוכיחים:

- את ערכם היוצא מהכלל לקהילה שבה מדובר ואת שמירתם על השונות התרבותית ביחס: (א) לצורות ביטוי אחרות של אותה תרבות / קבוצה תרבותית; (ב) לביטויים של תרבויות קרובות/קשורות; ו-(ג) לאוניברסליות;
- את היותם נוהג מקובל מקדמת דנא על האנשים או על הקהילות האמונים על שמירת הידע ואת היותם מושרשים עמוק בקרב העמים והקהילות שבהם מדובר;
- את היותם יצירה ספציפית שקשורה במרחב תרבותי מסוים או בצורה של ביטוי תרבותי - ולא רק בתחום יצירה נרחב, כמו למשל יצירה מוזיקלית כללית של כלי שנמצא בשימוש נפוץ, שירי עם או ריקודי עם של מדינה אחת או יותר מבלי לציין את ההבדלים בין מקום אחד למשנהו או סדרה של ביטויי תרבות שקשורים בשפה שקהילה רחבה שיש כבר בידיה האמצעים לשמר את קיומה, מדברת.

2. לצורכי ההכרזה, הגדרת המונח "יצירת מופת" היא: "בהתחשב בעובדה שבכל תרבות עשויות להיות יצירות בלא מגבלות של סימוכין היסטוריים או תרבותיים כלשהם, יצירת מופת (בתחום המורשת האנושית הנמסרת בעל-פה ואינה מוחשית) מובנת כביטוי תרבותי בעל ערך יוצא מהכלל, שאין בו משום ציות לכללים פורמליים ואין למדוד אותו בקנה מידה חיצוני כלשהו, שמשדר את חופש הביטוי והכישרון היצירתי של עם";

3. בתחום העצום של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית, כפי שהיא מוגדרת בסעיף 6 של מדריך זה, אפשר, אך אין בכך משום מגבלה, שיהיו בבחירת יצירות המופת תחומים דוגמת אירועי תרבות שקשורים קשר הדוק בשפות, במסורות בעל-פה, באמנויות הבמה ובמיומנויות אומן;

4. שפות כשלעצמן אינן ראויות להיות מוצגות למועמדות. על מנת שתישקל מועמדות של ביטויי תרבות הקשורים קשר הדוק בשפה, צריך להוכיח כי היא עונה על ארבעה תנאים מקדימים:
   - היצירה המוצעת היא ביטוי בעל-פה (המקור היה בעל-פה לפני שכתובו);
   - עד ימינו נשמרת המסירה בעל-פה של הביטוי, והיא עדיין התכונה המגדירה אותו;
   - הביטוי מוצג כגוף (קורפוס) מוגדר היטב של המסירה בעל-פה הנדונה;
   - האמצעים המוצעים בתכנית הפעולה מיועדים למטרת שימור ההעברה בעל-פה (ממד ההעברה מפה לאוזן וממד האי-מוחשיות) של הביטוי.

5. הצגת המועמדות של טקסטים בעל-פה (ספרות בעל-פה) תלווה בסרטון וידאו של מבצעיו, של הביצוע ושל הקשרי הביצוע; ותכונותיו האמנותיות תקבלנה ביטוי בשיטות הביצוע שלו – ובהן, לדוגמה, אופני ביטוי, טכניקות קוליות, תנועות, ביטוי תנועה (ג'סטות) וליווי מוזיקלי, אם בכלל אפשר לראות היכן הרכיבים החיוניים של אופני ההעברה/המסר שלה.

ג. **שורשיה הנטועים במסורת התרבותית או במסורת ההיסטורית של הקהילה שבה מדובר** (קריטריון כללי 2);

ד. **תפקידה כאמצעי לאישור הזהות התרבותית של העמים ושל הקהילות התרבותיות הנדונות, חשיבותה כמקור השראה לחילופים בין-תרבותיים וכאמצעי להידוק הקשרים בין יחידים וקהילות, ותפקידה התרבותי והחברתי המודרני בקהילה הנדונה** (קריטריון כללי 3).
יש לתת את הדעת לעובדה שתרבויות משתנות ללא הרף. המרחב התרבותי או צורת הביטוי התרבותי עשויים לשקף את חיי התרבות והחברה המודרניים של העמים שבהם מדובר;

ה. **מצוינות ביישום המיומנות והתכונות הטכניות המוצגות** (קריטריון כללי 4);

ו. **ערכה כעדות ייחודית של מסורת תרבותית חיה** (קריטריון כללי 5); זוהי יצירה יחידה במינה לעומת אירועי תרבות אחרים מאותו סוג במדינתה או במקום אחר;

ז. **היא בסכנת היעלמות, בשל חוסר אמצעים לשמירה ולהגנה עליה, או עקב תהליכי שינוי מהירים, או בעקבות עיור, או בשל אימוץ תרבות זרה** (קריטריון כללי 6); ראוי לציין כי תהליך השינוי יוצר חלק מתהליך ההיעלמות.

24. חבר השופטים הצהיר כי הוא מייחס חשיבות רבה ביותר למעורבותן של הקהילות העוסקות במורשת, בהכנת המועמדות, וביישום תכנית הפעולה.

א. המועמדות צריכה:

1. לספק ראָיה להסכמת הקהילות או היחידים שהעניין נוגע להם (מסמך כתוב, וידאו, הקלטה או כל ראיה אחרת שאין להפריכה);

2. לכלול את "שמות הגופים המוסמכים בקהילה ו/או של הממשלה שהעניין נוגע להם ואשר יהיו אחראים להבטיח כי בעתיד לא יחול שינוי במצבה של המורשת שנמסרת בעל-פה ואינה מוחשית, כפי שתואר בהגשה" (סעיף 6ב4 של התקנות הנוגעות להכרזה, נספח I) (וסעיף 24ב3 שלהלן);

3. גופים אלו צריכים להיות ארגונים מוסמכים, בעלי יכולת מקצועית מספקת ועם המשאבים האנושיים והכספיים הנחוצים כדי להבטיח יישום נאות של תכנית הפעולה;

4. במקרה היפותטי לפיו גופים אלו אינם מייצגים ישירות את הקהילה שמדובר בה - את המבצעים/העוסקים ו/או השומרים של המרחב התרבותי או צורת הביטוי התרבותי, עליהם לספק הוכחה לתמיכה ולשיתוף הפעולה של הקהילה שמדובר בה ושל המבצעים/העוסקים ו/או השומרים של המרחב התרבותי או צורת הביטוי התרבותי.

ב. תכנית הפעולה:

1. עליה להראות במידת האפשר שהקהילה שמדובר בה והמבצעים/העוסקים ו/או השומרים של צורת הביטוי התרבותי, מעורבים בה באופן פעיל וממשי - בתכנון וביישום של האסטרטגיות והמנגנונים שמטרתם להגן על הביטוי התרבותי או המרחב התרבותי המוצע, לשמרם ולתמוך בקידומם;

2. עליה לשקף את השאיפות, המחויבות והערכים של הקהילה השומרת ו/או של המבצעים/העוסקים שהדבר נוגע להם בה במידה שהשאיפות, המחויבות והערכים האלו קשורים למרחב התרבותי או לצורת הביטוי התרבותי המוצע;

ג. הביטוי "לא ישתנה בעתיד" (סעיף 6ב4 של התקנות בעניין ההכרזה, נספח I) עוסק בצורך שיצירות המופת תישארנה נאמנות לששת הקריטריונים הכלליים. אפשר להשיג זאת על-ידי שמירה על המסגרת ועל התנאים שמאפשרים למרחב התרבותי ולצורת הביטוי התרבותי להתפתח למלוא הפוטנציאל שלהם. תנאי זה אינו מוציא מכלל אפשרות התפתחות ספונטנית וטבעית של המרחב התרבותי ושל צורת הביטוי התרבותי שאנו עוסקים בהם.

V. סיוע ומעקב

סיוע בין-לאומי

25. הרשויות הלאומיות באמצעות הוועדים הלאומיים בכל מדינה וחברה רשאיות להגיש למזכירות בקשה לסיוע בין-לאומי למטרות אלה:

א. למימון עלויות הכנת תיקי המועמדות הכתובים (סיוע בהכנה);

ב. להחייאת פרויקטים של מרחבי תרבות או של צורות ביטוי תרבותי שכבר הוכרזו כיצירות מופת של מורשת האנושות שנמסרת בעל-פה ואינה מוחשית (סיוע ליישום תכנית פעולה).

סיוע בהכנה

26. כדי לזכות בסיוע בהכנה, יש להגיש את הבקשה בליווי תיאור קצר של צורת הביטוי התרבותי או המרחב התרבותי, וכן הערכת תקציב להכנת הקובץ ותכנית עבודה מפורטת.

סיוע ביישום תכנית פעולה

27. לאחר ההכרזה על יצירת מופת של מורשת האנושות שנמסרת בעל-פה ואינה מוחשית, יגדירו מזכירות אונסקו, הגופים האחראים לתכנית הפעולה והרשויות המוסמכות - באמצעות הוועד הלאומי - את תהליך המעקב המתאים ביותר על מנת להבטיח את יישום תכנית הפעולה, תכנית ההחייאה ותכנית ההגנה.

28. על מנת לקבל סיוע ביישום תכנית הפעולה, יחידים או רשויות שנקבעו כאחראים לתכנית הפעולה לשמירה, להגנה ולהחייאה של יצירת המופת המוכרזת רשאים להגיש בקשה באמצעות הוועד הלאומי ובשיתוף פעולה עם הרשויות הלאומיות המוסמכות. על בקשה זו לשאת אופי של פרויקט ספציפי לשמירה, להגנה משפטית או לקידום יצירת המופת ועליה להיות תואמת את תכנית הפעולה ומלווה בהערכה תקציבית. בתום התייעצות עם כל הצדדים המעורבים, רשאית המזכירות להעניק סיוע שיממן את התקציב כולו או מקצתו.

פרסים

29. כדי לעודד פעולה שתשמור על יצירות מופת מוכרזות ותחַיה אותן, נקבעו באוקטובר 2001 ארבעה פרסים אלה:

- *שייח זאייד בן סולטן אל נהייאן* (איחוד האמירויות הערביות)
- *ארירנג* (הרפובליקה של קוריאה)
- *פשה* (בוליביה)
- *סמרקנד טארונאסי* (אוזבקיסטן).

ואלה ששת הזוכים בפרסים בהכרזה הראשונה: מרוקו, אקוודור/פרו, גינאה, פיליפינים, גרוזיה והפדרציה הרוסית.

חבר השופטים הבין-לאומי שעליו הוטלה המשימה לבחור את הראויים לפרס קבע את הקריטריונים האלה:

א. הפרסים יוענקו למועמדים הזקוקים להם ביותר;

ב. כספי הפרס יוענקו לארגונים מקומיים שמזוהים כאחראים ליישום תכנית הפעולה ולא לגופים ממשלתיים;

ג. מסיבות אתיות, עדיף להימנע מלהעניק פרסים למועמדויות, למדינות ולחברות שיש להן נציג בחבר השופטים. עם זאת, כדי שלא לפגוע במדינות החברות שנציגיהן יושבים בחבר השופטים ומתוך הכרה

במאמצים הנדיבים של המדינות האלה, ישתדל אונסקו להעניק סיוע כספי ליישום תכניות הפעולה של מועמדויות אלו כשהן ראויות לו.

30. מדינות תורמות או נותני חסות פרטיים מוזמנים להצטרף לארבע המדינות החברות האלה בקביעת פרסים **לשמירה ולהחייאה** של יצירות מופת שהוכרזו כיצירות של המורשת התרבותית והלא-מוחשית.

מעקב

31. האחראים לתכנית הפעולה לשמירה ולהחייאה מוזמנים להגיש למזכירות אונסקו, באמצעות הוועדים הלאומיים, דוח על יישום תכנית הפעולה.

לוח זמנים

32. להלן לוח הזמנים המשוער לפרויקט ההכרזה על יצירות מופת של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית:

קול קורא של המנכ"ל להגשת המועמדות	נובמבר
סיוע בהכנה	נובמבר –ינואר
הגשת קובצי המועמדות	30 ביוני
המזכירות מבצעת אימות של המידע	יולי–ספטמבר
הארגונים הלא-ממשלתיים מעריכים הערכה מדעית וטכנית את המועמדות	אוקטובר –מרס
דוחות הערכה מדעיים וטכניים מוגשים לחבר השופטים הבין-לאומי	1 באפריל
ישיבת חבר השופטים	יוני
הכרזה	יוני
ישיבת חבר השופטים לפרסים	אוקטובר
טקס הענקת פרסים	אוקטובר (אספה כללית)
קול קורא של המנכ"ל להגשת המועמדות להכרזה הבאה	נובמבר

תבנית הגשת מועמדות*

מועמדות לאומית

1. זיהוי

א. מדינה חברה.

ב. שם צורת הביטוי התרבותי או המרחב התרבותי.

ג. שם הקהילה.

ד. מיקום גאוגרפי של צורת הביטוי התרבותי או המרחב התרבותי; מיקום הקהילה הנדונה (יש לצרף מפה).

ה. שכיחותה של צורת ביטוי תרבותי זו.

ו. אנשים או ארגונים אחראים בקהילה/בקהילות או בממשלה העוסקים בעניין (שם משפחה, שם פרטי, תואר, כתובת, טלפון, פקס', כתובת דואר אלקטרוני).

2. תיאור

א. תיאור המרחב התרבותי או צורת הביטוי התרבותי. יש להמציא פרטים היסטוריים ומידע עדכני.

ב. היסטוריה, התפתחות ופונקציות חברתיות, סימבוליות ותרבותיות.

ג. תיאור טכני, אותנטיות, סגנון, ז'אנר, אסכולות שהשפיעו וחומרים (לאובייקטים חומריים), תפקיד, שיטת ייצור ושימוש.

ד. רשימת האמנים המוכרים במסורת.

ה. המשכיות וסכנות אפשריות של היעלמות, לחצים או מגבלות הנובעים:

- מהתפתחות כלכלית או טכנולוגית;
- משינוי אקלימי או זיהום;
- מהתפתחות התיירות;
- מהעלייה או הירידה (הריבוי הטבעי) בקהילה המדוברת;
- מגורמים אחרים.

3. הצדקת המועמדות

ערכם היוצא מהכלל של המרחב התרבותי או צורת הביטוי התרבותי צריך להיות מוצג **לפי קריטריוני הבחירה שתוארו בסעיפים 22 ו-23 של המדריך.**

* על פי סעיף 14א של המדריך.

א. ערך יוצא מהכלל כיצירת מופת של גאוניות המין האנושי:

- הערך לקהילה הנדונה ולשמירה על מגוון תרבותי, במיוחד בכל הקשור לביטויים אחרים במסגרת אותה תרבות או של תרבויות קרובות קשורות ובביטויים אוניברסליים;
- כיצירה ייחודית ולא רק כתחום יצירה רחב (כמו למשל, יצירה מוזיקלית כללית של כלי מבלי לציין את צורתה, או שירי עם, או ריקודי עם של אזור מבלי לציין את הווריאציות הגאוגרפיות הקיימות, או סדרה של ביטויי תרבות לא מפורטים שקשורים באזור לשוני);
- בכל הקשור בשפות – אלה אינן ראויות למועמדות כשלעצמן. המועמדות צריכה לספק הוכחה:
  - שצורת הביטוי נוצרה כביטוי בעל-פה (הייתה ביטוי בעל-פה במקורה, לפני שתועתקה);
  - שהאופי של מסירת הביטוי בעל-פה נשמר עד ימינו אנו, והוא עדיין תכונה מאפיינת של הביטוי;
  - שהביטוי מוצג כקורפוס מוגדר היטב של המסירה בעל-פה שבה עוסקים;
  - שהאמצעים המוצעים בתכנית הפעולה מיועדים לשמר את המסירה בעל-פה (ממד המסירה בעל-פה וממד האי-מוחשיות) של הביטוי;
  - שהצגת המועמדות של קורפוס של טקסט בעל-פה (ספרות בעל-פה) תלווה בווידאו של מבצעיו, בביצוע, ובקשרים של הביצוע, כדי שאפשר יהיה לראות בבירור כיצד התכונות האמנותיות מתבטאות בשיטות הביצוע - לדוגמה באופני הביטוי, בטכניקות הקוֹליות, בג׳סטות, בתנועות ובליווי מוזיקלי, ואם אלו אכן רכיבים חיוניים של צורות התקשורת שלה.

ב. שורשיה נטועים בתרבות המסורתית או בהיסטוריה התרבותית של הקהילה שבה מדובר.

ג. תפקידה כאמצעי לאישור הזהות התרבותית של העמים ושל הקהילות התרבותיות שבהן מדובר, חשיבותו כמקור השראה לחילופים בין תרבויות וכאמצעי להידוק הקשרים בין עמים וקהילות, ותפקידו התרבותי והחברתי בקהילה הנדונה מביאים בחשבון שתרבויות משתנות בהתמדה, והביטוי התרבותי צריך למלא תפקיד בחיים העכשוויים של הקהילה.

ד. מצוינות ביישום המיומנויות, התכונות והאיכויות הטכניות שהוצגו.

ה. הוא בעל ערך כעדות ייחודית למסורת תרבותית חיה.

ו. קיימת סכנה להיעלמותו בגין היעדר אמצעים לשמירה והגנה עליו או בגלל תהליכי שינוי מהירים, עיור או אימוץ תרבות זרה.

4. ניהול

א. מיהו הארגון או הגוף האחראי לשמירה, לשימור ולהחייאה של צורת הביטוי התרבותי או המרחב התרבותי (מעמד חוקי של הארגון או של הגוף, ההכרה הלאומית בו, שמו וכתובתו של האדם האחראי, מקורות מימון וכו׳).

ב. האמצעים שכבר ננקטו כדי להחיות את צורת הביטוי התרבותי או המרחב התרבותי בהתאם לרצונם של יחידים או של קהילות:

- אמצעים משפטיים;
- הגנה משפטית מפני ניצול לרעה של הביטויים התרבותיים הנדונים;
- הגנה משפטית או אחרת על העוסקים במיומנויות הטכניות או על הידע שנצבר;
- אמצעים שננקטו כדי להבטיח את מסירת הידע או המיומנות;
- אמצעים אחרים.

5. תכנית פעולה

מהות תכנית הפעולה לחמש שנים לכל הפחות. יעדיה יהיו לשמור ולהגן על צורת הביטוי התרבותי או המרחב התרבותי, להחיותם, להפיצם ולתקצב אותם כדי לאפשר שיישום התכנית והמעקב אחריה יימשכו מעבר לתקופה זו. התכנית תכלול את האלמנטים האלה:

א. שם הפרויקט.

ב. הארגון או הגוף שאחראים להוצאתה לפועל.

ג. תיאור מפורט של מעורבות יחידים המזוהים כעוסקים במיומנות הטכנית או בידע או הקהילות הנדונות.

ד. המנגנונים המנהליים או המשפטיים להגנה על צורת הביטוי התרבותי או על מרחב התרבות הנדונים.

ה. מקורות המימון והיקפו.

ו. משאבי האנוש הקיימים (הקומפטנטיות שלהם והניסיון שצברו) וההזדמנויות להכשרה בפרויקטים שקשורים בהגנה, החייאה והפצה.

ז. תכנית מפורטת:

- רכיבי הפרויקט
- לוח הזמנים של הפרויקט (שלב I, שלב II וכו')
- סוכנויות שמוציאות אל הפועל את הפרויקט
- היסטוריה
- רציונל
- יעדים לטווח ארוך
- יעדים לטווח קצר
- תוצאות צפויות
- תכנית עבודה
- תקציב מפורט.

6. תיעוד חיוני

כפי שנאמר בסעיפים 14ב עד 14ה של מדריך זה, למועמדות יהיה:

א. תיעוד הכרחי להערכת הקובץ, דהיינו מפות, תצלומים ובהם תשלילים או שקופיות, הקלטות שמע או אודיו-ויזואליות (וידאו) או כל חומר שימושי אחר להצגת המועמדות, בליווי מכתב ובו אישור להפיץ את כל המסמכים האלה לצורכי קידום וניתוח של בַּנושא, וכן ביבליוגרפיה מקיפה שתירשם בהתאם לנוהג המקובל בעולם המדע והאקדמיה.

ב. מסמך וידאו באיכות מקצועית (Betacam דיגיטלי, Betacam Sp או DV), באורך של לא יותר מעשר דקות, שבו ישתקפו ההיבטים המשמעותיים ביותר של המועמדות. סרטון זה יוקרן במהלך הדיונים בפני חבר השופטים.

ג. מסמך כתוב, סרטון וידיאו, הקלטת אודיו או כל ראָיה אחרת שאין להפריכה ואשר מעידים על הסכמתם של הקהילה או של העוסקים בדבר לתוכן המועמדות.

ד. רשימה של חמש צורות מתוכננות אחרות של ביטוי תרבותי ו/או של מרחבי תרבות שהמדינה-החברה מתכננת להציג את מועמדותם בעשר השנים שלאחר מכן, כדי להכריז עליהם כיצירות מופת של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית.

מועמדות רב-לאומית

1. זיהוי

א. קבוצה של מדינות חברות.

ב. שם צורת הביטוי התרבותי או המרחב התרבותי.

ג. שם הקהילה / הקהילות.

ד. מקום גאוגרפי של צורת התרבות או המרחב התרבותי; מקום הקהילה הנדונה (יש לצרף מפה).

ה. שכיחות צורה זו של ביטוי תרבותי.

ו. אנשים או ארגונים שאחראים בכל אחת מהקהילות או בממשלות הנדונות (שם משפחה, שם פרטי, תואר, כתובת, טלפון, פקס, כתובת דואר אלקטרוני).

ז. אדם או ארגון שאחראים לתיאום בין כל הגופים, הקהילות והמדינות.

2. תיאור

א. תיאור המרחב התרבותי או צורה של ביטוי תרבותי. יש להמציא פרטים היסטוריים ומידע עדכני.

ב. היסטוריה, התפתחות ופונקציות חברתיות, סמליות ותרבותיות.

ג. תיאור טכני, התפתחות היסטורית, סגנון, סוגה, אסכולות שהשפיעו וחומרים (לאובייקטים מוחשיים), תפקיד, שיטת ייצור והשימוש.

ד. רשימה של האמנים העוסקים במסורת.

ה. המשכיות וסכנות היעלמות אפשריות,

- לחצים או מגבלות הנובעים:
- מהתפתחות כלכלית או טכנולוגית;
- משינוי אקלימי או זיהום;
- מהתפתחות התיירות;
- מעלייה או ירידה בריבוי הטבעי (נתונים מספריים) בקהילה שמדובר בה;
- מגורמים אחרים.

3. הצדקה למועמדות

את ערכם היוצא מהכלל של המרחב התרבותי או צורת הביטוי התרבותי צריך להוכיח **בהתאם לקריטריוני הבחירה שתוארו בסעיפים 22 ו23- של המדריך**.

א. ערך יוצא מהכלל כיצירת מופת של סגולות המין האנושי:

- לקהילה הנדונה ולשמירה על מגוון תרבותי, במיוחד בכל הקשור בביטויים אחרים במסגרת אותה תרבות, או ביטויים של תרבויות קרובות <u>קשורות</u> ולביטויים אוניברסליים;

- כיצירה ייחודית ולא רק כתחום יצירה רחב (כמו למשל, יצירה מוזיקלית כללית של כלי מבלי לציין את צורתו, שירי עם או ריקודי עם של אזור מבלי לציין את הווריאציות הגאוגרפיות, הקיימות או סדרה של ביטויי תרבות לא מפורטים שקשורים באזור לשוני);
- בכל הקשור לשפות – אלה אינן ראויות למועמדות כשלעצמן –המועמדות צריכה להוכיח:
- שצורת הביטוי נוצרה כביטוי בעל-פה (הייתה ביטוי בעל-פה במקורה, לפני שתועתקה);

- שהאופי של מסירת הביטוי בעל-פה נשמר עד ימינו אנו, והוא עדיין בבחינת תכונה מאפיינת של הביטוי;
- שהביטוי מוצג כקורפוס מוגדר היטב של המסירה בעל-פה;
- שהאמצעים המוצעים בתכנית הפעולה שמים להם למטרה לשמר את המסירה בעל-פה (ממד המסירה בעל-פה וממד האי-מוחשיות) של הביטוי;
- שהצגת המועמדות של קורפוס של טקסט בעל-פה (ספרות בעל-פה) תלווה בווידאו של מבצעיו, בביצוע, ובקשרים של הביצוע, כדי שאפשר יהיה לראות בבירור כיצד התכונות האמנותיות מתבטאות בשיטות הביצוע, ובהן לדוגמה באופני הביטוי, טכניקות קוֹליות, ג'סטות, ביטויי תנועות בליווי מוזיקלי, והאם אלו רכיבים חיוניים של צורות התקשורת שלה.

ב. שורשיו נטועים בתרבות המסורתית או בהיסטוריה התרבותית של הקהילה שבה מדובר.

ג. תפקידו כאמצעי לאישור הזהות התרבותית של העמים ושל הקהילות התרבותיות שמדובר בהן, חשיבותו כמקור השראה לחילופים בין תרבויות וכאמצעי להידוק הקשרים בין עמים וקהילות, והאם בתפקידו התרבותי והחברתי בקהילה הנדונה מביאים בחשבון שתרבויות משתנות בהתמדה ושהביטוי התרבותי חייב למלא תפקיד בחיים העכשוויים של הקהילה.

ד. מצוינות ביישום המיומנות, התכונות והאיכויות הטכניות שהוצגו.

ה. ערכו כעדות ייחודית של מסורת תרבותית חיה.

ו. קיימת סכנה להיעלמותו בגין היעדר אמצעים לשמירה ולהגנה עליו, בגלל תהליכי שינוי מהירים, עיור או אימוץ תרבות זרה.

4. ניהול

א. הארגון או הגוף המתאם.

ב. הארגון או הגוף האחראי לשמירה על צורת הביטוי התרבותי או המרחב התרבותי, לשימורו ולהחייאתו (מעמדו החוקי של הארגון או של הגוף, ההכרה הלאומית בו, שמו וכתובתו של האדם האחראי, מקורות מימון וכו').

ג. אמצעים שכבר ננקטו כדי להחיות את צורת הביטוי התרבותי או המרחב התרבותי בדרכים התואמות את רצונם של יחידים או של קהילות:

אמצעים משפטיים;

- הגנה משפטית מפני ניצול לרעה של הביטויים התרבותיים הנדונים ;
- הגנה משפטית או אחרת על העוסקים במיומנויות הטכניות או הידע שנצבר ;
- אמצעים שננקטו כדי להבטיח את מסירת הידע או המיומנות ;
- אמצעים אחרים.

5. תכנית פעולה

תוכן תכנית פעולה חמש-שנתית לכל הפחות. יעדיה יהיו לשמור ולהגן על צורת הביטוי התרבותי או המרחב התרבותי - להחיותה, להפיצה ולתקצבה כדי להבטיח שיישומה והמעקב אחריה שיימשכו מעבר לתקופה זו. התכנית תכלול את האלמנטים האלה :

א. שם הפרויקט.

ב. הארגון או הגוף המתאם של קבוצת המדינות החברות שמגישות את המועמדות.

ג. הארגון או הגוף שאחראים להוצאתה לפועל של תכנית הפעולה בכל מדינה חברה.

ד. תיאור מפורט של מעורבותם של היחידים המזוהים כעוסקים במיומנות הטכנית או בידע בקהילות הנדונות.

ה. המנגנונים המנהליים או המשפטיים שנועדו להגן על צורת ביטוי תרבותי או מרחב התרבות נדון.

ו. מקורות המימון והיקפו.

ז. משאבי האנוש הקיימים (המקצועיות שלהם והניסיון שצברו) וההזדמנויות להכשרה בפרויקטים שקשורים בהגנה, החייאה והפצה.

ח. תכנית מפורטת :

- רכיבי הפרויקט
- לוח הזמנים של הפרויקט (שלב I, שלב II...)
- סוכנויות שמוציאות אל הפועל את הפרויקט
- היסטוריה
- רציונל
- יעדים לטווח ארוך
- יעדים לטווח קצר
- תוצאות צפויות
- תכנית עבודה
- תקציב מפורט.

6. תיעוד חיוני

כמתואר בסעיפים 14ב עד 14ה של מדריך זה, ברשות המועמדות יהיו:

א. תיעוד הכרחי להערכה - דהיינו מפות, תצלומים וכן תשלילים או שקופיות, הקלטות שמע או אודיו-ויזואליות (וידיאו) או כל חומר שימושי אחר המציג את המועמדות; חומר זה יהיה מלווה במכתב ובו אישור להפצת כל המסמכים האלה לצורכי קידום וניתוח בַּנושא וכן ביבליוגרפיה מקיפה שתירשם בהתאם לנוהג המקובל בעולם המדע והאקדמיה.

ב. מסמך וידיאו באיכות מקצועית (Betacam דיגיטלי, Betacam Sp או DV), של לא יותר מעשר דקות, ואשר בו ישתקפו ההיבטים המשמעותיים ביותר של קובץ המועמדות. סרטון זה יוקרן בפני חבר השופטים במהלך הדיונים.

ג. מסמך כתוב, סרטון וידיאו, הקלטת אודיו או ראָיה אחרת שאין להפריכה ואשר מעידים על הסכמתם של הקהילה או של העוסקים בדבר לתוכן המועמדות.

ד. מסמך המעיד על:

- הסכמתה של כל מדינה-חברה המעורבת לתוכן המועמדות;
- התחייבות מכל מדינה-חברה המעורבת במועמדות להוציא אל הפועל את תכנית הפעולה, כפי שפורטה בסעיף 5 של תבנית הגשת המועמדות הסטנדרטית.

נספחים

נספח I – תקנות אונסקו להכרזה על יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית

נספח II – הקמת גוף לאומי להגנה על מורשת התרבות הלא-מוחשית

נספח III – המלצות לשמירה על התרבות והפולקלור המסורתיים

נספח I

תקנות אונסקו להכרזה על יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית*

1. מטרה

א. מטרתה של הכרזה זו להוקיר יצירות מופת יוצאות מהכלל של מורשת האנושות הנמסרת בעל-פה ואינה מוחשית. היצירות תיבחרנה מתוך מרחבים תרבותיים או צורות של ביטויי תרבות עממית או מסורתית ויצירות מופת מוכרזות ממורשת האנושות שנמסרת בעל-פה ואינה מוחשית.

ב. מטרה נוספת היא לעודד ממשלות, ארגונים לא-ממשלתיים וקהילות מקומיות - לזהות, לשמר ולקדם את המורשת שנמסרת בעל-פה ואינה מוחשית, במחשבה שתשמש מאגר וזיכרון משותף של העמים. רק הם יכולים להבטיח שיישרדו התכונות התרבותיות הייחודיות. ההכרזה נועדה גם לעודד יחידים, קבוצות, מוסדות וארגונים לתרום תרומות יוצאות דופן לניהול, לשמירה, להגנה ולקידום של המורשת הנדונה, הנמסרת בעל-פה ואינה מוחשית, בהתאם למטרות אונסקו ותכניתו בתחום זה, במיוחד בכל הקשור במעקב אחר **ההמלצות לשמור על התרבות והפולקלור העממיים המסורתיים (1989)**.

ג. לצורך תקנות אלו, המושג האנתרופולוגי של "מרחב תרבותי" יקבל משמעות של מקום שבו מרוכזות פעולות תרבות עממיות ומסורתיות, אבל גם תקופה שמאופיינת בדרך כלל במחזוריות מסוימת (מחזורית, עונתית, שנתית וכו') או באירוע מיוחד ושמרחב הזמן והמקום חב את קיומו לפעילויות התרבותיות שמתרחשות בו על-פי המסורת.

ד. **המונח "מורשת הנמסרת בעל-פה ואינה מוחשית" מוגדר** לאור ההמלצה שהוזכרה לעיל: "**פולקלור (או תרבות מסורתית ועממית) הוא כלל יצירותיה של קהילה תרבותית המבוססות על המסורת שלה, שקבוצה או יחידים מבטאות אותן והמוכרות כמשקפות את ציפיותיה של קהילה, את זהותה התרבותית והחברתית - בין היתר בשפה, בספרות, במוסיקה, בריקוד, במשחקים, במיתולוגיה, בטקסים, במלאכות-יד נפוצות, בארכיטקטורה ובאמנויות אחרות**". נוסף על דוגמאות אלו, ראוי לתת את הדעת גם לצורות מסורתיות של תקשורת ואינפורמציה.

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* החלטה 3.5.5 של ישיבת הוועד המנהל, 155, (נובמבר 1998)

ה. אונסקו יקצה משאבים ויחפש מקורות כספיים נוספים שיאפשרו לו להעניק סיוע למדינות החברות, בהכנה והגשה של מועמדויות ובמימון עלויות ההערכה של קובצי המועמדות שהוגשו לחבר השופטים. הענקת פרס לאחר ההכרזה תאפשר לאונסקו לנקוט פעולה כדי לשמור ולהגן על המרחבים התרבותיים או על צורות הביטוי תרבותי שמדובר בהן ולהחיות אותן. אפשר שהארגון יספק סיוע בצורה של משאבי אנוש וידע.

ו. אחת לתקופה ימסור המנהל הכללי למדינות החברות ולצדדים אחרים שמוזכרים בסעיף 1 פסקה (ב), לפי בקשתן, רשימה של יצירות ממורשת האנושות שנמסרת בעל-פה ואינה מוחשית שכבר הוכרזו, ויצביע על קהילות-המקור של היצירות האלה.

2. זכאות

דוגמאות מהמורשת הנמסרת בעל-פה ואינה מוחשית שעומדות בקריטריונים של תקנות אלו יכולות להיות מוכרזות כיצירות מורשת האנושות הנמסרת בעל-פה ואינה מוחשית.

3. הפוגה בין הכרזות

א. פעם בשנתיים יכריז המנהל הכללי, על פי המלצת חבר שופטים, בטקס ציבורי - שייערך במטה הכללי של אונסקו בפריז או בכל מקום אחר שיבחר בו המנהל הכללי - על יצירות ממורשת האנושות שנמסרת בעל-פה ואינה מוחשית.

ב. בשנה שיהיו בה הכרזות, תישמר לחבר השופטים הזכות שלא להמליץ אם לפי דעתם אף דוגמה אחת מהמוצגות אינה עונה על הקריטריונים שהוגדרו בסעיף 5 של תקנות אלו.

4. תהליך הערכה

א. המשימה לבחור בדוגמה מהמורשת הנמסרת בעל-פה ואינה מוחשית כדי שתוכרז כ"יצירת מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית" תוטל על חבר שופטים. המנהל הכללי של אונסקו ימַנה 18 חברים, לאחר התייעצות עם המדינות החברות, כדי להבטיח איזון:

- בין אנשים יצירתיים ומומחים;
- גאוגרפי;
- ייצוג נשים וצעירים;
- בין הדיסציפלינות המיוצגות - כמו למשל מוזיקה, ספרות בעל-פה, אמנויות הבמה, טקסים, שפות והמיומנויות המעורבות בעבודות אומן ובארכיטקטורה מסורתית.

ב. על בסיס קריטריוני הבחירה הכלליים שמפורטים להלן, יכין חבר השופטים שני מסמכים. את המסמכים האלה יגיש למנהל הכללי: (1) טיוטה של כללי הפרוצדורה; (2) מדריך להכנת קבצים להגשת המועמדות, ובו פירוט קריטריוני הבחירה.

ג. בביצוע המנדט שניתן לו לארבע שנים, חבר השופטים לא יביא בחשבון את הלאום, המוצא האתני, המין, השפה, המקצוע, האידאולוגיה או הדת של היחידים המעורבים. עם זאת, חבר השופטים עשוי לבקש את השתתפותם או את חוות דעתם של נאמנים מוכרים של המורשת הנמסרת בעל-פה ואינה מוחשית.

ד. חבר השופטים ימליץ למנהל הכללי על רשימה של מועמדויות.

5. הגשת מועמדויות

הגורמים היכולים להגיש למנהל הכללי של אונסקו, בהסכמתן של הקהילות המעורבות, דוגמאות מהמורשת הנמסרת בעל-פה ואינה מוחשית שאפשר להכריז עליהן כעל יצירות מופת הם:

א. ממשלות של מדינות חברות ושל חברות נספחות;

ב. ארגונים בין-ממשלתיים, בהתייעצות עם הוועד הלאומי של אונסקו של המדינה הנדונה; או

ג. ארגונים לא-ממשלתיים (NGOs) בעלי קשרים פורמליים עם אונסקו, בהתייעצות עם הוועד הלאומי של אונסקו במדינתם.

כל מדינה חברה רשאית להגיש מועמדות יחידה פעם בשנתיים. דוגמאות למורשת הנמסרת בעל-פה ואינה מוחשית שמעורבות בהן כמה מדינות חברות יובאו בחשבון, נוסף על המכסה שהוזכרה לעיל. חבר השופטים עשוי לדחות דוגמאות מסוימות להכרזה הבאה מקץ שנתיים.

6. קריטריונים

המנהל הכללי יכריז על יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית על-פי המלצה של חבר השופטים, וזאת על בסיס הקריטריונים התרבותיים האלה:

א. המרחב או צורת הביטוי התרבותי שהוכרזו כיצירת מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית צריכים להיות בעלי ערך יוצא מהכלל ולשם כך עליהם לייצג:

1. ריכוז גדול של מורשת תרבותית לא-מוחשית בעלת ערך ייחודי; או

2. ביטוי תרבותי עממי או מסורתי בעל ערך ייחודי מנקודת מבט היסטורית, אמנותית, אתנולוגית, סוציולוגית, אנתרופולוגית, לשונית או ספרותית. בהערכת ערכה של המורשת הנדונה, ישקול חבר השופטים את הקריטריונים האלה:

- ערכה הייחודי כיצירת מופת של גאוניות המין האנושי;
- שורשיה במסורת התרבותית או בהיסטוריה התרבותית של הקהילה הנדונה;
- תפקידה כאמצעי לאישור הזהות התרבותית של העמים ושל הקהילות התרבותיות הנדונות, חשיבותה כמקור השראה וחילופים בין-תרבותיים וכאמצעי להידוק הקשרים בין עמים או קהילות וכן תפקידה המודרני, התרבותי והחברתי בקהילה הנדונה;
- מצוינות ביישום המיומנות, התכונות והאיכויות הטכניות המוצגות;
- ערכה כעדות ייחודית של מסורת תרבותית חיה;
- סכנת היעלמותה בשל היעדר אמצעים לשמירה והגנה, עקב תהליכי שינוי מהירים, עיור או אימוץ תרבות זרה.

ב. הגשת דוגמאות של מרחבים ושל צורות ביטוי תרבותי שיוכרזו כיצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית צריכה להיות מלווה ב-

1. תכנית פעולה שמתאימה למרחב או לצורה של הביטוי התרבותי הנדון. התכנית תפרט את האמצעים המשפטיים והמעשיים שצריך לנקוט בעשר השנים שלאחר מכן כדי לשמר ולהגן על המורשת שנמסרת בעל-פה ואינה מוחשית, לתמוך בה ולקדמה. תכנית הפעולה תספק תיאור מפורט של האמצעים המוצעים ושל דרך יישומם ותיתן את הדעת לצורך להגן על המנגנונים הפנימיים הקיימים להעברת המסורות לדורות הבאים;
2. התאמה בין תכנית הפעולה לבין האמצעים שפורטו בהמלצות לשמירה על תרבות מסורתית ופולקלור ולחזון של אונסקו;
3. פירוט האמצעים שראוי לנקוט כדי לערב את הקהילות המעורבות בשימור ובהגנה על מורשתן הנמסרת בעל-פה ואינה מוחשית;

4. שמות של גופים מוסמכים במסגרת הקהילה ו/או הממשלה הנדונה, שיהיו אחראים להבטיח שמצבה של המורשת הנמסרת בעל-פה ואינה מוחשית, כפי שהוא מתואר במועמדות שהוגשה, לא ישתנה בעתיד.

ג. כדי להעריך את מידת התאמתה של תכנית הפעולה חבר השופטים ייתן את הדעת:

- למנדט של הרשויות הציבוריות או הארגונים הלא-ממשלתיים בדבר שמירה, שימור, הגנה משפטית, העברה והפצה של ערכי התרבות הנדונים;
- לקיומו של מנגנון מִנהלי נאות ושל מנגנונים אפקטיביים לפיקוח על יישום פרוצדורת התכנון המקורית שמכבדים את המסורות המקומיות והלאומיות;
- לאמצעים שננקטו כדי להגביר את המודעות בקרב החברים הבודדים של הקהילה הנדונה לערכה של המורשת ולחשיבות שמירתה;
- לתפקיד שהוטל על הקהילה שתכנית הפעולה נוגעת לה וליתרונות שהיא מפיקה ממנו;
- לתפקיד שהוטל על ממשיכי המורשת הנדונה;
- לאמצעים שננקטו:

1. במסגרת הקהילה המקומית לשמר את המורשת הזאת ולקדמה;
2. לתעד את המסורות כדי לאפשר לחוקרים ברמה לאומית וברמה הבין-לאומית גישה לאינפורמציה, וכדי לעודד מחקר מדעי כאמצעי לשימור מורשת זו;
3. להוסיף ולפתח את המיומנויות, הטכניקות והצורות הרלוונטיות של הביטוי התרבותי הנדון;
4. בקשר לממשיכי המורשת, כדי להעביר את המיומנויות, הטכניקות והשיטות של הביטוי התרבותי למתלמדים ו/או לאנשים צעירים ככלל.

7. פיקוח ומעקב

מאחר שההכרזה מבוססת על תכנית פעולה, חיוני להבטיח פיקוח על תכנית פעולה זו ומעקב אחריה. לפיכך, על המדינה להתחייב להגיש לאונסקו בקביעות דוח על יישום תכנית הפעולה.

8. מינהל

לצורכי עבודתו יסתייע חבר השופטים בחבר מזכירות אונסקו שהמנהל הכללי ימנה לשם כך. מזכירות הכרזת היצירות של פרויקט מורשת האנושות הנמסרת בעל-פה ואינה מוחשית תהיה אחראית, תחת סמכותו של המנהל הכללי, ליישום התקנות האלה, ובמיוחד לביצוע המשימות הללו:

א. הזמנת הגשת מועמדויות;

ב. רישום המועמדויות שעניינן דוגמאות שהוגשו;

ג. הגשת מועמדות לחבר השופטים לאחר התייעצות עם ארגונים לא-ממשלתיים המתמחים בתחום המורשת הלא-מוחשית;

ד. ארגון פגישות חבר השופטים לפי כללי הפרוצדורה;

ה. פיקוח על יישום תכנית הפעולה בדבר מרחבים שכבר הוכרזו כיצירות מופת;

ו. פעילויות לקידום ההכרזה של פרויקט יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית, אשר נועדו ליידע את הציבור בדבר חשיבותה של שמירה על המורשת הלא-מוחשית;

ז. גיוס כספים מעֵבר לתקציב הרגיל כדי לסייע בפעולות השימור.

נספח II

הקמת גוף לאומי להגנה על מורשת התרבות הלא-מוחשית•

כידוע לכם, הוועד המנהל במושבו ה161- (מאי–יוני 2001) אימץ החלטה (החלטה 3.4.3 פסקה 10), ובה הזמין את המדינות החברות "לייסד גוף לאומי להגנה על המורשת הלא-מוחשית. הגוף יורכב מאמנים, יוצרים וגורמים אחרים שמעורים ברמה המקומית". גוף זה הוא אחד האמצעים שנחוצים לתפקודו הנאות של פרויקט ההכרזה על יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית.

גופים שיוקמו ברמה הלאומית יקבלו עליהם אחריות לשמור, להחיות ולהאדיר את המורשת הנמסרת בעל-פה ואינה מוחשית; הם יבצעו משימות ספציפיות במהלך ההכנה וההגשה של המועמדות על-ידי (1) השתתפות בבחירת המועמדויות הלאומיות או הרב-לאומיות; (2) מתן ייעוץ לרשויות הלאומיות, אם יש מועמדויות רב-לאומיות, בתיאום ההגשה של מועמדויות אלו עם כל המדינות שהדבר נוגע להן; (3) ייעוץ לרשויות הלאומיות והמוסדות הרלוונטיים במהלך ההכנה וההגשה של המועמדות, ו-(4) בחינת תוכן המועמדויות לפני ההגשה לאונסקו.

זאת ועוד, לאחר הכרזת היצירות יידרש גוף זה לייעץ לרשויות הלאומיות הרלוונטיות באשר לאופן הראוי לניסוח תכנית פעולה מפורטת, לפיקוח על יישומה ולמעקב אחריה.

הרשו לי להמליץ לבחור את החברים שיכהנו בגופים אלו באותו האופן שבו ייבחרו האנשים המכהנים בחבר השופטים שיכריז על יצירות מופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית [(תקנה 4 (א) של התקנות לעניין הכרזת אונסקו על יצירות המופת ממורשת האנושות הנמסרת בעל-פה ואינה מוחשית)], כדי להבטיח איזון בין יוצרים ומומחים ובין הדיסציפלינות המיוצגות, דוגמת מוזיקה, ספרות בעל-פה, אמנויות הבמה, טקסים, שפות ומיומנויות המעורבות בעבודות אמנות וארכיטקטורה מסורתית, וכן כדי להבטיח שגם נשים וצעירים יזכו לייצוג נאות.

קבלו מראש את תודתי על צעדים שיינקטו כדי להקים גופים כאלה במדינתכם.

אקדיש לעניין את מלוא תשומת לבי.

קואיצ'ירו מטסואורה

המנהל הכללי

• מכתב מנכ"ל אונסקו CL/3603, 15 באוקטובר 2001, אל השרים האחראים לקשרים עם אונסקו.

נספח III

המלצות לשמירה על התרבות והפולקלור המסורתיים (1989)•

האספה הכללית של ארגון האומות המאוחדות לחינוך, מדע ותרבות, במושבה ה25- בפריז, מ17- באוקטובר עד 16 בנובמבר 1989,

במחשבה כי פולקלור הנו חלק מהמורשת העולמית של האנושות והנו אמצעי רב-עצמה לקשר בין עמים שונים ובין קבוצות חברתיות שונות ולהבעת זהותם התרבותית,

בציינה את חשיבותו מבחינה חברתית, תרבותית ופוליטית, את תפקידו בהיסטוריה של העמים, ואת מקומו בתרבות המודרנית,

בהדגישה את אופיו הייחודי ואת חשיבותו של הפולקלור כחלק אינטגרלי של המורשת התרבותית ושל התרבות החיה,

בהכירה בשבריריותן הרבה של צורות פולקלור מסורתיות, ובמיוחד של ההיבטים שעוסקים במסורת בעל-פה ובסכנה שמא יאבדו,

בהדגישה את הצורך הקיים בכל המדינות להכיר בתפקידו של הפולקלור ובסכנה המאיימת עליו מצד גורמים רבים,

בסברה כי על הממשלות למלא תפקיד מכריע בשמירה על הפולקלור ולפעול במהירות האפשרית,

מאחר שהחליטה, במושבה ה25- כי השמירה על הפולקלור צריכה להיות נושא להמלצה למדינות החברות במסגרת משמעותו של סעיף IV, פסקה 4, של החוקה, מאמצת את ההמלצה הנוכחית בתאריך זה, ה15- בנובמבר 1989.

האספה הכללית ממליצה למדינות החברות ליישם את ההוראות הבאות בעניין שמירה על הפולקלור ולנקוט את פעולות החקיקה הנדרשות או צעדים אחרים שעשויים להידרש בהתאם לחוקים התקפים בכל מדינה כדי לתת תוקף בשטחיהן לעקרונות ולאמצעים שהוגדרו בהמלצה זו.

• הוועידה הכללית ה25- של אונסקו, פריז, 15 בנובמבר 1989.

האספה הכללית ממליצה לכל המדינות החברות להביא המלצה זו לתשומת לבם של הרשויות, המחלקות או הגופים האחראים לענייני השמירה על הפולקלור ולתשומת לבם של הארגונים השונים או המוסדות העוסקים בפולקלור, ולעודד את קשריהם עם הארגונים הבין-לאומיים המתאימים שעוסקים בשימור הפולקלור.

האספה הכללית ממליצה למדינות החברות להגיש לארגון במועדים ובאופנים שתקבע דוחות על הפעולה שננקטו כדי להוציא אל הפועל המלצה זו.

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א. הגדרת פולקלור

פולקלור (או תרבות מסורתית ועממית) הוא כלל היצירות מבוססות-מסורת של הקהילה התרבותית, שקבוצה או יחידים מבטאים אותן והידועות כמשקפות את ציפיותיה של הקהילה כל עוד הן משקפות את זהותה התרבותית והחברתית; אמות המידה של הפולקלור וערכיו מועברים בעל-פה, בחיקוי או באמצעים אחרים. עם צורותיו השונות נמנים בין היתר שפה, ספרות, מוזיקה, ריקוד, משחקים, מיתולוגיה, טקסים, מנהגים, עבודות יד, ארכיטקטורה ואמנויות אחרות.

ב. זיהוי פולקלור

על הפולקלור כצורה של ביטוי תרבותי, צריכה לשמור הקבוצה שאת זהותה הוא מבטא (משפחתית, תעסוקתית, לאומית, אזורית, דתית, אתנית, וכו') ויש צורך גם לשמור עליו בשבילה. לצורך כך, המדינות החברות צריכות לעודד מחקר נאות ברמות הלאומית, האזורית והבין-לאומית, במטרה:

1. לפתח רשימת מצאי לאומית של מוסדות שעוסקים בפולקלור במטרה לכלול אותה ברישומים אזוריים ועולמיים של מוסדות פולקלור.
2. ליצור מערכות רישום וזיהוי (איסוף, קטלוג, תעתוק) או לפתח את המערכות שכבר קיימות באמצעות ספרי הדרכה, מדריכי איסוף, קטלוגים ומודל בשל הצורך לתאם בין שיטות הסיווג שהמוסדות השונים משתמשים בהן.
3. לעורר יצירה של טיפולוגיה סטנדרטית של הפולקלור –
   א. על-ידי תיאור כללי של הפולקלור לשימוש עולמי;
   ב. על-ידי רישום מקיף של הפולקלור; וגם
   ג. על-ידי סיווגים אזוריים של פולקלור, במיוחד פרויקטים ניסיוניים של עבודת שטח.

ג. שימור פולקלור

שימור עוסק בתיעוד שעניינו מסורות עממיות ומטרתו, אם אין ניצול או התפתחות של מסורות כאלה, לתת לחוקרים ולממשיכי המסורת גישה לנתונים שיאפשרו להם להבין את תהליך השינוי של המסורת. בגלל אופיו המתפתח של פולקלור קיים, לא תמיד אפשר להגן עליו הגנה ישירה. לעומת זאת צריך להגן ביעילות על פולקלור שהתבסס בצורה מוחשית.

לצורך כך, מדינות חברות צריכות:

1. להקים ארכיונים לאומיים שאפשר יהיה לאחסן בהם כראוי פולקלור שנאסף ולעשותו נגיש.
2. להקים ארכיון לאומי מרכזי לצורכי קטלוג מרכזי, הפצת אינפורמציה על חומרי פולקלור ואמות מידה של עבודות פולקלור ובהן היבט השמירה.
3. להקים מוזאונים או מחלקות פולקלור במוזאונים קיימים כדי להציג בהם תרבות מסורתית ועממית.
4. להעדיף דרכים להציג תרבויות מסורתיות ועממיות שמדגישות את חייהם של היבטים קודמים של אותן תרבויות (תרבויות המראות את סביבתן, את דרכי החיים ואת העבודות, המיומנויות והטכניקות שיצרו).
5. לאחד את שיטות האיסוף והשמירה בארכיון.
6. להכשיר עובדי גנזך, מתעדים ומומחים אחרים בשימור הפולקלור – משימור פיזי עד לעבודה אינטלקטואלית אנליטית.
7. לספק אמצעים ליצירת עותקי משמרת ועותקי עבודה של כל החומרים הפולקלוריסטיים, ועותקים למוסדות אזוריים, ובכך להבטיח לקהילה התרבותית גישה לחומרים אלו.

ד. שמירה על פולקלור

שמירה עוסקת בהגנה על מסורות עממיות ועל מסורות שמעבירים אותן לדורות הבאים וגם על זכותו של כל עם לתרבות משלו ולדבֵקות בתרבות זו, אף כי היא נשחקת לעתים קרובות עקב ההשפעה של התרבות המתועשת וכלי התקשורת. יינקטו אמצעים להבטיח את המעמד של המסורות העממיות ואת התמיכה הכלכלית בהן, כולל גם בקהילות שיוצרות אותם וגם מעבר להן. לשם כך, המדינות החברות צריכות:

1. לתכנן את ההוראה והלימוד של הפולקלור ולהנהיגם כנדרש בתכנית הלימודים הפורמלית ובתכנית הלימודים הבלתי-פורמלית, עם דגש מיוחד על כבוד לַפולקלור במובן הרחב ביותר של המילה, ולהביא בחשבון לא רק תרבויות כפריות ותרבויות חקלאיות אחרות אלא גם את אלו שיצרו קבוצות חברתיות מגוונות, מקצועות, מוסדות וכו' באזורים עירוניים, ובכך לטפח הבנה טובה יותר של שונות תרבותית והשקפות עולם שונות, ובמיוחד אלו שאינן משתקפות בתרבויות הדומיננטיות.
2. להבטיח את זכות הגישה של קהילות שונות לפולקלור שלהן על-ידי תמיכה בעבודתן בתחומים של תיעוד, שמירה בארכיון, מחקר וכן התנהלות על-פי המסורות.

3. להקים על בסיס אינטר-דיסציפלינרי מועצה לאומית לפולקלור או גוף מתאם דומה, שתהיה בו נציגות לקבוצות אינטרסים שונות.
4. לספק תמיכה מוסרית וכלכלית ליחידים ולמוסדות שלומדים, מפיצים ידע, מטפחים או שומרים על פריטי פולקלור.
5. לקדם מחקר מדעי רלוונטי לשמירת הפולקלור.

ה. הפצת פולקלור

צריך למשוך את תשומת הלב של אנשים לחשיבות הפולקלור כרכיב בזהות התרבותית ולהפיץ ברבים את הפריטים שמרכיבים את המורשת התרבותית, כדי שיוכרו ערכו של הפולקלור והצורך לשמרו. עם זאת, ראוי למנוע עיוות במהלך ההפצה, כדי לשמור על שלמותן של המסורות. על מנת לקדם הפצה סבירה, על המדינות החברות:

1. לעודד ארגון של אירועים לאומיים, אזוריים ובין-לאומיים דוגמת ירידים, פסטיבלים, סרטים, תערוכות, סמינרים, סימפוזיונים, סדנאות, קורסי הכשרה וקונגרסים ולתמוך בהפצה ובפרסום של החומרים, המאמרים והתוצרים האחרים שלהם.
2. לעודד סיקור רחב יותר של חומרי פולקלור בעיתונות הלאומית והאזורית, בפרסומות, בטלוויזיה, ברדיו ובכלי תקשורת אחרים, לדוגמה בדרך של מענקים, על-ידי יצירת מקומות עבודה לאנשי פולקלור ביחידות אלו, על-ידי הבטחת שמירה נאותה בארכיונים והפצה של חומרי פולקלור אלו שנאספו באמצעות כלי התקשורת, וכן על-ידי הקמת מחלקות לפולקלור במסגרת אותם ארגונים.
3. לעודד מחוזות, רשויות עירוניות, התאחדויות וקבוצות אחרות שעוסקות בפולקלור - ליצור מקומות עבודה במשרה מלאה לאנשי פולקלור כדי לעורר ולתאם פעילויות פולקלור באזור.
4. לתמוך ביחידות קיימות וביצירת יחידות חדשות לשם הפקת חומרים חינוכיים, כמו למשל סרטוני וידיאו המבוססים על עבודת שטח שנעשתה בזמן האחרון ולעודד את השימוש בהם בבתי-ספר, במוזאונים לפולקלור, בפסטיבלים לפולקלור לאומיים ובין-לאומיים ובתערוכות.
5. להבטיח זמינות של אינפורמציה נאותה על פולקלור באמצעות מרכזי תיעוד, ספריות, מוזאונים, ארכיונים וכן על-ידי עלוני פולקלור וכתבי-עת מיוחדים.
6. לקיים מפגשים וחילופים בין יחידים, קבוצות ומוסדות שעניינם פולקלור, לאומי או בין-לאומי, ולהביא בחשבון הסכמי תרבות בילטרלים.
7. לעודד את הקהילה המדעית הבין-לאומית לאמץ קוד אתי שיבטיח גישה נאותה ויחס של כבוד לתרבויות המסורתיות שלהן.

ו. הגנה על פולקלור

כל עוד יש בפולקלור ביטויי יצירתיות אינטלקטואלית של יחידים או של קבוצות, ראוי שיזכה בהגנה שההשראה לה נובעת מההגנה על יצירות אינטלקטואליות. הגנה זו על הפולקלור נעשתה חיונית כאמצעי לקידום התפתחויות נוספות, תחזוקה והפצה של ביטויים אלו, בתוך המדינה ומחוצה לה, בלא משוא-פנים לאינטרסים לגיטימיים קשורים.

אם נניח בצד את "היבטי הקניין הרוחני" של ההגנה על ביטויי פולקלור, נמצא קטגוריות שונות של זכויות שכבר מוגנות וצריכות להמשיך ליהנות מהגנה גם בעתיד במרכזים לתיעוד פולקלור ובארכיונים. לשם כך, המדינות החברות צריכות:

1. בכל הקשור בהיבטים של קניין רוחני: להסב את תשומת לבן של רשויות רלוונטיות לחשיבות עבודתם של אונסקו ושל הארגון העולמי לקניין רוחני (WIPO). להכיר רק בהיבט אחד של ההגנה על הפולקלור בדחיפות ובצורך בפעולה נפרדת כדי לשמור על הפולקלור.
2. בכל הקשור בזכויות האחרות בעניין:
   א. להגן על האינפורמנט בהיותו מעביר המסורת (הגנה על הפרטיות ועל הסודיות);
   ב. להגן על האינטרסים של האוסף והמתעד על-ידי הבטחה שהחומרים שייאספו יישמרו בארכיונים בתנאים טובים ובצורה שיטתית;
   ג. לאמץ את האמצעים הנחוצים כדי להגן על החומרים שנאספו מפני שימוש לרעה שנעשה במכוון או שימוש אחר לרעה;
   ד. להכיר באחריותם של הארכיונים לפקח על השימוש בחומרים שנאספו.

ז. שיתוף פעולה בין-לאומי

על מנת לחזק את שיתוף הפעולה התרבותי והחילופים, במיוחד על-ידי איגום משאבי אנוש ומשאבים חומריים במטרה לפתח את הפולקלור ואת תכניות ההחייאה וכן את המחקר שיעשו מומחים שהם אזרחי מדינה חברה אחת באזור של מדינה חברה אחרת, על המדינות החברות:

1. לשתף פעולה עם התאחדויות, מוסדות וארגונים בין-לאומיים ואזוריים שעניינם פולקלור.
2. לשתף פעולה בתחום הידע, ההפצה וההגנה של הפולקלור, וזאת במיוחד על-ידי:
   א. חילופי מידע מכל סוג וחילופי פרסומים מדעיים וטכניים;
   ב. הדרכת מומחים והענקת מענקי נסיעה, שליחת אנשים וציוד מדעי וטכני;
   ג. קידום פרויקטים בי-לטרליים או מולטי-לטרליים בתחום של תיעוד הפולקלור המודרני;
   ד. ארגון של מפגשי מומחים, קורסי לימודים וקבוצות עבודה בעניינים מסוימים, במיוחד בסיווג וקִטלוג של נתוני פולקלור וביטוים, שיטות מודרניות וטכניקות מחקר.

3. לשתף פעולה כדי ליצור מחויבות בין-לאומית לכך שלצדדים השונים בעלי העניין (קהילות או גופים חוקיים) יהיו הזכויות הכלכליות, המוסריות ו"זכויות שכנות" הנובעות מחקירת הפולקלור, יצירתו, חיבורו, ביצועו, הקלטתו ו/או הפצתו;
4. להבטיח למדינות החברות שבשטחן נעשה מחקר את הזכות לקבל מהמדינה החברה הנדונה, עותקים של כל המסמכים, ההקלטות, סרטוני הווידיאו, הסרטים והחומרים האחרים;
5. להימנע מפעולות שעשויות להזיק לחומרי פולקלור או להפחית מערכם או למנוע את הפצתם או את השימוש בהם, יהא אשר יהא מקומם של החומרים האלה – בשטחן של המדינות האלה או בשטחן של מדינות אחרות.
6. לנקוט את כל האמצעים הנחוצים כדי לשמור על הפולקלור מהסכנות האנושיות והטבעיות שאורבות לו, ובהן סיכונים שנובעים ממלחמות, כיבוש שטחים או הפרעות אחרות של הסדר הציבורי.

The MULTILATERALS PROJECT, The Fletcher School, Tufts University
August 1994

BUENOS AIRES DRAFT CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

The Committee [1] has prepared a Convention that provides basic protection beyond the territorial seas of coastal states for a very sensitive and precious heritage that is subject to growing threats of damage and destruction. A second purpose has been to help avoid and resolve jurisdictional issues involving underwater cultural heritage.

We were motivated by a conviction that both supporters and critics of a progressive development of the law share in a responsibility to devise the best means of avoiding further spoliation of the common heritage at sea. To do nothing is to fail, individually and collectively, to shoulder this responsibility.

To help ensure acceptability of the Convention, the Committee solicited views and suggestions from a broad range of persons and institutions. [2] Present and past expressions of opinion by particular States were taken into account primarily as a means of elaborating and amplifying particular points. Particular attention was paid to the 1982 United Nations Convention on the Law of the Sea and the 1992 European Convention on the Protection of the Archaeological Heritage (Revised).

Preamble

States party to the present Convention,

Acknowledging the importance of the underwater cultural heritage as an integral part of the cultural heritage of humanity and a particularly important element in the history of peoples, nations, and their relations with each other concerning their shared heritage;

Noting growing public interest in the underwater cultural heritage;

Perceiving that growing threats to the underwater cultural heritage include increasing construction activity, advanced technology that enhances identification of and access-to wreck, exploitation of marine resources, and commercialization of efforts to recover underwater cultural heritage;

Determining that the underwater cultural heritage may be threatened by irresponsible activity and that therefore cooperation among States, salvors, divers, their organizations, marine archaeologists, museums and other scientific institutions is essential for the protection of the underwater cultural heritage;

Considering that exploration, excavation, and protection of the underwater cultural heritage necessitates the application of special scientific methods and the use of suitable techniques and equipment as well as a high degree of professional specialization, all of which indicates a need for uniform governing criteria;

Recognizing that the underwater cultural heritage belongs to the common heritage of humanity, and that therefore responsibility for protecting it rests not only with the State or States most directly concerned with a particular activity affecting the heritage or having an historical or cultural link with it, but with all States and other subjects of international law;

Bearing in mind the need for more stringent supervision to prevent any

BACK

clandestine excavation which, by destroying the environment surrounding underwater cultural heritage, would cause irremediable loss of its historical or scientific significance;

Realizing the need to codify and progressively develop the law in conformity with international rules and practice, including provisions in the 1982 United Nations Convention on the Law of the Sea;

Convinced that information and multidisciplinary education about the underwater cultural heritage, its historical significance, serious threats to it, and the need for responsible diving, deep-water exploration and other activity affecting the underwater cultural heritage, will enable the public to appreciate the importance of the underwater cultural heritage to humanity and the need to preserve it; and

Committed to improving the effectiveness of measures at international and national levels for the preservation in place or, if necessary for scientific or protective purposes, the careful removal of the heritage that may be found beyond the territorial sea;

Have agreed as follows:

Commentary

The Preamble to an international agreement is significant. According to the Vienna Convention on the Law of Treaties (Article 31(2)), it may be used as a contextual aid to interpretation. As the last paragraph of the Preamble suggests, the best way of protecting the underwater cultural heritage is to keep it in place unless its removal is necessary for scientific or protective purposes. Thus, all efforts must be made to prevent unscientific excavation and retrieval of heritage. Other threats include industrial and construction activity, exploitation of marine resources and commercialization of efforts to recover underwater cultural heritage. These are matters that should be of concern to all States and other subjects of international law, not just those directly concerned with a particular activity. Threats to underwater cultural heritage also concern salvors, divers, their organizations, marine archaeologists, museums and other scientific institutions. The public must be educated and informed of these threats in order to appreciate the importance of the underwater cultural heritage to humanity and the need to preserve it as a component of the history of humanity. The Convention on Protection of the Underwater Cultural Heritage seeks to fulfil these objectives and to clarify and amplify pertinent provisions of the 1982 United Nations Convention on the Law of the Sea. Particular attention was paid to Articles 149 and 303 in that Convention. These provisions, inter alia, specifically recognize coastal state jurisdiction beyond the territorial sea and the general duty to protect underwater cultural heritage.

Article 1: Definitions

For the purposes of this Convention:

1. "Underwater cultural heritage" means all underwater traces of human existence including:

   (a) sites, structures, buildings, artifacts and human remains, together with their archaeological and natural contexts; and

   (b) wreck such as a vessel, aircraft, other vehicle or any part thereof, its cargo or other contents, together with its archaeological and natural context.

2. Underwater cultural heritage shall be deemed to have been abandoned":

(a) whenever technology would make exploration for research or recovery feasible but exploration for research or recovery has not been pursued by the owner of the heritage within 25 years after discovery of the technology; or

(b) whenever no technology would reasonably permit exploration for research or recovery and at least 50 years have elapsed since the last assertion of interest by the owner in the underwater cultural heritage.

3. "Cultural heritage zone means all the area beyond the territorial sea of the State up to the outer limit of its continental shelf as defined in accordance with relevant rules and principles of international law.

4. "Charter" means the "Charter for the Protection and Management of the Underwater Cultural Heritage" prepared by the International Council for Monuments and Sites (ICOMOS) and annexed to this Convention.

Commentary

1. The definition of "underwater cultural heritage" is specific, unlike, for example, a more philosophical definition in the 1992 European Convention on the Protection of the Archaeological Heritage (Revised), Europ. T.S. No. 143. It is designed to make it easier for administrators and courts to decide if something is covered by the Convention or not. The cargo and other contents of the vessel are specifically stipulated because there have been disputes covering whether these were part of a shipwreck. Also included are sites, structures, buildings, artifacts, and human remains, together with their archaeological and natural contexts. This is likely to include all aspects of the underwater cultural heritage of significance to the history of humanity. The context in which objects are found is itself specified as part of the underwater cultural heritage. Context is one of the most essential aspects of the archaeological heritage in providing knowledge of life during a particular era.

2. The definition of "abandoned" is intended to stabilize expectations under the Convention by simplifying its scope. The legal concept of abandonment is elusive. Most jurisdictions take the view that there must be both abandonment in fact and the intention to abandon a vessel or its cargo. The latter requirement is particularly difficult, especially when the master and crew of a vessel have actually left it and the owner does nothing within a reasonable period of time to recover it. For example, in Columbus-America Discovery Group v. Atlantic Mutual Insurance Co., 974 F.2d 450 (4th Cir. 1992), a federal appeals court in the United States upheld the 135-year-old subrogated interests of insurance underwriters in a cargo of gold. The SS Central America sank in 1857 off the coast of South Carolina. On board was a shipment of gold from Californian merchants, bankers and express companies to New York banks. Following the loss, the insurance companies paid out under the policies and, under the doctrine of subrogation, became the owners of the gold that was eventually found in 1989. The lower court held that the claimants' failure to recover the gold for 130 years and destruction or loss of documentary evidence of their payments under the policies meant that they had abandoned the gold. The Court of Appeals remanded the action to the lower court with instructions to take account of the interests of the successor insurers. In November 1993 the lower court awarded 90% of the treasure to salvors and 10% to the insurance companies. N.Y. Times, Nov. 19, 1993, at A13.

Similarly, The Netherlands, as successor in title to all wrecks of vessels that belonged to the Dutch East India Company, claimed gold and silver coins from the wreck of the Akerendam, which was discovered off the coast of

Norway in the 1970's. A negotiated settlement between Norway and the Netherlands awarded the latter 10 per cent of the coins. Although some scholarly writing has acknowledged the import of Dutch claims to such treasure, the Agreement noted in the Report between Australia and the Netherlands Concerning Old Dutch Shipwrecks 1972, Aus. T.S. No. 18, was careful not to enshrine any such claim of right. In view of the uncertain nature of the legal concept of abandonment and the effect this ambiguity would have on the scope of the Convention, its definition attempts to define abandonment with more precision but at the same time to preserve the reasonable rights of owners.

3. The Charter is intended to provide a set of criteria whereby States may judge whether activity in respect of the underwater cultural heritage has been, or will be, acceptable. In other words, if material has been excavated or retrieved, States will have a basis for determining whether it has been done in accordance with archaeologically acceptable standards. The Charter has been prepared by the International Committee for the Underwater Cultural Heritage established by the International Council for Monuments and Sites (ICOMOS). It is complementary to the "Charter for the Protection and Management of the Archaeological Heritage" already produced by ICOMOS, but is modified to take account of the special features of underwater cultural heritage.

4. Drafting of the Convention involved much discussion of how the "cultural heritage zone" should be defined. Mr. Anderson disagreed with the concept of a cultural heritage zone and considered that the proposal, when read with Article 5, goes beyond the current state of international law as represented by the UN Convention on the Law of the Sea. Some argued that its breadth should be left to the State concerned; for example, the zone might be made co-extensive with the contiguous zone, continental shelf, 200-mile exclusive economic zone, a special 200-mile zone, or any combination of these. Others argued that a regime with multiple options of this sort would create too many problems of delimitation where States with opposing or adjacent coastlines have proclaimed or exercise different options. It was eventually agreed that the area should coincide with the continental shelf.

Article 2: Scope of the Convention

1. This Convention applies to underwater cultural heritage which has been lost or abandoned and is submerged underwater for at least 100 years. Any State Party may, however, protect underwater cultural heritage which has been submerged underwater for less than 100 years.

2. This Convention does not apply to any warship, military aircraft, naval auxiliary, or other vessels or aircraft owned or operated by a State and used for the time being only on government non-commercial service, or their contents.

Commentary

1. The Convention does not cover all underwater cultural heritage within the definition of Article 1(4). According to Article 2, the heritage must have been abandoned for at least 100 years beneath the sea. The 100-year qualification can be found in the domestic legislation and practice of many states. Of crucial importance is the date on which this period commences. It could be the date of creation of the object, but this would mean that some antique objects would qualify as soon as they sank. There is no scientific basis for the 100-year rule. Some archaeologists work on material of more recent vintage. The best rationale for the rule is administrative convenience. It is an efficient means for separating out material which is more likely to be important from that which is less likely. The Convention does give States the option of extending its coverage to underwater cultural heritage which is less than 100 years old. Thus, a State could specify in

its legislation any particular aspect of the heritage--for example, wrecks--that it wanted covered by a shorter time span.

2. The definition of "abandoned requires modification with respect to government owned or operated non-commercial maritime vessels or aircraft. The mere passage of time should not be interpreted to establish abandonment of such material. Many states resist any attempt to interfere with the sites of such material. For example, the first wreck protected under the Australian Historic Shipwrecks Act 1976 was a Japanese submarine sunk in action off Bathurst Island, parts of which a salvor had been planning to raise for scrap. Similarly, the United States has stated that:

> ... salvors should not presume that sunken U.S. warships have been abandoned by the United States. Permission must be granted from the United States to salvage sunken U.S. warships, and as a matter of policy, the U.S. Government does not grant such permission with respect to ships that contain the remains of deceased servicemen ....
>
> In the absence of an express transfer or abandonment or a U.S. warship sunk in the near past (e.g. in the World War II era), it should be presumed that title to such vessels remains in the U.S. Title to vessels sunk in the more distant past (such as during the 17th and 18th centuries) would, of course, still be determined by the more conventional interpretation of abandonment of that period.
>
> Letter from Department of State to Maritime Administration, December 30, 1980, reprinted in United States Department of State, 8 Digest of United States Practice in International Law 999, 1004 (1980).

Many other States take a similar view and, in light of the firmness with which this view is held, the Convention exempts warships from its scope. A specific concern is that wrecks of warships may contain the remains of service personnel who died in active combat and are regarded by the flag States as war graves that should not be disturbed.

Article 3: General Principle

States Party shall take all reasonable measures to preserve underwater cultural heritage for the benefit of humankind.

Commentary

This Article encapsulates the principle of Article 149 of the 1982 United Nations Convention on the Law of the Sea. It is cast as a general duty rather than one applying only in a specific maritime area. Moreover, the duty is one of preservation. Thus, no mention is made of disposal of objects, as in Article 149. Necessary disposal of underwater cultural heritage should be done in such a way as to preserve it.

Article 4: Non-Applicability of Salvage Law

Underwater cultural heritage to which this Convention applies shall not be subject to the law of salvage.

Commentary

It should be noted that the law of salvage relates solely to the recovery of items endangered by the sea; it has no application to saving relics on land. For underwater cultural heritage, the danger has passed; either a vessel has sunk or an object has been lost overboard. Indeed, the heritage may be in greater danger from salvage operations than from being allowed to

remain where it is. Even if it lies in an area of turbulence, the remedy is to use the provisions of the Convention and Charter rather than rely on criteria drawn from salvage practices. The major problem is that salvage is motivated by economic considerations; the salvor is often seeking items of value as fast as possible rather than undertaking the painstaking excavation and treatment of all aspects of the site that is necessary to preserve its historic value.

Article 5: Cultural Heritage Zone

1. A State Party to this Convention may establish a cultural heritage zone and notify other States Party of its action. Within this zone, the State Party shall have jurisdiction over activities affecting the underwater cultural heritage.

2. A State Party shall take measures to ensure that activities within its zone affecting the underwater cultural heritage comply at a minimum with the provisions of the Charter.

Commentary

1. The jurisdiction of States over the underwater cultural heritage was briefly discussed at the Third United Nations Law of the Sea Conference (UNCLOS III). In Article 303 of the Convention, a legal fiction was created to give States some control over excavations within but not beyond their contiguous zones. This provision is widely regarded as ineffective and insufficient for protection of the underwater cultural heritage. Moreover, it pays no regard to inconsistencies in the current territorial jurisdiction exercised by States over the underwater cultural heritage. Some States use the contiguous zone as a benchmark (e.g. France); others the continental shelf (e.g. Australia, Ireland, Spain); Denmark uses its 200-mile fishing zone; and yet others use the exclusive economic zone (e.g. Morocco). The Convention allows each State Party to establish a "cultural heritage zone" coextensive with the continental shelf (Article 1). This is compatible with the 1992 European Convention on the Protection of the Archaeological Heritage (Revised).

There is no obligation on a State to adopt a "cultural heritage zone". If a State wants to limit its control over underwater cultural heritage to a three-mile territorial sea, it can do so and still become party to the Convention.

2. Although the coastal State is considered to be the best agent under international and domestic law for protecting the underwater cultural heritage on the continental shelf, coastal States sometimes do not live up to their obligations. Article 5(2) is designed, therefore, to prevent States from simply declaring a cultural heritage zone and then doing nothing more. The provisions of the Charter are regarded as minimum standards for treatment of the underwater cultural heritage.

Article 6: Internal and Territorial Waters

States Party shall transmit a copy of the Charter to all relevant authorities within their jurisdiction, requiring them to take appropriate measures to apply the Charter, at a minimum, to activity within their internal and territorial waters.

Commentary

The Convention does not attempt to control standards of archaeology in internal waters or the territorial sea. A large number of States apply the same rules to underwater archaeology in these areas as they do to land archaeology. Consequently, any attempt to apply the requirements of the Convention in the territorial sea, for example, would require those States

either to change their laws or to separate out the underwater aspects of those laws. That would be beyond the stated scope of the Convention. Nevertheless, in an attempt to further the implementation of minimum standards, States Party are encouraged to apply the provisions of the Convention and the criteria of the Charter to internal and territorial waters.

Article 7: Prohibition of the Use of Territory in Support of Activities Violating the Charter

No State Party shall allow its territory or any other areas over which it exercises jurisdiction to be used in support of any activity affecting underwater cultural heritage and inconsistent with the criteria of the Charter. This provision shall apply to any such activity beyond that State's territorial sea but not within a-territorial sea or cultural heritage zone of another State Party.

Commentary

The Committee considered a hypothetical excavation by a European group of a wreck outside the "cultural heritage zone of Malaysia. Obviously, for the salvors, the most convenient places for recreation, refuelling, obtaining stores, and so on, would be Malaysia or perhaps Singapore. Without this provision, even if all the countries of the region were party to the Convention, it might impose no constraints on activities violating Charter criteria.

Article 8: Prohibition of Certain Activities by Nationals and Ships

Each State Party shall undertake to prohibit its nationals and ships of its flag from activities affecting underwater cultural heritage in respect of any area which is not within a cultural heritage zone or territorial sea of another State Party. The prohibition shall not apply to activities affecting the underwater cultural heritage that comply with the Charter.

Commentary

This prohibition is a core of the Convention. Past experience indicates that nationality is a principal jurisdictional basis to enforce the Convention. Nationality of the vessel used for a questionable activity is too uncertain; for example, the vessel may be too small to require registration or registration of the vessel in a flag-of-convenience state might also limit effectiveness. An alternative might be universal jurisdiction, but extension of its scope of activiting related to underwater cultural heritage is apt to be too controversial.

States have been resorting to the nationality principle of jurisdiction more frequently to deal-with situations where territorial jurisdiction is ineffective. One relevant example is the Protection of Military Remains Act 1986, under which the United Kingdom protects the site of British vessels and aircraft that sank or crashed on military service, even if the site be in international waters. It is an offence for British nationals to take any action in respect of such a site without a license.

This prohibition is not absolute. Activities affecting the underwater cultural heritage as defined can be carried out provided they are done in accordance with the provisions of the Charter. Material excavated under these conditions would be allowed entry into States Party.

Article 9: Permits

A State Party to this Convention may provide for the issuance of permits

allowing entry into its territory of underwater cultural heritage excavated or retrieved after the effective date of this Convention so long as the State has determined that the excavation and retrieval activities have complied or will comply with the Charter.

Commentary

Search for and possible excavation of underwater cultural heritage is often expensive in terms of both time and money. Those undertaking such activities need an assurance that any material raised will be allowed entry into a State Party without the possibility of seizure. This Article gives a State an optional power to issue permits providing for entry of material. Such a permit could be issued before the work begins, subject to a condition that activity be conducted in accordance with the provisions of the Charter. To ensure this, the permit must make provision for supervision of the work. However, the permit could be issued after the work was done, provided the issuing State has been satisfied that the work was conducted in a manner that complied with the Charter. In other words, the essential point is that what is done must be in accordance with Charter. When, and if, the permit is issued is a matter for individual States Party.

Article 10: Seizure of Heritage

1. Subject to Article 9, on the request of any Party or on its own initiative, each State Party, in accordance with its constitutional procedures, shall seize any underwater cultural heritage brought within its territory, directly or indirectly, after having been excavated or retrieved in a manner not conforming with the Charter.

2. A State shall seize underwater cultural heritage known to have been excavated or retrieved from a cultural heritage zone or territorial sea of another State Party only after obtaining the consent of that State.

Commentary

1. The Convention will need the cooperation of a large number of States Party to be truly effective. Moreover, membership will need to include "art market" States and other States whose nationals have access to advanced technology. For example, if Spain were a Party and received notice of a vessel containing cargo that had been excavated in noncompliance with the Charter, for example, beyond the cultural heritage zone of Malaysia, it would be required to seize the excavated material if the vessel entered Spanish territorial waters.

The Convention states that seizure will occur where the heritage has been "brought within its territory, directly or indirectly, after having been excavated or otherwise retrieved...". The "directly or indirectly language is an attempt to expand the scope of the Convention. An intervening sale of excavated material can create problems. Suppose that European excavators of material excavated off the Malaysian coast proceed directly from the Far East to the Netherlands and suppose that the Netherlands is not a party to the Convention. There the excavated material is sold by auction. One of the purchasers is French and brings his ceramics home. Under the Convention, if France was a Party, it would have an obligation to seize the ceramics. This obligation exists whatever the number of intervening transactions in an object.

It should be noted that if an object has not been "abandoned" according to the definition in Article 1(1), it is not covered by the Convention and therefore need not be seized.

2. The purpose of this Article is to make clear that a State can only seize underwater cultural heritage from the cultural heritage zone or territorial

sea of another State Party if the latter requests or acquiesces in the seizure. This is to prevent the seizing State from applying more stringent provisions than the State in whose cultural heritage zone the object is found. A State is not prevented, however, from seizing underwater cultural heritage found in the jurisdiction of a non-Party State.

Article 11: Penal Sanctions

1. Each State Party undertakes to impose penal sanctions for importation of underwater cultural heritage which is subject to seizure under Article 10.

2. Each State Party agrees to cooperate with other Parties in the enforcement of these sanctions. Such cooperation, consistent with national procedures, shall include but not be limited to, production and transmission of documents, making witnesses available, service of process and extradition.

Commentary

1. Committee members recognized that municipal penal laws, particularly within federal or other complex systems of authority, vary widely. As a basic obligation, however, the Convention requires States to undertake to impose penal sanctions for what, in effect, are activities affecting the underwater cultural heritage in ways contrary to the provisions of the Charter. This provision is, however, expressed specifically in terms of importation, in order to avoid controversy that might cripple any attempt to extend penal sanctions to other aspects of the regime. The nature of the sanctions is left to each State Party.

2. To be effective, cooperation in enforcement of sanctions must, of course, be consistent with national procedures which are often subject to their own legal regimes established by international agreement. It is anticipated that, over time, those regimes would seek to improve the degree of cooperation mandated here. For example, treaties on extradition might include the offense of importing underwater cultural heritage subject to seizure as an extraditable crime.

Article 12: Notification Requirements and Treatment of Seized Heritage

1. Each State Party undertakes to notify the State or States of origin, if known, of its seizure of underwater cultural heritage under this Convention.

2. Each State Party undertakes to record, protect and take all reasonable measures to conserve underwater cultural heritage seized under this Convention.

3. Each Party undertakes, wherever possible, to keep underwater cultural heritage seized under this Convention on display or otherwise ensure the fullest reasonable access to it for the benefit of the public.

Commentary

1. Article 149 of the 1982 United Nations Convention on the Law of the Sea states that particular regard is to be paid to the preferential rights of the State or country of origin when preserving or disposing of objects of an archaeological or historical nature found in "the Area". These preferential rights will take effect only upon a State's acceptance of the International Seabed Authority, as provided for in the 1982 Convention. While in some cases the State of origin may be easily deduced, in others it would be impossible to determine. For example, an object may be determined to come from a particular ancient state or region which today is occupied

by four or five national States.

2. It is recognized that conservation is very expensive and that this provision could require unforeseen expenditure of money by a State. The primary duty is, however, to record seized material. Moreover, it is unlikely that material which is particularly expensive to conserve, such as wood, would often be seized. Persons raising this kind of material would be more likely to do so in accordance with the provisions of the Charter, with the result that it would not be subject to seizure.

3. Because objects are seized for the public benefit, they should be used for educational purposes, as set out in Article 14. What is actually done with the objects would depend on their condition and the needs of conservation. Public access or even access for specialists may have to be limited if objects are fragile. Nevertheless, the words of a federal court in the United States are persuasive:

> A painting has no value except the pleasure it imparts to the person who views it. A work of art entombed beyond every conceivable hope of exhumation would be as valueless as one completely consumed-by fire. Thus, if the paintings here involved may not be seen, they may as well not exist. (Commonwealth v. Barnes Foundation, 159 A.2d 500, 502 (Pa. 1960)).

The objects recovered from the bottom of the sea, albeit unlawfully, are to be used for both scientific and educational purposes to the greatest extent possible, consistent with what context remains.

Article 13: Collaboration and Information-Sharing

1. Whenever a State has expressed a patrimonial interest in particular underwater cultural heritage to another State Party, the latter shall consider collaborating in the investigation, excavation, documentation, conservation, study and cultural promotion of the heritage.

2. To the extent compatible with the purposes of this Convention, each State Party undertakes to share information with other States Party concerning underwater cultural heritage, such as but not limited to, discovery of heritage, location of heritage, heritage excavated or retrieved contrary to the Charter or otherwise in violation of international law, pertinent scientific methodology and technology, and legal developments relating to heritage.

3. Whenever feasible, each State Party shall use appropriate international databases to disseminate information about underwater cultural heritage excavated or retrieved contrary to the Charter or otherwise in violation of international law.

Commentary

1. The Committee recognized the serious problems that inhere in determining a single country of origin." Even though it may be impossible to establish a single country of origin when it is evident that seized material has connections with other parts of the world, States should contact other States Party that may have some substantial connection with the material, in order to collaborate in dealing with the material. This may foster international cooperation and harmony as well as higher quality work on the material.

2. Rarely does the underwater cultural heritage beyond the territorial sea concern only a single, still existing State. If a shipwreck, the vessel will often have been making for a port in what is now another State. The site

will reveal information about trading routes as well as details of the lives of the crew and passengers, construction of the vessel, and so on. It is essential that this information be distributed as widely as possible among interested parties, not only so that others know of what has been found but also so that their expertise may be brought to bear on interpretation and understanding of the information. It is also essential for the purposes of this Convention that information on illegal excavations be distributed as widely as possible.

3. This paragraph reminds States, to their individual and mutual benefit, of the necessity for rapid dissemination of information and the ability of international databases to achieve this.

Article 14: Education

Each State Party shall endeavour by educational means to create and develop in the public mind a realization of the value of the underwater cultural heritage as well as the threat to this heritage posed by violations of this Convention and non-compliance with the Charter.

Commentary

Educational means includes formal training but also many other activities, for example, promotion of exhibitions that feature recovered underwater cultural heritage. Other educational activities might include production of leaflets, provision of background material to journalists, and sponsorship of essay competitions among students. It is necessary to combat the characterization of looters as adventurous, colorful persons and archaeologists as dull academics, also the notion that archaeologists are trying to keep everything for themselves while looters are endeavouring to bring beautiful things to the world. Looters must be held up for what they are: destroyers of our past.

Article 15: Revision of the Charter

Revisions in the Charter by the International Council for Monuments and Sites shall be deemed to be revisions in the annexed Charter, binding on States Party except for those State Parties that notify their non-acceptance to the Director-General of the United Nations Educational, Scientific and Cultural Organization within six months after the effective date of a revision. Unesco shall inform the States Party of such revisions prior to the effective date of the revision.

Commentary

The criteria of the Charter should evolve as the discipline of archaeology develops and technology changes, but it would not be desirable to subject any Charter amendment to the procedure for amending the Convention. Consequently, this Article establishes, more efficiently, that revision by ICOMOS of its Charter is deemed to be a revision in the annexed Charter that is binding on States Party, subject to specific objections. Activities affecting the underwater cultural heritage will be judged against the version of the Charter existing at the time a particular activity occurred.

Article 16: Dispute Resolution

1. States, on becoming Parties to this Convention, undertake to establish an internal procedure or procedures for resolving disputes concerning whether an activity resulting in excavation or retrieval of the underwater cultural heritage did or did not comply with the Charter.

2. Any dispute between two or more States Party concerning the interpretation or application of the present Convention that is not settled

by negotiation shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the States Party are unable to agree on the organization of the arbitration, any one of those States Party may refer the dispute to the International Court of Justice, or a special chamber thereof, by a request in conformity with the Statute of the Court.

Commentary

Disputes about whether excavation or retrieval of material was done in accordance with the Charter require both domestic and international procedures for their resolution. Article 16(1) does not mandate a court proceeding. Rather, it is left to each State Party to determine how disputes should be resolved in accordance with its own practice.

Article 17: Official Languages

This Convention is drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

Article 18: Ratification or Acceptance

1. This Convention shall be subject to ratification or acceptance by States Members of the United Nations Educational, Scientific and Cultural Organization, in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 19: Applicability to Territorial Units

1. If a State Party has two or more territorial units in which different systems of law are applicable in relation to the matters dealt with in this Convention, it may, at the time of ratification, acceptance, approval or accession, declare that this Convention is to extend to all its territorial units or only to one or more of them, and may substitute its declaration by another declaration at any time.

2. These declarations are to be notified to the depository and are to state expressly the territorial units to which the Convention extends.

Article 20: Reservations, Understandings and Declarations

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall receive and circulate to all States Party the text of reservations, understandings and declarations made by States at the time of ratification or accession.

2. A reservation incompatible with the objects and purposes of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 21: Accession by Nonmember States

1. This Convention shall be open to accession by all States not Members of the United Nations Educational Scientific and Cultural Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 22: Entry into Force

This Convention shall enter into force three months after the date of the deposit of the tenth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments of ratification, acceptance or accession on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 23: Denunciations

1. Each State Party to this Convention may denounce the Convention.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect six months after notification.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its ... session, which was held in ... and declared closed on the ... day of ....

IN FAITH WHEREOF we have appended our signatures this ... day of

The President of the General Conference

The Director-General

==========

NOTES

Note 1:

The members are:

Mr. Justice S.D. Agarwala (India)
Mr. D.H. Anderson (United Kingdom)
Mr. Kaare Bangert (Denmark)
Mme. A. Derradji (Algeria)
Prof. Dr. W. Fiedler (Germany)
Avv. . M. Frigo (Italy)
Ms. M. Haunton (Canada)
Prof. Shigeru Kozai (Japan)
Prof. V. Lamm (Hungary)
Maitre Jean Lisbonne (France) (Alternate Member)
Dr. Helen Moustaira (Greece)(Alternate Member)
Dr. Fernando Munoz B. (Ecuador)
Prof. James A. R. Nafziger (USA)(Rapporteur)
Dr. P.J. O'Keefe (Australia/New Zealand)(Chair)
Dr. L.V. Prott (Australia/New Zealand)
Dr. C.G. Roelofsen (The Netherlands
Dr. Sabine von Schorlemer (Germany)

Dr. A. Strati (Greece)
Dr. A. Szekely (Mexico)
M. S. de Vilmorin (France)
Mr. Hongye Zhao (China)

Note 2: In particular, the authors would like toe thank the following persons for their valuable assistance:

George Bass, David Bederman, Peter Bernhardt, David Blackman, Michael M. Cohen, Martin Dean, Ricardo J. Elia, Anne G. Giesecke, Christopher Grayson, Graeme Henderson, Carsten Lund, Bernard Oxman, J. Ashley Roach, Frank Wiswall.

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CHARTER ON THE PROTECTION AND MANAGEMENT OF UNDERWATER CULTURAL HERITAGE (*1996*)

Ratified by the 11th ICOMOS General Assembly in Sofia, Bulgaria, October 1996

INTRODUCTION

This Charter is intended to encourage the protection and management of underwater cultural heritage in inland and inshore waters, in shallow seas and in the deep oceans. It focuses on the specific attributes and circumstances of cultural heritage under water and should be understood as a supplement to the ICOMOS Charter for the Protection and Management of Archaeological Heritage, 1990. The 1990 Charter defines the "archaeological heritage" as that part of the material heritage in respect of which archaeological methods provide primary information, comprising all vestiges of human existence and consisting of places relating to all manifestations of human activity, abandoned structures, and remains of all kinds, together with all the portable cultural material associated with them. For the purposes of this Charter underwater cultural heritage is understood to mean the archaeological heritage which is in, or has been removed from, an underwater environment. It includes submerged sites and structures, wreck-sites and wreckage and their archaeological and natural context.

By its very character the underwater cultural heritage is an international resource. A large part of the underwater cultural heritage is located in an international setting and derives from international trade and communication in which ships and their contents are lost at a distance from their origin or destination.

Archaeology is concerned with environmental conservation; in the language of resource management, underwater cultural heritage is both finite and non-renewable. If underwater cultural heritage is to contribute to our appreciation of the environment in the future, then we have to take individual and collective responsibility in the present for ensuring its continued survival.

Archaeology is a public activity; everybody is entitled to draw upon the past in informing their own lives, and every effort to curtail knowledge of the past is an infringement of personal autonomy. Underwater cultural heritage contributes to the formation of identity and can be important to people's sense of community. If managed sensitively, underwater cultural heritage can play a positive role in the promotion of recreation and tourism.

Archaeology is driven by research, it adds to knowledge of the diversity of human culture through the ages and it provides new and challenging ideas about life in the past. Such knowledge and ideas contribute to understanding life today and, thereby, to anticipating future challenges.

Many marine activities, which are themselves beneficial and desirable, can have unfortunate consequences for underwater cultural heritage if their effects are not foreseen.

Underwater cultural heritage may be threatened by construction work that alters the shore and seabed or alters the flow of current, sediment and pollutants. Underwater cultural heritage may also be threatened by insensitive exploitation of living and non-living resources. Furthermore, inappropriate forms of access and the incremental impact of removing "souvenirs" can have a deleterious effect.

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Many of these threats can be removed or substantially reduced by early consultation with archaeologists and by implementing mitigatory projects. This Charter is intended to assist in bringing a high standard of archaeological expertise to bear on such threats to underwater cultural heritage in a prompt and efficient manner.

Underwater cultural heritage is also threatened by activities that are wholly undesirable because they are intended to profit few at the expense of many. Commercial exploitation of underwater cultural heritage for trade or speculation is fundamentally incompatible with the protection and management of the heritage. This Charter is intended to ensure that all investigations are explicit in their aims, methodology and anticipated results so that the intention of each project is transparent to all.

Article 1 - Fundamental Principles

The preservation of underwater cultural heritage in situ should be considered as a first option.

Public access should be encouraged.

Non-destructive techniques, non-intrusive survey and sampling should be encouraged in preference to excavation.

Investigation must not adversely impact the underwater cultural heritage more than is necessary for the mitigatory or research objectives of the project.

Investigation must avoid unnecessary disturbance of human remains or venerated sites.

Investigation must be accompanied by adequate documentation.

Article 2 - Project Design

Prior to investigation a project must be prepared, taking into account:

- the mitigatory or research objectives of the project;
- the methodology to be used and the techniques to be employed;
- anticipated funding;
- the time-table for completing the project;
- the composition, qualifications, responsibility and experience of the investigating team;
- material conservation;
- site management and maintenance;
- arrangements for collaboration with museums and other institutions;
- documentation;
- health and safety;
- report preparation;
- deposition of archives, including underwater cultural heritage removed during investigation;
- dissemination, including public participation.

The project design should be revised and amended as necessary.

Investigation must be carried out in accordance with the project design. The project design should be made available to the archaeological community.

Article 3 - Funding

Adequate funds must be assured in advance of investigation to complete all

stages of the project design including conservation, report preparation and dissemination. The project design should include contingency plans that will ensure conservation of underwater cultural heritage and supporting documentation in the event of any interruption in anticipated funding.

Project funding must not require the sale of underwater cultural heritage or the use of any strategy that will cause underwater cultural heritage and supporting documentation to be irretrievably dispersed.

Article 4 - Time-table

Adequate time must be assured in advance of investigation to complete all stages of the project design including conservation, report preparation and dissemination. The project design should include contingency plans that will ensure conservation of underwater cultural heritage and supporting documentation in the event of any interruption in anticipated timings.

Article 5- Research objectives, methodology and techniques

Research objectives and the details of the methodology and techniques to be employed must be set down in the project design. The methodology should accord with the research objectives of the investigation and the techniques employed must be as unintrusive as possible.

Post-fieldwork analysis of artefacts and documentation is integral to all investigation; adequate provision for this analysis must be made in the project design.

Article 6 - Qualifications, responsibility and experience

All persons on the investigating team must be suitably qualified and experienced for their project roles. They must be fully briefed and understand the work required.

All intrusive investigations of underwater cultural heritage will only be undertaken under the direction and control of a named underwater archaeologist with recognised qualifications and experience appropriate to the investigation.

Article 7 - Preliminary investigation

All intrusive investigations of underwater cultural heritage must be preceded and informed by a site assessment that evaluates the vulnerability, significance and potential of the site.

The site assessment must encompass background studies of available historical and archaeological evidence, the archaeological and environmental characteristics of the site and the consequences of the intrusion for the long term stability of the area affected by investigations.

Article 8 - Documentation

All investigation must be thoroughly documented in accordance with current professional standards of archaeological documentation.

Documentation must provide a comprehensive record of the site, which includes the provenance of underwater cultural heritage moved or removed in the course of investigation, field notes, plans and drawings, photographs and records in other media.

Article 9 - Material conservation

The material conservation programme must provide for treatment of archaeological remains during investigation, in transit and in the long term.

Material conservation must be carried out in accordance with current professional standards.

Article 10 - Site management and maintenance

A programme of site management must be prepared, detailing measures for protecting and managing in situ underwater cultural heritage in the course of an upon termination of fieldwork. The programme should include public information, reasonable provision for site stabilisation, monitoring and

protection against interference. Public access to in situ underwater cultural heritage should be promoted, except where access is incompatible with protection and management.

Article 11 - Health and safety

The health and safety of the investigating team and third parties is paramount. All persons on the investigating team must work according to a safety policy that satisfies relevant statutory and professional requirements and is set out in the project design.

Article 12 - Reporting

Interim reports should be made available according to a time-table set out in the project design, and deposited in relevant public records.

Reports should include:

- an account of the objectives;
- an account of the methodology and techniques employed;
- an account of the results achieved;
- recommendations concerning future research, site management and curation of underwater cultural heritage removed during the investigation.

Article 13 - Curation

The project archive, which includes underwater cultural heritage removed during investigation and a copy of all supporting documentation, must be deposited in an institution that can provide for public access and permanent curation of the archive. Arrangements for deposition of the archive should be agreed before investigation commences, and should be set out in the project design. The archive should be prepared in accordance with current professional standards.

The scientific integrity of the project archive must be assured; deposition in a number of institutions must not preclude reassembly to allow further research. Underwater cultural heritage is not to be traded as items of commercial value.

Article 14 - Dissemination

Public awareness of the results of investigations and the significance of underwater cultural heritage should be promoted through popular presentation in a range of media. Access to such presentations by a wide audience should not be prejudiced by high charges.

Co-operation with local communities and groups is to be encouraged, as is co-operation with communities and groups that are particularly associated with the underwater cultural heritage concerned. It is desirable that investigations proceed with the consent and endorsement of such communities and groups.

The investigation team will seek to involve communities and interest groups in investigations to the extent that such involvement is compatible with protection and management. Where practical, the investigation team should provide opportunities for the public to develop archaeological skills through training and education.

Collaboration with museums and other institutions is to be encouraged. Provision for visits, research and reports by collaborating institutions should be made in advance of investigation.

A final synthesis of the investigation must be made available as soon as possible, having regard to the complexity of the research, and deposited in relevant public records.

Article 15 - International co-operation

International co-operation is essential for protection and management of underwater cultural heritage and should be promoted in the interests of high standards of investigation and research. International co-operation should be

encouraged in order to make effective use of archaeologists and other professionals who are specialised in investigations of underwater cultural heritage. Programmes for exchange of professionals should be considered as a means of disseminating best practice.

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Convention on the Protection of the Underwater Cultural Heritage 2001

Paris, 2 November 2001

Depositary - Entry into force - Authoritative texts - States Parties - Declarations and Reservations - Monitoring

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 15 October to 3 November 2001, at its 31st session,

Acknowledging the importance of underwater cultural heritage as an integral part of the cultural heritage of humanity and a particularly important element in the history of peoples, nations, and their relations with each other concerning their common heritage,

Realizing the importance of protecting and preserving the underwater cultural heritage and that responsibility therefor rests with all States,

Noting growing public interest in and public appreciation of underwater cultural heritage,

Convinced of the importance of research, information and education to the protection and preservation of underwater cultural heritage,

Convinced of the public's right to enjoy the educational and recreational benefits of responsible non-intrusive access to in situ underwater cultural heritage, and of the value of public education to contribute to awareness, appreciation and protection of that heritage,

Aware of the fact that underwater cultural heritage is threatened by unauthorized activities directed at it, and of the need for stronger measures to prevent such activities,

Conscious of the need to respond appropriately to the possible negative impact on underwater cultural heritage of legitimate activities that may incidentally affect it,

Deeply concerned by the increasing commercial exploitation of underwater cultural heritage, and in particular by certain activities aimed at the sale, acquisition or barter of underwater cultural heritage,

Aware of the availability of advanced technology that enhances discovery of and access to underwater cultural heritage,

Believing that cooperation among States, international organizations, scientific institutions, professional organizations, archaeologists, divers, other interested parties and the public at large is essential for the protection of underwater cultural heritage,

Considering that survey, excavation and protection of underwater cultural heritage necessitate the availability and application of special scientific methods and the use of suitable techniques and equipment as well as a high degree of professional specialization, all of which indicate a need for uniform governing criteria,

Realizing the need to codify and progressively develop rules relating to the protection and preservation of underwater cultural heritage in conformity with international law and practice, including the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 14 November 1970, the UNESCO Convention for the Protection of the World Cultural and Natural Heritage of 16 November 1972 and the United Nations Convention on the Law of the Sea of 10 December 1982,

Committed to improving the effectiveness of measures at international, regional and national levels for the preservation in situ or, if necessary for scientific or protective purposes, the careful recovery of underwater cultural heritage,

Having decided at its twenty-ninth session that this question should be made the subject of an international convention,

Adopts this second day of November 2001 this Convention.

Article 1 – Definitions

For the purposes of this Convention:

1. (a) "Underwater cultural heritage" means all traces of human existence having a cultural, historical or archaeological character which have been partially or

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totally under water, periodically or continuously, for at least 100 years such as:

(i) sites, structures, buildings, artefacts and human remains, together with their archaeological and natural context;

(ii) vessels, aircraft, other vehicles or any part thereof, their cargo or other contents, together with their archaeological and natural context; and

(iii) objects of prehistoric character.

(b) Pipelines and cables placed on the seabed shall not be considered as underwater cultural heritage.

(c) Installations other than pipelines and cables, placed on the seabed and still in use, shall not be considered as underwater cultural heritage.

2. (a) "States Parties" means States which have consented to be bound by this Convention and for which this Convention is in force.

(b) This Convention applies mutatis mutandis to those territories referred to in Article 26, paragraph 2(b), which become Parties to this Convention in accordance with the conditions set out in that paragraph, and to that extent "States Parties" refers to those territories.

3. "UNESCO" means the United Nations Educational, Scientific and Cultural Organization.

4. "Director-General" means the Director-General of UNESCO.

5. "Area" means the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction.

6. "Activities directed at underwater cultural heritage" means activities having underwater cultural heritage as their primary object and which may, directly or indirectly, physically disturb or otherwise damage underwater cultural heritage.

7. "Activities incidentally affecting underwater cultural heritage" means activities which, despite not having underwater cultural heritage as their primary object or one of their objects, may physically disturb or otherwise damage underwater cultural heritage.

8. "State vessels and aircraft" means warships, and other vessels or aircraft that were owned or operated by a State and used, at the time of sinking, only for government non-commercial purposes, that are identified as such and that meet the definition of underwater cultural heritage.

9. "Rules" means the Rules concerning activities directed at underwater cultural heritage, as referred to in Article 33 of this Convention.

Article 2 – Objectives and general principles

1. This Convention aims to ensure and strengthen the protection of underwater cultural heritage.

2. States Parties shall cooperate in the protection of underwater cultural heritage.

3. States Parties shall preserve underwater cultural heritage for the benefit of humanity in conformity with the provisions of this Convention.

4. States Parties shall, individually or jointly as appropriate, take all appropriate measures in conformity with this Convention and with international law that are necessary to protect underwater cultural heritage, using for this purpose the best practicable means at their disposal and in accordance with their capabilities.

5. The preservation in situ of underwater cultural heritage shall be considered as the first option before allowing or engaging in any activities directed at this heritage.

6. Recovered underwater cultural heritage shall be deposited, conserved and managed in a manner that ensures its long-term preservation.

7. Underwater cultural heritage shall not be commercially exploited.

8. Consistent with State practice and international law, including the United Nations Convention on the Law of the Sea, nothing in this Convention shall be interpreted as modifying the rules of international law and State practice pertaining to sovereign immunities, nor any State's rights with respect to its State vessels and aircraft.

9. States Parties shall ensure that proper respect is given to all human remains located in maritime waters.

10. Responsible non-intrusive access to observe or document in situ underwater cultural heritage shall be encouraged to create public awareness, appreciation, and protection of the heritage except where such access is incompatible with its protection and management.

11. No act or activity undertaken on the basis of this Convention shall constitute grounds for claiming, contending or disputing any claim to national sovereignty or jurisdiction.

Article 3 – Relationship between this Convention and the United Nations Convention on the Law of the Sea

Nothing in this Convention shall prejudice the rights, jurisdiction and duties of States under international law, including the United Nations Convention on the Law of the Sea. This Convention shall be interpreted and applied in the context of and in a manner consistent with international law, including the United Nations Convention on the Law of the Sea.

Article 4 – Relationship to law of salvage and law of finds

Any activity relating to underwater cultural heritage to which this Convention applies shall not be subject to the law of salvage or law of finds, unless it:

(a) is authorized by the competent authorities, and

(b) is in full conformity with this Convention, and

(c) ensures that any recovery of the underwater cultural heritage achieves its maximum protection.

Article 5 – Activities incidentally affecting underwater cultural heritage

Each State Party shall use the best practicable means at its disposal to prevent or mitigate any adverse effects that might arise from activities under its jurisdiction incidentally affecting underwater cultural heritage.

Article 6 – Bilateral, regional or other multilateral agreements

1. States Parties are encouraged to enter into bilateral, regional or other multilateral agreements or develop existing agreements, for the preservation of underwater cultural heritage. All such agreements shall be in full conformity with the provisions of this Convention and shall not dilute its universal character. States may,
in such agreements, adopt rules and regulations which would ensure better protection of underwater cultural heritage than those adopted in this Convention.

2. The Parties to such bilateral, regional or other multilateral agreements may invite States with a verifiable link, especially a cultural, historical or archaeological link, to the underwater cultural heritage concerned to join such agreements.

3. This Convention shall not alter the rights and obligations of States Parties regarding the protection of sunken vessels, arising from other bilateral, regional or other multilateral agreements concluded before its adoption, and, in particular, those that are in conformity with the purposes of this Convention.

Article 7 – Underwater cultural heritage in internal waters, archipelagic waters and territorial sea

1. States Parties, in the exercise of their sovereignty, have the exclusive right to regulate and authorize activities directed at underwater cultural heritage in their internal waters, archipelagic waters and territorial sea.

2. Without prejudice to other international agreements and rules of international law regarding the protection of underwater cultural heritage, States Parties shall require that the Rules be applied to activities directed at underwater cultural heritage in their internal waters, archipelagic waters and territorial sea.

3. Within their archipelagic waters and territorial sea, in the exercise of their sovereignty and in recognition of general practice among States, States Parties, with a view to cooperating on the best methods of protecting State vessels and aircraft, should inform the flag State Party to this Convention and, if applicable, other States with a verifiable link, especially a cultural, historical or archaeological link, with respect to the discovery of such identifiable State vessels and aircraft.

Article 8 – Underwater cultural heritage in the contiguous zone

Without prejudice to and in addition to Articles 9 and 10, and in accordance with Article 303, paragraph 2, of the United Nations Convention on the Law of the Sea, States Parties may regulate and authorize activities directed at underwater cultural heritage within their contiguous zone. In so doing, they shall require that the Rules be applied.

Article 9 – Reporting and notification in the exclusive economic zone and on the continental shelf

1. All States Parties have a responsibility to protect underwater cultural heritage in the exclusive economic zone and on the continental shelf in conformity with this Convention.
Accordingly:

(a) a State Party shall require that when its national, or a vessel flying its flag, discovers or intends to engage in activities directed at underwater cultural heritage located in its exclusive economic zone or on its continental shelf, the national or the master of the vessel shall report such discovery or activity to it;

(b) in the exclusive economic zone or on the continental shelf of another State Party:

(i) States Parties shall require the national or the master of the vessel to report such discovery or activity to them and to that other State Party;

(ii) alternatively, a State Party shall require the national or master of the vessel to report such discovery or activity to it and shall ensure the rapid and effective transmission of such reports to all other States Parties.

2. On depositing its instrument of ratification, acceptance, approval or accession, a State Party shall declare the manner in which reports will be transmitted under paragraph 1(b) of this Article.

3. A State Party shall notify the Director-General of discoveries or activities reported to it under paragraph 1 of this Article.

4. The Director-General shall promptly make available to all States Parties any information notified to him under paragraph 3 of this Article.

5. Any State Party may declare to the State Party in whose exclusive economic zone or on whose continental shelf the underwater cultural heritage is located its

interest in being consulted on how to ensure the effective protection of that underwater cultural heritage. Such declaration shall be based on a verifiable link, especially a cultural, historical or archaeological link, to the underwater cultural heritage concerned.

Article 10 – Protection of underwater cultural heritage in the exclusive economic zone and on the continental shelf

1. No authorization shall be granted for an activity directed at underwater cultural heritage located in the exclusive economic zone or on the continental shelf except in conformity with the provisions of this Article.

2. A State Party in whose exclusive economic zone or on whose continental shelf underwater cultural heritage is located has the right to prohibit or authorize any activity directed at such heritage to prevent interference with its sovereign rights or jurisdiction as provided for by international law including the United Nations Convention on the Law of the Sea.

3. Where there is a discovery of underwater cultural heritage or it is intended that activity shall be directed at underwater cultural heritage in a State Party's exclusive economic zone or on its continental shelf, that State Party shall:

(a) consult all other States Parties which have declared an interest under Article 9, paragraph 5, on how best to protect the underwater cultural heritage;

(b) coordinate such consultations as "Coordinating State", unless it expressly declares that it does not wish to do so, in which case the States Parties which have declared an interest under Article 9, paragraph 5, shall appoint a Coordinating State.

4. Without prejudice to the duty of all States Parties to protect underwater cultural heritage by way of all practicable measures taken in accordance with international law to prevent immediate danger to the underwater cultural heritage, including looting, the Coordinating State may take all practicable measures, and/or issue any necessary authorizations in conformity with this Convention and, if necessary prior to consultations, to prevent any immediate danger to the underwater cultural heritage, whether arising from human activities or any other cause, including looting. In taking such measures assistance may be requested from other States Parties.

5. The Coordinating State:

(a) shall implement measures of protection which have been agreed by the consulting States, which include the Coordinating State, unless the consulting States, which include the Coordinating State, agree that another State Party shall implement those measures;

(b) shall issue all necessary authorizations for such agreed measures in conformity with the Rules, unless the consulting States, which include the Coordinating State, agree that another State Party shall issue those authorizations;

(c) may conduct any necessary preliminary research on the underwater cultural heritage and shall issue all necessary authorizations therefore, and shall promptly inform the Director-General of the results, who in turn will make such information promptly available to other States Parties.

6. In coordinating consultations, taking measures, conducting preliminary research and/or issuing authorizations pursuant to this Article, the Coordinating State shall act on behalf of the States Parties as a whole and not in its own interest. Any such action shall not in itself constitute a basis for the assertion of any preferential or jurisdictional rights not provided for in international law, including the United Nations Convention on the Law of the Sea.

7. Subject to the provisions of paragraphs 2 and 4 of this Article, no activity directed at State vessels and aircraft shall be conducted without the agreement of the flag State and the collaboration of the Coordinating State.

Article 11 – Reporting and notification in the Area

1. States Parties have a responsibility to protect underwater cultural heritage in the Area in conformity with this Convention and Article 149 of the United Nations Convention on the Law of the Sea. Accordingly when a national, or a vessel flying the flag of a State Party, discovers or intends to engage in activities directed at underwater cultural heritage located in the Area, that State Party shall require its national, or the master of the vessel, to report such discovery or activity to it.

2. States Parties shall notify the Director-General and the Secretary-General of the International Seabed Authority of such discoveries or activities reported to them.

3. The Director-General shall promptly make available to all States Parties any such information supplied by States Parties.

4. Any State Party may declare to the Director-General its interest in being consulted on how to ensure the effective protection of that underwater cultural heritage. Such declaration shall be based on a verifiable link to the underwater cultural heritage concerned, particular regard being paid to the preferential rights of States of cultural, historical or archaeological origin.

Article 12 – Protection of underwater cultural heritage in the Area

1. No authorization shall be granted for any activity directed at underwater cultural heritage located in the Area except in conformity with the provisions of this Article.

2. The Director-General shall invite all States Parties which have declared an interest under Article 11, paragraph 4, to consult on how best to protect the underwater cultural heritage, and to appoint a State Party to coordinate such consultations as the "Coordinating State". The Director-General shall also invite

the International Seabed Authority to participate in such consultations.

3. All States Parties may take all practicable measures in conformity with this Convention, if necessary prior to consultations, to prevent any immediate danger to the underwater cultural heritage, whether arising from human activity or any other cause including looting.

4. The Coordinating State shall:

(a) implement measures of protection which have been agreed by the consulting States, which include the Coordinating State, unless the consulting States, which include the Coordinating State, agree that another State Party shall implement those measures; and

(b) issue all necessary authorizations for such agreed measures, in conformity with this Convention, unless the consulting States, which include the Coordinating State, agree that another State Party shall issue those authorizations.

5. The Coordinating State may conduct any necessary preliminary research on the underwater cultural heritage and shall issue all necessary authorizations therefor, and shall promptly inform the Director-General of the results, who in turn shall make such information available to other States Parties.

6. In coordinating consultations, taking measures, conducting preliminary research, and/or issuing authorizations pursuant to this Article, the Coordinating State shall act for the benefit of humanity as a whole, on behalf of all States Parties. Particular regard shall be paid to the preferential rights of States of cultural, historical or archaeological origin in respect of the underwater cultural heritage concerned.

7. No State Party shall undertake or authorize activities directed at State vessels and aircraft in the Area without the consent of the flag State.

Article 13 – Sovereign immunity

Warships and other government ships or military aircraft with sovereign immunity, operated for non-commercial purposes, undertaking their normal mode of operations, and not engaged in activities directed at underwater cultural heritage, shall not be obliged to report discoveries of underwater cultural heritage under Articles 9, 10, 11 and 12 of this Convention. However States Parties shall ensure, by the adoption of appropriate measures not impairing the operations or operational capabilities of their warships or other government ships or military aircraft with sovereign immunity operated for non-commercial purposes, that they comply, as far as is reasonable and practicable, with Articles 9, 10, 11 and 12 of this Convention.

Article 14 – Control of entry into the territory, dealing and possession

States Parties shall take measures to prevent the entry into their territory, the dealing in, or the possession of, underwater cultural heritage illicitly exported and/or recovered, where recovery was contrary to this Convention.

Article 15 – Non-use of areas under the jurisdiction of States Parties

States Parties shall take measures to prohibit the use of their territory, including their maritime ports, as well as artificial islands, installations and structures under their exclusive jurisdiction or control, in support of any activity directed at underwater cultural heritage which is not in conformity with this Convention.

Article 16 – Measures relating to nationals and vessels

States Parties shall take all practicable measures to ensure that their nationals and vessels flying their flag do not engage in any activity directed at underwater cultural heritage in a manner not in conformity with this Convention.

Article 17 – Sanctions

1. Each State Party shall impose sanctions for violations of measures it has taken to implement this Convention.

2. Sanctions applicable in respect of violations shall be adequate in severity to be effective in securing compliance with this Convention and to discourage violations wherever they occur and shall deprive offenders of the benefit deriving from their illegal activities.

3. States Parties shall cooperate to ensure enforcement of sanctions imposed under this Article.

Article 18 – Seizure and disposition of underwater cultural heritage

1. Each State Party shall take measures providing for the seizure of underwater cultural heritage in its territory that has been recovered in a manner not in conformity with this Convention.

2. Each State Party shall record, protect and take all reasonable measures to stabilize underwater cultural heritage seized under this Convention.

3. Each State Party shall notify the Director-General and any other State with a verifiable link, especially a cultural, historical or archaeological link, to the underwater cultural heritage concerned of any seizure of underwater cultural heritage that it has made under this Convention.

4. A State Party which has seized underwater cultural heritage shall ensure that its disposition be for the public benefit, taking into account the need for conservation and research; the need for reassembly of a dispersed collection; the need for public access, exhibition and education; and the interests of any State with a verifiable link, especially a cultural, historical or archaeological link, in respect of the underwater cultural heritage concerned.

Article 19 – Cooperation and information-sharing

1. States Parties shall cooperate and assist each other in the protection and management of underwater cultural heritage under this Convention, including, where practicable, collaborating in the investigation, excavation, documentation, conservation, study and presentation of such heritage.

2. To the extent compatible with the purposes of this Convention, each State Party undertakes to share information with other States Parties concerning underwater cultural heritage, including discovery of heritage, location of heritage, heritage excavated or recovered contrary to this Convention or otherwise in violation of international law, pertinent scientific methodology and technology, and legal developments relating to such heritage.

3. Information shared between States Parties, or between UNESCO and States Parties, regarding the discovery or location of underwater cultural heritage shall, to the extent compatible with their national legislation, be kept confidential and reserved to competent authorities of States Parties as long as the disclosure of such information might endanger or otherwise put at risk the preservation of such underwater cultural heritage.

4. Each State Party shall take all practicable measures to disseminate information, including where feasible through appropriate international databases, about underwater cultural heritage excavated or recovered contrary to this Convention or otherwise in violation of international law.

Article 20 – Public awareness

Each State Party shall take all practicable measures to raise public awareness regarding the value and significance of underwater cultural heritage and the importance of protecting it under this Convention.

Article 21 – Training in underwater archaeology

States Parties shall cooperate in the provision of training in underwater archaeology, in techniques for the conservation of underwater cultural heritage and, on agreed terms, in the transfer of technology relating to underwater cultural heritage.

Article 22 – Competent authorities

1. In order to ensure the proper implementation of this Convention, States Parties shall establish competent authorities or reinforce the existing ones where appropriate, with the aim of providing for the establishment, maintenance and updating of an inventory of underwater cultural heritage, the effective protection, conservation, presentation and management of underwater cultural heritage, as well as research and education.

2. States Parties shall communicate to the Director-General the names and addresses of their competent authorities relating to underwater cultural heritage.

Article 23 – Meetings of States Parties

1. The Director-General shall convene a Meeting of States Parties within one year of the entry into force of this Convention and thereafter at least once every two years. At the request of a majority of States Parties, the Director-General shall convene an Extraordinary Meeting of States Parties.

2. The Meeting of States Parties shall decide on its functions and responsibilities.

3. The Meeting of States Parties shall adopt its own Rules of Procedure.

4. The Meeting of States Parties may establish a Scientific and Technical Advisory Body composed of experts nominated by the States Parties with due regard to the principle of equitable geographical distribution and the desirability of a gender balance.

5. The Scientific and Technical Advisory Body shall appropriately assist the Meeting of States Parties in questions of a scientific or technical nature regarding the implementation of the Rules.

Article 24 – Secretariat for this Convention

1. The Director-General shall be responsible for the functions of the Secretariat for this Convention.

2. The duties of the Secretariat shall include:

(a) organizing Meetings of States Parties as provided for in Article 23, paragraph 1; and

(b) assisting States Parties in implementing the decisions of the Meetings of States Parties.

Article 25 – Peaceful settlement of disputes

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention shall be subject to negotiations in good faith or other peaceful means of settlement of their own choice.

2. If those negotiations do not settle the dispute within a reasonable period of time, it may be submitted to UNESCO for mediation, by agreement between the States Parties concerned.

3. If mediation is not undertaken or if there is no settlement by mediation, the provisions relating to the settlement of disputes set out in Part XV of the United Nations Convention on the Law of the Sea apply mutatis mutandis to any dispute between States Parties to this Convention concerning the interpretation or application of this Convention, whether or not they are also Parties to the United Nations Convention on the Law of the Sea.

4. Any procedure chosen by a State Party to this Convention and to the United Nations Convention on the Law of the Sea pursuant to Article 287 of the latter shall apply to the settlement of disputes under this Article, unless that State Party, when ratifying, accepting, approving or acceding to this Convention, or at any time thereafter, chooses another procedure pursuant to Article 287 for the purpose of the settlement of disputes arising out of this Convention.

5. A State Party to this Convention which is not a Party to the United Nations Convention on the Law of the Sea, when ratifying, accepting, approving or acceding to this Convention or at any time thereafter shall be free to choose, by means of a written declaration, one or more of the means set out in Article 287, paragraph 1, of the United Nations Convention on the Law of the Sea for the purpose of settlement of disputes under this Article. Article 287 shall apply to such a declaration, as well as to any dispute to which such State is party, which is not covered by a declaration in force. For the purpose of conciliation and arbitration, in accordance with Annexes V and VII of the United Nations Convention on the Law of the Sea, such State shall be entitled to nominate conciliators and arbitrators to be included in the lists referred to in Annex V, Article 2, and Annex VII, Article 2, for the settlement of disputes arising out of this Convention.

Article 26 – Ratification, acceptance, approval or accession

1. This Convention shall be subject to ratification, acceptance or approval by Member States of UNESCO.

2. This Convention shall be subject to accession:

(a) by States that are not members of UNESCO but are members of the United Nations or of a specialized agency within the United Nations system or of the International Atomic Energy Agency, as well as by States Parties to the Statute of the International Court of Justice and any other State invited to accede to this Convention by the General Conference of UNESCO;

(b) by territories which enjoy full internal self-government, recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV) and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of those matters.

3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Director-General.

Article 27 – Entry into force

This Convention shall enter into force three months after the date of the deposit of the twentieth instrument referred to in Article 26, but solely with respect to the twenty States or territories that have so deposited their instruments. It shall enter into force for each other State or territory three months after the date on which that State or territory has deposited its instrument.

Article 28 – Declaration as to inland waters

When ratifying, accepting, approving or acceding to this Convention or at any time thereafter, any State or territory may declare that the Rules shall apply to inland waters not of a maritime character.

Article 29 – Limitations to geographical scope

At the time of ratifying, accepting, approving or acceding to this Convention, a State or territory may make a declaration to the depositary that this Convention shall not be applicable to specific parts of its territory, internal waters, archipelagic waters or territorial sea, and shall identify therein the reasons for such declaration. Such State shall, to the extent practicable and as quickly as possible, promote conditions under which this Convention will apply to the areas specified in its declaration, and to that end shall also withdraw its declaration in whole or in part as soon as that has been achieved.

Article 30 – Reservations

With the exception of Article 29, no reservations may be made to this Convention.

Article 31 – Amendments

1. A State Party may, by written communication addressed to the Director-General, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, not less than one half of the States Parties reply favourably to the request, the Director-General shall present such proposal to the next Meeting of States Parties for discussion and possible adoption.

2. Amendments shall be adopted by a two-thirds majority of States Parties present and voting.

3. Once adopted, amendments to this Convention shall be subject to ratification, acceptance, approval or accession by the States Parties.

4. Amendments shall enter into force, but solely with respect to the States Parties that have ratified, accepted, approved or acceded to them, three months after the deposit of the instruments referred to in paragraph 3 of this Article by two thirds of the States Parties. Thereafter, for each State or territory that ratifies, accepts, approves or accedes to it, the amendment shall enter into force three months after the date of deposit by that Party of its instrument of ratification, acceptance, approval or accession.

5. A State or territory which becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention by that State or territory, be considered:

(a) as a Party to this Convention as so amended; and

(b) as a Party to the unamended Convention in relation to any State Party not bound by the amendment.

Article 32 – Denunciation

1. A State Party may, by written notification addressed to the Director-General, denounce this Convention.

2. The denunciation shall take effect twelve months after the date of receipt of the notification, unless the notification specifies a later date.

3. The denunciation shall not in any way affect the duty of any State Party to fulfil any obligation embodied in this Convention to which it would be subject under international law independently of this Convention.

Article 33 – The Rules

The Rules annexed to this Convention form an integral part of it and, unless expressly provided otherwise, a reference to this Convention includes a reference to the Rules.

Article 34 – Registration with the United Nations

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General.

Article 35 – Authoritative texts
This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

Annex

Rules concerning activities directed at underwater cultural heritage

I. General principles

Rule 1. The protection of underwater cultural heritage through in situ preservation shall be considered as the first option. Accordingly, activities directed at underwater cultural heritage shall be authorized in a manner consistent with the protection of that heritage, and subject to that requirement may be authorized for the purpose of making a significant contribution to protection or knowledge or enhancement of underwater cultural heritage.

Rule 2. The commercial exploitation of underwater cultural heritage for trade or speculation or its irretrievable dispersal is fundamentally incompatible with the protection and proper management of underwater cultural heritage. Underwater cultural heritage shall not be traded, sold, bought or bartered as commercial goods.

This Rule cannot be interpreted as preventing:

(a) the provision of professional archaeological services or necessary services incidental thereto whose nature and purpose are in full conformity with this Convention and are subject to the authorization of the competent authorities;

(b) the deposition of underwater cultural heritage, recovered in the course of a research project in conformity with this Convention, provided such deposition does not prejudice the scientific or cultural interest or integrity
of the recovered material or result in its irretrievable dispersal; is in accordance with the provisions of Rules 33 and 34; and is subject to the authorization of the competent authorities.

Rule 3. Activities directed at underwater cultural heritage shall not adversely affect the underwater cultural heritage more than is necessary for the objectives of the project.

Rule 4. Activities directed at underwater cultural heritage must use nondestructive techniques and survey methods in preference to recovery of objects. If excavation or recovery is necessary for the purpose of scientific studies or for the ultimate protection of the underwater cultural heritage, the methods and techniques used must be as non-destructive as possible and contribute to the preservation of the remains.

Rule 5. Activities directed at underwater cultural heritage shall avoid the unnecessary disturbance of human remains or venerated sites.

Rule 6. Activities directed at underwater cultural heritage shall be strictly regulated to ensure proper recording of cultural, historical and archaeological information.

Rule 7. Public access to in situ underwater cultural heritage shall be promoted, except where such access is incompatible with protection and management.

Rule 8. International cooperation in the conduct of activities directed at underwater cultural heritage shall be encouraged in order to further the effective exchange or use of archaeologists and other relevant professionals.

II. Project design

Rule 9. Prior to any activity directed at underwater cultural heritage, a project design for the activity shall be developed and submitted to the competent authorities for authorization and appropriate peer review.

Rule 10. The project design shall include:

(a) an evaluation of previous or preliminary studies;

(b) the project statement and objectives;

(c) the methodology to be used and the techniques to be employed;

(d) the anticipated funding;

(e) an expected timetable for completion of the project;

(f) the composition of the team and the qualifications, responsibilities and experience of each team member;

(g) plans for post-fieldwork analysis and other activities;

(h) a conservation programme for artefacts and the site in close cooperation with the competent authorities;

(i) a site management and maintenance policy for the whole duration of the project;

(j) a documentation programme;

(k) a safety policy;

(l) an environmental policy;

(m) arrangements for collaboration with museums and other institutions, in particular scientific institutions;

(n) report preparation;

(o) deposition of archives, including underwater cultural heritage removed; and

(p) a programme for publication.

Rule 11. Activities directed at underwater cultural heritage shall be carried out in accordance with the project design approved by the competent authorities.

Rule 12. Where unexpected discoveries are made or circumstances change, the project design shall be reviewed and amended with the approval of the competent authorities.

Rule 13. In cases of urgency or chance discoveries, activities directed at the underwater cultural heritage, including conservation measures or activities for a period of short duration, in particular site stabilization, may be authorized in the absence of a project design in order to protect the underwater cultural heritage.

III. Preliminary work

Rule 14. The preliminary work referred to in Rule 10 (a) shall include an assessment that evaluates the significance and vulnerability of the underwater cultural heritage and the surrounding natural environment to damage by the proposed project, and the potential to obtain data that would meet the project objectives.

Rule 15. The assessment shall also include background studies of available historical and archaeological evidence, the archaeological and environmental characteristics of the site, and the consequences of any potential intrusion for the long-term stability of the underwater cultural heritage affected by the activities.

IV. Project objective, methodology and techniques

Rule 16. The methodology shall comply with the project objectives, and the techniques employed shall be as non-intrusive as possible.

V. Funding

Rule 17. Except in cases of emergency to protect underwater cultural heritage, an adequate funding base shall be assured in advance of any activity, sufficient to complete all stages of the project design, including conservation, documentation and curation of recovered artefacts, and report preparation and dissemination.

Rule 18. The project design shall demonstrate an ability, such as by securing a bond, to fund the project through to completion.

Rule 19. The project design shall include a contingency plan that will ensure conservation of underwater cultural heritage and supporting documentation in the event of any interruption of anticipated funding.

VI. Project duration – timetable

Rule 20. An adequate timetable shall be developed to assure in advance of any activity directed at underwater cultural heritage the completion of all stages of the project design, including conservation, documentation and curation of recovered underwater cultural heritage, as well as report preparation and dissemination.

Rule 21. The project design shall include a contingency plan that will ensure conservation of underwater cultural heritage and supporting documentation in the event of any interruption or termination of the project.

VII. Competence and qualifications

Rule 22. Activities directed at underwater cultural heritage shall only be undertaken under the direction and control of, and in the regular presence of, a qualified underwater archaeologist with scientific competence appropriate to the project.

Rule 23. All persons on the project team shall be qualified and have demonstrated competence appropriate to their roles in the project.

VIII. Conservation and site management

Rule 24. The conservation programme shall provide for the treatment of the archaeological remains during the activities directed at underwater cultural heritage, during transit and in the long term. Conservation shall be carried out in accordance with current professional standards.

Rule 25. The site management programme shall provide for the protection and management in situ of underwater cultural heritage, in the course of and upon termination of fieldwork. The programme shall include public information, reasonable provision for site stabilization, monitoring, and protection against interference.

IX. Documentation

Rule 26. The documentation programme shall set out thorough documentation including a progress report of activities directed at underwater cultural heritage, in accordance with current professional standards of archaeological documentation.

Rule 27. Documentation shall include, at a minimum, a comprehensive record of the site, including the provenance of underwater cultural heritage moved or removed in the course of the activities directed at underwater cultural heritage, field notes, plans, drawings, sections, and photographs or recording in other media.

X. Safety

Rule 28. A safety policy shall be prepared that is adequate to ensure the safety and health of the project team and third parties and that is in conformity with any applicable statutory and professional requirements.

XI. Environment

Rule 29. An environmental policy shall be prepared that is adequate to ensure that the seabed and marine life are not unduly disturbed.

XII. Reporting

Rule 30. Interim and final reports shall be made available according to the timetable set out in the project design, and deposited in relevant public records.

Rule 31. Reports shall include:

(a) an account of the objectives;

(b) an account of the methods and techniques employed;

(c) an account of the results achieved;

(d) basic graphic and photographic documentation on all phases of the activity;

(e) recommendations concerning conservation and curation of the site and of any underwater cultural heritage removed; and

(f) recommendations for future activities.

XIII. Curation of project archives

Rule 32. Arrangements for curation of the project archives shall be agreed to before any activity commences, and shall be set out in the project design.

Rule 33. The project archives, including any underwater cultural heritage removedand a copy of all supporting documentation shall, as far as possible, be kept togetherand intact as a collection in a manner that is available for professional and public access as well as for the curation of the archives. This should be done as rapidly as possible and in any case not later than ten years from the completion of the project, in so far as may be compatible with conservation of the underwater cultural heritage.

Rule 34. The project archives shall be managed according to international professional standards, and subject to the authorization of the competent authorities.

XIV. Dissemination

Rule 35. Projects shall provide for public education and popular presentation of the project results where appropriate.

Rule 36. A final synthesis of a project shall be:

(a) made public as soon as possible, having regard to the complexity of the project and the confidential or sensitive nature of the information; and

(b) deposited in relevant public records.

Done in Paris this 6th day of November 2001 in two authentic copies bearing the signature of the President of the thirty-first session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization and certified true copies of which shall be delivered to all the States and territories referred to in Article 26 as well as to the United Nations.

Depositary :

UNESCO

Entry into force :

In accordance with its Article 27, this Convention shall enter into force on 2 January 2009 for those States that have deposited their respective instruments of ratification, acceptance, approval or accession on or before 2 October 2008. It shall enter into force for any other State three months after the deposit by that State of its instrument of ratification, acceptance, approval or accession.

Authoritative texts :

Arabic, English, Chinese, French, Spanish and Russian

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Argentina
"DECLARACION
La REPÚBLICA ARGENTINA opta por el procedimiento de transmisión de información previsto en el inciso ii) del apartado b) del párrafo 1 del artículo 9 de la Convención.
La REPÚBLICA ARGENTINA considera que el Artículo 26, párrafo 2, apartado b) y el correlativo Artículo 1, párrafo 2, apartado b), no son de aplicación respecto de los territorios sujetos a una controversia de soberanía reconocida por la Asamblea General de las Naciones Unidas.
La REPÚBLICA ARGENTINA recuerda que las Islas Malvinas, Georgias del Sur y Sandwich del Sur y los espacios marítimos circundantes son parte integrante de su territorio y estando ilegítimamente ocupados por el REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE son objeto de una disputa de soberanía reconocida por la comunidad internacional.
En este sentido, la Asamblea General adoptó las Resoluciones 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 y 43/25 en las que reconoce la existencia de una disputa de soberanía referida a la "Cuestión de las Islas Malvinas" e insta a los Gobiernos de la REPÚBLICA ARGENTINA y del REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE a que reanuden las negociaciones a fin de encontrar a la mayor brevedad posible una solución pacífica, justa y duradera de la disputa. Asimismo, el Comité de Descolonización de las Naciones Unidas se ha pronunciado reiteradamente en igual sentido." [Original: Spanish]

Cuba
"The Republic of Cuba declares that, pursuant to Article 9, paragraph 2, of the Convention, it will transmit the relevant information on any discovery or activity relating to the underwater cultural heritage in the exclusive economic zone or on the continental shelf of another State Party by means of a document issued by the Office of the President of the National Commission of Monuments and endorsed by the National Cultural Heritage Council of the Ministry of Culture." [Original: Spanish]

"The Republic of Cuba, in regard to Article 25, paragraph 3, relating to the application mutatis mutandis of the provisions on the settlement of disputes set out in Part XV of the United Nations Convention on the Law of the Sea, declares that it reaffirms the declaration made under Article 287 of the Convention, concerning its non-acceptance of the jurisdiction of the International Court of Justice and, consequently, its non-acceptance of the Court's jurisdiction over the provisions of Articles 297 and 298 of the Convention." [Original: Spanish]

Italia
"En déposant son instrument de ratification l'Italie précise que les déclarations au titre du paragraphe 1, (b) de l'art.9 de la Convention seront transmises de la manière prévue au paragraphe 1, (b), (ii) du même art. 9."

Panama
"On depositing its Instrument of Ratification of the Convention on the Protection of the Underwater Cultural Heritage (approved by Law No. 32 of 26 March 2003 and proclaimed in the Official Gazette No. 24,773 of 2 April 2003), the Republic of Panama declares that it has sole sovereignty over the Gulf of Panama, by nature and history a Panamanian bay, whose coasts belong in their entirety to the Republic of Panama. It is a clearly defined geographic configuration, being a large scooped-out incurvation to the south of the Isthmus of Panama, with sea waters underlying the seabed and its subsoil in the area between latitudes 07° 28'00" North and 07°31'00" North, and longitudes 79°59'53" and 78°11'40", both west of Greenwich. These determine the location of Punta Mala and Punta Jaqué, at the West and East of the entrance of the Gulf of Panama respectively. This large indentation cuts well into the land area of the Isthmus of Panama. The width of its entrance, from Punta Mala to Punta Jaqué, is about two hundred kilometres (200 kms) and its extension inland (measured from an imaginary line linking Punta Mala and Punta Jaqué up to the mouths of the Río Chico, east of Panama City) is one hundred and sixty-five kilometres (165 kms).
In view of its current and potential resources the Gulf of Panama, a historic bay, has been a vital necessity for the Republic of Panama since time immemorial, both with regard to its security and defence and to the economic field, since its marine resources have long been used by the inhabitants of the Isthmus of Panama.
Oblong in shape, with a coastal outline which somewhat resembles a calf's head, the Gulf has a coastal perimeter under Panamanian sea control of some six hundred and sixty-eight kilometres (668 kms). Within this demarcation, the Gulf of Panama, a historic bay, has an area of approximately thirty thousand square kilometres (30,000 kms²).
The Republic of Panama declares that in the exercise of its sovereign and jurisdictional rights and the accomplishment of its duties, it will act in accordance with the provisions of the Convention, reserving the right to issue other related declarations, should the need arise."

Portugal
"Moreover, pursuant to Article 9, paragraph 2, of the Convention on the Protection of the Underwater Cultural Heritage, Portugal declares that the information referred to in paragraph 1(b) of that same article will be transmitted in the manner stipulated in subparagraph (ii)." [original: French]

Ukraine
« to Articles 9 and 11:
"Ukraine hereby declares that in case of discovery of the underwater cultural heritage in the exclusive economic zone or on the continental shelf of a State Party or in the Area, or if there is an intention to carry out, there, activities directed towards the underwater cultural heritage, it shall provide the rapid and effective transmission of information about the aforesaid to all the States Parties and to the Director General of UNESCO through the National Commission of Ukraine on Affairs of UNESCO;"
to Article 22:
"The competent authority authorized in accordance with Article 22 of the Convention shall be the central executive authority in the sphere of the protection of the cultural heritage;"
to Article 28:
"Ukraine declares that the Rules of the Convention shall be implemented to the inland waters not of a maritime character." » [original: English]

All the notifications under the Convention

Monitoring :

- Meeting of States Parties (Rules of Procedure)

- 2nd session (Paris, 1 - 2 December 2009)
  - Resolutions
  - Documents
- 1st session (Paris, 26 - 27 March 2009)
  - Resolutions
  - Documents

- Scientific and Technical Advisory Body (Statutes)

- 1st meeting (Cartagena, Spain, 13 – 15 June 2010)
  - Recommendations
  - Documents

BACK

האמנה לשמירה על
המורשת התרבותית התת-ימית

אונסקו

פריז, 2 בנובמבר 2001

BACK

האמנה לשמירה על המורשת התרבותית התת-ימית

הוועידה הכללית של ארגון החינוך, המדע והתרבות של האומות המאוחדות (אונסקו), שהתכנסה בפריז ב-15 באוקטובר - 3 בנובמבר 2001, למושבה ה-31,

הכירה בחשיבותה של המורשת התרבותית התת-ימית כרכיב בלתי נפרד של המורשת התרבותית של האנושות וכחלק חשוב במיוחד בהיסטוריה של עמים ואומות והקשרים ביניהם ביחס למורשתם המשותפת,

הבינה את חשיבות השמירה והשימור של המורשת התרבותית התת-ימית והכירה בכך שהאחריות מוטלת על כל המדינות,

ציינה את העניין וההערכה שהציבור מגלה למורשת התרבותית התת-ימית,

משוכנעת בחשיבות המחקר, המידע והחינוך להגנה ושימור של מורשת תרבותית תת-ימית.

משוכנעת בזכותו של הציבור ליהנות מגישה אחראית ולא פולשנית למורשת תרבותית תת-ימית *in situ*, ומערכה, החינוכי-ציבורי מבחינת תרומתו למודעות, להערכה ולהגנה על מורשת זו,

ערה לעובדה שעל המורשת התרבותית התת-ימית מרחף איום של פעילויות מכוונות לא מורשות, ומכירה בצורך לנקוט אמצעים תקיפים יותר כדי למנוע פעילויות כאלה,

מודעת לצורך להגיב כראוי להשפעה שלילית אפשרית של פעילויות לגיטימיות שעלולות להשפיע שלא בכוונה על מורשת תרבותית תת-ימית,

מודאגת מניצול מסחרי הולך וגובר של המורשת התרבותית התת-ימית, ובמיוחד מפעילויות מסוימות שמטרתן מְכירה, רכישה או סחר חליפין של מורשת תרבותית תת-ימית,

ערה לזמינותה של טכנולוגיה מתקדמת שמשפרת את יכולת הגילוי של מורשת תרבותית תת-ימית ואת הנגישות אליה,

מתוך אמונה ששיתוף פעולה – בין מדינות, ארגונים בין-לאומיים, מוסדות מדע, ארגונים מקצועיים, ארכאולוגים, צוללנים, גורמים אחרים בעלי עניין והציבור בכללותו – חיוני להגנה על מורשת תרבותית תת-ימית,

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מתוך מחשבה שלשם ביצוע סקרים, חפירות ופעולות הגנה על מורשת תרבותית תת-ימית נדרש יישום של שיטות מדעיות מיוחדות וזמינות וכן שימוש בשיטות ובציוד מתאימים והתמחות מקצועית גבוהה, המצביעים על צורך בקריטריוני ניהול אחידים,

מתוך הבנת הצורך לחוקק ולפתח באופן פרוגרסיבי כללים המתייחסים להגנה על מורשת תרבותית תת-ימית ושימורה בהתאם לחוק ולנהלים הבין-לאומיים, ובכלל זה אמנות אונסקו, העוסקים באיסור ומניעה של סחר והעברה בלתי חוקיים של נכסי מורשת תרבותית (14 בנובמבר 1970), הגנה על מורשת התרבות והטבע העולמית (16 בנובמבר 1972) ואמנת האו"ם בנושא חוק הים (10 בדצמבר 1982),

מחויבת לשיפור יעילותם של אמצעים ברמה הבין-לאומית, ברמה האזורית וברמה הארצית לשימור *in situ*, או, במידת הצורך – למטרות מדעיות או הגנה, להצלת המורשת התרבותית התת-ימית,

החליטה במושב ה-29 שנושא זה צריך להיות מוצג כאמנה בין-לאומית,

מאמצת ב-2 בנובמבר 2001 את האמנה הזו.

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~~\הוועד הלאומי לאונסקו וועדות אונסקו שונות\כל ועדות אונסקו בישראל\ועדה למורשת תרבות עולמית\האמנה - דן סגיר קובץ מסמכים\LS-2186REV-HCOR אמנה מורשת תת ימית.doc~~

האמנה לשמירה על המורשת התרבותית התת-ימית

סעיף 1 – הגדרות

למטרות אמנה זו:

1. א. "מורשת תרבותית תת-ימית" משמעותה כל העקבות של הקיום האנושי שהם בעלי אופי תרבותי, היסטורי או ארכאולוגי והנמצאים בחלקם או במלואם מתחת לפני המים, באופן זמני או ברציפות, במשך לפחות 100 שנה, כמו למשל:

(1) אתרים, מבנים, בניינים, פריטי אמנות ושרידי אדם, לרבות ההקשר הארכאולוגי והטבעי שלהם;

(2) כלי שיט, כלי טיס, כלי תעבורה אחרים או כל חלק מהם, המטען שלהם או כל תוכן אחר, לרבות ההקשר הארכאולוגי והטבעי שלהם; וגם

(3) פריטים בעלי אופי פרה-היסטורי.

ב. צינורות וכבלים שהונחו על קרקעית הים לא ייחשבו למורשת תרבותית תת-ימית.

ג. מתקנים שאינם צינורות וכבלים, המונחים על קרקעית הים ועדיין נמצאים בשימוש, לא ייחשבו מורשת תרבותית תת-ימית.

2. א. "מדינות חברות לאמנה" הן מדינות שהסכימו להתחייב על-פי אמנה זו והיא תקפה לגביהן.

ב. אמנה זו, בשינויים המחויבים מהעניין, חלה על אותם אזורים שמוזכרים בסעיף 26 באמנה, פסקה 2(ב), אזורים ההופכים צד לאמנה זו בהתאם לתנאים המוגדרים באותה פסקה, ובהקשר זה "מדינות חברות לאמנה" מתייחס לאותם אזורים.

3. "אונסקו" – הוא ארגון האו"ם לחינוך, מדע ותרבות.

4. "מנהל הכללי" – הוא המנהל הכללי של אונסקו.

5. "אזור" – הוא קרקעית הים והאוקיינוס והרובד התת-קרקעי שלהם, מעבר לגבולות תחום השיפוט הלאומי.

6. "פעילויות המכוונות אל המורשת התרבותית התת-ימית" – הן פעילויות שמטרתן העיקרית היא המורשת התרבותית התת-ימית ואשר במישרין או בעקיפין, מפריעות פיזית או בצורה אחרת למורשת התרבותית התת-ימית.

7. "פעילויות שמשפיעות באופן מקרי על המורשת התרבותית התת-ימית" – הן פעילויות שלמרות שמטרתן העיקרית (או אחת ממטרותיהן) אינה המורשת התרבותית התת-ימית, עשויות להפריע פיזית או להזיק בצורה אחרת למורשת התרבותית התת-ימית.

8. "כלי שיט וכלי טיס של מדינה" – הם אניות מלחמה וכלי שיט או טיס אחרים שהיו בבעלות המדינה או שהופעלו על ידה ובעת שטבעו, נעשה בהם שימוש רק למטרות ממשלתיות לא מסחריות, אשר מזוהות ככאלה ועונות על ההגדרה של מורשת תרבותית תת-ימית.

9. "כללים" – הם כללים הנוגעים לפעילויות המכוונות אל המורשת התרבותית התת-ימית, כפי שהיא מוזכרת בסעיף 33 של אמנה זו.

סעיף 2 – מטרות ועקרונות כלליים

1. אמנה זו נועדה להבטיח הגנה על מורשת תרבותית תת-ימית ולחזק אותה.
2. מדינות חברות לאמנה תשתפנה פעולה בהגנה על מורשת תרבותית תת-ימית.
3. מדינות חברות לאמנה תשמורנה על המורשת התרבותית התת-ימית לטובת האנושות בהתאם להוראות הכלולות באמנה זו.
4. מדינות חברות לאמנה, כל אחת לחוד וביחד, לפי המקרה המתאים, תנקוטנה את כל האמצעים בהתאם לאמנה זו ולחוק הבין-לאומי הנחוצים כדי להגן על המורשת התרבותית התת-ימית, ותשתמשנה לשם כך באמצעים הטובים ביותר שעומדים לרשותן ובהתאם ליכולות שלהן.
5. השימור *in situ* של מורשת תרבותית תת-ימית ייחשב כאופצייה ראשונה לפני כל פעילות שמכוונות לאתר מורשת זו.
6. מורשת תרבותית תת-ימית שניצלה מהים תופקד, תישמר ותנוהל באופן שיבטיח את שימורה לטווח ארוך.
7. מורשת תרבותית תת-ימית לא תנוצל למטרות מסחר.
8. בהתאם לחוקי המדינה ולחוק הבין-לאומי, ובכלל זה לאמנת האומות המאוחדות בנושא חוק הים, אין לפרש דבר מן האמור באמנה זו כאילו הוא בא לשנות את כללי החוק הבין-לאומי ואת נוהלי המדינה הנוגעים לחסינות הריבון, או לזכויותיה של מדינה על כלי השיט וכלי הטיס שלה.
9. מדינות שהן צד לאמנה תוודאנה כי ניתן סיכוי וטיפול נאות לכל השרידים האנושיים שממוקמים במים ימיים (maritime waters).
10. למעט מקומות שבהם גישה כזו אינה עולה בקנה אחד עם הגנה על המורשת וניהולה, יש לעודד גישה אחראית לא פולשנית כדי לצפות או לתעד *in situ* מורשת תרבותית תת-ימית במטרה ליצור בקרב הציבור מודעות, הערכה ורצון להגן על המורשת.
11. שום פעולה או פעילות שיינקטו על בסיס אמנה זו לא יהוו עילה לתביעה, טענה או התנגדות לתביעה כלשהי לריבונות לאומית או לתחום שיפוט.

סעיף 3 – יחס בין אמנה זו ובין אמנת האומות המאוחדות בנושא חוק הים

דבר מן האמור באמנה זו לא יפגע בזכויות, בתחום השיפוט ובחובותיהן של מדינות במסגרת החוק הבין-לאומי, ובכלל זה באמנת האומות המאוחדות בנושא חוק הים. (uncios) יש לפרש ולהחיל אמנה זו בהקשר של החוק הבין-לאומי ובאופן שיהיה עקיב אִתו, ובכלל זה אמנת האומות המאוחדות בנושא חוק הים.

סעיף 4 – יחס לחוק הצלה ולחוק התגליות

כל פעילות שקשורה למורשת תרבותית תת-ימית ושאמנה זו חלה עליה, לא תהיה כפופה לחוק ההצלה או לחוק המציאות, למעט במקרים הבאים:

א. הרשויות המוסמכות התירו אותה, ו-

ב. היא נעשית בתיאום מלא עם אמנה זו, ו-

ג. היא מבטיחה שכל הצלה של מורשת תרבותית תת-ימית מעניקה לה הגנה מְרבית.

סעיף 5 – פעילויות המשפיעות באופן מקרי על מורשת תרבותית תת-ימית

כל מדינה חברה לאמנה תשתמש באמצעים הטובים ביותר שעומדים לרשותה כדי למנוע או למתן השפעות שליליות שעלולות להתעורר בעקבות פעולות שנעשות בתחום השיפוט שלה ואשר עלולות להשפיע באופן מקרי על המורשת התרבותית התת-ימית.

סעיף 6 – הסכמים דו-צדדיים, אזוריים או רב-צדדיים אחרים

1. יש לעודד מדינות חברות לאמנה לחתום על הסכמים דו-צדדיים, אזוריים או רב-צדדיים אחרים או לפתח הסכמים קיימים, כדי לשמר את המורשת התרבותית התת-ימית. כל ההסכמים האלה יהיו בתיאום מלא עם הוראותיה של אמנה זו ולא יפגעו באופייה האוניברסלי. על-פי הסכמים אלה, מדינות רשאיות לאמץ כללים ותקנות שיבטיחו הגנה טובה יותר על המורשת התרבותית התת-ימית בהשוואה לכללים ולתקנות שאומצו באמנה זו.
2. הצדדים להסכמים דו-צדדיים, אזוריים או רב-צדדיים אחרים אלה רשאים להזמין להצטרף להסכמים אלה מדינות בעלות זיקה שניתנת לאימות, ובמיוחד זיקה תרבותית, היסטורית או ארכאולוגית, למורשת התרבותית התת-ימית הנדונה.
3. אין באמנה זו כדי לשנות את זכויותיהן וחובותיהן של מדינות החברות לאמנה בנוגע להגנה על כלי שיט שטבעו, שנובעות מהסכמים דו-צדדיים, אזוריים או רב-צדדיים אחרים שסוכמו לפני אימוצה, ובמיוחד אלו שעולות בקנה אחד עם מטרותיה של אמנה זו.

סעיף 7 – מורשת תרבותית תת-ימית במים פנימיים, מי ארכיפלג (קבוצת איים) ומים טריטוריאליים

1. בהחלת ריבונותן שמורה למדינות החברות זכות בלעדית להסדיר ולהתיר פעילויות שנוגעות למורשת תרבותית תת-ימית במים הפנימיים, במי ארכיפלג ובמים הטריטוריאליים שלהן.
2. מבלי לפגוע בהסכמים בין-לאומיים אחרים ובכללים של החוק הבין-לאומי המתייחסים להגנה על מורשת תרבותית תת-ימית, המדינות החברות לאמנה תדרושנה שהכללים יוחלו על פעילויות שנועדו לשימור המורשת התרבותית התת-ימית במים הפנימיים, במי ארכיפלג ובמים הטריטוריאליים שלהן.
3. בגבולות מי הארכיפלג או המים הטריטוריאליים שלהן, בהחלת ריבונותן ומתוך קבלת הנוהג המקובל בין המדינות, המדינות החברות לאמנה – מתוך מחשבה לשתף פעולה בכל הנוגע לשיטות הטובות ביותר של הגנה על כלי שיט וכלי טיס שלהן – צריכות להודיע למדינה חברה באמנה זו שכלי שיט או טיס נושא את דגלה – ואם מתאים, גם למדינות אחרות בעלות זיקה ניתנת לאימות, במיוחד זיקה תרבותית, היסטורית או ארכאולוגית – על גילוי כלי השיט או כלי הטיס שלה שניתן לזיהוי.

סעיף 8 – מורשת תרבותית תת-ימית באזור גבולי

מבלי לפגוע באמור בסעיפים 9 ו-10 להלן ונוסף עליהם, ובהתאם לאמור בסעיף 303, פסקה 2, של אמנת האומות המאוחדות בנושא חוק הים, המדינות החברות לאמנה רשאיות להסדיר ולהתיר פעילויות

שנוגעות למורשת תרבותית תת-ימית במסגרת אזורי הגבול שלהן. בעשותן כן, הן תדרושנה את החלת הכללים.

סעיף 9 – דיווח והודעה באזור הכלכלי הבלעדי ובמדף היבשת

1. כל המדינות החברות נושאות באחריות להגן על המורשת התרבותית התת-ימית באזור הכלכלי הבלעדי ובמדף היבשת בהתאם לאמור באמנה זו.

לפיכך:

א. מדינה החברה לאמנה תדרוש שכאשר אזרח שלה, או כלי שיט הנושא את דגלה, מגלה או מתכוון לבצע פעולות שנוגעות למורשת תרבותית תת-ימית שממוקמת באזור הכלכלי הבלעדי שלה או במדף היבשת שלה, על האזרח או רב החובל של כלי השיט לדווח לה על תגלית זו או על פעילות זו;

ב. באזור הכלכלי הבלעדי או במדף היבשת של מדינה אחרת שהנה צד לאמנה:

1. המדינות החברות לאמנה תדרושנה מהאזרח או מרב החובל של כלי השיט לדווח להן ולמדינה חברה אחרת על תגלית או על פעילות כזו;
2. לחלופין, מדינה חברה שהיא צד לאמנה תדרוש מהאזרח או מרב החובל של כלי השיט לדווח לה על תגלית או על פעילות זו ותבטיח העברה מהירה ויעילה של דוחות אלה לכל המדינות החברות האחרות.

2. בעת הפקדת מסמך האשרור, הקבלה, האישור או הצטרפות מדינה שהיא חברה, עליה להצהיר על אופן העברת הדוחות בהתאם לאמור בפסקה 1(ב) של סעיף זה.

3. מדינה חברה לאמנה תודיע למנהל הכללי על התגליות או על הפעילויות שעליהן קיבלה דיווח לפי פסקה 1 של סעיף זה.

4. המנהל הכללי יעמיד לרשות המדינות החברות לאמנה ללא דיחוי כל מידע שיקבל לפי פסקה 3 של סעיף זה.

5. כל מדינה חברה רשאית להצהיר בפני מדינה שהיא צד לאמנה ואשר באזור הכלכלי הבלעדי שלה או במדף היבשת שלה ממוקמת המורשת התרבותית התת-ימית כי יש לה עניין בכך שיתייעצו עמה לגבי האופן שבו יש להבטיח את ההגנה האפקטיבית על אותה מורשת תרבותית תת-ימית. הצהרה זו תתבסס על זיקה שניתנת לאימות, ובמיוחד זיקה תרבותית, היסטורית או ארכאולוגית למורשת התרבותית התת-ימית הנדונה.

סעיף 10 – הגנה על מורשת תרבותית תת-ימית באזור הכלכלי הבלעדי ובמדף היבשת

1. לא תותר פעילות שנוגעת למורשת תרבותית תת-ימית שממוקמת באזור הכלכלי הבלעדי או במדף היבשת למעט בהתאם להוראות סעיף זה.

2. למדינה חברה לאמנה, שבאזור הכלכלי הבלעדי או שבמדף היבשת שלה נמצאת מורשת תרבותית תת-ימית, שמורה הזכות למנוע או לאשר פעילות כלשהי שנוגעת למורשת כזו כדי למנוע הפרעה לזכויות הריבונות שלה או לתחום השיפוט שלה בהתאם לאמור בחוק הבין-לאומי ובכלל זה באמנת האומות המאוחדות בנושא חוק הים.

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3. במקרה של גילוי מורשת תרבותית תת-ימית או כאשר יש כוונה לבצע פעילות הקשורה במורשת תרבותית תת-ימית באזור הכלכלי הבלעדי של מדינה חברה או במדף היבשת שלה, אותה מדינה חברה לאמנה:

א. תתייעץ עם מדינות חברות אחרות שהצהירו על העניין בהתאם לאמור בסעיף 9, פסקה 5, באשר לאופן הטוב ביותר להגן על המורשת התרבותית התת-ימית;

ב. תתאם התייעצויות כאלה בתור "מדינה מתאמת", אלא אם היא מצהירה במפורש כי אין ברצונה לעשות זאת; במקרה כזה המדינות החברות לאמנה שהצהירו על העניין בהתאם לאמור בסעיף 9, פסקה 5, תמנינה מדינה מתאמת.

4. מבלי לפגוע בחובתן של המדינות החברות לאמנה להגן על המורשת התרבותית התת-ימית באמצעות כל האמצעים האפשריים שננקטו בהתאם לחוק הבין-לאומי במטרה למנוע סכנה מידית למורשת התרבותית התת-ימית, לרבות ביזה, רשאית המדינה המתאמת לנקוט את כל האמצעים האפשריים ו/או לתת כל אישור נחוץ בהתאם לאמור באמנה זו, ואם נחוץ – לפני ההתייעצויות, כדי למנוע סכנה מידית כלשהי למורשת התרבותית התת-ימית, בין אם סכנה זו נובעת מפעולות אנוש ובין אם מסיבה אחרת כלשהי, לרבות ביזה. לשם נקיטת אמצעים אלה, עשוי להידרש סיוען של מדינות חברות אחרות.

5. המדינה המתאמת:

א. תיישם את כל אמצעי ההגנה שעליהם הסכימו המדינות המתייעצות, ובכללן המדינה המתאמת, אלא אם המדינות המייעצות, ובכללן המדינה המתאמת, מסכימות לכך שמדינה חברה אחרת תיישם את אותם האמצעים;

ב. תנפיק את כל האישורים הנחוצים לאמצעים מוסכמים כאלה בהתאם לכללים, אלא אם המדינות המייעצות, ובכללן המדינה המתאמת, מסכימות לכך שמדינה חברה אחרת תנפיק את אותם האישורים;

ג. רשאית לבצע מחקר מקדים נחוץ על המורשת התרבותית התת-ימית ותנפיק את כל האישורים הנחוצים עבורו, ותודיע ללא דיחוי למנהל הכללי על התוצאות, והוא יעמיד את האינפורמציה ללא דיחוי לרשות המדינות החברות האחרות.

6. בתיאום ההתייעצויות, נקיטת האמצעים, ביצוע מחקר מקדים ו/או הנפקת אישורים בהמשך לאמור בסעיף זה, המדינה המתאמת תפעל בשמן של המדינות החברות לאמנה ככלל, ולא בשם האינטרס הצר שלה. כל פעולה כזו כשלעצמה לא תהווה בסיס לקביעת זכויות קדימה או זכויות שיפוטיות שהחוק הבין-לאומי אינו מקנה, לרבות אמנת האו"ם בנושא חוק הים.

7. בכפוף להוראות בפסקאות 2 ו-4 של סעיף זה, לא תבוצע פעילות כלשהי הנוגעת לכלי שיט וכלי טיס מבלי שנתקבלה לכך הסכמתה של מדינת הדגל וללא שיתוף הפעולה של המדינה המתאמת.

סעיף 11 – דיווח והודעה באזור

1. המדינות החברות לאמנה נושאות באחריות להגן על המורשת התרבותית התת-ימית באזור בהתאם לאמור באמנה זו ובסעיף 149 של אמנת האומות המאוחדות בנושא חוק הים. לפיכך, כאשר אזרח, או כלי שיט נושא דגל של מדינה חברה לאמנה, מזהה או מתכוון לעסוק בפעילויות

Z:\KIVZEI AVODA\אונסקו\UNESCO INTERNET\unesco 2011\מורשת תת ימית\אמנה מורשת תת ימית.docI+\חדזה\הוועד הלאומי לאונסקו וועדות שונות\כל ועדות אונסקו בישראל\ועדה למורשת תרבות עולמית\האמנה - דן סגיר קובץ מסמכים\LS-2186REV-HCOR אמנה מורשת תת ימית.docD:\הוועד הלאומי לאונסקו וועדות אונסקו שונות\כל ועדות אונסקו בישראל\ועדה למורשת תרבות עולמית\האמנה - דן סגיר קובץ מסמכים\LS-2186REV-HCOR אמנה מורשת תת ימית.doc

שנוגעות למורשת התרבותית התת-ימית שממוקמת באזור, המדינה החברה לאמנה תדרוש מהאזרח שלה, או מרב החובל של כלי השיט, לדווח על תגלית כזו או על פעילות כזו.

2. מדינות חברות לאמנה תודענה למנהל הכללי ולמזכיר הכללי של הרשות הבין-לאומית לקרקעית הים על תגליות כאלה או על פעילויות שדווח להן עליהן.

3. המנהל הכללי יעמיד ללא דיחוי לרשות כל המדינות החברות לאמנה את האינפורמציה הזו שסיפקו המדינות החברות לאמנה.

4. כל מדינה חברה לאמנה רשאית להצהיר בפני המנהל הכללי כי יש לה עניין שיתייעצו עמה כדי להבטיח הגנה אפקטיבית על אותה מורשת תרבותית תת-ימית. הצהרה כזו תהיה מבוססת על זיקה של אותה מדינה – ואשר ניתנת לאימות – אל המורשת התרבותית התת-ימית הנדונה, תוך התייחסות מיוחדת לזכויות קדימה של המדינות למקור התרבותי, ההיסטורי או הארכאולוגי.

סעיף 12 – הגנה על מורשת תרבותית תת-ימית באזור

1. לא יינתן אישור לפעילות שנוגעת למורשת תרבותית תת-ימית שממוקמת באזור למעט פעילות התואמת את הוראות סעיף זה.

2. המנהל הכללי יזמין את כל המדינות שהן צד לאמנה ואשר הצהירו כי יש להן עניין כזה בהתאם לאמור בסעיף 11, פסקה 4, להתייעץ לגבי הדרך הטובה ביותר להגן על המורשת התרבותית התת-ימית, ולמנות מדינה חברה לאמנה שתתאם את ההתייעצויות הללו ותשמש "מדינה מתאמת". המנהל הכללי יזמין גם את הרשות הבין-לאומית לקרקעית הים להשתתף בהתייעצויות אלה.

3. כל המדינות החברות לאמנה רשאיות לנקוט אמצעים מעשיים בהתאם לאמנה זו, במידת הצורך לפני ההתייעצויות, כדי למנוע סכנה מידית כלשהי למורשת התרבותית התת-ימית, בין אם הסכנה נובעת מפעילות אנוש ובין אם היא נובעת מגורם אחר כלשהו, לרבות ביזה.

4. המדינה המתאמת:

א. תיישם אמצעי הגנה שעליהם הסכימו המדינות המתייעצות, לרבות המדינה המתאמת, אלא אם המדינות המתייעצות, לרבות המדינה המתאמת, מסכימות שמדינה חברה אחרת תיישם את אותם אמצעים; וגם

ב. תנפיק את כל האישורים הנחוצים לאמצעים מוסכמים כאלה, בהתאם לאמנה זו, אלא אם המדינות המייעצות, לרבות המדינה המתאמת, מסכימות שמדינה חברה אחרת תנפיק את אותם אישורים.

5. המדינה המתאמת רשאית לבצע מחקר מקדים על המורשת התרבותית התת-ימית להנפיק את כל האישורים הנחוצים לכך, ולהודיע ללא דיחוי למנהל הכללי על התוצאות, וזה יעמיד את האינפורמציה הזו לרשותן של מדינות חברות אחרות.

6. בתיאום ההתייעצויות, נקיטת האמצעים, ביצוע המחקר המקדים ו/או הנפקת האישורים האמורים בסעיף זה, המדינה המתאמת תפעל כשלנגד עיניה טובת האנושות בכללותה, בשם כל המדינות החברות לאמנה. התייחסות מיוחדת תופנה לזכויות קדימה של המדינות שבאזורן נמצא המקור התרבותי, ההיסטורי או הארכאולוגי ביחס למורשת התרבותית התת-ימית הנדונה.

7. מדינה חברה לאמנה אינה רשאית לבצע או להרשות פעילויות שנוגעות לכלי שיט ולכלי טיס של מדינה באזור ללא אישורה של מדינת הדגל.

סעיף 13 – חסינות הריבון

אניות מלחמה ואניות מדינה אחרות או כלי טיס צבאיים בעלי חסינות הריבון שמופעלים שלא למטרות מסחר, הפועלים לפי צורת הפעולה הרגילה שלהם, ואינם עוסקים בפעילויות שנוגעות למורשת התרבותית התת-ימית, לא יהיו חייבים לדווח על תגליות של מורשת תרבותית תת-ימית לפי סעיפים 9, 10, 11 ו-12 של אמנה זו. עם זאת, על המדינות החברות לאמנה לוודא, על ידי אימוץ האמצעים הנאותים, שאינן פוגעות בפעולות או ביכולות התפעוליות של אניות המלחמה שלהן או של אניות מדינה אחרות או כלי טיס צבאיים אחרים בעלי חסינות הריבון שמופעלים שלא למטרות מסחר, והעונים, במידה סבירה ומעשית, לסעיפים 9, 10, 11 ו-12 של אמנה זו.

סעיף 14 – פיקוח על כניסה לשטח, סחר וחזקה

מדינות חברות תנקוטנה אמצעים למנוע כניסה אל תוך שטחן של סחר או בעלות במורשת תרבותית תת-ימית, או חזקה על מורשת תרבותית תת-ימית שהוצאה שלא כחוק ו/או ניצלה מן הים, היכן שהצלתה הייתה מנוגדת לאמנה זו.

סעיף 15 – אי-שימוש באזורים שבתחום השיפוט של המדינות החברות

מדינות חברות לאמנה תנקוטנה אמצעים כדי למנוע שימוש בשטחיהן, לרבות בנמלי הים שלהן, כמו גם באיים מלאכותיים, מִתקנים ומִבנים שבתחום השיפוט הבלעדי או השליטה הבלעדית שלהן, כדי לתמוך בכל פעילות שתהיה מכוונת למורשת תרבותית תת-ימית שאינה עולה בקנה אחד עם האמור באמנה זו.

סעיף 16 – אמצעים שמתייחסים לאזרחים ולכלי שיט

מדינות חברות לאמנה תנקוטנה את כל האמצעים האפשריים כדי להבטיח שאזרחיהן וכלי השיט שמניפים את דגליהן לא יעסקו בפעילות כלשהי שמכוונת למורשת תרבותית תת-ימית באופן שאינו עולה בקנה אחד עם האמור באמנה זו.

סעיף 17 – סנקציות

1. כל מדינה חברה לאמנה תטיל סנקציות בגין הפרות של אמצעים שאותם תנקוט בהחלת אמנה זו.
2. הסנקציות שיחולו על הפרות תהיינה הולמות מבחינת חומרתן על מנת שתהיינה אפקטיביות ותבטחנה ציות לאמנה זו ; זאת כדי להרתיע הפרות בכל מקום שהן קורות ולמנוע מהעוברים על החוק את התועלת שנובעת מפעולותיהם הבלתי חוקיות.
3. מדינות חברות לאמנה תשתפנה פעולה כדי להבטיח החלת הסנקציות שנקבעו לפי סעיף זה.

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סעיף 18 – תפיסה והעברה של מורשת תרבותית תת-ימית

1. כל מדינה חברה לאמנה תנקוט אמצעים לתפיסה של מורשת תרבותית תת-ימית בשטחיה שניצלה מן הים באופן שאינו עולה בקנה אחד עם האמור באמנה זו.
2. כל מדינה חברה לאמנה תרשום, תגן ותנקוט את כל האמצעים הסבירים כדי לייצב את המורשת התרבותית התת-ימית שנתפסה לפי אמנה זו.
3. כל מדינה חברה לאמנה תודיע למנהל הכללי ולכל מדינה חברה אחרת בעלת זיקה שניתנת לאימות, ובמיוחד זיקה תרבותית, היסטורית או ארכאולוגית, למורשת התרבותית התת-ימית הנדונה על תפיסה של מורשת תרבותית תת-ימית שתפסה בהתאם לאמור באמנה זו.
4. מדינה חברה לאמנה שתפסה מורשת תרבותית תת-ימית תבטיח שהעברתה תהיה לתועלת הציבור, ותיקח בחשבון את הצורך בפעילויות אלה: שימור ובמחקר; הרכבה מחדש של אוסף שהתפזר; נגישות לציבור, תצוגה וחינוך; וכן את העניין של מדינה כלשהי בעלת זיקה שניתנת לאימות, במיוחד זיקה תרבותית, היסטורית או ארכאולוגית, לגבי המורשת התרבותית התת-ימית הנדונה.

סעיף 19 – שיתוף פעולה ושיתוף במידע

1. מדינות חברות לאמנה תשתפנה פעולה ותסייענה זו לזו להגן על המורשת התרבותית התת-ימית האמורה באמנה זו ולנהל אותה, לרבות, במידה והדבר ניתן, לשתף פעולה בחקירה, חפירה, תיעוד, שימור, מחקר והצגה של מורשת זו.
2. בהתאם למטרות אמנה זו, כל מדינה חברה מתחייבת לחלוק את המידע הנוגע למורשת התרבותית התת-ימית עם מדינות חברות אחרות, ובכלל זה היא מתחייבת לחלוק תגליות של מורשת, מיקום מורשת, מורשת שנחפרה או ניצלה בניגוד לאמנה זו או שמפרה בצורה כלשהי את החוק הבין-לאומי, וכן לחלוק מתודולוגיה מדעית, טכנולוגיה רלוונטית והתפתחויות חוקיות המתייחסות למורשת כזו.
3. מידע שיחלקו ביניהן מדינות חברות, או שאונסקו יחלוק עם המדינות החברות לאמנה, המתייחס לתגלית או למיקום של מורשת תרבותית תת-ימית – יישמר, במידה התואמת את החקיקה המקומית שלהן, סודי ושמור לרשויות המוסמכות של מדינות חברות לאמנה כל עוד החשיפה של מידע זה עשוי לסכן את השימור של מורשת תרבותית תת-ימית כזו.
4. כל מדינה חברה לאמנה תנקוט את כל האמצעים האפשריים כדי להפיץ מידע, לרבות באמצעות בסיסי מידע בין-לאומיים מתאימים היכן שהדבר אפשרי, על אודות המורשת התרבותית התת-ימית שנחפרה או ניצלה מן הים בניגוד לאמור באמנה זו או לחלופין תוך הפרת החוק הבין-לאומי.

סעיף 20 – מודעות ציבורית

כל מדינה חברה לאמנה תנקוט את כל האמצעים האפשריים כדי להגביר את מודעות הציבור לגבי ערכה ומשמעותה של המורשת התרבותית התת-ימית וחשיבות הגנתה לפי האמור באמנה זו.

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סעיף 21 – הכשרה בתחום הארכאולוגיה התת-ימית

מדינות חברות לאמנה תשתפנה פעולה במתן הכשרה בארכאולוגיה תת-ימית, בשיטות לשימור המורשת התרבותית התת-ימית, ותוך הסכמה גם בהעברת טכנולוגיה המתייחסת למורשת התרבותית התת-ימית.

סעיף 22 – רשויות מוסמכות

1. על מנת להבטיח החלה נאותה של אמנה זו, תמנינה המדינות החברות לאמנה רשויות מוסמכות או תתגברנה רשויות קיימות, במטרה לדאוג להקמה, תחזוקה ועדכון של רשימת מצאי של מורשת תרבותית תת-ימית ולהגנה, שימור, תצוגה וניהול אפקטיביים של מורשת תרבותית תת-ימית, כמו גם למחקר ולחינוך.
2. מדינות חברות לאמנה תמסורנה למנהל הכללי את השמות והכתובות של הרשויות המוסמכות שלהן בנושא מורשת תרבותית תת-ימית.

סעיף 23 – אספות של מדינות חברות לאמנה

1. תוך שנה מכניסת אמנה זו לתוקף ולאחר מכן מדי שנתיים יכנס המנהל הכללי אספה של המדינות החברות לאמנה. המנהל הכללי יכנס אספה שלא מן המניין של המדינות החברות לאמנה לבקשת רוב המדינות החברות.
2. אספת המדינות החברות תחליט על הפונקציות ועל תחומי האחריות של האספה.
3. אספת המדינות שהן צד לאמנה תאמץ כללי התנהלות משלה.
4. אספת המדינות החברות לאמנה רשאית להקים גוף מייעץ מדעי וטכני שמורכב ממומחים שימונו על ידי המדינות החברות לאמנה, תוך התייחסות נאותה לעיקרון של התפלגות גאוגרפית צודקת ורצון להשיג איזון בין המינים.
5. הגוף המדעי והטכני המייעץ יסייע בצורה נאותה לאספה של המדינות החברות לאמנה בשאלות בעלות אופי מדעי או טכני המתייחסות ליישום הכללים.

סעיף 24 – מזכירות האמנה

1. האחריות לתפעול המזכירות באמנה זו תחול על המנהל הכללי.
2. חובותיה של המזכירות יכללו:

א. ארגון אספות של המדינות החברות לאמנה כמתואר בסעיף 23, פסקה 1 ו-

ב. סיוע למדינות חברות לאמנה ביישום החלטות שנתקבלו באספות המדינות החברות לאמנה.

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סעיף 25 – יישוב מחלוקות בדרכי שלום

1. כל מחלוקת שתתעורר בין שתי מדינות או יותר החברות לאמנה, מחלוקת הנוגעת לפרשנות או ליישום של אמנה זו, תהיה נושא למשא ומתן בתום לב או בדרכי שלום אחרות של פתרון מחלוקות, לפי בחירתן.
2. אם משאים ומתנים אלה לא יסדירו את המחלוקת במסגרת פרק זמן סביר, ניתן יהיה, בהסכמה בין המדינות החברות לאמנה הנוגעות בדבר, להציגה בפני אונסקו לשם תיווך.
3. אם לא ייעשה שימוש בפישור או אם לא יושג הסדר באמצעות תיווך, ההוראות המתייחסות להסדר המחלוקות שפורטו בחלק XV של אמנת האומות המאוחדות בנושא חוק הים יחולו – בשינויים המחויבים מהעניין – על כל מחלוקת בין המדינות החברות לאמנה זו הנוגעת לפרשנות או להחלה של אמנה זו, בין אם הן חברות לאמנת האומות המאוחדות בנושא חוק הים ובין אם לאו.
4. כל הליך שבו תבחרנה המדינות החברות, באמנה זו ובאמנת האומות המאוחדות בנושא חוק הים בעקבות סעיף 287 של זו האחרונה, יחול על הסדרת מחלוקות לפי סעיף זה, אלא אם המדינה שהיא צד לאמנה, בעת שהיא מאשררת, מקבלת, מאשרת או מצטרפת לאמנה זו, או בכל עת לאחר מכן, בוחרת בהליך אחר לפי סעיף 287 להסדרת מחלוקות שנובעות מאמנה זו.
5. מדינה שהיא צד לאמנה ואשר אינה חתומה על אמנת האומות המאוחדות בנושא חוק הים, בעת שהיא מאשררת, מקבלת, מאשרת או מצטרפת לאמנה זו או בכל עת לאחר מכן תהיה חופשייה לבחור, באמצעות הצהרה כתובה, אחד או יותר מהאמצעים שפורטו בסעיף 287, פסקה 1, של אמנת האומות המאוחדות בנושא חוק הים לצורכי הסדרת מחלוקות לפי סעיף זה. סעיף 287 יחול על הצהרה כזו, כמו גם על כל מחלוקת שבה מדינה כזו הנה צד, שאינה מכוסה בהצהרה תקפה. לצורכי פישור ובוררות, בהתאם לאמור בנספחים 5 ו-7 של אמנת האומות המאוחדות בנושא חוק הים – מדינה כזו תהיה זכאית למנות מפשרים ובוררים שייכללו ברשימות המוזכרות בנספח 5 סעיף 2, ונספח 7 סעיף 2 עבור הסדרה של מחלוקות הנובעות מאמנה זו.

סעיף 26 – אשרור, קבלה, אישור או הצטרפות

1. אמנה זו תהיה כפופה לאשרור, קבלה או אישור של מדינות חברות של אונסקו.
2. אל אמנה זו יכולים להצטרף:

א. מדינות שאינן חברות באונסקו אבל הן חברות באומות המאוחדות או בסוכנות מתמחה במסגרת מערכת האומות המאוחדות או בסוכנות האנרגיה האטומית הבין-לאומית, כמו מדינות שהן צד לאמנה לחוק בית המשפט הבין-לאומי לצדק וכל מדינה אחרת שהוזמנה להצטרף לאמנה על ידי האספה הכללית של אונסקו;

ב. אזורים שנהנים משלטון עצמי פנימי מלא, שמוכר ככזה על ידי האומות המאוחדות, אבל לא השיגו עצמאות מלאה בהתאם להחלטת האספה הכללית 1514 (XV) והן מוסמכות על פי נושאים המוסדרים באמנה זו להיכנס לבריתות העוסקות בנושאים אלה.

3. מסמכי האשרור, הקבלה, האישור או ההצטרפות יופקדו אצל המנהל הכללי.

סעיף 27 – כניסה לתוקף

אמנה זו תיכנס לתוקף שלושה חודשים לאחר תאריך הפקדת 20 אשרורים של מדינות כמוזכר בסעיף 26, אבל רק בנוגע לעשרים מדינות או טריטוריות שכבר הפקידו את המסמכים שלהן. היא תיכנס לתוקף לגבי כל מדינה או טריטוריה אחרות שלושה חודשים לאחר התאריך שבו אותה מדינה או אותו אזור הפקידו את המסמך.

סעיף 28 – הצהרה בקשר למים בפנים הארץ

בעת אשרור, קבלה, אישור או הצטרפות לאמנה זו או בכל עת לאחר מכן, כל מדינה או טריטוריה רשאיות להצהיר כי הכללים יחולו על מים בפנים הארץ שאין להם אופי ימי.

סעיף 29 – מגבלות להיקף הגאוגרפי

בעת אשרור, קבלה, אישור או הצטרפות לאמנה זו, מדינה או טריטוריה רשאיות להצהיר בפני מקבל ההפקדה של האשרור שאמנה זו לא תחול על חלקים ספציפיים של שטחה, מים פנימיים, מי ארכיפלג או מים טריטוריאליים, ותזהה בהצהרתה את הסיבות לכך. מדינה כזו, ככל הניתן ובמהירות האפשרית, תקדם תנאים שתחתיהם תחול האמנה על השטחים המצוינים בהצהרתה, ולשם כך תסיר את הצהרתה במלואה או בחלקה ברגע שהדבר יושג.

סעיף 30 – הסתייגויות

למעט סעיף 29, לא ניתן לסייג את האמור באמנה זו.

סעיף 31 – תיקונים/שינויים

1. מדינה חברה לאמנה רשאית, בהודעה בכתב שמופנית אל המנהל הכללי, להציע שינויים/תיקונים לאמנה זו. המנהל הכללי ישלח חוזר לכל המדינות החברות לאמנה. אם תוך שישה חודשים מתאריך חוזר ההודעה יודיעו לפחות מחצית המדינות החברות לאמנה על הסכמתן, יציג המנהל הכללי את ההצעה הזו באספה הבאה של המדינות החברות לאמנה לשם דיון ואימוץ אפשרי.
2. תיקונים/שינויים באמנה יאומצו על ידי שני שלישים מהמדינות החברות לאמנה הנמצאות והמצביעות בישיבה.
3. לאחר שיאומצו יהיו התיקונים לאמנה זו כפופים לאשרור, קבלה, אישור או הצטרפות על ידי המדינות החברות לאמנה.
4. התיקונים ייכנסו לתוקף רק ביחס למדינות חברות לאמנה שאשררו, קיבלו, אישרו או הצטרפו לאמנה שלושה חודשים לאחר הפקדת המסמכים שאליהם מתייחסת פסקה 3 של סעיף זה על ידי שני שלישים של המדינות החברות לאמנה. לאחר מכן, לגבי כל מדינה או טריטוריה שמאשררים, מקבלים, מאשרים או מצטרפים, התיקון ייכנס לתוקפו שלושה חודשים לאחר תאריך ההפקדה מצד אותו צד של מסמך האשרור, הקבלה, האישור או ההצטרפות.

5. מדינה או טריטוריה שהופכות חברות לאמנה זו לאחר כניסת התיקונים לתוקף בהתאם לאמור בפסקה 4 של סעיף זה ייחשבו, למעט הערות או כוונות שונות מצד אותה מדינה או אותה טריטוריה:

א. כצד לאמנה זו כפי שתוקנה; ו-

ב. כצד לאמנה שלא תוקנה ביחס לכל מדינה חברה לאמנה שהתיקון אינו מחייב אותה.

סעיף 32 – הוקעה

1. מדינה חברה לאמנה רשאית, באמצעות הודעה בכתב שמופנית אל המנהל הכללי, להוקיע את האמנה הזאת.
2. ההוקעה תיכנס לתוקפה שנים-עשר חודשים לאחר תאריך קבלת ההודעה, אלא אם ההודעה מציינת תאריך מאוחר יותר.
3. ההוקעה לא תשפיע בשום דרך שהיא על חובתה של כל מדינה חברה לאמנה למלא כל חובה שנכללת באמנה זו שאליה היא תהיה כפופה לפי החוק הבין-לאומי באופן בלתי תלוי באמנה זו.

סעיף 33 – הכללים

הכללים הנספחים לאמנה זו מהווים חלק אינטגרלי שלה, אלא אם צוין במפורש אחרת. התייחסות לאמנה זו כוללת התייחסות לכללים.

סעיף 34 – רישום באומות המאוחדות

בהתאם לאמור בסעיף 102 של כתב הזכויות של האומות המאוחדות, תירשם אמנה זו לפי בקשתו של המנהל הכללי במזכירות האומות המאוחדות.

סעיף 35 – טקסטים מוסמכים

אמנה זו נכתבה בערבית, סינית, אנגלית, צרפתית, רוסית וספרדית, ולכל ששת הטקסטים מעמד וסמכות זהים.

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נספח

כללים הנוגעים לפעילויות

הנוגעות למורשת התרבותית התת-ימית

I. עקרונות כלליים

כלל 1. ההגנה על מורשת תרבותית תת-ימית באמצעות שימור *in situ* תיחשב לאופצייה הראשונה. לפיכך, פעילויות שנוגעות למורשת תרבותית תת-ימית יאושרו באופן שתהיינה עקיבות עם ההגנה על מורשת זו, ובכפוף לדרישה זו עשויות להיות מאושרות לצורך תרומה משמעותית להגנה, ידיעה או שיפור של המורשת התרבותית התת-ימית.

כלל 2. ניצול מסחרי של מורשת תרבותית תת-ימית לצורכי מסחר, ספקולציה או הפצה שלא ניתן להשיבה על כנה אינו עולה בקנה אחד עם ההגנה והניהול הנאות של מורשת תרבותית תת-ימית. אין לסחור, למכור, לקנות או להמיר מורשת תרבותית תת-ימית כאילו הייתה סחורה.

לא ניתן לפרש כלל זה כאילו הוא מונע:

א. אספקת שירותים מקצועיים ארכאולוגיים או שירותים נחוצים אקראיים לכך שאופיים ומטרתם עומדים בתיאום מלא עם אמנה זו וכפופים לאישור של הרשויות המוסמכות;

ב. הפקדה של מורשת תרבותית תת-ימית, שניצלה מן הים במהלך פרויקט מחקר בתיאום עם אמנה זו, ובתנאי שהפקדה כזו אינה פוגעת בעניין המדעי או התרבותי או בשלמותו של החומר שניצל או שתוצאתה היא הפצה שאי-אפשר לחזור ממנה, ושהיא עולה בקנה אחד עם כללים 33 ו-34, וכפופה לאישור של הרשויות המוסמכות.

כלל 3. פעולות שנוגעות למורשת תרבותית תת-ימית לא תשפענה לרעה על המורשת התרבותית התת-ימית מעֵבר לנחוץ למטרות הפרויקט.

כלל 4. על פעולות הנוגעות למורשת התרבותית התת-ימית להשתמש בשיטות לא הרסניות ובשיטות סקר ולהעדיפן על פני הצלת הפריטים. אם החפירה או ההצלה נחוצות לצורכי מחקרים מדעיים או כדי להגן בסופו של דבר על המורשת התרבותית התת-ימית. השיטות והטכניקות שבהן ייעשה שימוש צריכות להיות לא הרסניות, ככל האפשר, ולתרום לשימור השרידים.

כלל 5. יש להימנע מהפרעה בלתי הכרחית לשרידי אדם או למקומות מקודשים בפעולות שנוגעות למורשת התרבותית התת-ימית.

כלל 6. פעולות הנוגעות למורשת התרבותית התת-ימית ייאכפו באופן קפדני כדי להבטיח רישום נאות של כל המידע התרבותי, ההיסטורי והארכאולוגי.

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כלל 7. יש לאפשר לציבור גישה למורשת התרבותית התת-ימית *in situ*, למעט במקרים שגישה כזו אינו עולה בקנה אחד עם צורכי ההגנה והניהול.

כלל 8. יש לעודד שיתוף פעולה בין-לאומי בניהול הפעילויות שנוגעות למורשת התרבותית התת-ימית על מנת לקדם חילופין אפקטיביים או את השימוש של הארכאולוגים ושל אנשי מקצוע רלוונטיים אחרים.

II. תכנית הפרויקט

כלל 9. לפני התחלת פעילות כלשהי שנוגעת למורשת התרבותית התת-ימית, יש לפתח תכנית פרויקט ולהגיש אותה לרשויות המוסמכות לאישור ולבחינה נאותה מצד עמיתים למקצוע.

כלל 10. תכנית הפרויקט תכלול:

א. הערכה של מחקרים קודמים או מקדימים;

ב. הצהרת הפרויקט ויעדיו;

ג. המתודולוגיה והשיטות שבהן ייעשה שימוש;

ד. המימון הצפוי;

ה. תחזית לוח זמנים להשלמת הפרויקט;

ו. הרכב הצוות והכשרתו, תחומי האחריות והניסיון של כל חבר צוות;

ז. תכניות לניתוח בתום עבודת השטח ופעילויות אחרות;

ח. תכנית שימור לפריטים ולאתר בשיתוף פעולה הדוק עם הרשויות המוסמכות;

ט. ניהול אתר ומדיניות תחזוקה למשך כל הפרויקט;

י. תכנית תיעוד;

יא. מדיניות בטיחות;

יב. מדיניות סביבתית;

יג. הסדרים לשיתוף פעולה עם מוזאונים ומוסדות אחרים, ובמיוחד עם מוסדות מדעיים;

יד. הכנת דוח;

טו. הפקדת הארכיונים, ובכלל זה של מורשת תרבותית תת-ימית שניצלה;

טז. תכנית פרסומים.

כלל 11. פעילויות שנועדו למורשת תרבותית תת-ימית יבוצעו בהתאם לתכנית הפרויקט שאושרה בידי הרשויות המוסמכות.

כלל 12. במקרים שבהם תהיינה תגליות בלתי צפויות או שהנסיבות ישתנו, תיבחן ותתוקן תכנית הפרויקט באישורן של הרשויות המוסמכות.

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כלל 13. במקרים של דחיפות או תגליות מקריות, הפעולות שנוגעות למורשת התרבותית התת-ימית, ובכלל זה אמצעי שימור או פעילויות למשך זמן קצר, ובמיוחד ייצוב האתר, תוכלנה להיות מאושרות גם בהיעדר תכנית פרויקט על מנת להגן על המורשת התרבותית התת-ימית.

III. עבודה מקדימה

כלל 14. העבודה המקדימה שמוזכרת בכלל 10 (א) תכלול הערכה של החשיבות והפגיעות האפשרית של המורשת התרבותית התת-ימית ושל הסביבה הטבעית הסובבת אותה לנזק כתוצאה מהפרויקט המוצע, והפוטנציאל להשיג נתונים שיענו על יעדי הפרויקט.

כלל 15. ההערכה תכלול גם מחקרי רקע של ראיות היסטוריות וארכאולוגיות זמינות, המאפיינים הארכאולוגיים והסביבתיים של האתר, והתוצאות של סכנת הפרעה אפשרית כלשהי ליציבות של המורשת התרבותית התת-ימית בטווח הארוך המושפעת מהתוצאות.

IV. מטרות הפרויקט, מתודולוגיה ושיטות

כלל 16. המתודולוגיה תעלה בקנה אחד עם מטרות הפרויקט, והשיטות שבהן ישתמשו יהיו עד כמה שפחות פולשניות ומפריעות.

V. מימון

כלל 17. למעט במקרי חירום של הגנה על המורשת התרבותית התת-ימית, יובטח מראש בסיס מימון נאות עבור כל פעילות, שיספיק להשלמת כל שלבי הפרויקט, ובכלל זה שימור, תיעוד וטיפול בכל הפריטים שנאספו, הכנת דוח והפצתו.

כלל 18. תכנית הפרויקט תוכיח יכולת לממן את הפרויקט עד להשלמתו, כמו למשל על ידי ערבות להתחייבות.

כלל 19. תכנית הפרויקט תכלול תכנית מגירה שתבטיח שימור של מורשת תרבותית תת-ימית ומסמכים תומכים במקרה של הפסקת המימון הצפוי.

VI. משך הפרויקט – לוח זמנים

כלל 20. יוצג לוח זמנים נאות כדי להבטיח לפני כל פעילות הנוגעת למורשת תרבותית תת-ימית את השלמת כל השלבים של תכנית הפרויקט, ובכלל זה שימור, תיעוד וטיפול במורשת תרבותית תת-ימית שניצלה מן המים, וכן הכנת דוח והפצתו.

כלל 21. תכנית הפרויקט תכלול תכנית מגירה שתבטיח שימור של מורשת תרבותית תת-ימית ותיעוד תומך במקרה של הפסקה כלשהי או ביטול הפרויקט.

VII. סמכויות והסמכות

כלל 22. יש לנקוט פעולות שנוגעות למורשת התרבותית התת-ימית רק תחת הנחיה ופיקוח ובנוכחות קבועה של ארכאולוג תת-ימי מוסמך בעל הסמכה נאותה לפרויקט.

כלל 23. כל האנשים בצוות הפרויקט יהיו בעלי הסמכה ויוכיחו מומחיות נאותה לתפקידיהם בפרויקט.

VIII. שימור וניהול האתר

כלל 24. תכנית השימור תדאג לטיפול בשרידים הארכאולוגים במהלך הפעילויות הנוגעות למורשת התרבותית התת-ימית, במהלך העברתם ולטווח הארוך. השימור יבוצע בהתאם לאמות מידה מקצועיות מקובלות.

כלל 25. תכנית ניהול האתר תדאג להגנה ולניהול *in situ* של המורשת התרבותית התת-ימית, במהלך עבודת השדה ועם סיומה. התכנית תכלול מסירת אינפורמציה לציבור, דאגה סבירה לייצוב האתר, פיקוח, והגנה מפני הפרעות.

IX. תיעוד

כלל 26. תכנית התיעוד תקבע תיעוד מלא ובכלל זה דוח התקדמות של פעילויות הנוגעות למורשת התרבותית התת-ימית, בהתאם לאמות מידה מקצועיות מקובלות של תיעוד ארכאולוגי.

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כלל 27. התיעוד יכלול, לכל הפחות, רישום מקיף של האתר, לרבות מקורה של המורשת התרבותית התת-ימית שהוזזה או ניצלה במהלך הפעילויות שנוגעות למורשת התרבותית התת-ימית, הערות מן השטח, תכניות, שרטוטים, חתכים, תצלומים או הקלטות במדיה אחרת.

X. בטיחות

כלל 28. יש לגבש מדיניות בטיחות נאותה שתבטיח את הבטיחות ואת הבריאות של צוות הפרויקט ושל צד שלישי ותעלה בקנה אחד עם דרישות סטטוטוריות או מקצועיות ישימות כלשהן.

XI. סביבה

כלל 29. יש לגבש מדיניות סביבתית נאותה שתבטיח שקרקעית הים ובעלי החיים הימיים לא יופרעו שלא לצורך.

XII. דיווח

כלל 30. יש להכין דוחות ביניים ודוחות סופיים זמינים על פי לוח הזמנים שנקבע בתכנית הפרויקט, ואלה יופקדו ברשומות ציבוריות רלוונטיות.

כלל 31. הדוחות יכללו:

א. דין וחשבון על היעדים;

ב. דין וחשבון על השיטות והטכניקות שנעשה בהן שימוש;

ג. דיווח על התוצאות שהושגו;

ד. תיעוד גרפי ומצולם של כל שלבי הפעילות;

ה. המלצות ביחס לשימור ולטיפול באתר ובמורשת תרבותית תת-ימית שניצלה מן המים;

ו. המלצות לפעילויות עתידיות.

XIII. טיפול בארכיוני הפרויקט

כלל 32. יש לקבוע סידורים לטיפול בארכיוני הפרויקט לפני תחילת פעילות כלשהי, ולפרטם בתכנית הפרויקט.

כלל 33. יש לשמור בארכיוני הפרויקט כל מורשת תרבותית תת-ימית שניצלה והעתק של כל התיעוד התומך, במידת האפשר, באופן שתיעוד זה יהיה זמין לאנשי מקצוע וציבור כמו גם לשם טיפול בארכיונים. יש לעשות זאת במהירות האפשרית ובכל מקרה לא יאוחר מ- 10 שנים לאחר השלמת הפרויקט, במידה שיעלה בקנה אחד עם שימור המורשת התרבותית התת-ימית.

כלל 34. ארכיוני הפרויקט ינוהלו בהתאם לאמות מידה מקצועיות בין-לאומיות ויהיו כפופים לאישור של הרשויות המוסמכות.

XIV. הפצה

כלל 35. הפרויקטים הארכיוניים ותוצאות הפרויקט יהיו נגישים לקהל הרחב, לשם חינוך הציבור.

כלל 36. סינתזה סופית של הפרויקט:

א. תפורסם במהירות האפשרית, תוך נתינת הדעת למורכבותו של הפרויקט ולאופייה הסודי או הרגיש של האינפורמציה;

ב. תופקד במשרדים ציבוריים רלוונטיים.

United Nations
Educational, Scientific and
Cultural Organization

The Protection of the
Underwater Cultural Heritage

WG

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AND CULTURAL ORGANIZATION**

CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

WORKING GROUP ON THE OPERATIONAL GUIDELINES

REVISED DRAFT OF THE OPERATIONAL GUIDELINES

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CHAPTER I. INTRODUCTION

A. THE CONVENTION

1. Context and Content of the Convention

a.) The Convention on the Protection of the Underwater Cultural Heritage (hereinafter referred to as "**the Convention**") was elaborated by the UNESCO Member States as a response to the growing damage done by human interventions endangering submerged archaeological sites. It intends to enable States to better protect the underwater cultural heritage, by setting high protection and intervention standards and by facilitating State cooperation. The protection standards of the Convention are comparable to that granted by other UNESCO Conventions or national legislation on cultural heritage on land. Nevertheless, they are specifically tailored to the treatment of traces of human existence found under water and respect their peculiarities regarding, among others, their fragility, accessibility and the underwater environment.

b.) On the long term the Convention is intended to achieve the appropriate legal safeguarding of submerged archaeological sites in whichever maritime space they are located. It should enable States Parties to collaborate and adopt a common approach to heritage preservation and ethical scientific management of submerged sites. It is its goal to harmonize the protection of submerged heritage with that of heritage on land and provide archaeologists, State authorities and site management institutions with guidelines on how to treat it.

c.) The Convention contains minimum requirements. Each State Party, if it so wishes, may choose to develop even higher standards of protection, for example by protecting on a national level also remains submerged less than 100 years. Among others the Convention:

- sets out basic principles for protecting underwater cultural heritage;
- contains provisions for an international cooperation scheme; and
- provides practical guidelines on how to intervene on and research underwater cultural heritage sites.

Article 3 of the Convention

d.) The Convention does not regulate the ownership of underwater cultural heritage nor does it change the rights, jurisdiction and duties of States Parties under international law, including the United Nations Convention on the Law of the Sea (hereinafter "**UNCLOS**"). When a doubt arises with regard to the interpretation and the application of the Convention, the latter is to be interpreted and applied in the context of and in a manner consistent with international law, including UNCLOS.

2. The Scope of Application of the Convention

a.) The Convention applies, as regulated in its text and with the limitations contained therein, to the entire jurisdiction of its States Parties, unless a reservation is made under its Article 29. It applies therefore to all kind of waters, including inland waters not of maritime character (for instance flooded caves, lakes and rivers), internal waters of maritime character (for instance bays and gulfs), archipelagic waters, the territorial seas of States Parties, their exclusive economic zones (hereinafter referred to as "**EEZ**"), the continental shelves and the Area (the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction). The Convention also protects heritage that has been or is only periodically submerged by water, partially or totally, as for instance wrecks or remains of human dwellings located on land, but periodically inundated by the tides.

Article 33 of the Convention

Article 28 of the Convention

b.) The Rules concerning activities directed at underwater cultural heritage, contained in the Annex of the Convention (hereinafter "**the Rules**"), are an integral part of the Convention. They apply automatically on entry into force of the Convention for a ratifying State to all kind of waters with the exception of inland waters not of a maritime character. Any State Party or territory may, however, declare at any time that the Rules shall also apply to its inland waters not of a maritime character [see comment by Spain[1]].

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1 With regard the particular reference by the President of the Working Group to the application of the Rules in section A.2. b), which may need further discussion among the members of the Group, Spain should like to make the following general comment:
Arts. 28, 29 and 33 of the Convention must be read contextually in order to clarify a possible misunderstanding created by the wording of Art. 28 of the Convention.
Art. 28 provides that "[w]hen ratifying, accepting, approving or acceding to this Convention or at any time thereafter, any State or territory may declare that the Rules shall apply to inland waters not of a maritime character." For its part, Art. 29 (the sole reservation permitted by the Convention) provides that "[a]t the time of ratifying, accepting, approving or acceding to this Convention, a State or territory may make a declaration to the depositary that this Convention shall not be applicable to specific parts of its territory, internal waters, archipelagic waters or territorial sea, and shall identify therein the reasons for such declaration. Such State shall, to the extent practicable and as quickly as possible, promote conditions under which this Convention will apply to the areas specified in its declaration, and to that end shall also

Article 29 of the Convention

c.) At the time of adhering to the Convention, a State or territory may make a declaration to the Director-General of UNESCO that the Convention shall not be applicable to specific parts of its territory, internal waters, archipelagic waters or territorial sea, and shall identify therein the reasons for such declaration. Such State shall, to the extent practicable and as quickly as possible, promote conditions under which the Convention will apply to the areas specified in its declaration, and to that end shall also withdraw its declaration in whole or in part as soon as that has been achieved.

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withdraw its declaration in whole or in part as soon as that has been achieved." Finally, Art. 33 recalls that "[t]he Rules annexed to this Convention form an integral part of it and, unless expressly provided otherwise, a reference to this Convention includes a reference to the Rules."

Under the international law of treaties, codified in this particular question by Art. 29 of the Vienna Convention on Law of Treaties of 1969 (1155 UNTS 331), unless a different intention appears from the treaty or is otherwise established, a treaty is binding upon each party in respect of its entire territory. In principle, and according to this rule, *all* the Convention (including the Rules of the Annex, integral part of the Convention under its art. 33) should apply throughout the territory of each State party. Only those areas of the State party affected by a reservation under Art. 29 would be excluded from the application of *the whole* Convention.

However, from the wording of Art. 28 and the option that it provides to States parties to apply the Rules to inland waters can be inferred that, in principle:

- unless a reservation has been done under Art. 29, the Convention (including the Rules) applies to all maritime waters under the sovereignty or jurisdiction of the State party; and
- only the articles of the Convention (but not the Rules) should apply to inland waters not of a maritime character, unless otherwise decided by a State party under Art. 28.

Perhaps this clarification should have been unnecessary if Art. 28 had been drafted in the negative, as follows: "[w]hen ratifying, accepting, approving or acceding to this Convention or at any time thereafter, any State or territory may declare that the Rules shall *not* apply to inland waters not of a maritime character."

In order to clarify the meaning and extent of this Art. 28, Spain accepts the interpretation of Art. 28 of the Convention given in Section A.2. of the drafted Introduction in the sense explained in this comment.

Spain does not need this commentary introduced in the Guidelines, but wishes to include it in the verbatim records of the Working Group.

B. STATES PARTIES TO THE CONVENTION

a.) States are encouraged to become party to the Convention by ratifying, accepting, approving (legal acts open to Member States of UNESCO) or acceding to (legal act open to States not members of UNESCO and territories as defined by Article 26.2 (b)) the Convention. A list of States Parties to the Convention as well as of declarations and reservations made is available on the UNESCO Web site www.unesco.org/en/underwater-cultural-heritage.

b.) While fully respecting the sovereignty of the States or territories on the area of which the underwater cultural heritage is situated, States Parties to the Convention recognize the collective interest of the international community to cooperate in the protection of this heritage. States Parties to the Convention, have, among others, the responsibility to:

Article 2.4 of the Convention

i. individually or jointly as appropriate, take all suitable measures in conformity with the Convention and with international law that are necessary to protect underwater cultural heritage, using for this purpose the best practicable means at their disposal and in accordance with their capabilities;

Article 2.2 of the Convention

ii. cooperate in the protection of underwater cultural heritage;

Article 2.7 and 16 of the Convention

iii. prevent intrusive interventions directed at underwater cultural heritage aiming at commercial gain.

c.) States Parties to the Convention are encouraged to ensure the participation of a wide variety of professionals, site managers, local and regional governments, local communities, underwater archaeologists and conservation specialists, non-governmental organizations (NGOs), interested private persons and other interested parties and partners in the protection of the underwater cultural heritage and the implementation of the Convention.

Article 22.1 of the Convention

d.) States Parties establish competent authorities or reinforce the existing ones where appropriate, with the aim of providing for the establishment, maintenance and

updating of an inventory of underwater cultural heritage, the effective protection, conservation, presentation and management of underwater cultural heritage, as well as research and education to ensure the proper implementation of the Convention.

e.) States Parties are encouraged to bring together their underwater cultural heritage experts at regular intervals to discuss the implementation of the Convention.

C. THE ORGANS OF THE CONVENTION

1. The Meeting of States Parties

Article 23 of the Convention

a.) The Meeting of States Parties to the Convention is its main organ. It is convened in ordinary session by the Director-General at least once every two years. At the request of a majority of States Parties, the Director-General convenes an extraordinary session. The agenda for an extraordinary session includes only those questions for which the session has been convened.

b.) The functions and responsibilities of the Meeting and the management of its session are regulated by the Convention completed by its Rules of Procedure, which are available in electronic format at the website: www.unesco.org/en/underwater-cultural-heritage or in paper version through the Secretariat.

2. The Scientific and Technical Advisory Body

Article 23.4 of the Convention

The first Meeting of States Parties to the Convention has established a Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention (hereinafter referred to as "**the Advisory Body**"), in accordance with Article 23.4 of the Convention. Its functions and responsibilities are regulated by its Statutes available in electronic format at the website: www.unesco.org/en/underwater-cultural-heritage or in paper version through the Secretariat.

3. Other Subsidiary Bodies

Rule 4 of the Rules of Procedure of the Meeting of States Parties

Further subsidiary bodies may be established by the Meeting of States Parties as deemed necessary. They will be composed of States Parties. Their composition and their terms of

reference, including their mandate and duration of office, will be defined at the time of their establishment.

D. THE SECRETARIAT

Article 24 of the Convention

The Secretariat for the Convention and its Advisory Body is ensured by UNESCO. It organizes the sessions of the Meeting of States Parties and its Advisory Body and assists States Parties in the implementation of the decisions taken. The working languages of the Secretariat are English and French.

E. THE PRESENT OPERATIONAL GUIDELINES

a.) The present Operational Guidelines (hereinafter the "**Operational Guidelines**") neither rewrite, nor amend or interpret the Convention. They merely aim to facilitate its implementation by giving practical guidance. In case of doubt, the text of the Convention prevails as interpreted according to the general rules of interpretation codified in the Vienna Convention of the Law of Treaties of 1969.

b.) The Operational Guidelines may be revised by the Meeting of States Parties to the Convention whenever deemed necessary.

Art. 26 and 29 of the Convention

c.) The key users addressed by the present Operational Guidelines are:

i. States Parties to the Convention and the territories, to which Art. 26 of the Convention refers;

Article 12.2 of the Convention

ii. The Advisory Body;

iii. Any subsidiary body that the Conference of the States Parties might create;

iv. UNESCO and the Secretariat to the Convention;

v. The International Seabed Authority;

vi. Concerned international organisations (IGOs) and/or their specialised agencies or organs, as for instance the UN Division for Ocean Affairs and the Law of the Sea (DOALOS) and the International Maritime Organisation (IMO);

vii. Concerned non-governmental organisations (NGOs), as for instance the International Council on Monuments and Sites (ICOMOS) and those

accredited to work with and be consulted by the Advisory Body; and

viii. site managers, archaeologists, interested parties and partners in the protection of underwater cultural heritage.

ix. Irrespective of its legal nature or denomination, any entity dedicated to the commercial exploitation of the underwater cultural heritage shall not be considered a user addressed by the present Operational Guidelines.

CHAPTER II. STATE COOPERATION

A. THE STATE COOPERATION MECHANISM – GENERAL OVERVIEW

Article 2.2 of the Convention

States Parties shall cooperate in the protection of underwater cultural heritage.

Article 7.1 of the Convention

a.) States Parties, in the exercise of their sovereignty, have the exclusive right to regulate and authorize activities directed at underwater cultural heritage in their internal waters, archipelagic waters and territorial sea. In consequence, no specific cooperation scheme is provided by the Convention in these marine areas. As a general rule, States are expected to cooperate, but they are not obliged to transmit any notification of discoveries or activities in these zones to UNESCO or to other States.

Article 7.3 of the Convention

b.) However, within their archipelagic waters and territorial sea, in the exercise of their sovereignty and in recognition of general practice among States, States Parties, with a view to cooperating on the best methods of protecting State vessels and aircraft, should inform the flag State Party to the Convention and, if applicable, other States with a verifiable link, especially a cultural, historical or archaeological link, with respect to the discovery of such identifiable State vessel or aircraft.

Articles 8 – 13 of the Convention

c.) Within the EEZ, including the contiguous zone, the continental shelf and the Area, the Convention establishes an international cooperation scheme based on a common share of information and a cooperative effort in the protection. It seeks to allow an effective protection of underwater cultural heritage in the frame of the existing international law of the sea. States Parties use in a common effort their respective power to prevent undesired interventions and regulate desired ones. The scheme stipulates that

i. States Parties are required to request reports of discoveries and intended activities

directed at underwater cultural heritage from their nationals and vessels flying their flag (reporting);

ii. States Parties notify UNESCO and in the Area also the Secretary-General of the International Seabed Authority of such discoveries and planned activities (notification);

iii. Notified in turn by UNESCO States Parties may then declare their interest to be consulted (declaration of interest);

iv. Under the coordination of a Coordinating State the consulting States Parties decide together the measures to be taken (consultation); and

v. The Coordinating State takes the measures decided by all consulting States (taking of measures).

B. Reports, Notifications and Declarations of Interest in the EEZ, on the Continental Shelf and in the Area

1. Reports

Article 8 – 13 of the Convention

1. Each State Party adopts the necessary measures to require its nationals or masters of vessels flying its flag to report to it discoveries and intended activities directed at underwater cultural heritage, which is located in its own EEZ (including the contiguous zone), on its continental shelf and in the Area.

2. When the concerned heritage is located in the EEZ or on the continental shelf of another State Party the State Party requires such reports to be sent

   a) either to it and to the other (Coastal) State Party; or

   b) only to it. In this case it ensures the rapid and effective transmission of such reports to all other States Parties.

   On depositing its instrument of ratification, acceptance, approval or accession, each State Party declares the choice it makes regarding the manner in which the reports will be transmitted.

3. The following measures are recommended regarding the reports and their transmission:

   a) the adaptation of national legislation in general; and;

b) in particular, the enacting of domestic rules obliging national authorities, ministries and departments undertaking activities on the seabed or riverbed (as for instance coast guards, the navy, dredging services, research services, fisheries monitoring, hydrographic services etc.) to confidentially communicate information on underwater cultural heritage found or on activities concerning or affecting such heritage to the competent national authorities.[2]

Article 13 of the Convention

4. An exception for the reporting requirement applies to warships and other government ships or military aircraft with sovereign immunity, as long as they are operated for non-commercial purposes and undertake their normal mode of operations. These vessels, when they are not engaged in activities directed at underwater cultural heritage States Parties, are not obliged to report discoveries under the Convention. However, States Parties must ensure that these ships and aircraft comply, as far as is reasonable and practicable, with the protection and reporting system envisaged in the Convention for the EEZ, the continental shelf and the Area.

2. Notifications

A State Party, which receives a report on a discovery or an activity, notifies the Director-General of UNESCO. When the concerned underwater cultural heritage is located in the Area it notifies in addition the Secretary-General of the International Seabed Authority. The Director-General makes any information notified to him/her promptly available to all States Parties.

3. Declarations of Interest

1. Any State Party may declare its interest in being consulted on how to ensure the protection of a specific underwater cultural heritage. It sends its declaration:

Article 9.5 of the Convention

a.) to the Coastal State Party if the heritage is located in the EEZ or on the continental shelf of that State by diplomatic channels;

Article 11.4 of the Convention

b.) to the Director-General of UNESCO if the heritage is located in the Area.

2. The respective declaration needs to be based on a verifiable link, especially a cultural,

[2] See Recommendation 5/MAB 1 (3) d

historical or archaeological link, to the underwater cultural heritage concerned. For the Area, particular regard is paid to the preferential rights of States resulting from the cultural, historical or archaeological origin of the concerned heritage.

3. In declaring its interest to be consulted, a State Party informs on its link to the underwater cultural heritage concerned by accompanying its declaration by

   a.) the results of scientific expertises;

   b.) historic documentation; or

   c.) any other adequate documentation.

Option 1:

4. Any declaration of interest based on Article 9.5 and 11.4 is to be considered valid *prima facie* and entails the interested State to participate and contribute to the protection of the underwater cultural heritage referred to. Any possible dispute concerning such a declaration shall be subject to negotiations among the States concerned.

Option 2:

4. If a State Party gives only little information on an underwater cultural heritage site or artefact in a notification, it may also only request a small amount of documentation concerning the verifiable link from another State Party that declares its interest in being consulted concerning its protection.

5. The fact that a State Party or one of its nationals are not or have not been owner of a certain artefact does not exclude the existence of a verifiable link.

4. Transmission of Notifications and Declarations of Interest to UNESCO

Article 8 – 13 of the Convention

Option 1:

The submission of notifications under Articles 9.3 and 11.2 and declarations of interest under Article 11.4 of the Convention should be made by diplomatic channels using, amongst others, the electronic forms provided by UNESCO.

Option 2:

1. The submission of notifications under Articles 9.3 and 11.2 and declarations of interest

under Article 11.4 of the Convention should be made by using electronic forms provided by UNESCO on a password protected website. They should be fed directly by the national competent authority, which receive an appropriate password to enable access.

2. Each State Party is free to decide how much information it does want to transmit on the concerned site,[3] but should at least indicate
   i. The nature of the triggering event (discovery/activity);
   ii. The general character of the site (wreck, ruin, artefact etc.);
   iii. Indications concerning the location that permit to identify the maritime zone and the closest States;
   iv. If there is an urgency ;
   v. Which general action seems recommended to be taken (protection, research etc.).
3. When a State Party cannot ensure the reliable electronic receipt or transmission of documents, it may notify the Secretariat, which will transmit notifications received in a printed version.

5. Transmission of Notifications and Declarations of Interest by UNESCO

Option 1:

1. UNESCO will transmit the notifications received as foreseen by the Convention and using therefore an email alert sent to the national competent authorities.
2. UNESCO will circulate declarations of interest received under Article 11.4 directly addressing the concerned national competent authorities by using electronic means.

Option 2:

The submission of notifications under Articles 9.3 and 11.2 and declarations of interest under Article 11.4 of the Convention should be made by diplomatic channels using, amongst others, the electronic forms provided by UNESCO.

6. Formatting of Notifications and Declarations of Interest

[3] See Recommendation 3 / MAB 1

Article 8 – 13 of the Convention

The following forms, annexed to the present Guidelines, shall be used for transmissions:

i. for notifications to be transmitted to UNESCO and notification alerts emitted by UNESCO: **Form 1**

ii. for declarations of interest under Article 11.4 of the Convention: **Form 2** As far as possible, a similar form should be used for declarations of interest under Article 9.5.

7. Competent Authority

Article 22.2 of the Convention

1. States Parties communicate to the Director-General the names and addresses of their competent authorities relating to underwater cultural heritage. They should immediately inform about any change in the details communicated.

Option 1:

2. All reports, notifications or information to be sent to States Parties should be addressed to these competent national authorities.

3. UNESCO will keep a list of the Competent National Authorities on its website www.unesco.org/en/underwater-cultural-heritage.

Option 2:

2. The Director-General shall make available to all State Parties an updated list with the name and addresses of the competent authorities of all the States Parties to the Convention.

3. All reports, notifications or information to be sent to States Parties should be addressed to these competent national authorities by diplomatic channels.

Articles 10 and 12 of the Convention

C. SELECTION OF THE COORDINATING STATE AND STATE CONSULTATIONS

The Coordinating State must act on behalf of all States Parties and in the Area also for the benefit of humanity as a whole. Actions in the EEZ or the continental shelf do not in themselves constitute a basis for the assertion of any preferential or jurisdictional rights not provided for by international law.

1. Appointment of a Coordinating State in the EEZ or the Continental Shelf

Article 8-10 of the Convention
Article 9.5 of the Convention

1. Where there is a discovery of underwater cultural heritage or it is intended that an activity will be directed at underwater cultural heritage in a State Party's EEZ or on its continental shelf, that State Party consults as "Coordinating State" all other States Parties which have declared an interest under Article 9.5, on how best to protect the underwater cultural heritage and coordinates consultations.

2. In the case that the concerned State Party does not wish to act as Coordinating State, it should declare this to all States Parties that expressed an interest under Article 9.5 and to the Director-General of UNESCO [Option: within 1 month of learning of the discovery or activity]. It should at the same time inform about the declarations of interest it has already received.

Option 2 (Option 1 being the deletion of the below paragraphs 3 and 4):

3. In the case mentioned under paragraph 2 above, the following criteria should be taken amongst others into consideration for the appointment of a Coordinating State by the States Parties that have declared an interest:

   i. the readiness and expressed capacity of a State to act as Coordinating State;

   ii. the likelihood to achieve a consensus among the involved States Parties on the protection of the underwater cultural heritage in question; and

   iii. the strength of the cultural or historical links of a State with the concerned heritage.

4. The appointment of the Coordinating State should be agreed upon in a spirit of consensus by direct consultation among the competent national authorities of the consulting States Parties, as communicated to the Director-General of UNESCO under Article 22.2 of the Convention. The consultations and the nomination of the new Coordinating State shall be made within 2 months from the declaration of the Coastal State mentioned in paragraph 2 above.

2. Consultation concerning Heritage in the EEZ or on the Continental Shelf

Article 9.5 and 10.3 of the Convention

Option 1 (Option 2 being the deletion of paragraph 1):

1. States Parties, which declared an interest in being consulted on how to best protect a specific underwater cultural heritage under Article 9.5 of the Convention, should be

consulted by the Coordinating State within 2 month from receipt of their declaration in writing and if possible in electronic form.

***

2. The consulted States Parties should be informed by the Coordinating State of any other declarations of interest, which were received.

3. Consultations should be coordinated by the Coordinating State in any language agreed upon among the States Parties involved in the consultation process.

4. The decision on how to best protect the concerned underwater cultural heritage should be taken by consensus and in due consideration of the cultural, historical or archaeological origin of the concerned heritage and the links to the consulted States Parties.

3. Appointment of a Coordinating State in the Area

Article 11.4 and 12.2 of the Convention

1. The Director-General invites, as soon as possible, all States Parties which have declared an interest under Article 11.4 of the Convention, [Option: in writing and in English and French language, to consult on how to ensure the effective protection of underwater cultural heritage located in the Area, and] to appoint among them a State Party to coordinate such consultations as Coordinating State.

2. [Option: The Director-General informs in his/her invitation about the States Parties that declared their interest in being consulted until that moment].

Article 12.6 of the Convention

3. States Parties should indicate in their response if they would be ready and capable to take over the function of Coordinating State or which other consulted State Party they would like to suggest for appointment. The following criteria should be taken into consideration by the States Parties in making their decision:

   i. the readiness and expressed capacity of a State Party to act as Coordinating State;

   ii. the likelihood to achieve a consensus among the involved States Parties on the protection of the underwater cultural heritage in question; and

   iii. the preferential rights of the consulted States Parties resulting from the cultural, historical or archaeological origin of the concerned underwater cultural heritage.

4. The appointment of the Coordinating State should take place by consensus and with

the consent of the State Party appointed. [Option: The nomination of the new Coordinating State shall be made within 2 months from the invitation by the Director-General as regulated in paragraph 1 above.]

5. Once appointed, the Director-General should inform all consulted States Parties about the State Party appointed as Coordinating State and the declarations made by the consulted parties on how to ensure the effective protection of the concerned underwater cultural heritage.

4. Consultation concerning Heritage located in the Area

From the date of its appointment, the Coordinating State leads the consultation of the consulting States Parties and the coordination of the implementation of the protection measures decided. The International Seabed Authority shall be also invited by the Director-General of the UNESCO to participate in these consultations. The provisions under B.2 apply *mutatis mutandis*.

D. MEASURES IN THE EEZ, ON THE CONTINENTAL SHELF AND IN THE AREA

1. Immediate Danger to Underwater Cultural Heritage

Article 10.4 and 12.3 of the Convention

1. When a specific underwater cultural heritage is in immediate danger to be damaged, destroyed or looted, safeguarding measures may be taken to prevent the danger.

   a.) If the concerned heritage is located in the EEZ or on the continental shelf of a State Party the Coordinating State may take, or be invited by another State Party to take, [Option 1: these measures. This does not exclude the responsibility of the other States Parties to intervene and assistance can be requested from them by the Coordinating State.]/ [Option 2: all practicable measures, including issuing the necessary authorizations in conformity with the Convention, to ensure the safeguarding of such heritage. Assistance may be requested from other States Parties.]

   b.) When the concerned heritage is located in the Area, all States Parties may take practicable measures to prevent the danger.

2. Immediate danger means that conditions exists, which can reasonably be expected to cause damage to or destruction or looting of a specific underwater cultural heritage within a short delay of time and which can be eliminated by taking safeguarding

measures.

3. If necessary, safeguarding measures can be taken also before consultation with other States Parties. However, and as far as possible, these urgent measures should be taken by consensus among the interested State Parties.

Article 10.5 (c) and 12.5 of the Convention

2. Preliminary Research

1. The Coordinating State may conduct necessary preliminary research on underwater cultural heritage located in the EEZ, on the continental shelf and in the Area and may issue the necessary authorizations therefore. He promptly informs the Director-General of the results, who in turn makes such information promptly available to other States Parties.

2. No activity directed at State vessels and aircraft will be conducted without the agreement of the flag State. In the EEZ also the collaboration of the Coordinating State is required.

3. The submission and transfer of the results of preliminary researches under Article 10.5 (c) and 12.5 should take place by the use of electronic **Form 3**, annexed to the present Guidelines.

3. Measures and Authorizations

Article 10 and 12 of the Convention

1. No authorization for an intervention directed at underwater cultural heritage located in the EEZ, on the continental shelf and in the Area should be granted by a State Party except in conformity with the provisions of Articles 10 and 12 of the Convention respectively.

Article 8 of the Convention

Articles 10 and 12 of the Convention

2. In any case, the coastal State party in which EEZ or continental shelf underwater cultural heritage has been located has the right to prohibit or authorize any activity directed at such heritage to prevent interference with its sovereign rights or jurisdiction as provided for by international law. However, that right shall be balanced with the general obligation to protect underwater cultural heritage and to cooperate in its protection as provided for in Article 303.1 UNCLOS and Article 2 of the Convention.

3. In the EEZ, on the continental shelf and in the Area, the Coordinating State implements the measures of protection which have been agreed by the consulting

States including itself and issues all necessary authorizations for them in conformity with the Convention, unless the consulting States agree that another State Party shall do so. Authorizations and measures must be in conformity with the Convention and the Rules.

4. No activity directed at wrecks of State vessels and aircraft should be conducted in the EEZ, on the Continental Shelf or in the Area without the agreement of the flag State. In the EEZ also the collaboration of the Coordinating State is required.

4. Measures relating to nationals and vessels

Article 16 of the Convention

States Parties must take all practicable measures to ensure that their nationals and vessels flying their flag do not engage in any activity directed at underwater cultural heritage in a manner not in conformity with the Convention. Such measures are for instance the

a.) adaptation of national law;

b.) empowerment of national competent authorities;

c.) frontier controls;

d.) monitoring of the art market and of the international press; and

e.) cooperation with the other States Parties, UNESCO, Interpol and other appropriate organizations.

CHAPTER III. OPERATIONAL PROTECTION

A. THE PROTECTION OF UNDERWATER CULTURAL HERITAGE

Article 19.1 of the 2001 Convention

1. States Parties cooperate and assist each other in the protection and management of underwater cultural heritage, including, where practicable, collaborating in the investigation, excavation, documentation, conservation, study and presentation of such heritage.

2. States Parties should in particular endeavour to

a.) share information about envisaged, ongoing and completed projects;

b.) make available expertise and expert advice;

c.) facilitate the setting up of and participation in capacity-building programmes, the

creation of specialized museums, the implementation of educative programmes (at an undergraduate, graduate and postgraduate level) and the exchange of exhibitions; and

d.) put in place mechanisms and measures facilitating and enhancing the sharing of expertise and best practices.

B. The Rules

Article 33 of the Convention

The Rules concerning activities directed at underwater cultural heritage are integral part of the Convention. They set standards for all activities targeting traces of human existence in the sense of Article 1.1 of the Convention. A manual further explaining the Rules and facilitating capacity-building is put at the disposal of the States Parties.

C. Undertaking Activities

Rule 22 and 23 of the Rules

1. Activities directed at underwater cultural heritage must only be undertaken under the direction and control of, and in the regular presence of, a qualified underwater archaeologist with scientific competence appropriate to the project.
2. All persons on the project team must be qualified and have demonstrated competence appropriate to their roles in the project.
3. States Parties are encouraged to elaborate and apply common standards to measure the qualifications of underwater archaeologists and to exchange information thereon.

D. Research

1. An appropriate investigation is prerequisite for any decision concerning desired interventions and the establishment of a site protection plan.
2. States Parties are encouraged to employ a variety of archaeological sciences for investigation purposes, as for instance archaeology, namely underwater, nautical and maritime archaeology, archaeo-botany, archaeo-zoology, chemistry, cultural anthropology, dendrochronology, geology, history, historical documentation, physical and information sciences and x-raying as appropriate for gathering of archaeological data.
3. They should consult appropriately qualified experts in the concerned fields.

E. In situ Preservation and Excavation

Article 2.5 of the Convnetion and Rule 1 of the Rules

1. The preservation of underwater cultural heritage in situ should be considered as the first option before allowing or engaging in any activities directed at it. Activities should be authorized in a manner consistent with protection, and for the purpose of making a significant contribution to protection, knowledge or enhancement.

Rule 4 of the Rules

2. Before deciding on preservation measures or activities an assessment should be made of
   a.) the significance of the concerned site;
   b.) the significance of the expected result of an intervention;
   c.) the means available; and
   d.) the entirety of the heritage known in the region.
3. Appropriate consideration needs to be given to the importance of inventories of sites.
4. Activities directed at underwater cultural heritage must use non-destructive techniques and survey methods in preference to recovery of objects. If excavation or recovery is necessary for the purpose of scientific studies or for the ultimate protection of the underwater cultural heritage, the methods and techniques used must be as non-destructive as possible and contribute to the preservation of the remains.
5. Equally, any activity directed at underwater cultural heritage must balance the environmental impact or damage to be created, if any.

F. Documentation and Preparation of Inventories

1. Archaeological sites are fragile and sensitive to intrusion. It is important that information contained within the site is carefully recorded.
2. It is recommended that States prepare inventories of their underwater cultural heritage. They should do so in due consideration of the desirability of common standards for all national inventories of States Parties and their inter-changeability to facilitate research.
3. To inventory their underwater cultural heritage States Parties are encouraged to oblige all national authorities, in particular coast guards, the navy, dredging services, research services, fisheries monitoring, to cooperate with and forward acquired

information to the national competent authorities in the sense of Article 22.2. States Parties should also request assistance from the Intergovernmental Oceanographic Commission and any other international or hydro- and oceanographic services.

G. Preservation and Conservation

Article 2.6 of the Convention

1. Site supervision and the physical protection of sites are recommended, where needed, to dissuade intrusion and avoid the damaging of submerged archaeological sites, including looting. States Parties should establish site management plans and encourage all national authorities undertaking or supervising activities to take the existence of underwater cultural heritage into account.

2. Recovered underwater cultural heritage must be deposited, conserved and managed in a manner that ensures its long-term preservation. Particular regard should be given to the specific needs of the conservation of artefacts recovered from under water as for instance the effects of oxygen influence, the impact of drying and the development of damaging substances.

H. Activities incidentally affecting underwater cultural heritage

Article 5 of the Convention

1. Each State Party shall use the best practicable means at its disposal to prevent or mitigate any adverse effects that might arise from activities under its jurisdiction incidentally affecting underwater cultural heritage. These are for instance dredging, pipe line construction, mineral extraction, trawling, and port works.[4]

2. States should endeavour to set national rules for the authorization of interventions on underwater cultural heritage sites, which include also rules concerning activities only incidentally affecting them and areas where such sites could only possibly be located. They are encouraged to require the approval of their national competent authorities in the sense of Article 22.1 of the Convention for any such intervention. Where and when appropriate, local communities directly linked with the underwater cultural heritage sites should be engaged in any activity directed at this heritage.

I. Publications for Science and the Public

Rule 26 and 27 of the Rules

1. States Parties should require that any significant activity directed at underwater cultural heritage is accompanied by a scientific publication and that the public is

[4] See Recommendation 5 (3) c /MAB 1

appropriately informed about ongoing projects and the results of the research. No activity directed at underwater cultural heritage should be authorized without a programmed and affordable plan of publication, which must include both information addressed to the scientific community as well as information addressed to the general public.

2. Scientific publications should permit the full evaluation of the concerned site and the knowledge obtained by the intervention. They should in no case be published later than three years after the end of the intervention.

J. CAPACITY-BUILDING

Article 21 of the Convention

1. States Parties cooperate in the provision of training in underwater archaeology, in techniques for the conservation of underwater cultural heritage and, on agreed terms, in the transfer of technology relating to underwater cultural heritage.

2. They should endeavour to

a.) organize and participate in regional and international training programmes;

b.) train specialists to work in the research and protection of underwater cultural heritage; and

c.) create specialized national or international institutions for the training in underwater archaeology and research in underwater cultural heritage and material conservation.

K. PUBLIC ENJOYMENT AND AWARENESS

Article 20 of the Convention

State Parties should take all practical measures to raise public awareness regarding the value and significance of underwater cultural heritage and the importance of protecting it under the Convention by

a.) cooperating in regional or international awareness raising campaigns;

b.) fostering the publication of information on the protection and the value of underwater cultural heritage via the media and the Internet;

c.) facilitating community, group or public events focusing on the enhancement or protection of the underwater cultural heritage including in particular programs for divers, fishermen, coastal developers and sailors;

d.) making available of information on underwater cultural heritage located on their territory;

e.) informing the public about interventions and the recovery of artefacts from sites including about their final storage;

f.) any other appropriate means.

L. INFORMATION-SHARING

Article 19 of the Convention

1. Without prejudice to Article 19.3 of the Convention, State Parties should share information with other States Parties concerning underwater cultural heritage, including its discovery and location, heritage excavated or recovered contrary to this Convention or otherwise in violation of international law, pertinent scientific methodology and technology, and legal developments relating to such heritage by

   a.) sharing access to inventories and databases;

   b.) publishing, if appropriate, information on the discovery and research concerning underwater cultural heritage;

   c.) making available to all other States Parties and UNESCO statistics on actions concerning underwater cultural heritage.

2. Each State Party takes all practicable measures to disseminate information, including where feasible through appropriate international databases, about underwater cultural heritage excavated or recovered contrary to this Convention or otherwise in violation of international law and cooperate to this goal with UNESCO and other intergovernmental and governmental organizations, for example Interpol.

M. PROMOTION OF BEST PRACTICE

1. States Parties are encouraged to propose national, regional or international programmes, projects and activities for safeguarding underwater cultural heritage to the Meeting of States Parties and the Advisory Body for selection and endorsement by publication and designation as best practice and best reflecting the principles and objectives of the Convention.

2. In its selection and promotion of safeguarding programmes, projects and activities, the Meeting of States Parties should pay special attention to the needs of developing

countries and to the principle of equitable geographic distribution.

3. Such programmes, projects and activities may be completed, in progress, or planned at the time they are proposed for selection and promotion.

N. Mobilization of National and International Support for the Convention

States Parties should endeavour and cooperate to mobilize international support in favour of the Convention and its principles by facilitating

a.) the elaboration of publications on the underwater cultural heritage, including the publication of the results of related research work;

b.) the expositions of or on underwater cultural heritage;

c.) the making available of information to the media;

d.) any other appropriate means.

CHAPTER IV. FINANCING

A. The Underwater Cultural Heritage Fund[5]

1. The Underwater Cultural Heritage Fund ("**the Fund**") is managed as a Special Account pursuant to Article 1.1 of its Financial Regulations. The resources of the Fund consist of voluntary contributions as regulated in Article 4 of the above Financial Regulations.

2. The Fund will be used as decided by the Meeting of States Parties and in conformity with the spirit and the provisions of the Convention and in complement of national efforts to finance in particular

a.) the functioning of the Convention and its State Cooperation Mechanism;

b.) international cooperation projects in relation to the scope of the Convention;

c.) the building of capacity in States Parties;

d.) the enhancement of the protection of the underwater cultural heritage.

3. States Parties, institutions and private parties are invited to provide support to the Convention by contributions paid to the Fund or direct financial and technical contributions to projects implemented in State Parties intended to ensure the

[5] See Resolution 8/MSP 2

protection of the underwater cultural heritage.

B. Financial Assistance

1. The Meeting of States Parties may receive, evaluate and approve requests for financial assistance from the Fund depending on the available resources.
2. In its decision on the attribution of funds, priority is given to requests for assistance to developing States Parties and projects enhancing State cooperation involving more than two States Parties.
3. The Meeting should base its decisions on granting assistance on the following criteria:
   a.) The amount of assistance requested is appropriate;
   b.) The proposed activities are well conceived and feasible and fully in line with the objectives of the Convention;
   c.) The project can be expected to have lasting results;
   d.) The beneficiary State Part(y/ies) share(s) the cost of the activities for which international assistance is provided, within the limits of its/their resources;
   e.) The assistance will build or reinforce capacities in the field of safeguarding underwater cultural heritage;
   f.) The beneficiary State Part(y/ies) has/have implemented previously financed activities, if any, in line with all regulations and any conditions applied thereto.
4. Requests for international assistance should be submitted at the latest 3 months before the next ordinary session of the Meeting of States Parties to the Secretariat, which verifies the completeness of the information provided regarding the above criteria and requests in case of need additional information. Only complete requests should be presented for consideration to the Meeting of States Parties.

C. Financing the Implementation of the State Cooperation Mechanism

Article 10.5, 12.4 and 12.5 of the Convention

Rule 17 – 19 of the Annex to the Convention

1. When a State Party implements measures of protection, issues authorizations or conducts necessary preliminary research agreed upon by a group of consulting States in the framework of Article 10.5 or Article 12.4 and 5 of the Convention, the group of consulting States Parties should decide on the common financing of such measures.

2. In deciding on the financing of measures, States Parties should take into consideration

   a) the capacity of the respective States;

   b) the strength of the link to the concerned heritage and the interest in its protection; and

   c) the location, property and origin of the concerned heritage.

3. No measure should be decided to be implemented if no adequate funding base is ensured beforehand.

CHAPTER V. PARTNERS

A. PARTNERS IN THE IMPLEMENTATION PROCESS OF THE CONVENTION

Partners in the implementation process of the Convention may be

a.) Governmental and government-related institutions established in the States Parties to the Convention working in activities related to the scope of the Convention;

b.) Centres working in activities related to the scope of the Convention and under the auspices of UNESCO, granted by the General Conference;

c.) non-governmental organizations consulted by and collaborating with the Advisory Body and having activities related to the scope of the Convention, as well as other competent NGOs, when they are accredited by the Meeting of States Parties;

d.) scientific institutions, museums, universities and any other entity with a reputed relation to the protection of underwater cultural heritage under the principles set by the Convention;

e.) private parties working in conformity with and in relation to the scope of the Convention.

f.) Irrespective of its legal nature or denomination, any entity dedicated to the commercial exploitation of the underwater cultural heritage is not a partner.

B. PARTNERS AT THE NATIONAL LEVEL

States Parties are encouraged to establish cooperation with and among non-

governmental organizations, communities, groups and, individuals to enhance the protection of the underwater cultural heritage, as well as experts, centres of expertise and research institutes. States Parties are encouraged to facilitate their participation in particular in:

a.) the identification, documentation and protection of underwater cultural heritage present on their territories;

b.) the establishment of inventories;

c.) the elaboration and implementation of programmes, projects and activities aiming at raising the awareness of the importance of underwater cultural heritage and ensuring its protection.

CHAPTER VI. ACCREDITATION OF NGOS

A. CRITERIA FOR THE ACCREDITATION TO THE ADVISORY BODY

Article 1 (e) of the Statutes of the Scientific and Technical Advisory Body

To be accredited by the Meeting of States Parties to be consulted by and to collaborate with the Advisory Body according to Article 1 (e) of the Statutes of this body, Non-Governmental Organizations (NGO) must comply *mutatis mutandis* with the criteria set by the "Directives concerning UNESCO' relations with NGO". They need in addition to

a.) have objectives, activities, statutes and by-laws that are in full conformity with the principles of the Convention;

b.) be engaged in activities and have a reputed competence, expertise and experience in safeguarding underwater cultural heritage;

c.) not be (or have been) engaged in any activity dedicated to the commercial exploitation of underwater cultural heritage.

B. MODALITIES OF ACCREDITATION

1. The Secretariat should receive the requests from NGOs, demanding in particular by a form

a.) proof of their legal establishment;

b.) their legal statutes and by-laws;

c.) the details of their past and current activities;

d.) a list of the organisations' members and their governing organs;

e.) a register of their publications; as well as

f.) references by national authorities or international organizations.

2. The Secretariat should check the completeness of the requests and present them for consideration to the Advisory Body either during a meeting of the Body or in its electronic exchange.

3. The Advisory Body should evaluate the request based on the information provided to it by the Secretariat, any additionally available information provided for by any State Party or by any other reliable source, as well as on the expertise of its members.

4. The Advisory Body should submit the requests for accreditation together with its recommendation for decision to the Meeting of States Parties at each session of the Meeting, where a decision should be taken.

5. The Secretariat keeps up-to-date and publicly accessible a list of the organizations accredited by the Meeting of States Parties.

C. Review of Accreditation[6]

1. The Meeting should review already accredited bodies every four years, taking into account the recommendations of the Advisory Body as to maintaining or terminating relations with the entity in question, as well as the perspective of the body concerned.

2. The termination of relations with an NGO should be decided when deemed necessary or when there is a complete absence of actual collaboration.

3. In exceptional cases or if circumstances require, relations with an organization should

   a.) be suspended by the Meeting of States Parties or in emergency cases by the Advisory Body itself, until a decision regarding the termination of relations is taken by the Meeting of States Parties; or

   b.) be terminated with immediate effect by the Meeting of States Parties, by suggestions or not of the Advisory Body..

4. Each member of the Advisory Body should be able to request the Secretariat to consult the other members of the Body on any matter that may call for the suspension

[6] See recommendation 4/MAB 1

or termination of relations with a NGO, bringing forward proof or evidence allowing them to correctly assess this request.

5. While NGOs may officially state their accreditation to cooperate with and be consulted by the Advisory Body, any use of the logo of UNESCO or the Convention should be regulated by the rules and regulations of UNESCO.

OPTIONAL CHAPTER (DELETION SUGGESTED BY SPAIN: CHAPTER VIII. ADHERING TO THE CONVENTION

A. HOW TO RATIFY

Article 26 of the Convention

1. The Convention can be ratified, accepted or approved by all Member States of UNESCO.

2. The Convention is subject to accession:

Article 27 of the Convention

a.) by States that are not members of UNESCO but are members of the United Nations or of a specialized agency within the United Nations system or of the International Atomic Energy Agency, as well as by States Parties to the Statute of the International Court of Justice and any other State invited to accede to this Convention by the General Conference of UNESCO;

b.) by territories which enjoy full internal self-government, recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV) and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of those matters.

3. The original of the written signed instruments of ratification, acceptance, approval or accession must be deposited with the Director-General of UNESCO to take legal effect.

4. The Convention has entered into force on 2 January 2009 with respect to the twenty States that had deposited their instruments until 21 October 2008. It enters into force for each other State or territory three months after the date on which that State or territory has deposited its instrument.

B. DECLARATIONS, COMMUNICATIONS AND RESERVATIONS

The Convention contains regulations on three declarations, one possible reservation and one communication to be made. Declarations and communications already made can be consulted on the website: www.unesco.org/en/underwater-cultural-heritage/the-2001-convention/official-text/declarations-and-reservations.

1. Declarations

A declaration is a unilateral statement, made by a State when joining the Convention, whereby it may give a view on its interpretation of certain provisions, makes choices requested or gives necessary information. The Convention contains provisions regarding three declarations, as mentioned in its Article 9.2, Article 25.5, and Article 28. While the first is mandatory, the second and third are optional.

Article 9.2 of the Convention

a.) Article 9 of the Convention concerns reporting and notification in the EEZ or on the continental shelf. According to paragraph 1 (b) of this Article, States Parties require that when their nationals or a vessels flying their flag, discover or intend to engage in activities directed at underwater cultural heritage located in the EEZ or on the continental shelf of another State Party they have to send a report. The State Party of their origin has to make a choice, where their report should be sent to. One alternative is that it should be sent to the home State Party and the concerned coastal State Party, another alternative is that it should be sent only to the home State Party, which will than transmit this information to all other States Parties. To ensure continuity and previsibility, each State Party has to fix the alternative chosen via the declaration requested by Article 9.2 of the Convention.

b.) Article 25 of the Convention concerns the peaceful settlement of disputes. If mediation is not undertaken or if there is no settlement by mediation, the provisions relating to the settlement of disputes set out in Part XV of UNCLOS apply *mutatis mutandis* to any dispute between States Parties to the Convention, whether or not they are also Parties to UNCLOS. Any procedure chosen by a State Party to the Convention and to UNCLOS pursuant to Article 287 of the latter (to be consulted on the website of DOALOS) shall apply to the settlement of disputes under Article 25 of the Convention, unless that State Party, when joining the Convention, or at any time thereafter, chooses another procedure pursuant to Article 287 of UNCLOS for the

purpose of the settlement of disputes arising out of the Convention.

A State Party to the Convention which is not a Party to the UNLCOS, when joining the Convention or at any time thereafter may choose, by means of a written declaration, one or more of the means set out in Article 287, paragraph 1, of UNCLOS for the purpose of settlement of disputes.

Article 28 of the Convention

c.) Article 28 of the Convention concerns the application of the Annex of the Convention to inland waters. Inland waters means, in contrast to 'internal waters' of maritime character (see Article 7 of the Convention), waters not of a maritime character, for instance lakes and rivers. States may declare that the Rules will be applicable to them.

d.) States or territories should make their declarations when ratifying the Convention or any time thereafter, as applicable, by submitting the original signed declaration to the Director-General of UNESCO.

2. Communication

Article 22.2 of the Convention

a.) States Parties have to communicate to the Director-General the names and addresses of their competent authorities relating to underwater cultural heritage, so that copies of reports received, all official correspondence and all further documents can be sent by the Secretariat to these national focal points, as appropriate, and so that other States Parties and their institutions can consult and cooperate through these focal points with the other States. A list of the addresses received is available at the UNESCO Web site: www.unesco.org/en/underwater-cultural-heritage.

b.) Such communication may be made at any time, but should be made as soon as possible, to ensure a timely implementation of the Convention. It should be updated as soon as any change in the information on the responsible competent authority occurs.

3. Reservation

Article 29 and 30 of the Convention

a.) No reservations may be made to the Convention, except in the following case: a State or territory, at the time of ratifying the Convention can limit the geographical scope of the application of the Convention by making a declaration to the Director-General that the Convention shall not be applicable to specific parts of its territory, internal waters,

archipelagic waters or its territorial sea. If such a reservation is made, it must be done in writing and the reasons for such declaration need to be identified and communicated to the Director-General.

b.) The withdrawal of a reservation must be made in writing. A reservation that is made by a State ratifying the Convention should be made in the instrument of ratification.

ANNEX 1 – ELECTRONIC DRAFT FORMS

This draft document shows the forms, which will be accessible to national competent authorities in the sense of Article 22 of the Convention in electronic form. A multiple choice of answers to the questions expressed will be possible, if appropriate. As soon as a choice has been made by the user, only those further pages will be shown that are appropriate to the choice made.

United Nations Educational, Scientific and Cultural Organization | The Protection of the Underwater Cultural Heritage

THE CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

Arabic	Chinese	English	French	Russian	Spanish

Log- in

Name [ ]

Password [ ]

You wish to

- ☐ **Notify a discovery or intended activity**
- ☐ **Declare your interest in being consulted**
- ☐ **Inform on results of a preliminary research**

FORM 1
NOTIFICATION ON DISCOVERY OR INTENDED ACTIVITY

Please fill in the information requested by clicking on the choices offered and save before going to the next page. ***You are free to choose which information you wish to give****, but it should give a general impression of the site and its nature.*

Maritime Zone

Chose the maritime zone of the location where the underwater cultural heritage concerned by the discovery or the intended activity is located:

Own Contiguous Zone
Contiguous Zone of other State Party
EEZ* of own State
EEZ* of other State Party [*choose from scroll down*]
Own continental shelf
Continental shelf of other State [*choose from scroll down*]
Area

* Exclusive Economic Zone

Site

Approximate type of site:

Wreck
Ruin
Structure
Artefact
Other

Location

Approximate description:

wetland
river
lake
ocean
Close to coast
Far from coast

Give additional information, if desired: _____

Event

Discovery	**Activity**

Date: _____
By: _____

Have any reports been sent? yes/no
If yes, to:

Other State Party
All other State Parties

By whom?

Competent National Authority
Vessel
State national
Other _____

(if applicable):

Type of intended activity:

Archaeological intervention
Documentation
Salvage
Tourism
Activity incidentally affecting the site
Remarks_____

State permission (if appropriate) for intervention obtained?: yes/no

Measures

You may inform about any action suggested:

Prevent human intervention
Research
Request for technical resources
Request for technical expertise
Ensure security
Other

Contact

Please check if this information is correct:

Yes, responsible authority (*address generated automatically from UNESCO list*)

Other Contact: _____

Uploads

Upload Photos

Upload documents

(*You may add a long-term description and additional information to this sheet. No translation, verification or text treatment will however be provided by the Secretariat*. Photos should not be heavier than 1 MB and documents should be pdf or word format.)

Send-out

UNESCO

The International Seabed Authority

A confirmation of transmission will be shown and a report number will be attributed.

FORM 2
DECLARATION OF INTEREST FOR HERITAGE LOCATED IN THE AREA

Please fill in the information requested by clicking on the choices offered and save before going to the next page.

Concerned site

Choose the underwater cultural heritage site or artefact you wish to declare your interest in being consulted in:

Discovery or intended activity reported via the UNESCO Alert. Please choose from list:

Notification No. (*scroll down list of previously transmitted notifications*)

Information on verifiable link

Which link connects the history or culture of your State to the site or artefact concerned?:

Cultural origin of the artefact(s)
Connection to related historic event (war, discovery, trade)
Property
Cultural influence on State history
Other

Please explain (in French or English language): _____ or attach document.

Contact

Please check if this information is correct:

Yes, responsible authority (*address generated automatically from UNESCO list*)

Other Contact: _____

Uploads

Upload Photos

Upload documents

(*You may add a long-term description and additional information to this sheet. No translation, verification or text treatment will however be provided by the Secretariat*.)

Send-out

A confirmation of transmission will be shown and a declaration number will be attributed.

FORM 3
INFORMATION ON THE RESULT OF A PRELIMINARY RESEARCH

Please fill in the information requested by clicking on the choices offered and save before going to the next page.

Page 1 – Concerned site

Choose the underwater cultural heritage site or artefact you wish to report the results of the preliminary research on:

Notification No. (*scroll down list of previously transmitted notifications*)

Research Results

Site structure confirmed to be:

Shipwreck
Aircraft wreck
Other vehicle
Ruin
Human dwelling
Fish trap
Port structure
Bridge
Single Artefact
Cave/Cenote
Other

Site confirmed to be:

in danger
not in danger
in good state of conservation
damaged
destroyed

Intervention needed:

none
scientific research
site consolidation
monitoring
physical protection
other

Contact

Please check if this information is correct:

Yes, responsible authority (*address generated automatically from UNESCO list*)

Other Contact: _____

Uploads

Upload Photos

Upload documents

(*You may add a long-term description and additional information to this sheet. No translation, verification or text treatment will however be provided by the Secretariat*.)

Send-out to UNESCO

Your reported results will be made available to other States Parties by the Director-General of UNESCO
A confirmation of transmission will be shown and a report number will be attributed.

הוועד הישראלי לאונסקו
ISRAEL NATIONAL
COMMISSION FOR UNESCO
اللجنة الإسرائيلية لليونيسكو

האמנה למורשת עולמית והנחיותיה

The World Heritage Convention & Guidelines

הוועדה הישראלית למורשת עולמית

Israel World Heritage Committee

BACK

תרגום: סגיר תרגומים בין–לאומיים בע"מ

עריכה: דניאל בר–אלי

הקלדה: גב' חדוה עמר, ראש לשכה, הוועד הישראלי לאונסקו

סדר ועימוד: סטודיו "שחר שושנה"

הוצאה לאור: מחלקת הפרסומים, משרד החינוך

עותק באנגלית וערבית וכן כל המסמכים הרלוונטיים המופיעים במסמך זה נמצאים באתר מרכז מורשת עולמית:

http://whc.unesco.org

תורגם על–ידי הוועד הישראלי לאונסקו 7/2005

הוועדה הישראלית למורשת עולמית

א. האמנה להגנה על המורשת התרבותית והטבעית (1972)

ב. ההנחיות לאמנה

א. האמנה להגנה על המורשת התרבותית והטבעית של העולם (1972)*

הוועדה הבין-ממשלתית להגנה על המורשת התרבותית והטבעית העולמית

* תרגום של הוועד הישראלי לאונסקו.

תוכן עניינים

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הוועידה הכללית של ארגון החינוך, המדע והתרבות של האומות המאוחדות (אונסקו);

- בציינה שמורשת תרבותית וטבעית נתונות בסכנה גוברת והולכת של הרס, לא רק מהסיבות המקובלות של בלייה, אלא גם כתוצאה משינויים בתנאים החברתיים והכלכליים אשר מחמירים עוד יותר את המצב עקב תופעות קשות ביותר של נזק או הרס;

- בהביאה בחשבון שהידרדרות או היעלמות של כל פריט במורשת תרבותית או במורשת טבעית גורמת להידלדלות חמורה במורשת של כל אומות העולם;

- בהביאה בחשבון שהגנה על מורשת זו ברמה הלאומית נתקלת לעתים במחסור במשאבים כלכליים, מדעיים וטכניים במדינה אשר בשטחה נמצא הנכס המיועד להגנה;

- בהזכירה שחוקת הארגון קובעת שתפקידו לשמר, להעצים, להפיץ וליידע, להבטיח שימור והגנה על מורשת עולמית ולהמליץ בפני המדינות שהדבר נוגע להן על האמנות הבין-לאומיות הדרושות;

- בהביאה בחשבון שאמנות בין-לאומיות, המלצות והחלטות הקיימות כיום באשר לאתרי מורשת תרבותית ומורשת טבעית ממחישות לכל עמי העולם את חשיבות ההגנה על נכסים ייחודיים וחסרי תחליף, ללא תלות בעם שלו הוא שייך;

- בהביאה בחשבון שחלקים במורשת תרבות או במורשת טבעית הם בעלי חשיבות יוצא מן הכלל, ולכן יש לשמר אותם כחלק מהמורשת העולמית של האנושות כולה;

- בהביאה בחשבון שלנוכח העוצמה והחומרה של הסכנות החדשות המאיימות עליהם, מוטל על הקהילה הבין-לאומית להשתתף בהגנה על המורשת התרבותית והטבעית בעלת ערך אוניברסלי יוצא מן הכלל, וזאת באמצעות מתן סיוע קולקטיבי, שאינו בא להחליף את הפעולות שהמדינה נוקטת, אלא להשלימן ביעילות;

- בהביאה בחשבון שחיוני לאמץ למטרה זו אמצעים חדשים בצורת אמנה אשר תהווה בסיס להקמת מערכת יעילה של הגנה קולקטיבית על המורשת התרבותית והטבעית בעלת ערך אוניברסלי יוצא מן הכלל, אשר תאורגן על בסיס קבוע לפי שיטות מדעיות מודרניות;

- בהחליטה במושב ה-17 של הוועידה הכללית של אונסקו שסוגיה זו תהיה נושא לאמנה בין-לאומית;

מאמצת אמנה זו ביום ה-16 בנובמבר, 1972.

I הגדרות של מורשת עולמית

סעיף 1. "מורשת תרבותית":

מונומנטים: עבודות ארכיטקטוניות, עבודות מונומנטליות של פיסול וציור, רכיבים או מבנים בעלי אופי ארכאולוגי, כתובות, מגורי מערות וצירופים של מאפיינים שהם בעלי ערך אוניברסלי יוצא מן הכלל מבחינה היסטורית, אמנותית ומדעית.

קבוצות מבנים: קבוצות של מבנים, נפרדים או מחוברים, אשר בזכות הארכיטקטורה וההומוגניות שלהם או מקומם בנוף הם בעלי ערך אוניברסלי יוצא מן הכלל מבחינה היסטורית, אמנותית ומדעית.

אתרים: עבודות מעשי ידי אדם או שילוב של עבודת הטבע ומעשי אדם, ואזורים בהם אתרים ארכאולוגיים שהם בעלי ערך אוניברסלי יוצא מן הכלל מבחינה היסטורית, אסתטית, אתנולוגית ואנתרופולוגית.

סעיף 2. "מורשת טבעית":

מאפייני טבע הכוללים תצורות פיזיקליות או ביולוגיות או קבוצות של תצורות אלו, שהם בעלי ערך אוניברסלי יוצא מן הכלל מבחינה אסתטית ומדעית.

תצורות גאולוגיות או פיזיוגרפיות ואזורים מוגדרים שהם בית-הגידול (הביטאט) לבעלי חיים או לצמחים הנתונים בסכנת הכחדה, בעלי ערך אוניברסלי יוצא מן הכלל מבחינה מדעית ושימור.

אתרי טבע או אזורי טבע בעלי גבולות מוגדרים, שהם בעלי ערך אוניברסלי יוצא מן הכלל מבחינה מדעית, השימור והיופי הטבעי.

סעיף 3

כל מדינה החברה באמנה זו חייבת לזהות ולקבוע את האתרים השונים הנמצאים בשטחה על-פי האמור בסעיפים 1 ו-2 לעיל.

II הגנה לאומית והגנה בין-לאומית על מורשת עולמית

סעיף 4

כל מדינה החברה באמנה זו מכירה בכך שחובתה בראש ובראשונה להבטיח זיהוי, הגנה, שימור, הצגה והעברה לדורות הבאים של המורשת התרבותית והטבעית הנמצאות בשטחה, כאמור בסעיפים 1 ו-2 לעיל. לשם כך היא תעשה כל אשר לאל ידה ותפיק את המרב ממשאביה ולפי העניין, גם בעזרת סיוע ושיתוף פעולה בין-לאומי לגייס משאבים, בפרט הכספיים, האמנותיים, מדעיים וטכניים.

סעיף 5

כדי להבטיח נקיטת אמצעים יעילים ופעילים להגנה, לשימור ולהצגה של המורשת התרבותית והטבעית הנמצאות בשטחה, כל מדינה החברה באמנה זו תשאף ככל האפשר ובדרך מתאימה לה:

א. לאמץ מדיניות כללית המיועדת להעניק למורשת התרבותית והטבעית תפקיד בחיי הקהילה ולשלב את ההגנה על אותה מורשת בתכניות ממשק מקיפות.

ב. להקים בשטחה, אם עדיין לא קיימים שירותים כאלו, מנגנון מרכזי לשם הגנה, שימור והצגה של המורשת התרבותית והטבעית, ולהעמיד לרשותו עובדים ואמצעים נאותים למילוי תפקידם.

ג. לפתח מחקרים מדעיים וטכניים ולגבש שיטות פעולה שיאפשרו למדינה לנקוט פעולות מול הסכנות המאיימות על המורשת התרבותית והטבעית שלה.

ד. לנקוט אמצעים חוקיים, מדעיים, טכניים, מנהליים וכספיים מתאימים הדרושים להגנה, לשימור, להצגה ולשיקום של אותה מורשת. וכן,

ה. לפעול למען הקמה ופיתוח של מרכז לאומי או אזורי להכשרה בתחומי הגנה, שימור והצגה של המורשת התרבותית והטבעית, ולעודד מחקר מדעי בתחומים אלה.

סעיף 6

א. תוך כיבוד ריבונות המדינות אשר המורשת התרבותית והטבעית נמצאת בשטחיהן, כאמור בסעיף 5 (א' ו-ב'), ומבלי לפגוע בזכויות הקניין המוקנות באמצעות החקיקה הלאומית, המדינות החברות באמנה זו מכירות במורשת זו כמורשת של העולם ועל כן גם במחויבות לשיתוף פעולה של הקהילה הבין-לאומית להגנה עליה.

ב. המדינות החברות מקבלות עליהן, בכפוף לתנאי האמנה, לסייע בזיהוי, הגנה, שימור והצגה של המורשת התרבותית והטבעית כאמור בסעיף 11 (ב' ו-ד'), אם המדינה אשר המורשת התרבותית והטבעית נמצאות בשטחה מבקשת זאת.

ג. כל מדינה החברה באמנה זו מקבלת עליה שלא לנקוט צעדים מכוונים אשר עלולים לגרום נזק, במישרין או בעקיפין, לאתרי המורשת התרבותית והטבעית, כאמור בסעיפים 1 ו-2, הנמצאים בשטחה של מדינה אחרת השותפה באמנה זו.

סעיף 7

לצורך אמנה זו, משמעותה של "הגנה בין-לאומית על המורשת התרבותית והטבעית" היא הקמת מערכת של שיתוף פעולה וסיוע בין-לאומי המיועדת לתמוך במדינות החברות במאמציהן לשמר ולזהות מורשת זו.

III. הוועדה הבין-ממשלתית למורשת עולמית

סעיף 8

א. במסגרת אונסקו מוקמת "ועדה בין-ממשלתית להגנה על המורשת התרבותית והטבעית בעלת ערך אוניברסלי יוצא מן הכלל", אשר תיקרא "ועדת מורשת עולמית". הוועדה תורכב מ-15 מדינות חברות, שייבחרו על-ידי המדינות החברות באמנה בישיבה כללית בזמן מושב רגיל של הוועידה הכללית של אונסקו. החל במועד, מושב רגיל בוועידה הכללית של אונסקו שבו תיכנס אמנה זו לתוקף, לגבי ארבעים מדינות לפחות, יועלה ל-21 מספר המדינות החברות בוועדה.

ב. בחירת חברות הוועדה תבטיח ייצוג שוויוני של תרבויות ואזורים שונים בעולם.

ג. בפגישות הוועדה יכולים להשתתף כיועצים: נציגים של: ICCROM, המרכז הבין-לאומי לחקר השימור והשחזור של אתרים; ICOMOS, המועצה הבין-לאומית למונומנטים ואתרים; IUCN, האיחוד העולמי לשימור טבע ומשאבי טבע; ולבקשת המדינות החברות באמנה הנפגשות בעצרת הכללית במהלך מושב רגיל בוועידה הכללית של אונסקו – גם נציגים של ארגונים בין-ממשלתיים או לא-ממשלתיים אחרים להם יעדים דומים.

סעיף 9

א. תקופת הכהונה של המדינות החברות ב"ועדת מורשת עולמית" תהיה מסיום המושב הרגיל בוועידה הכללית של אונסקו שבה נבחרו, עד המושב הרגיל השלישי שלאחר מכן.

ב. למרות זאת, תקופת הכהונה של שליש מהמדינות החברות שייבחרו בבחירות הראשונות תסתיים עם סיום המושב הרגיל הבא בוועידה הכללית של אונסקו; תקופת הכהונה של שליש נוסף מהמדינות החברות שייבחרו בבחירות הראשונות תסתיים עם סיום המושב הרגיל השני שלאחר מכן. יו"ר הוועידה הכללית של אונסקו יקבע, באמצעות הגרלה, את שמות החברות האלה וזאת לאחר הבחירות הראשונות.

ג. המדינות החברות בוועדה יבחרו כנציגיהן אנשים בעלי הסמכה מתאימה בתחום של המורשת התרבותית והטבעית.

סעיף 10

א. "ועדת מורשת עולמית" תאמץ לה נהלים.

ב. הוועדה רשאית, בכל עת, להזמין לישיבותיה אישים או ארגונים, ציבוריים או פרטיים, להתייעצות בבעיות מיוחדות.

ג. כדי למלא את תפקידיה הוועדה יכולה, כפי שתראה לנכון, להקים גופים מייעצים.

סעיף 11

א. במידת האפשר, כל מדינה החברה באמנה תגיש ל"ועדת מורשת עולמית" רשימה טנטטיבית של אתרים שהם חלק מהמורשת התרבותית והטבעית הנמצאות בשטחה, המתאימים להכלל ברשימה המפורטת (להלן סעיף 11 ב'). רשימה כזו תהיה ממצה ותכלול תיעוד באשר למיקום הנכס הנדון ומשמעותו.

ב. על סמך הרשימות הטנטטיביות שיגישו המדינות כאמור (סעיף 11 א' לעיל), הוועדה תקים, תעדכן ותפרסם תחת הכותרת "רשימת מורשת עולמית" רשימת אתרים שהם חלק מהמורשת התרבותית והטבעית, כמוגדר בסעיפים 1 ו-2 של אמנה זו, ואשר לדעת הוועדה יש להם ערך אוניברסלי יוצא מן הכלל לפי אמות מידה שהיא תקבע. רשימה מעודכנת תופץ אחת לשנתיים לפחות.

ג. הכללת אתר ב"רשימת מורשת עולמית" מחייבת את הסכמת המדינה הרלוונטית. הכללת אתר הנמצא בשטח שעליו יש יותר ממדינה אחת התובעת ריבונות או הכרה חוקית, לא תקבע בשום אופן את זכויות הצדדים לסכסוך.

ד. הוועדה תקים, תעדכן ותפרסם, לפי הצורך והנסיבות, רשימת אתרים תחת הכותרת – "רשימת מורשת עולמית בסיכון". זאת מתוך האתרים שב"רשימת מורשת עולמית", אשר שימורם דורש פעולות נרחבות ולגביהם נדרש סיוע לפי אמנה זו. הרשימה תכלול גם את אומדן העלויות הדרושות לפעולות הנ"ל. ברשימה זו יופיעו רק אתרי תרבות וטבע הנתונים בסכנה חמורה ומוגדרת, כגון סכנת היעלמות כתוצאה מהידרדרות מואצת, פרויקטים ציבוריים או פרטיים בקנה מידה רחב או פרויקטים של פיתוח עירוני או תיירות מהירים; הרס שנגרם בגין שינויים בשימוש ובבעלות על הקרקע; שינויים מפליגים בשל סיבות לא ידועות; נטישה מסיבה כלשהי; התפרצות סכסוך מזוין או סכנה להתפרצותו; אסונות למיניהם; שריפות, רעידות אדמה, גלישות קרקע; התפרצות הרי געש; שינויים במפלס המים, שיטפונות וגלי ענק. בכל עת, במקרה של צורך דחוף, הוועדה רשאית להוסיף רישום חדש ב"רשימת מורשת עולמית בסיכון" ולפרסם את דבר הרישום לאלתר.

ה. הוועדה תגדיר אמות מידה שלפיהן ייכלל אתר, השייך למורשת תרבותית או טבעית, בכל אחת מהרשימות כאמור. בסעיף 11 (ב' וְ–ד' לעיל).

ו. בטרם תידחה בקשה כלשהי להיכלל באחת מהרשימות (סעיף 11 ב' וְ–ד' לעיל), הוועדה תתייעץ עם המדינה שבשטחה נמצא אתר התרבות או אתר הטבע הנדון.

ז. הוועדה, בהסכמה עם המדינות הרלוונטיות, תתאם ותעודד לימוד ומחקר הדרושים להכנת הרשימות, כאמור. בסעיף 11 (ב' וְ–ד' לעיל).

סעיף 12

העובדה שאתר מסוים השייך למורשת תרבותית או טבעית לא נכלל באחת מהרשימות כאמור בסעיף 11 (ב' וְ–ד' לעיל), אין משמעותה בשום אופן שאתר זה הוא נטול ערך אוניברסלי יוצא מן הכלל למטרות השונות מאלה הנדרשות כדי להכלילו באחת הרשימות הנ"ל.

סעיף 13

א. "ועדת מורשת עולמית" תקבל ותלמד את הבקשות לסיוע בין–לאומי שנוסחו באמנה בידי המדינות החברות באמנה, באשר לאתר שהוא מורשת תרבותית או טבעית הנמצא בשטחיהן, ואשר כלול, או שיש אפשרות שייכלל, באחת מהרשימות כאמור בסעיף 11 (ב' וְ–ד' לעיל). המטרה של בקשות אלו עשויה להיות הבטחת הגנה, שימור, הצגה או שיקום של אותו האתר.

ב. בקשות לסיוע בין–לאומי כאמור (להלן סעיף 13 א') בפסקה זו יכולות לעסוק גם בזיהוי אתר תרבות או אתר טבע לפי ההגדרות בסעיפים 1 וְ–2, אם בדיקות ראשוניות הראו שיש הצדקה לבדיקות נוספות.

ג. הוועדה תחליט על הפעולה שיש לנקוט באשר לבקשות אלו, תקבע לפי העניין את האופי ואת ההיקף של הסיוע הדרוש, ותאשר את ההסדרים הדרושים מטעמה עם הממשלה הנוגעת לעניין.

ד. הוועדה תקבע את סדר הקדימויות לפעולותיה. הדבר ייעשה תוך התחשבות במספר גורמים: בחשיבותו של כל אחד מאתרי התרבות או הטבע של מורשת עולמית הזקוקים להגנה; בצורך להגיש סיוע בין–לאומי לאתרים הייצוגיים ביותר של סביבה טבעית או לגאונות ולהיסטוריה של עמי העולם; בדחיפות העבודה שיש לבצע; במשאבים העומדים לרשות המדינות שבשטחיהן נמצא האתר הנתון בסכנה; ובפרט – עד כמה הן מסוגלות לשמור על אתר כזה בכוחות עצמן.

ה. הוועדה תכין, תעדכן ותפרסם רשימה של אתרים שהוענק להם סיוע בין–לאומי.

ו. הוועדה תחליט על השימוש במשאבי הקרן אשר תוקם לפי האמור בסעיף 15 של האמנה. היא תשאף להגדיל משאבים אלו ותנקוט בכל הצעדים להשגת מטרה זו.

ז. הוועדה תשתף פעולה עם ארגונים לאומיים ובין-לאומיים, ממשלתיים ולא-ממשלתיים שלהם יעדים דומים לאלו של אמנה זו. לשם יישום התכניות והפרויקטים שלה, הוועדה עשויה להזמין ארגונים כאלה, ובפרט: ICCROM, המרכז הבין-לאומי לחקר השימור והשחזור של אתרים; ICOMOS, המועצה הבין-לאומית למונומנטים ואתרים; IUCN, הארגון העולמי לשימור טבע ומשאבי טבע וכן גופים ציבוריים ופרטיים כמו גם לאנשים פרטיים.

ח. החלטות הוועדה יתקבלו ברוב של שני שלישים מהחברים הנוכחים והמשתתפים בהצבעה. רוב חברי הוועדה יהוו מניין חוקי.

סעיף 14

א. ל"ועדת מורשת עולמית" תסייע מזכירות שתמונה על-ידי מנכ"ל אונסקו.

ב. מנכ"ל אונסקו בסיוע של ICCROM – המרכז הבין-לאומי לחקר השימור והשחזור של אתרים, של ICOMOS – המועצה הבין-לאומית למונומנטים ואתרים, של IUCN – הארגון העולמי לשימור הטבע ומשאבי טבע, כל ארגון בתחומי ההתמחות והמיומנות שלו – יכין את התיעוד של הוועדה ואת סדר היום של ישיבותיה, ויהיה אחראי ליישום החלטותיה.

IV. הקרן להגנה על מורשת עולמית

סעיף 15

א. מוקמת בזאת קרן להגנה על המורשת התרבותית והטבעית בעלות ערך אוניברסלי יוצא מן הכלל, אשר תיקרא "קרן מורשת עולמית".

ב. הקרן תהיה קרן נאמנות, ותפעל לפי התקנות של אונסקו בענייני כספים.

ג. משאבי הקרן יתבססו על:

1. תשלומי חובה ותרומות רשות שיינתנו על-ידי המדינות החברות באמנה זו.

2. תרומות, מתנות ועזבונות שיינתנו על-ידי:

i. מדינות אחרות;

ii. אונסקו וארגונים אחרים של מערכת האו"ם, ובפרט תכנית הפיתוח של האו"ם או ארגונים בין-ממשלתיים אחרים;

iii. גופים ציבוריים או פרטיים וכן אנשים פרטיים;

iv. ריבית על משאבי הקרן;

v. כספים שיגויסו באירועים אשר יאורגנו לטובת הקרן; וכן,

vi. כל משאב אחר אשר יאושר על-ידי תקנות הקרן, כפי שניסחה אותן "ועדת מורשת עולמית".

ד. תרומות לקרן וכל צורה אחרת של סיוע שיועמד לרשות הוועדה יוכלו לשמש אך ורק למטרות שהוועדה תגדיר. הוועדה רשאית לקבל תרומות שישמשו אך ורק לתכנית או לפרויקט מסוים, בתנאי שאכן החליטה ליישם את התכנית או הפרויקט. את התרומות הניתנות לקרן אין להתנות בנסיבות פוליטיות.

סעיף 16

א. מבלי לפגוע בתשלומי הרשות הנוספים, המדינות החברות באמנה זו מתחייבות לשלם אחת לשנתיים, דרך קבע, ל"קרן מורשת עולמית", סכום בשיעור של כאחוז מהשתתפות של המדינות - כפי שייקבע על-ידי הוועידה הכללית במהלך המושבים של הוועידה הכללית של אונסקו. החלטה זו של הוועידה הכללית מחייבת נוכחות והצבעה של רוב המדינות החברות מקרב אלה שלא הצהירו את ההצהרה המוזכרת (להלן ב'). בשום מקרה, תשלומי החובה של המדינות החברות לא יעלו על 1% מחלקן בתקציב הרגיל של אונסקו.

ב. בכל מקרה, כל מדינה אשר מוזכרת בסעיף 31 או בסעיף 32 באמנה זו רשאית להצהיר בעת מסירת מסמכי האשרור, הקבלה או ההצטרפות לא יחול עליה.

ג. מדינה החברה באמנה, אשר הצהירה את ההצהרה האמורה (ב' לעיל), רשאית לחזור בה מהצהרה זו בכל עת, באמצעות הודעה למנכ"ל אונסקו. אולם חזרה מההצהרה לא תחול על תשלומי החובה של אותה מדינה עד למועד העצרת הכללית הבאה של המדינות החברות באמנה.

ד. כדי שהוועדה תוכל לתכנן את פעולותיה ביעילות, המדינות החברות שהצהירו את ההצהרה האמורה (ב' לעיל) ישלמו דרך קבע, לפחות אחת לשנתיים, את תרומותיהן. סכום התשלום לא יפחת מהסכום שהיה חל עליהן אילו האמור (א' לעיל) היה מחייב אותן.

ה. כל מדינה המפגרת בתשלומי החובה או הרשות לשנה השוטפת ולשנה הקלנדרית הקודמת לה אינה זכאית להיות חברה ב"ועדת מורשת עולמית". תנאי זה לא יחול על הבחירות הראשונות.

תקופת כהונתה של מדינה כזו החברה בוועדה תסתיים במועד הבחירות, כאמור בסעיף 8 (א') באמנה זו.

סעיף 17

המדינות החברות באמנה יעודדו הקמת קרנות ואגודות לאומיות, ציבוריות ופרטיות, המיועדות לגייס תרומות להגנה על המורשת התרבותית והטבעית, כמוגדר בסעיפים 1 וְ–2 של אמנה זו.

סעיף 18

המדינות החברות באמנה יסייעו לתהליכי גיוס משאבים בין–לאומיים שתארגן "קרן מורשת עולמית" בחסות אונסקו. הן יסייעו לגופים הנזכרים בסעיף 15 (ג') בגיוס המשאבים.

V. סיוע בין-לאומי*

סעיף 19

כל מדינה החברה באמנה רשאית לבקש סיוע בין-לאומי בגין אתר הנמצא בשטחה שהוא חלק מהמורשת התרבותית והטבעית ושיש לו ערך אוניברסלי יוצא מן הכלל. המדינה תצרף לבקשתה מידע ותיעוד הנמצאים ברשותה, כמפורט בסעיף 21, כדי לאפשר לוועדה לקבל החלטה.

סעיף 20

בכפוף לסעיפים 13 (ב'), 22 (ג') וְ-23, הסיוע הבין-לאומי שקבעה אמנה זו יוענק רק לאתר שהוא חלק מהמורשת התרבותית והטבעית אשר "ועדת מורשת עולמית" החליטה לרשום אותו באחת הרשימות המפורטות בסעיף 11 (ב' וְ-ד' לעיל) או שהיא עשויה להחליט לרשמו שם.

סעיף 21

א. "ועדת מורשת עולמית" תגדיר את הנהלים שלפיהם יישקלו הבקשות לסיוע בין-לאומי ותפרט את תוכן הבקשות, אשר יגדירו את הפעולות הנשקלות, את העבודה הדרושה, את העלויות הצפויות, את דרגת הדחיפות ואת הסיבות שבגללן משאבי המדינה המבקשת את הסיוע אינם מאפשרים לה לעמוד בכל ההוצאות. לבקשות כאלו יש לספק, ככל האפשר, דיווחי מומחים.

ב. הוועדה צריכה לשקול בקדימות גבוהה בקשות בגין אסונות ואסונות טבע עקב דחיפות העבודה הכרוכה בהן. לרשותה צריכות לעמוד קרנות למצבים כאלו.

ג. לפני קבלת החלטה, על הוועדה לבדוק ולהתייעץ לפי הצורך.

סעיף 22

הסיוע שתעניק "ועדת מורשת עולמית" עשוי להינתן כדלקמן:

א. מחקרים העוסקים בבעיות אמנותיות, מדעיות וטכניות שנגזרו מההגנה על המורשת התרבותית והטבעית, שימורן, הצגתן ושיקומן, לפי האמור בסעיף 11 (ב' וְ-ד' לעיל) לאמנה זו.

ב. שיגור מומחים, טכנאים ועובדים מומחים כדי להבטיח שהעבודה המאושרת מתבצעת כראוי.

ג. הכשרת צוותים ומומחים בכל הרמות לזיהוי, להגנה, לשימור, להצגה ולשיקום של המורשת התרבותית והטבעית.

ד. אספקת ציוד החסר במדינה הנוגעת לעניין או שאין היא מסוגלת לרכשו.

ה. הלוואות ארוכות טווח בריבית נמוכה או ללא ריבית כלל.

ו. במקרים חריגים ומסיבות מיוחדות – מתן מענקים שאין צורך להחזירם.

סעיף 23

"ועדת מורשת עולמית" עשויה גם לתת סיוע בין-לאומי למרכזים לאומיים או אזוריים, להכשרת עובדים ומומחים בכל הרמות, בתחום זיהוי המורשת התרבותית והטבעית, הגנה עליהן, שימורן, הצגתן ושיקומן.

* הסיוע מיועד בעיקר למדינות מתפתחות

סעיף 24

לפני מתן סיוע בין-לאומי בקנה מידה גדול יש לבצע הערכות ובדיקות מדעיות, כלכליות וטכניות מפורטות. מחקרים אלו יעשו שימוש בטכניקות המתקדמות ביותר להגנה על המורשת התרבותית והטבעית, שימורן, הצגתן ושיקומן, ויעלו בקנה אחד עם יעדי האמנה. הבדיקות גם ישאפו לזהות ולאתר אמצעים לעשיית שימוש סביר במשאבים העומדים לרשות המדינה הנוגעת לעניין.

סעיף 25

ככלל, הקהילה הבין-לאומית תישא רק בחלק מעלות העבודה הדרושה. המדינה שתיהנה מן העזרה הבין-לאומית תתרום חלק ניכר מן המשאבים שיוקדשו לכל תכנית או פרויקט, אלא אם כן משאביה לא יאפשרו זאת.

סעיף 26

"ועדת מורשת עולמית" והמדינה המקבלת יגדירו בהסכם ביניהן את התנאים שלפיהם יבוצעו התכנית או הפרויקט שלמענם ניתן הסיוע הבין-לאומי לפי אמנה זו. תהיה זו אחריותה של המדינה המקבלת את הסיוע הבין-לאומי להמשיך בהגנת האתר אשר נשמר בדרך זו, שימורו והצגתו, הכול בהתאם לתנאים שנקבעו בהסכם.

VI. תכניות חינוכיות

סעיף 27

א. המדינות החברות באמנה זו יפעלו בכל האמצעים הנאותים, ובפרט באמצעות תכניות חינוך ומידע, לחזק את ההערכה והכבוד של עמיהן למורשת התרבותית והטבעית, לפי הגדרתן בסעיפים 1 ו–2 לאמנה.

ב. הן מתחייבות ליידע את הציבור הרחב באשר לסכנות המאיימות על אותה מורשת ובאשר לפעולות הנעשות לפי אמנה זו.

סעיף 28

מדינות חברות באמנה זו אשר יקבלו סיוע בין–לאומי לפי האמנה, ינקטו צעדים מתאימים לפרסם את חשיבות האתר שבגינו נתקבל הסיוע ואת התפקיד שמילא סיוע זה.

VII. דיווחים

סעיף 29

א. המדינות החברות באמנה זו יגישו דוחות לוועידה הכללית של אונסקו בתאריכים ובאופן שייקבע על–ידי הארגון. דוחות אלה יכללו מידע על האמצעים החוקיים והמנהליים שהמדינות אימצו, מידע על פעולות אחרות שננקטו ליישום אמנה זו, וכן פירוט הניסיון שנרכש בפועל בשטח.

ב. דוחות אלו יובאו לתשומת לב "ועדת מורשת עולמית".

ג. הוועדה תגיש דוח על פעילותה בכל מושב רגיל של הוועידה הכללית של אונסקו.

VIII. סעיפים נוספים

סעיף 30

אמנה זו מנוסחת בערבית, אנגלית, צרפתית, רוסית וספרדית. כל חמשת הנוסחים תקפים במידה שווה.

סעיף 31

א. אמנה זו כפופה לאשרור או להסכמה של המדינות החברות באונסקו, בהתאם לנוהלי החוק שלהן.

ב. מסמך האשרור או הקבלה יופקד אצל מנכ"ל אונסקו.

סעיף 32

א. אמנה זו תהא פתוחה להצטרפות מדינות שאינן חברות באונסקו ואשר הוועידה הכללית של אונסקו מזמינה אותן להצטרף.

ב. ההצטרפות תתממש בהפקדת מסמך הצטרפות אצל מנכ"ל אונסקו.

סעיף 33

אמנה זו תיכנס לתוקף בתום שלושה חודשים מתאריך הפקדת מסמכי האשרור, עם הסכמתה או הצטרפותה של המדינה העשרים במספר, אך רק באשר לאותן מדינות אשר הפקידו את מסמכי האשרור, ההסכמה או ההצטרפות שלהן לפני או באותו תאריך. לגבי כל מדינה אחרת, האמנה תיכנס לתוקף שלושה חודשים לאחר מועד הפקדת מסמכי האשרור, ההסכמה או ההצטרפות שלה.

סעיף 34

התנאים דלהלן יחולו על מדינות החברות באמנה זו ושיש בהן מערכת חוקתית פדרלית או מערכת מסוג אחר:

א. באשר לתנאי האמנה שיישומה חל בתחום שיפוט פדרלי או מרכזי, התחייבויות הממשלה הפדרלית או המרכזית תהיינה כשל המדינות החברות שאינן מדינות פדרליות.

ב. באשר לתנאי האמנה שיישומם החל בתחום השיפוט של כל מדינה, ארץ, פרובינציה או קנטון שאינם מחויבים לפי חוקת הפדרציה לנקוט צעדי חקיקה, תודיע הממשלה הפדרלית לרשויות המוסמכות באותה מדינה, ארץ, פרובינציה או קנטון מה היא ממליצה לגבי אימוץ אותם תנאים.

סעיף 35

א. כל מדינה החברה באמנה זו רשאית לפרוש מהאמנה.

ב. הפרישה תיעשה במסמך כתוב אשר יופקד אצל מנכ"ל אונסקו.

ג. הפרישה תיכנס לתוקף 12 חודש לאחר קבלת מסמך הפרישה. לא תהיה לה השפעה על ההתחייבויות הכספיות של המדינה הפורשת, עד תאריך כניסת הפרישה לתוקף.

סעיף 36

מנכ"ל אונסקו יביא לידיעת המדינות החברות בארגון ולידיעת המדינות שאינן חברות בארגון המוזכרות בפסקה 32, וכן לידיעת האו"ם, את הפקדת מסמכי האשרור, הקבלה או ההצטרפות כאמור בפסקאות 31 ו–32, וכן את מסמך הפרישה כאמור בפסקה 35.

סעיף 37

א. את השינויים באמנה זו יכולה לעשות הוועידה הכללית של אונסקו. שינויים אלו יחולו רק לגבי מדינות אשר תצטרפנה כחברות לאמנה המתוקנת.

ב. אם הוועידה הכללית תאמץ אמנה חדשה המתקנת אמנה זו, כולה או בחלקה, אזי, חוץ מאשר אם ההאמנה החדשה התנתה אחרת, תפסיק אמנה זו להיות פתוחה לאשרור, הסכמה או הצטרפות, החל בתאריך כניסתה לתוקף של האמנה המתקנת החדשה.

סעיף 38

בהתאם לסעיף 102 למגילת האומות המאוחדות תירשם אמנה זו במזכירות האומות המאוחדות לבקשת מנכ"ל אונסקו.

מסמך זה נכתב בפריז ביום 23 בנובמבר 1972, בשני עותקים מקוריים בחתימת נשיא המושב ה–17 של הוועידה הכללית ושל מנכ"ל אונסקו שהופקדו בארכיון אונסקו ואשר עותקים מאושרים שלו יישלחו לכל המדינות המוזכרות בסעיפים 31 ו–32 וכן לאו"ם.

כל האמור לעיל הוא נוסח מהימן של ההמלצות שהוועידה הכללית של אונסקו קיבלה כחוק במושב ה–17, אשר התקיים בפריז וננעל ביום 21 בנובמבר 1972.

ולראיה באנו על החתום ביום 23 לנובמבר 1972.

נשיא הוועידה הכללית | המנהל הכללי

ב. ההנחיות האופרטיביות ליישום האמנה למורשת עולמית (1972)*

הוועדה הבין-ממשלתית להגנה על המורשת התרבותית והטבעית העולמית

* מהדורה 2/2005

תרגום: סגיר תרגומים בין-לאומיים בע"מ

עריכה: דניאל בר-אלי

הקלדה: גב' חדוה עמר, ראש לשכה, הוועד הישראלי לאונסקו

סדר ועימוד: סטודיו "שחר שושנה"

ההנחיות מעודכנות מעת לעת כדי לשקף את החלטות הוועדה למורשת עולמית של אונסקו.

אפשר להוריד עותק באנגלית מאתר מרכז מורשת עולמית: www.unesco.org/whc

באתר האינטרנט של מרכז מורשת עולמית נמצאים כל המסמכים הרלוונטיים המופיעים במסמך זה.

* תורגם על-ידי הוועד הישראלי לאונסקו (07/2006)

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ראשי תיבות וקיצורים

DoCoMoMo	הוועדה הבין-לאומית לתיעוד מונומנטים ואתרים של התנועה המודרנית ולשימורם
ICOMOS	המועצה הבין-לאומית למונומנטים ואתרים
ICCROM	המרכז הבין-לאומי למחקר שימור ושיקום של אתרי תרבות
IFLA	הפדרציה הבין-לאומית של אדריכלי נוף
IUCN	איגוד שימור הטבע העולמי (לשעבר: האיגוד הבין-לאומי לשימור טבע ומשאבי טבע)
IUGS	איגוד בין-לאומי למדעי הגאולוגיה
MAB	תכנית האדם והביוספרה של אונסקו
NGO	ארגון לא-ממשלתי
TICCIH	הוועדה הבין-לאומית לשימור מורשת תעשייתית
UNEP	תכנית הסביבה של האו"ם
WCMC	מרכז עולמי לניטור השימור

פרק I. מבוא

א. ההנחיות האופרטיביות

1. הנחיות אופרטיביות אלו הוכנו ליישום האמנה למורשת עולמית לשם:

א. רישום אתרים ברשימת מורשת עולמית ורישום ברשימת מורשת עולמית של אתרים בסיכון

ב. הגנה ופיקוח על אתרי מורשת עולמית

ג. הענקת סיוע בין-לאומי מהקרן למורשת עולמית

ד. גיוס תמיכה לאומית ובין-לאומית למען האמנה למורשת עולמית.

2. ההנחיות האופרטיביות נבחנות ומעודכנות מעת לעת כדי לשקף החלטות של הוועדה למורשת עולמית. http://whc.unesco.org

3. המשתמשים העיקריים וקהלי היעד של ההנחיות האופרטיביות הם:

א. המדינות החברות החתומות על האמנה;

ב. הוועדה הבין-ממשלתית להגנה על המורשת התרבותית והטבעית בעלת ערך אוניברסלי יוצא מהכלל (להלן הוועדה);

ג. מרכז מורשת עולמית – (להלן המזכירות);

ד. הגופים המייעצים

- המרכז הבין-לאומי למחקר שימור ושיקום של אתרי תרבות (ICCROM); www.iccrom.org
- המועצה הבין-לאומית למונומנטים ואתרים (ICOMOS); www.icomos.org
- האיגוד לשימור הטבע בעולם, לשעבר הארגון הבין-לאומי לשימור הטבע והמשאבים הטבעיים (IUCN); www.iucn.org

ה. שותפים ובעלי עניין בהגנה על אתרי מורשת עולמית.

ב. האמנה למורשת עולמית

4. למורשת התרבותית והטבעית אין מחיר, ולאתרים אלו אין תחליף, לא רק לכל מדינה אלא גם לכלל האנושות. אבדן כלשהו בגלל הידרדרות או היעלמות מדלדל את מורשת עמי העולם. חלק ממורשת זו עשויה להיחשב לבעלת ערך אוניברסלי יוצא מהכלל, ובתור שכזו היא ראויה להגנה מיוחדת מהסכנות המאיימות עליה.

5. כדי להבטיח ככל האפשר את הזיהוי הנאות, ההגנה, השימור וההצגה של מורשת עולמית שאין לה תחליף, אימצו המדינות החברות באונסקו ב-1972 את האמנה למורשת עולמית. האמנה מאפשרת, מאז שנת 1976, את הקמתן והפעלתן של 'הוועדה למורשת עולמית' ו'הקרן למורשת עולמית'.

6. מאז אישרור האמנה בשנת 1972, אימצה הקהילה הבין-לאומית את המונח 'פיתוח בר-קיימא'. ההגנה על המורשת התרבותית והטבעית היא תרומה משמעותית לפיתוח בר-קיימא.

7. האמנה מאפשרת זיהוי, הגנה, שימור והצגה של המורשת הטבעית והתרבותית בעלת ערך אוניברסלי יוצא מהכלל ושימורה לדורות הבאים.

8. הקריטריונים ותנאי הזכאות להכללת אתרים ברשימת מורשת עולמית גובשו כדי להעריך את הערך האוניברסלי היוצא מהכלל של האתרים ולהנחות את המדינות החברות בכל הקשור בהגנה וניהול של אתרי מורשת עולמית.

9. אם סכנות חמורות וספציפיות נשקפות לאתר הכלול ברשימת מורשת עולמית, תשקול הוועדה את הכללתו ברשימת מורשת עולמית בסיכון. אם נהרס אתר בעל ערך אוניברסלי יוצא מהכלל אשר הצדיק את רישומו ברשימת מורשת עולמית, תשקול הוועדה את הוצאתו מהרשימה.

ג. המדינות החברות לאמנה

10. מדינות מתבקשות להצטרף לאמנה על-פי הנהלים הרלוונטים. נספחים 1,2

11. רשימת המדינות החברות באמנה מופיעה באתר http://whc.unesco.org

12. מדינות חברות לאמנה מעודדות להבטיח מעורבות מגוון רחב של בעלי העניין, כולל מנהלי אתרים, רשויות מקומיות / אזוריות, קהילות, ארגונים לא ממשלתיים וגופים אחרים בזיהוי, בהגשת מועמדות ובהגנה על אתרי מורשת עולמית.

13. המדינות החתומות על האמנה צריכות להעביר למרכז למורשת עולמית את השמות והכתובות של הארגונים הממשלתיים העיקריים האחראים ליישום האמנה – מתוקף היותם אנשי קשר – וכך יוכל המרכז למורשת עולמית לשלוח אליהם עותקים של כל התכתובת הרשמית והמסמכים כנדרש. רשימה של כתובות אלו אפשר למצוא באתר של המרכז למורשת עולמית. המדינות החברות נקראות לפרסם מידע זה בארצן ולהבטיח לעדכנו.

14. המדינות החתומות על האמנה קוראות לאחראים למורשת הטבעית והתרבותית להתכנס בקביעות ברמה הארצית, כדי לדון בעניינים הקשורים ביישום האמנה. מומלץ לשתף בדיונים נציגים מהארגונים המייעצים ומומחים אחרים לפי צורך.

15. על אף השמירה על ריבונותן של מדינות שהמורשת הטבעית והתרבותית שוכנת בשטחן, המדינות החברות מכירות בעניין הקולקטיבי שיש לקהילה הבין-לאומית לשתף פעולה ולהגן על מורשת זו. המדינות החתומות על האמנה למורשת עולמית אחראיות לישומה כדי; סעיף 16 (א) באמנה.

א. להבטיח זיהוי, הגנה, ושימור של האתר והעברה לדורות הבאים של המורשת הטבעית והתרבותית שבשטחן, והן יסייעו בכך למדינות חברות אחרות המבקשות לעשות כך; סעיפים 4 ו-6 (ב) באמנה.

ב. לנקוט מדיניות אשר תעניק למורשת תפקיד בחיי הקהילה;

ג. לשלב את ההגנה על המורשת בתכניות תכנון מקיפות;

ד. להקים מנגנוני הגנה, שימור והצגה של המורשת;

ה. לפתח מחקרים מדעיים וטכניים כדי לזהות פעולות שיצמצמו את הסכנות הנשקפות למורשת;

ו. לנקוט צעדים משפטיים, מדעיים, טכניים, מנהליים וכספיים מתאימים כדי להגן על המורשת;

ז. לעודד הקמה ופיתוח של מרכז ארצי או אזורי להכשרה בתחומי ההגנה, השימור וההצגה של המורשת ולעודד מחקר מדעי בתחומים אלו;

ח. לא לנקוט צעדים מכוונים שיזיקו במישרין או בעקיפין למורשתן או למורשתה של כל מדינה אחרת החתומה על האמנה; סעיף 6 (ג) באמנה.

ט. להגיש לוועדה למורשת עולמית רשימת מצאי של אתרים המתאימים להכלל ברשימת המורשת העולמית (להלן רשימה טנטטיבית); סעיף 11 (א) באמנה.

י. לתרום דרך קבע לקרן למורשת העולמית את הסכום שקבעה האסיפה הכללית; סעיף 16 (א) באמנה.

יא. לשקול ולעודד הקמת אגודות או עמותות ארציות, ציבוריות או פרטיות כדי לגייס תרומות למען הגנה על המורשת העולמית; סעיף 17 באמנה.

יב. לסייע בגיוס כספים ברמה הבין-לאומית עבור הקרן למורשת עולמית; סעיף 18 באמנה.

יג. להשתמש בתכניות חינוך ומידע כדי לחזק את ההערכה והכבוד למורשת התרבותית והטבעית המוגדרת בסעיפים 1 ו-2 של האמנה, וליידע את הציבור אשר לסכנות הנשקפות למורשת זו; סעיף 27 באמנה.

יד. לספק מידע על אודות היישום הכולל של האמנה למורשת עולמית ועל מצב שימור האתרים; סעיף 29 באמנה. החלטה שאימצה האסיפה הכללית ה-11, 1997.

ד. האסיפה הכללית של המדינות החברות

16. מדינות חברות מתבקשות להשתתף בישיבות ועדת מורשת עולמית והארגונים המייעצים. סעיף 8 (א) באמנה וכלל 49 בנוהלי הוועדה.

17. האסיפה הכללית של המדינות החתומות על האמנה מתכנסת במהלך מושב הוועידה הכללית של אונסקו סעיפים 8 (א) ו-16(א) באמנה וכלל 49 בנוהלי הוועדה.

18. האסיפה היא קובעת את שיעור התרומות האחיד לקרן למורשת העולמית שחל על כל המדינות ובוחרת חברים לוועדה למורשת עולמית. האסיפה הכללית והוועידה הכללית של אונסקו מקבלות דוח מהוועדה למורשת עולמית.

ה. הוועדה למורשת עולמית

19. הוועדה הבין-ממשלתית להגנה על מורשת עולמית מורכבת מ-21 חברים ומתכנסת על-פי-רוב אחת לשנה, (יוני/ יולי). לוועדה לשכה הנפגשת לפי הצורך.

סעיף 8 (א) באמנה.

20. הוועדה מנהלת את ישיבותיה על פי כללי נוהל המופיעים באתר.

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21. משך כהונת חברי הוועדה הוא שש שנים. כדי להבטיח ייצוג הולם ורוטציה בוועדה, המדינות החברות מוזמנות לשקול לצמצם מרצונן את משך הכהונה לארבע שנים ולהימנע מבחירה רצופה.

סעיפים 9(א) 8(ב) באמנה והחלטות האסיפה הכללית ה-7 (1989), ה-12 (1999) וה-13 (2001).

22. בעקבות החלטת הוועדה למורשת עולמית אפשר לשמור מספר מושבים למדינות החברות שאין להן אתרים ברשימת המורשת העולמית.

כלל 14(1) בכללי הנוהל של האסיפה הכללית.

23. החלטות הוועדה מבוססות על שיקולים אובייקטיביים ומדעיים, וכל הערכה שנעשית מטעמה חייבת להתבצע במלואה ובאחריות. הוועדה מביאה בחשבון שהחלטות כאלה מסתמכות על:

א. תיעוד שהוכן בקפידה;

ב. נהלים מקיפים ועקיבים;

ג. הערכת מומחים מוסמכים;

ד. מעריכים מומחים.

24. תפקידיה העיקריים של הוועדה בתיאום עם המדינות החברות.

סעיף 11(ב) באמנה.

א. לזהות – על בסיס הרשימות הטנטטיביות שהגישו המדינות החברות – אתרי תרבות וטבע בעלי ערך אוניברסלי יוצא מהכלל, שלפי האמנה צריך להגן עליהם; וכן לרשום אתרים אלו ב"רשימת המורשת העולמית";

ב. לנטר בתיאום עם המדינות החברות את מצב שימור האתרים שברשימת המורשת העולמית באמצעות ניטור יזום; (להלן פרק IV) ודוח תקופתי; (להלן פרק V)

סעיפים 11 (ז) ו-29 באמנה.

ג. להחליט אילו אתרים ברשימת המורשת העולמית ייכללו ברשימת אתרי המורשת העולמית בסיכון ואילו יוסרו ממנה;

סעיפים 11 (ד) ו-11(ה) באמנה.

ד. להחליט איזה אתר יוסר מרשימת המורשת העולמית; (להלן פרק IV, סעיפים 192-198).

ה. להגדיר את הנוהל שלפיו יבחנו בקשות לסיוע בין-לאומי וכן לבדוק ולהיוועץ כנדרש לפני קבלת החלטה; (להלן פרק VII)

סעיפים 13 (א) ו-21 באמנה.

ו. לקבוע אילו משאבים מהקרן למורשת העולמית יוכלו לשמש ביעילות הרבה ביותר את המדינות החברות כדי להגן על אתרים בעלי ערך אוניברסלי יוצא מהכלל;

סעיף 13 (ו) באמנה.

ז. לחפש דרכים להגדיל את הקרן למורשת העולמית;

ח. להגיש אחת לשנתיים דוח על פעילויותיה לאסיפה הכללית של המדינות החברות ולוועידה הכללית של אונסקו;

ט. לבחון ולהעריך מעת לעת את יישום האמנה.

י. לעדכן את ההנחיות האופרטיביות

סעיף 29 (ג) באמנה וסעיף 49 בנוהלי הוועדה.

25. כדי לאפשר את יישומה של האמנה הוועדה מגבשת יעדים אסטרטגיים. היעדים האסטרטגיים נבחנים מדי פעם ומעודכנים כדי לבטא את היעדים והמטרות של הוועדה ולהבטיח מתן מענה הולם לסכנות הנשקפות למורשת העולמית.

האסטרטגיה מ-1992, נספח 2, מסמך (12) whc – conf/92/ 002.

26. המטרות האסטרטגיות הנוכחיות (ה-C4) כדלקמן:

הצהרת בודפסט, 2002.
http://whc.unesco.org

א. חיזוק האמינות של הרשימה (Credibility)

ב. הבטחת יעילות השימור על האתרים (Conservation)

ג. קידום ופיתוח הכשרה מקצועית (Capacity Building)

ד. הגברת מודעות ומעורבות ותמיכה ציבורית באמצעות המדיה לגוניה (Communication).

ו. מזכירות הוועדה למורשת עולמית (מרכז מורשת עולמית)

27. הוועדה למורשת עולמית מקבלת סיוע ממזכירות שמונתה על-ידי מנכ"ל אונסקו. המזכירות יושבת במרכז אונסקו למורשת עולמית שהוקם ב-1992 במיוחד למטרה זו. המרכז למורשת עולמית פועל עם המדינות החברות והארגונים המייעצים. המרכז פועל בשיתוף פעולה הדוק עם סקטורים ונציגויות אזוריות של אונסקו.

סעיף 43 לנהלי הוועדה.
סעיף 14 באמנה.
http://whc.unesco.org

28. להלן המשימות העיקריות של המרכז למורשת עולמית:

א. ארגון מפגשי האסיפה הכללית והוועדה;

סעיף 14 (ב) באמנה.

ב. יישום החלטות הוועדה למורשת עולמית והאסיפה הכללית;

סעיף 14 (ב) באמנה והצהרת בודפסט.

ג. קבלה, רישום ושירותי אחזור והפצה, לארגונים מייעצים, של מועמדויות לרשימת מורשת עולמית;

ד. תיאום מחקרים ופעילויות כחלק מהאסטרטגיה הגלובלית של רשימת מורשת עולמית מאוזנת, מייצגת ואמינה;

ה. ארגון דוח תקופתי ותהליכי ניטור יזומים;

ו. תיאום הסיוע הבין-לאומי;

ז. גיוס משאבים חוץ-תקציביים לשימור ולניהול של אתרי מורשת עולמית;

ח. סיוע למדינות ביישום תכניות ופרויקטים של הוועדה;

ט. קידום האמנה והמורשת העולמית על-ידי הפצת מידע למדינות החברות, לציבור ולארגונים המייעצים.

29. יישום פעילויות על-פי היעדים האסטרטגיים של הוועדה ומעקב אחר החלטות הוועדה והאסיפה הכללית של המדינות החברות, תוך שיתוף פעולה הדוק עם הארגונים המייעצים;

ז. ארגונים מייעצים לוועדה למורשת עולמית

30. הארגונים המייעצים לוועדה למורשת עולמית הם המרכז הבין-לאומי לשימור ולשיקום של אתרי תרבות (ICCROM); המועצה הבין-לאומית למונומנטים ואתרים (ICOMOS); והארגון העולמי לשימור טבע (IUCN).

סעיף 8 (ג) באמנה.

31. תפקידי הארגונים המייעצים הם:

א. לייעץ ביישום האמנה למורשת עולמית בתחומי ההתמחות שלהם.

סעיף 13 (ז) באמנה.

ב. לסייע למזכירות בהכנת המסמכים של הוועדה והלשכה, סדר היום של הישיבות ויישום החלטות הוועדה;

ג. לסייע בפיתוח וביישום של - אסטרטגיה גלובלית מאוזנת, מייצגת ואמינה לרשימת המורשת העולמית; הכשרה; דיווח תקופתי; ומאמצים שוטפים לחזק את הקרן למורשת העולמית ולהשתמש בה ביעילות;

ד. לנטר את מצב השימור באתרי מורשת עולמית ולבחון בקשות לסיוע בינ"ל.

סעיף 14 (ב) באמנה.

ה. לגבי איקומוס ואיוסיאן להעריך אתרים מועמדים ולהציגם בוועדה.

ו. להשתתף בישיבותיהן של הוועדה למורשת עולמית ושל הלשכה על תקן יועצים;

סעיף 8 (ג) באמנה.

איקרום (ICCROM)

32. ICCROM (המרכז הבינ"ל להכשרה ללימוד שימור ושחזור של אתרי תרבות) הוא ארגון בין-ממשלתי בין-לאומי שמרכזו ברומא, איטליה. אונסקו הקים אותו ב-1956, ותפקידיו הסטטוטוריים; הם מחקר, תיעוד וסיוע טכני, הכשרה והכנת תכניות להעלאת המודעות הציבורית כדי לחזק את שימור המורשת התרבותית הניידת והלא-ניידת.

http://www.iccrom.org

33. תפקידו להיות שותף מועדף בהכשרה בתחום המורשת התרבותית, לנטר את מצב השימור של אתרי מורשת עולמית בעלי ערך תרבותי, לבחון בקשות לסיוע בין-לאומי של מדינות חברות ולספק תשומה ותמיכה בתכניות לפיתוח והכשרה מקצועית.

איקומוס (ICOMOS)

34. ICOMOS (המועצה הבינ"ל למונומנטים ואתרים) - הוא ארגון לא-ממשלתי שמרכזו בפריז, צרפת. הארגון נוסד ב-1965, ותפקידו לקדם יישומן של תאוריה, מתודולוגיה ושיטות מדעיות לשימור מורשת ארכיטקטונית וארכיאולוגית. עבודתו מבוססת על עקרונות אמנת ונציה הבין-לאומית משנת 1964 בדבר שימור ושיקום של מונומנטים ואתרים.

http://www.icomos.org

35. תפקידו להעריך אתרי תרבות המועמדים לרשימת המורשת העולמית, לנטר את מצב השימור שלהם, לבחון בקשות לסיוע בין-לאומי של מדינות חברות ולספק תשומה ותמיכה בתכניות לפיתוח והכשרה מקצועית.

אי.יו.סי.אן (IUCN)

http://www.iucn.org

36. IUCN – (הארגון העולמי לשימור הטבע) – הוא ארגון בינ"ל שנוסד ב-1948 ומרכזו בגלנד, שוויץ וחברים בו ממשלות, ארגונים לא-ממשלתיים ומדענים. מטרתו להשפיע, לעודד ולסייע לחברות ברחבי העולם לשמר את היושרה והמגוון הטבעי ולהבטיח שכל שימוש במשאבי הטבע יהיה הולם ובר-קיימא מבחינה אקולוגית.

37. תפקידו להעריך אתרי טבע המועמדים לרשימת המורשת העולמית, לנטר את מצב השימור שלהם, לבחון בקשות לסיוע בין-לאומי של מדינות חברות ולספק תשומה ותמיכה בתוכניות לפיתוח הכשרה מקצועית.

ח. ארגונים אחרים

38. הוועדה יכולה לזמן ארגונים בין-לאומיים ולא-ממשלתיים אחרים בעלי יכולת ומומחיות מתאימה כדי לסייע ביישום התכניות והפרויקטים שלה.

ט. שותפים נוספים להגנה על המורשת העולמית

39. התפיסה המנחה היא, ששותפות למועמדות, לניהול ולניטור תורמת להגנה על אתרי המורשת העולמית וליישום האמנה.

40. שותפים בשימור ובהגנה על המורשת העולמית יכולים להיות אנשים פרטיים ובעלי עניין, ובייחוד קהילות מקומיות, ארגונים ממשלתיים/לא-ממשלתיים ובעלים פרטיים שיש להם אינטרס בשימור וניהול של אתרי מורשת עולמית.

י. אמנות, תכניות והמלצות אחרות

41. הוועדה למורשת עולמית מכירה ביתרון של תיאום פעולותיה עם תכניות ואמנות אחרות של אונסקו (להלן סעיף 44).

42. המרכז למורשת עולמית, בתמיכת המזכירות, יוודא שיש תיאום הולם וחלופי מידע בין הוועדה לבין אמנות, תכניות וארגונים בין-לאומיים הקשורים בשימור המורשת התרבותית והטבעית.

43. הוועדה יכולה להזמין נציגים של גופים בין-ממשלתיים, לפי אמנות רלוונטיות אלו, כמשקיפים לישיבותיה. המרכז למורשת עולמית יכול למנות נציג על-פי הזמנה כמשקיף בישיבות גופים בין-ממשלתיים אחרים.

44. **מבחר אמנות ותכניות הקשורות להגנה על מורשת עולמית**

אמנות ותכניות של אונסקו

- אמנת האג להגנה על אתר תרבות בעת סכסוך מזוין (1954)
  - פרוטוקול (I) 1954
  - פרוטוקול (II) 1999

http://www.unesco.org/culture/laws/hague/html_eng/page1.shtml

- האמנה למניעה ואיסור סחר, יבוא, יצוא, מעבר של אתרי תרבות (1970)
http://www.unesco.org/culture/laws/1970/html_eng/page1.shtml

- האמנה להגנה על מורשת תרבותית וטבעית (1972)
http://www.unesco.org/whc/world_he.htm

- האמנה להגנה על מורשת תת-ימית (2001)
http://www.unesco.org/culture/laws/underwater/html_eng/convention.shtml

- האמנה להגנה על מורשת לא-מוחשית (2003)
http://unesdoc.unesco.org/ culture

- תכנית האדם והביוספרה (MAB)
/http://www.unesco.org/mab

אמנות אחרות

- אמנה על אזורים לחים בעלי חשיבות בין-לאומית, ובייחוד לבתי גידול של ציפורי מים (רמסר) (1971)
http://www.ramsar.org/key_conv_e.htm

- אמנה לסחר בין-לאומי של מיני צמחייה וחיות בר בסכנת הכחדה (CITES) (1973)
http://www. unep.org

- אמנה לשימור מינים נודדים של חיות בר (1979) (CMS)
http://www. unep.org

- אמנת האו"ם למשפט הימי (1982) (UNCLOS)
http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm

- האמנה למגוון ביולוגי (1992) (CBD)
http://www.biodiv.org/convention/articles.asp

- אמנת UNIDROIT לחפצי תרבות גנובים או מיוצאים שלא כחוק (רומא, 1995)
http://www.unidroit.org/english/conventions/culturalproperty/c-cult.htm

- אמנת מסגרת הפעולה של האו"ם לשינויי אקלים (ניו-יורק, 1992)
http://unfccc.int/essential_background/convention/background/items/1350.php

פרק II. רשימת המורשת העולמית

א. הגדרת מורשת עולמית

45. מורשת תרבותית וטבעית מוגדרת בסעיפים 1 ו–2 של האמנה למורשת עולמית;

סעיף 1 "מורשת תרבותית"

מונומנטים: עבודות אדריכליות, יצירות מונומנטליות של פיסול וציור, אלמנטים של מבנים בעלי אופי ארכיאולוגי, כתובות, מגורי מערות ושילובים של מאפיינים, שיש להם ערך אוניברסלי יוצא מהכלל מבחינה היסטורית, אמנותית או מדעית.

קבוצות של מבנים: קבוצות של בניינים נפרדים או קשורים ביניהם בזכות ארכיטקטורה, הומוגניות או מקומם בנוף והם בעלי ערך אוניברסלי יוצא מהכלל מבחינה היסטורית, אמנותית או מדעית.

אתרים: יצירות אנושיות או יצירות משולבות של טבע ואדם, ואזורים הכוללים אתרים ארכיאולוגיים, בעלי ערך אוניברסלי יוצא מהכלל מנקודות מבט היסטורית, אסתטית, אתנולוגית או אנתרופולוגית.

סעיף 2 "מורשת טבעית"

מאפיינים טבעיים הכוללים תצורות פיזיות וביולוגיות או קבוצות של תצורות כאלה, בעלי ערך אוניברסלי יוצא מן הכלל מבחינה אסתטית או מדעית.

תצורות גאולוגיות ופיזיו–גאוגרפיות ואזורים מתוחמים היטב המהווים את בית–הגידול (הביטאט) של בעלי–חיים או צמחים בסכנת הכחדה ושיש להם ערך אוניברסלי יוצא מהכלל מבחינה מדעית או מבחינת השימור.

אתרים טבעיים או אזורים טבעיים מתוחמים במדויק בעלי ערך אוניברסלי יוצא מהכלל מבחינה מדעית, מבחינת השימור או מבחינת היופי הטבעי.

אתרים מעורבים – מורשת עולמית

46. אתרים מעורבים ייחשבו בעלי מאפיינים תרבותיים וטבעיים אם הם עונים הן על הגדרת התרבות והן על הגדרת הטבע לפי סעיפים 1 ו–2 של האמנה.

נופי תרבות

47. נופי תרבות הם אתרי תרבות המייצגים שילוב של עבודת טבע ובני אדם" עפ"י סעיף 1 של האמנה. הם מאפיינים את ההתפתחות של התיישבות האנושית על–פני זמן, תחת השפעה או אילוצים פיזיים ו/או הזדמנויות המייצגות כוחות חברתיים, כלכליים תרבותיים, פנימיים וחיצוניים של הסביבה הטבעית שלהן. (נספח 3).

מורשת ניידת

48. לא יובאו בחשבון מועמדויות של מורשת לא–ניידת שייהפכו לניידת.

"ערך אוניברסלי יוצא מהכלל"

49. "ערך אוניברסלי יוצא מהכלל" פירושו שהחשיבות התרבותית ו/או הטבעית מיוחדת כל-כך עד שהיא יוצאת וחורגת מהגבולות הלאומיים ושיש לה חשיבות הן לדור הזה והן לדורות הבאים של האנושות כולה. לפיכך, יש בהגנה קבועה על מורשת זו חשיבות עליונה לקהילה הבין-לאומית כולה. הוועדה מגדירה את הקריטריונים להכללת אתר ברשימת המורשת העולמית.

50. המדינות מוזמנות להגיש מועמדויות של המורשת התרבותית והטבעית שלהן, וזו צריכה להיות בעלת ערך אוניברסלי יוצא מהכלל כדי להרשם ברשימת מורשת עולמית.

51. בעת רישום אתר ברשימת המורשת העולמית, תסכים הוועדה על הצהרה בעניין הערך האוניברסלי היוצא מהכלל. שיהווה נקודת מוצא להגנה ולניהול עתידי ויעיל של האתר. (להלן סעיף 154)

52. האמנה אינה מיועדת לספק הגנה לכל האתרים בעלי חשיבות או ערך רב, אלא לאלו עם הגנה והם ברשימה נבחרת של האתרים החשובים ביותר מנקודת מבט בין-לאומית. אין להניח שאתר בעל חשיבות לאומית ו/או אזורית ייכלל אוטומטית ברשימת מורשת עולמית.

53. המועמדויות המוגשות לוועדה צריכות להוכיח מחויבות מלאה של המדינה החברה לשמר את המורשת האמורה במסגרת האמצעים העומדים לרשותה. ההוכחה תתבטא במדיניות מתאימה , בצעדים משפטיים, מדעיים, טכניים , מנהליים וכספיים שנקטים ומוצעים כדי להגן על האתר ועל ערכו האוניברסלי היוצא מהכלל.

ב. רשימה עולמית ייצוגית, מאוזנת ואמינה

http://whc.unesco.org
החלטת המפגש ה-26, בודפסט 2002.

54. הוועדה תדאג לבסס רשימה עולמית מאוזנת, ייצוגית ואמינה בהתאמה לארבע המטרות האסטרטגיות (ה-C4).

אסטרטגיה גלובלית לרשימה עולמית מייצגת, מאוזנת ואמינה

http://whc.unesco.org
החלטת המפגש ה-18, פוקט 1994.

55. האסטרטגיה הגלובלית מיועדת להגדיר ולמלא את הפערים שברשימה. אחת הדרכים היא לעודד מדינות לפתח ולהגיש רשימות טנטטיביות עפ"י ההנחיות (להלן סעיף 62) מועמדות של אתרים לרשימה העולמית. (הדוח נמצא באתר המרכז).

http://whc.unesco.org

56. מדינות חברות והארגונים היועצים מתבקשים לקחת חלק ביישום האסטרטגיה הגלובלית בתיאום עם מזכירות הוועדה ושותפים אחרים המארגנים מפגשים אזוריים ומחקרים משווים בנושא זה. תוצאות המפגשים והמחקרים יסייעו למדינות בהכנת רשימות טנטטיביות ומועמדויותיהם. (דוחות מפגשי מומחים ניתן לקרוא באתר המרכז).

57. ייעשו כל המאמצים לשמור על איזון סביר בין אתרי מורשת תרבותית לבין אתרי מורשת טבעית הנכללים ברשימה.

58. אין הגבלה פורמלית על מספר האתרים ברשימת מורשת עולמית.

אמצעים נוספים

59. כדי לקדם יצירת רשימת מורשת עולמית שתהיה מייצגת, מאוזנת ואמינה, הוועדה מזמינה את המדינות החברות לשקול אם המורשת התרבותית שלהן כבר מיוצגת היטב ברשימה ואם כך – להאט את קצב הגשתן של מועמדויות נוספות על ידי:

החלטת האספה הכללית ה–12, 1999.

א. צמצום מרצון של הגשת מועמדויות לפי תנאים שיוגדרו על–ידן;

ב. הצעה אך ורק של אתרים ששייכים לקטגוריות בעלות ייצוג חסר ברשימה;

ג. הגשה של מועמדות שלה קשר למועמדות שהגישה מדינה חברה שמורשתה אינה מיוצגת מספיק;

ד. החלטה מרצון לדחות הגשת מועמדויות חדשות.

60. הוועדה קוראת למדינות החברות שמורשתן היא בעלת "ערך אוניברסלי יוצא מהכלל" והן אינן מיוצגות די הצורך ברשימת המורשת העולמית לפעול למען;

החלטת האספה הכללית ה–12, 1999.

א. הענקת קדימות להכנת רשימות טנטטיביות ולהגשת מועמדויות;

ב. יזמה וגיבוש של שותפויות ברמה האזורית המבוססות על חילופי ידע ומומחיות טכניים;

ג. עידוד שיתוף פעולה בילטרלי ומולטי–לטרלי כדי לשפר את המומחיות ואת היכולת הטכנית של המוסדות האחראים להגנה, לשמירה, ולניהול של המורשת שלהן;

ד. השתתפות ככל האפשר בישיבות הוועדה למורשת עולמית.

61. הוועדה החליטה על בסיס זמני וניסויי להפעיל את המנגנון הבא.

החלטות המפגש ה–28 והמפגש ה–7 המיוחד.

א. לבחון שתי מועמדויות לכל מדינה שלפחות אחת מהן תהיה בתחום הטבע

ב. לקבוע מכסה שנתית של 45 מועמדויות להערכה כולל הפניות מחדש והפניות שנקבעו על–ידי ועדות שונות, הרחבות (למעט שינויים והתאמות מינוריים של האתר), אתרים חוצי גבולות ואתרים סדרתיים.

ג. סדר עדיפות בתהליך הבדיקה יהיה כדלקמן:

1. מועמדויות של מדינות ללא אתרים ברשימה העולמית
2. מועמדויות שמבטאות אתרים לא מיוצגים או מיוצגים פחות בקטגוריות טבע ותרבות
3. מועמדויות אחרות
4. סדר עדיפויות משני – על–פי תאריך קבלה והגשת מועמדות המוגדרת כ"מלאה" (complete) יהיה גורם קובע בתוך הקטגוריה של המכסה שקבעה הוועדה.

החלטה זו תיבחן בישיבה ה-31 (2007) של הוועדה.

ג. הרשימה הטנטטיבית

נוהל ותבנית

62. הרשימה הטנטטיבית היא מצאי של האתרים שנמצאים במדינה שראוי לשקול את מועמדותם לרשימה העולמית. מדינות תכלולנה ברשימתן את שמות האתרים הטבעיים או התרבותיים בעלי ערך אוניברסלי יוצא מהכלל שהן מתעתדות להגיש בשנים הבאות.

סעיפים 1, 2, ו- 11(א) באמנה.

63. מועמדויות תוגשנה רק אם הן נכללות ברשימה הטנטטיבית של המדינה החברה.

החלטת המפגש ה-24, קאירנס 2000.

64. המדינות החברות נקראות להכין את הרשימות הטנטטיביות שלהן ולשתף בעלי עניין, ובהם מנהלי אתר, ממשלות מקומיות ואזוריות, קהילות מקומיות, ארגונים לא-ממשלתיים וצדדים מעוניינים אחרים.

65. המדינות החברות צריכות להגיש את הרשימות הטנטטיביות שלהן – הן אינן חייבות להיחשב רשימות ממצות – למרכז למורשת העולמית, רצוי לפחות שנה אחת לפני הגשת מועמדות כלשהי. המדינות החברות נקראות לבחון מחדש ולהגיש מחדש את הרשימה הטנטטיבית שלהן לפחות בכל עשר שנים.

66. המדינות החברות מתבקשות להגיש את הרשימה הטנטטיבית שלהן ולהשתמש בתבנית הסטנדרטית (נספח 2), באנגלית, המכילה את שם האתרים ומקומם הגאוגרפי, תיאור קצר של האתרים וההצדקה לערכם האוניברסלי היוצא מהכלל.

67. העותק החתום המקורי של המועמדות יוגש בכתב ובפורמט אלקטרוני למרכז מורשת עולמית.

http://whc.unesco.org

68. אם סופק כל המידע, תירשם הרשימה הטנטטיבית במרכז למורשת עולמית ותועבר לידיעת הארגונים המייעצים. סיכום של כל הרשימות הטנטטיביות מוצג בכל שנה לוועדה. אם אתר ברשימה הטנטטיבית נרשם ברשימת המורשת העולמית, המרכז למורשת העולמית יעדכן את הרשומות בהתאם.

69. הרשימות הטנטטיביות נמצאות באתר המרכז.

החלטת המפגש ה-27, הלסינקי.

הרשימה הטנטטיבית ככלי לתכנון ולהערכה

70. הרשימות הטנטטיביות הן כלי חשוב לתכנון עבור המדינה החברה, המרכז למורשת עולמית, הארגונים המייעצים והוועדה למורשת עולמית, שכן הן משמשות אינדיקציה לאתרים שעשויים להיות מועמדים בשנים הבאות.

71. מדינות נקראות להשתמש בניתוח משווה של הרשימות הטנטטיביות שהוכן על-ידי הארגונים המייעצים והוועדה לזיהוי פערים ברשימה. ניתוח זה יאפשר למדינות להשוות בין נושאים, אזורים, קטגוריות גאו-תרבותיות וביו-גאוגרפיות לאתרים עתידיים.

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הערה: מחקרים תמטיים שונים מניתוח השוואתי הנדרש על ידי המדינה כחלק מהמועמדות.

.72 בנוסף, מדינות נקראות להשתמש במחקרים שהוכנו על-ידי הארגונים המייעצים (להלן סעיף 147). מחקרים אלו וכן דוחות של הרמוניזציה של רשימות טנטטיביות או מחקרים טכניים נוספים שנבדקו על-ידי הארגונים המייעצים. מידע ניתן לקבל באתר המרכז. (להלן סעיף 131).

.73 מדינות נקראות לבצע הרמוניזציה נושאית של הרשימה הטנטטיבית שלהן ברמה האזורית. זהו תהליך, בסיוע הארגונים המייעצים, המעריך את הפערים ברשימות ומזהה נושאים משותפים. תוצאות תהליך ההרמוניזציה עשויות לשפר את הרשימות הטנטטיביות ולהציע מועמדויות חדשות ולבנות שיתוף פעולה בין מדינות בהכנת מועמדויותיהן.

סיוע בפיתוח מיומנויות והכשרה למדינות החברות בהכנת הרשימות הטנטטיביות והמועמדויות

.74 כדי לתרום ליישום האסטרטגיה הכוללת, ייתכן שיהיה צורך בשיתוף פעולה בפיתוח מיומנויות ובהכשרה כדי לסייע למדינות החברות לרכוש ו/או לגבש מומחיות בהכנה, עדכון והתאמה של הרשימות הטנטטיביות ובהגשת המועמדויות.

.75 סיוע בין-לאומי ניתן למדינות המבקשות להכין, לעדכן ולבצע הרמוניזציה של הרשימות הטנטטיביות שלהן (להלן פרק VII).

החלטת המפגש ה-24 של הוועדה.

.76 הארגונים המייעצים והמרכז למורשת עולמית ינצלו את ההזדמנות של משלחות ההערכה למדינות החברות כדי לערוך סדנאות הכשרה אזוריות במטרה לסייע למדינות החברות ללמוד את שיטות ההכנה והעדכון של הרשימות הטנטטיביות והמועמדויות שלהן.

הערה: בזמנו הוצגו קריטריונים בשתי קטיגוריות - לתרבות (i-vi) ולטבע (i-iv). במפגש המיוחד ה-6 הוחלט להציג הקריטריונים ברצף i-x.

ד. הקריטריונים לערך אוניברסלי יוצא מהכלל

.77 אתר המועמד לרשימת המורשת העולמית יבחן על פי קריטריונים של הערך האוניברסלי היוצא מהכלל (סעיפים 49-53 לעיל) שלהלן:

i. מייצג יצירת מופת של הגאונות האנושית היצירתית;

ii. מבטא מפגש חשוב של ערכים אנושיים, על-פני טווח זמן או בתחום תרבותי של העולם הקשור להתפתחויות בארכיטקטורה או בטכנולוגיה, יצירות אמנות מונומנטליות, תכנון ערים או עיצוב נוף;

iii. מבטא עדות ייחודית או לפחות יוצאת דופן למסורת תרבותית או לתרבות חיה או נכחדת;

iv. מהווה דוגמה יוצאת מן הכלל של סוג בניין, מכלול אדריכלי, טכנולוגי, נוף המייצג שלב(ים) משמעותי(ים) בהיסטוריה האנושית;

v. מהווה דוגמה יוצאת מן הכלל של יישוב אנושי או שימוש מסורתי בקרקע או בים המייצג תרבות (או תרבויות) או אינטראקציה מעשה ידי אדם עם הסביבה, ובמיוחד אם מסורת זו פגיעה להשפעה משינוי בלתי-הפיך;

vi. בעל קשר ישיר או מוחשי לאירועים או למסורות, לרעיונות או לאמונות, ליצירות אמנותיות וספרותיות בעלות ערך אוניברסלי יוצא מהכלל (הוועדה קובעת שקריטריון זה אמור להצדיק הכללה ברשימה רק בנסיבות יוצאות מן הכלל ובשילוב קריטריונים תרבותיים או טבעיים אחרים);

vii. מכיל תופעות טבעיות מיוחדות או אזורים בעלי יופי טבעי יוצא דופן וחשיבות אסתטית;

viii. מבטא דוגמאות יוצאות דופן המייצגות שלב מרכזי בהיסטוריה של כדור הארץ, ובהן תיעוד תולדות החיים, תהליכים גאולוגיים משמעותיים של תצורות קרקע או מאפיינים גאו–מורפיים או פיזיוגרפיים משמעותיים;

ix. מבטא דוגמאות יוצאות דופן המייצגות תהליכים אקולוגיים וביולוגיים משמעותיים ומתמשכים באבולוציה ובהתפתחות של מערכות אקולוגיות יבשתיות, של מים מתוקים, בחוף ובים, ושל קהילות של צמחים ובעלי–חיים;

x. מכיל את בתי–הגידול (הביטאט) הטבעיים החשובים והמשמעותיים (in situ) של מגוון ביולוגי באתר, כולל מינים בסכנה בעלי ערך אוניברסלי יוצא מהכלל מנקודת מבט מדעית או של השימור.

78. כדי להיות מוגדר כאתר בעל ערך אוניברסלי יוצא מהכלל על האתר לעמוד גם בתנאים של יושרה דלמות ואותנטיות שיבטיחו מערכות הגנה, ממשק וניהול לאתר.

ה. אותנטיות (Authenticity) שלמות/יושרה (Integrity)

על האתרים המועמדים להכללה ברשימת מורשת עולמית לעמוד בתנאי ה–

אותנטיות (Authenticity)

79. **האתרים המועמדים על-פי קריטריונים i עד vi** – חייבים לעמוד במבחן האותנטיות. נספח 4 מספק בסיס פרקטי לבחינת האותנטיות של האתרים בעלי הערך התרבותי המועמדים לרשימת מורשת עולמית.

80. היכולת להבין את הערך המיוחס למורשת תלוי במידה שאפשר לראות במקורות המידע על ערך זה מקורות אמינים או נכונים. ידע והבנה של מקורות המידע הללו ביחס למאפיינים המקוריים של מורשת תרבותית ומשמעותם הם תנאי בסיסי להערכת כל היבטי האותנטיות.

81. הערכת הערך המיוחס למורשת תרבותית וכן אמינותם של מקורות המידע המיוחסים לו עשויים להשתנות מתרבות לתרבות ואפילו בתוך אותה תרבות עצמה. הכבוד הראוי לכל התרבויות דורש שהמורשת התרבותית תיבחן ותוערך בראש ובראשונה בתוך ההקשרים התרבותיים שהיא שייכת אליהם.

82. כפוף לטיבה של המורשת התרבותית ולהקשר התרבותי שלה, האתרים צריכים להיחשב אתרים שעומדים במבחן האותנטיות, אם ערכם התרבותי (כפי שהוכר בקריטריונים המוצעים למועמדות) בא לידי ביטוי אמיתי ואמין במגוון מאפיינים, ובהם:

- צורה ועיצוב;
- חומרים ומהות;

- שימוש ותפקוד;
- מסורות;
- טכניקות ושיטות ניהול;
- מקום והקשר;
- שפה וצורות אחרות של מורשת לא-מוחשית;
- רוח (spirit) או אווירה ותחושה (feeling); וכן
- מאפיינים פנימיים וחיצוניים אחרים.

.83 מאפיינים בני חלוף כגון רוח ותחושה אינם ניתנים ליישום קל של מבחן האותנטיות, אך עם זאת הם אינדיקטורים חשובים לאופי ולתחושה של המקום, למשל, בקהילות השומרות על מסורת ועל המשכיות תרבותית.

.84 השימוש בכל המקורות הללו מאפשר בחינה של הממדים האמנותיים, ההיסטוריים, החברתיים והמדעיים המיוחדים. ההגדרה של 'מקורות מידע' היא: כל המקורות הפיזיים, הכתובים, המועברים בעל-פה או המצוירים, שמאפשרים לעמוד על הטיב, המאפיינים הייחודיים, המשמעות וההיסטוריה של המורשת התרבותית.

.85 כאשר נבחנת האותנטיות בעת הכנת המועמדות לאתר, על המדינה החברה לזהות תחילה את כל המאפיינים הייחודיים של האותנטיות הניתנים להצגה. הצהרת האותנטיות צריכה אפוא להעריך את המידה שבה קיימת אותנטיות או את המידה שבה היא באה לידי ביטוי בכל אחד מהמאפיינים הייחודיים הללו.

.86 ביחס לאותנטיות, שחזור שרידים ארכיאולוגיים או מבנים היסטוריים או רבעים יהיה מוצדק רק בנסיבות חריגות. השחזור יהיה קביל רק על בסיס של תיעוד שלם ומפורט ובשום אופן לא יהיה מבוסס על השערות.

שלמות/יושרה (Integrity)

.87 כל האתרים המועמדים להכרזה ברשימה העולמית חייבים לענות על תנאי היושרה/השלמות ולעמוד בהם.

.88 השלמות/היושרה היא מדד של המורשת הטבעית ו/או התרבותית בעלת מאפיינים שלמים וללא דופי. לפיכך, בחינת התנאים ליושרה דורשת הערכה אם האתר:

א. כולל את כל האלמנטים הנחוצים כדי לבטא את ערכו האוניברסלי היוצא מהכלל;

ב. בגודל מתאים להבטיח ייצוג שלם של המאפיינים והתהליכים המבטאים את חשיבותו של האתר;

ג. נטול השפעות מזיקות של פיתוח ו/או הזנחה.

כל הנ"ל צריך להיות מוצג בהצהרת היושרה.

.89 **אתרים המועמדים לפי קריטריונים i עד vi** – מצבו של המארג הפיזי של האתר ו/או של מאפייניו הייחודיים צריך להיות טוב, ודרוש פיקוח על השפעת תהליכי ההידרדרות. ראוי לכלול יחס משמעותי של אלמנטים המבטאים את כוליות הערך שבא לידי ביטוי באתר. צריך לשמר ולאחזק גם את היחסים והפונקציות הדינמיות שבנופי תרבות, ערים היסטוריות או אתרי מגורים אחרים החיוניים לאופיים הייחודי.

הערה: דוגמאות ליישום תנאי היושרה לאתרים המועמדים לפי קריטריונים i עד vi נמצאות בשלבי פיתוח.

90. **אתרים המועמדים לפי קריטריונים vii עד x** – התהליכים הביו-פיזיים ומאפייני הקרקע צריכים להיות שלמים יחסית. עם זה, ברור ששום אזור אינו בתולי לחלוטין ושמצבם של כל אזורי הטבע דינמי, ובמידה מסוימת יש בהם מגע עם אנשים. פעילויות אנושיות, ובהן פעילויות של חברות מסורתיות וקהילות מקומיות המתרחשות לעתים קרובות באזורי הטבע. פעילויות אלו עשויות לעלות בקנה אחד עם הערך האוניברסלי היוצא מהכלל של האזור, אם הן בנות-קיימא מבחינה אקולוגית.

91. **בנוסף, לאתרים המועמדים לפי קריטריונים vii עד x** – הוגדר תנאי מקביל של שלמות/יושרה לכל קריטריון.

92. **אתרים המוצעים על-פי קריטריון vii** – צריכים להיות בעלי ערך אוניברסלי יוצא מהכלל ולכלול אזורים החיוניים לשמירת יופיו של האתר. לדוגמה, אתר שערכי הנוף שלו תלויים במפל מים, צריך לכלול אגני איסוף סמוכים ואזורים במורד הזרם הקשורים קשר אינטגרלי לשימור הערכים האסתטיים של האתר.

93. **אתרים המוצעים לפי קריטריון viii** – צריכים להכיל את כל או את מרבית האלמנטים החשובים של סביבה זו הקשורים והתלויים זה בזה; כך למשל, אזור של 'עידן הקרח' צריך לכלול שדה שלג, את הקרחון עצמו ודוגמאות של דפוסי חיתוך, השקעה ואכלוס (כגון, שכבות, סחופת קרחונים, שלבים חלוציים של תחלופת צמחים וכו'); אשר להרי געש, הסדרה המגמטית צריכה להיות שלמה ולכלול ייצוג של כל (או כמעט כל) סוגי הסלעים הנוצרים בפעילות געשית וסוגי ההתפרצויות הגעשיות.

94. **אתרים המוצעים לפי קריטריון ix** – יהיו גדולים מספיק ויכילו את האלמנטים הדרושים כדי להדגים היבטים חשובים של תהליכים חיוניים לשימור ארוך-טווח של המערכות האקולוגיות והמגוון הביולוגי הכלול בהן; כך למשל, אזור של יער גשם טרופי צריך לכלול מידה מסוימת של שונות בגובה מעל פני הים, שינויים בטופוגרפיה וסוגי קרקעות, מערכות טלאים וכן טלאים המחדשים עצמם כדרך הטבע; כך גם שונית אלמוגים צריכה לכלול למשל עשב ים, מנגרובים או מערכות אקולוגיות סמוכות אחרות המווסתות את קלט חומרי ההזנה והמשקעים המגיעים אל השונית.

95. **אתרים המוצעים לפי קריטריון x** – צריכים להיות האתרים החשובים ביותר לשימור המגוון הביולוגי. רק אתרים מגוונים ביותר מבחינה ביולוגית ו/או ייצוגיים יכולים לעמוד בקריטריון זה. האתרים אמורים לכלול בתי-גידול לשמירה על מגוון בעלי החיים והצמחים הגדול ביותר המאפיין את המחוז הביו-גאוגרפי ואת המערכות האקולוגיות שבהן מדובר; כך למשל, סוואנה טרופית אמורה לכלול מערך שלם של אוכלי עשב וצמחים שהתפתחו יחדיו; מערכת אקולוגית של אי כלשהו חייבת לכלול בתי-גידול לשמירה על בעלי החיים האנדמיים. אתר המכיל זנים רבים של בעלי חיים חייב להיות גדול דיו כדי לכלול את בתי-הגידול החשובים ביותר החיוניים להבטיח את הישרדותן של אוכלוסיות גדולות מספיק של זנים אלו. באזור המכיל זנים נודדים צריך להגן כראוי על אתרי הרבייה והקינון העונתיים ועל נתיבי הנדידה; בכל מקום שבו הם קיימים הם צריכים להיות מוגנים כהלכה.

ו. הגנה, ניהול וממשק

96. הגנה וניהול של אתרי מורשת עולמית מטרתם לשמר את ערכם האוניברסלי היוצא מהכלל, האותנטיות והיושרה/השלמות, כפי שנקבע בהגשת המועמדות.

97. לכל האתרים הרשומים ברשימת מורשת עולמית צריך להיות ניהול הולם לטווח ארוך מבחינה חוקית, מנהלית ומוסדית ו/או הגנה מסורתית כדי להבטיח את שלומו של האתר. הגנה זו צריכה לכלול גבולות שנקבעו כראוי. כמו כן, על המדינות להשתמש באמצעי הגנה הולמים ברמה הארצית, האזורית, המוניציפלית ו/או המסורתית כדי להגן על האתר המועמד. עליהן לצרף את הטקסטים המתאימים למועמדות ובהם הסבר ברור על האופן שבו הגנה זו פועלת כדי להגן על האתר.

אמצעי הגנה, תקנות וחקיקה

98. על מדינות לקבוע אמצעי הגנה וחקיקה, ברמות הלאומית והמקומית להבטחת הישרדות של אתרים ולהגן עליהם מפני כל שינוי, בעל השפעה שלילית, על ערכם האוניברסלי היוצא מהכלל, היושרה והאותנטיות שלהם. המדינות נדרשות ליישם במלואם את האמצעים האלו.

גבולות יעילים להגנה

99. הגדרת הגבולות היא תנאי הכרחי לביסוס הגנה יעילה לשמירה על האתרים. הגבולות צריכים להבטיח שהערך האוניברסלי היוצא מהכלל, היושרה/השלמות והאותנטיות של האתר ישמרו.

100. **גבולות לאתרים מועמדים לפי קריטריונים i עד vi** – יכללו את כל האזור והמאפיינים שיש להם קשר וביטוי מוחשי לערכם האוניברסלי היוצא מהכלל של האתר וכן אזורים פוטנציאליים שעשויים בעתיד לתרום לקידום הגנה זו.

101. **באתרים המוצעים לפי קריטריונים vii עד x** – על הגבולות לשקף את הדרישה המרחבית של התופעות, בתי הגידול, המינים והתהליכים אשר מהווים בסיס לרישומם ברשימת המורשת העולמית. הגבולות יכללו שטחים מספיקים הסמוכים לערך האוניברסלי היוצא מהכלל של האתר כדי להגן על ערכי המורשת מפני השפעה ישירה של פעולות בני אדם מחוץ לאזור המוכרז.

102. גבולות האתר המועמד יכולים לחפוף לגבולותיו של אזור מוגן אחד או יותר או של אזור מוצע להגנה, כגון פארקים לאומיים, שמורות ביו-ספריות, או מתחמים היסטוריים מוגנים. אזור שיש לו הגנה או שמוצעת לו הגנה יכול להכיל כמה אזורי ניהול, אך אפשר שרק כמה מאזורים אלו יעמדו בקריטריונים לרישום.

אזורי חיץ

103. לכל אתר יוגדר אזור חיץ ככל שיידרש, לצורך שמירה על שימור האתר.

104. לצורך שימור הולם של האתר, צריך לדאוג לאזור חיץ מתאים ורלוונטי סביב האתר ולספק לו את ההגנה הנחוצה. זהו השטח הסובב את האתר שהוטלו עליו מגבלות שימוש על מנת לספק לאתר שכבת הגנה נוספת. אזור זה צריך לכלול את הסביבה המיידית של האתר ונקודות תצפית חשובות. לצורך קביעת התחום המרכיב את אזור החיץ צריך להשתמש במנגנונים מתאימים. הפרטים בעניין הגודל, המאפיינים והשימושים המורשים באזור החיץ וכן מפה המציינת את גבולותיו המדויקים של האזור יוגשו בתיק המועמדות.

105. יש לספק הסבר ברור כיצד אזור החיץ מגן על האתר.

106. אם אין הצעה לאזור חיץ, על המועמדות לכלול תצהיר המפרט מדוע לא נדרש אזור חיץ לשם שימור נאות של האתר המועמד.

107. למרות שאזור החיץ אינו חלק מההכרזה תרומתו לשמירת האתר תיבחן על-ידי הוועדה. כל שינוי בו לאחר ההכרזה דורשת אישור הוועדה.

מערכת (מנגנון) ממשק וניהול

108. לכל אתר דרוש מנגנון ניהול מתאים או מערכת ניהול אחרת אשר תגדיר בבירור כיצד הערך האוניברסלי היוצא מהכלל של האתר נשמר, גם על-ידי מעורבות קהילתית.

109. מטרת הממשק/ הניהול להבטיח הגנה יעילה על האזור המוצע לדורות הבאים.

110. מנגנון ניהול/ ממשק יעילה תלוי במאפיינים והצרכים של האתר המוצע בקונטקסט התרבותי או המדעי שלו. תכניות יותאמו לפרספקטיבה התרבותית ולמשאבים הקיימים. תכנית כזו עשויה לכלול שמירה מסורתית וכלים משפטיים.

111. מתוך הכרה של השונות הרבה בתכניות ניהול/ממשק ראוי שיכללו בהן המרכיבים הבאים:

א. הסכמה בסיסית של כל בעלי העניין

ב. מחזור תכנון, יישום , ניטור, הערכה ומשוב

ג. מעורבות של כל השותפים ובעלי העניין

ד. הקצאת משאבים נדרשים

ה. הכשרת כוח אדם מקצועי

ו. תיאור שקוף ואחראי של תפקוד המנגנון

112. מנגנון ניהול/ ממשק יעיל כולל מחזור ארוך-טווח ויום-יומי של פעולות להגנה, שימור והצגה של האתר.

113. בנוסף, בקונטקסט של יישום האמנה, נבנו מערך ניטור יזום (להלן פרק IV) ומערך דיווח תקופתי (להלן פרק V).

114. אם מדובר באתר סדרתי (Serial), נחוץ גם מנגנון ניהול שיתאם את הפעילויות בין האלמנטים השונים שבהן. בעת הצגת המועמדות, על המדינה החברה להסביר את דרך הפעולה היעילה של מנגנוני הניהול, מערכות ההגנה ובקרות התכנון הללו וכן של המשאבים הקיימים ליישומם. (להלן סעיפים 137-139)

115. בנסיבות מסוימות (נספח 5), ייתכן שלא תהיה תכנית ניהול או מערכת ניהול אחרת בעת הצגת מועמדות של אתר לשיקול הוועדה למורשת עולמית. במקרה כזה, על המדינה החברה האמורה לציין מתי תיושם תכנית ניהול או מערכת ניהול אחרת וכיצד המדינה מציעה לגייס את המשאבים הדרושים כדי להכין וליישם את תכנית הניהול או את מערכת הניהול החדשה. על המדינה לספק תיעוד ותכניות פעולה שינחו את ניהול האתר עד לסיום תכנית הממשק.

116. כאשר האיכויות החשובות של אתר נתונות בסכנה בגין פעולות בני אדם ועדיין מתקיימים הקריטריונים ותנאי האותנטיות והיושרה/שלמות (סעיפים 95–78 לעיל), תוכן תכנית פעולה המתארת אילו אמצעים נדרשים לתיקון שיתבקש עם המועמדות. אם המדינה לא תבצע את התכנית בזמן שהתחייבה לו, האתר יהיה מועמד להסרה מהרשימה העולמית על–פי הנוהל. (להלן פרק IV ג)

117. מדינות אחראיות ליישום תכנית ניהול/ ממשק יעילה לאתר מורשת עולמית. הן תעשינה זאת בתיאום עם מנהלי האתר, הרשויות או כל שותף ובעל עניין באתר.

118. הוועדה קוראת למדינות לכלול במערכת הממשק/הניהול תכנית היתכנות לסיכונים, כולל תכנית הכשרה לכוח אדם מתאים.

החלטת המפגש ה–28 של הוועדה.

שימוש בר–קיימא

119. אתרי מורשת עולמית יסייעו לתמוך בשימושים אקולוגיים ותרבותיים ברי–קיימא. מדינות ושותפים אחרים חייבים להבטיח ששימושים ברי–קיימא שלא יפגעו בערך האוניברסלי היוצא מהכלל, באותנטיות וביושרה/שלמות של האתר. נוסף על כך, כל השימושים התרבותיים/ אקולוגיים חייבים לעמוד בכללים של קיימות. באתרים מסוימים פעילות אנושית לא תהיה מתאימה.

פרק III. תהליך הכרזה של אתרים ברשימת המורשת העולמית

א. הכנת המועמדות

120. מסמך המועמדות הוא הבסיס שעל-פיו הוועדה שוקלת רישום אתר ברשימת המורשת העולמית. עליו לכלול את כל המידע הרלוונטי וכן התייחסות למקורות המידע.

121. הנחיות למדינות חברות כיצד להכין מועמדות של אתרים (להלן נספח 3).

122. לפני שהמדינות תכננה מועמדות, עליהן להכיר את לוח הזמנים להגשתן (להלן סעיף 168).

123. מעורבות הקהילה בתהליך הכרחית כדי לאפשר חלוקת אחריות עם המדינה באחזקת האתר. מדינות צריכות לעודד השתתפות כל בעלי עניין, רשויות מקומיות ואזוריות, ארגונים לא-ממשלתיים, קהילות ומנהלי אתר בתהליך.

124. מדינות יכולות לבקש סיוע בהכנת מועמדויות (להלן פרק VII ג).

125. מדינות נקראות להסתייע במזכירות בתהליך ההכנה.

126. המזכירות תספק:

א. סיוע בזיהוי, מיפוי, צילום אתרים ובשיתוף פעולה עם סוכנויות לאומיות

ב. דוגמאות מוצלחות של מועמדויות, תכניות ממשק ואמצעי חקיקה.

ג. הדרכה להגשת מועמדות של אתרים שונים כגון; נופי תרבות, ערים, תעלות ודרכים היסטוריות (להלן נספח 3)

ד. הדרכה בהגשת מועמדות סדרתית וחוצה גבולות (להלן סעיפים 134-139)

127. מדינות יכולות להגיש למזכירות טיוטת מועמדות עד 30/9 בכל שנה ללא כל מחויבות. (להלן סעיף 168)

128. מועמדויות אפשר להגיש לאורך כל השנה אבל רק אלו שיוגדרו "מלאות" (complete) (להלן סעיף 132), **ושיוגשו עד 1 בפברואר** כל שנה יישקלו על-ידי הוועדה בשנה שלאחריה. רק מועמדויות ברשימה הטנטטיבית ייבחנו על-ידי הוועדה (סעיף 63 לעיל).

ב. תוכן ותבנית של המועמדות

129. על המדינות החברות להשתמש בתבנית הגשת מועמדות לרישום אתרים ברשימת המורשת העולמית. (להלן נספח 5).

130. התבנית להגשת מועמדות לרישום אתרים ברשימת המורשת העולמית כוללת 9 פרקים ו–3 דרישות טכניות:

תבנית:
1. זיהוי האתר
2. תיאור האתר
3. ההצדקה להכרזה
4. מצב השימור וגורמים המשפיעים על האתר
5. הגנה, ניהול וממשק
6. ניטור
7. תיעוד
8. אנשי קשר לאתר
9. חתימה בשם המדינה החברה

דרישות טכניות:
10. מספר עותקים נדרש
11. פורמט הגשה אלקטרוני
12. הגשה

131. המועמדויות נבדקות על–פי תוכנן בלבד.

132. כדי שמועמדות תיחשב 'מלאה', צריך לעמוד בדרישות הבאות:

1. זיהוי האתר

גבולות האתר צריכים להיות מוגדרים בבירור וצריך להפריד בין **הליבה** (אזור ההכרזה) לבין **אזורי החיץ** (כשישנם כאלה). המפות צריכות להיות מפורטות דיין כדי לאפשר לוועדה לקבוע בעתיד בקלות אם פעילות מוצעת היא בתוך גבולות האתר או מחוצה להם (סעיפים 103–107 לעיל). יש לצרף מפות טופוגרפיות רשמיות של המדינה החברה, אם ישנן כאלה, כדי להראות את גבולות האתר. המועמדות לא תיחשב 'מלאה' אם אין היא כוללת גבולות מוגדרים בבירור.

2. תיאור האתר

תיאור האתר צריך להתאים לזיהוי האתר המפורט, ההיסטוריה וההתפתחות. כל המרכיבים הממופים יזוהו ויתוארו במיוחד אם מדובר במועמדות סדרתית, יתואר כל אחד מהמרכיבים בבהירות. **ההיסטוריה וההתפתחות** של האתר צריכות לתאר כיצד הגיע האתר לצורתו הנוכחית ומה השינויים העיקריים שחלו בו. המידע צריך לכלול גם את העובדות החשובות הנחוצות כדי לתמוך בטענה שהאתר עומד בקריטריונים של ערך אוניברסלי יוצא מהכלל ובתנאי האותנטיות והיושרה/השלמות.

3. ההצדקה להכרזה

יש להתייחס **לקריטריונים** של המורשת העולמית (סעיף 77 לעיל) שלפיהם האתר מוצע וכן הסבר ברור לכל קריטריון. הצהרה בדבר הערך האוניברסלי היוצא מהכלל צריכה להבהיר מדוע האתר נחשב ראוי להיכלל **ברשימת המורשת העולמית** (סעיפים 49–55 לעיל; ולהלן 155). יש לספק **ניתוח השוואתי בינ"ל** של האתר בהשוואה לאתרים דומים, אם הם מופיעים או לא ברשימה העולמית. יש לכלול **הצהרה בדבר האותנטיות והשלמות/היושרה** ולהראות כיצד האתר עומד בקריטריונים (סעיפים 78–95 לעיל).

החלטת המפגש המיוחד ה–7 של הוועדה. הערה: הניתוח ההשוואתי של אתר המוצע על ידי המדינה אינו דומה למחקרים תמטיים של הארגונים המייעצים לוועדה (להלן סעיף 148).

4. מצב השימור וגורמים המשפיעים על האתר

יש לספק מידע מדויק על **מצב השימור** (כולל מידע על המצב הפיזי של האתר ואמצעי השימור במקום). בפועל, יש לכלול תיאור של **גורמים המשפיעים על האתר**. המידע יתייחס לנתונים בסיסיים הדרושים לניטור מצב השימור של האתר המוצע.

5. הגנה, ניהול וממשק

הגנה: יש לפרט את החקיקה, הכללים והתקנות הרלוונטיים והאמצעים להגנה על האתר, לספק ניתוח מפורט אשר לאופן שבו החקיקה לצורכי הגנה פועלת הלכה למעשה. ניתוח כזה עדיף מהצגת רשימה או אוסף של הטקסטים המשפטיים עצמם. צריך לצרף גם את הטקסטים המשפטיים או את תמציות הטקסטים **(באנגלית)**.

ניהול: חייבת להיות תכנית ניהול מתאימה או מערכת ניהול אחרת (כולל הגנה מסורתית), וצריך לפרט אותה בבירור במועמדות. על התכנית להבטיח יישום יעיל של הניהול או של מערכת הניהול.

יש לצרף נספח **באנגלית** של תכנית הניהול או של מערכת ניהול אחרת למועמדות.

יש להציג ניתוח מפורט של תכנית הממשק או של מנגנון ניהול מתועד.

אם לאתר אין תכנית ניהול או מערכת ניהול אחרת, המועמדות לא תיחשב מלאה עד להגשת המסמך הרלוונטי (סעיף 115 לעיל).

6. ניטור

על המדינות החברות לכלול אינדיקטורים בסיסיים להערכת מצב שימור האתר, הגורמים המשפיעים, אמצעי השימור, לציין את פרקי הזמן לבדיקתם ולזהות מי הגופים האחראים לכך.

7. תיעוד

יש לצרף תיעוד וספרות מקצועית לתמיכה במועמדות; וכן הרשאה להשתמש בשקופיות 35 מ"מ, בתמונות ובתצלומים, כדי לאפשר פרסום ההמחשות החזותיות הנחוצות ב-CDROM.

8. אנשי קשר

מידע זה יאפשר למרכז למורשת עולמית לספק לגופים האחראים מידע עדכני.

9. חתימה בשם המדינה החברה

בקשת המועמדות תוחתם בחותמת מטעם המדינה החברה - הוועד הישראלי לאונסקו.

10. מספר עותקים נדרש

- מועמדויות של אתרי תרבות – 10
- מועמדויות של אתרי טבע – 10
- מועמדויות של אתרים מעורבים / נופי תרבות – 10
- עותק כתוב לא כרוך יוגש לצורך צילום – 1

11. פורמט הגשה אלקטרוני

המועמדות מוגשת הן בפורמט כתוב והן בפורמט אלקטרוני CDROM (10 עותקים)

12. הגשה

מועמדות חתומה תוגש על-ידי הוועד הישראלי לאונסקו למרכז למורשת עולמית של אונסקו בפריז עד 1 **לפברואר בכל שנה**.

133. מזכירות המרכז למורשת עולמית תדאג לשמור את כל המסמכים והנספחים של המועמדות שהוגשה.

ג. הדרישות להכרזת אתרים שונים

מועמדויות חוצות גבולות (Transboundry).

134. מועמדות כזו תוגש כאשר היא;

א. בטריטוריה של מדינה אחת

ב. בטריטוריה של מדינות שונות

135. בכל המקרים שבהם אתר תרבותי ו/או טבעי משתרע מעבר לגבולות הלאום, המדינות החברות נקראות להגיש מועמדות חוצה גבולות משותפת. על המדינות החברות האמורות להכין ולהגיש במשותף מועמדות חוצה גבולות. מומלץ מאוד שהמדינות החברות האמורות יקימו ועדת ניהול משותפת או גוף דומה שיפקח על האתר חוצה הגבולות כולו. אפשר להציע הרחבות של אתרים קיימים כדי להגדירם כאתרים חוצי גבולות.

(סעיף 11 (ג) באמנה)

136. הרחבות (extnsions) לאתר מורשת עולמית קיים הממוקם במדינה אחרת אפשר להציע כמועמדות חוצת-גבולות.

מועמדויות סדרתיות (Serial)

137. אתרים סדרתיים יכללו מרכיבים השייכים ל-

א. אותה קבוצה היסטורית-תרבותית

ב. אותו סוג אתר המאפיין את האזור הגאוגרפי

ג. אותה תצורה גאולוגית-גאומורפולוגית, לאותו תחום ביו-גאוגרפי או לאותה מערכת אקולוגית

ובתנאי **שהסדרה כולה**, ולא בהכרח כל אחד ממרכיביה בנפרד, היא בעלת ערך אוניברסלי יוצא מהכלל.

138. מועמדות סדרתית של אתר תוגש כאשר היא;

א. בטריטוריה הנמצאת במדינה אחת. **כ-סדרה לאומית** - Nationai Serial

ב. בטריטוריה של מדינות שונות אשר אין להן קשר פיזי משיק אך תוגש בהסכמת כל המדינות - **סדרה על-לאומית** - Transnationai Serial

139. המדינות החברות יכולות להגיש מועמדות לאתר חוצה גבולות בשלבים. המועמדויות בשלבים יתקבלו, אם המדינות החברות יכולות לספק הסבר לוועדה למורשת עולמית בעת הגשת המועמדות הראשונית, שהאתר הראשון במועמדות הוא בעל ערך אוניברסלי יוצא מהכלל בזכות עצמו. על מדינות המתכננות להגיש מועמדויות כאילו, ליידע את הוועדה כדי לאפשר הכנת הצהרת מועמדות - Nomination Statement.

ד. רישום המועמדות

140. המזכירות מאשרת קבלת מועמדויות מהמדינות החברות, בודקת אם הן שלמות – complete ורושמת אותן. המזכירות תעביר את המועמדויות המלאות לארגונים המייעצים הרלוונטיים. המזכירות תבקש מהמדינה מידע נוסף, עפ"י דרישת הארגונים המייעצים. לו"ז של תהליך המועמדות (להלן סעיף 168)

141. המזכירות תכין ותגיש לכל מפגש של הוועדה רשימה של כל המועמדויות שהתקבלו (כולל תאריכי קבלה) תוך ציון אם הן שלמות או לא. (סעיף 132 לעיל)

142. מחזור הגשת המועמדויות עד לדיון הוועדה **יימשך כ-18 חודש, מ-1 בפברואר בשנה מסוימת עד 1 ביוני בשנה שלאחריה**.

ה. הערכת המועמדות על-ידי הארגונים המייעצים

143. ההערכה אם האתרים שהמדינות הגישו את מועמדותם עומדים בקריטריונים ובמבחן האותנטיות ו/או היושרה/השלמות וממלאים את הדרישות המשפטיות ודרישות ההגנה והניהול תיעשה בידי הארגונים המייעצים. (להלן נספח 6).

144. ICOMOS יעריך אתרי תרבות. http://whc.icomos.org

145. IUCN יעריך אתרי טבע. http://whc.iucn.org

146. אשר למועמדויות אתרים בקטגוריית 'נופי תרבות', את ההערכה תעשה כנדרש ICOMOS בהתייעצות עם IUCN. אשר לאתרי תרבות וטבע "מעורבים", ICOMOS ו-IUCN יעריכו במשותף.

147. לפי בקשת הוועדה למורשת עולמית או לפי הצורך, יבצעו ICOMOS ו-IUCN מחקרים נושאיים השוואתיים כדי להעריך בהקשר האזורי, העולמי או הנושאי את אתרי המורשת המוצעים. מחקרים אלו צריכים להסתמך על בחינת הרשימות הטנטטיביות שהגישו המדינות החברות ועל דוחות בעניין הרמוניזציה של הרשימות הטנטטיביות וכן על מחקרים טכניים שעשו הארגונים המייעצים וארגונים ויחידים ברי-סמכא. רשימה של המחקרים שכבר הושלמו נמצאת באתרי הארגונים המייעצים. **אין לבלבל מחקרים אלו עם הניתוח ההשוואתי** שיכינו המדינות החברות על פי התבנית להגשת מועמדות אתרים לרשימת המורשת העולמית (סעיף 132לעיל ולהלן נספח 3).

148. העקרונות הבאים ינחו את ההערכות והמצגות של איקומוס ו-IUCN.

א. להיצמד לאמנה ולהנחיותיה ולמדיניות הוועדה והחלטותיה;

ב. להיות אובייקטיביים וקפדנים ככל האפשר בהערכה;

ג. לבצע הערכה שיטתית ומקצועית;

ד. להקפיד על תבנית ההערכה וההצגה, בהסכמה עם המזכירות, כולל שם המערך בשטח;

ה. להגיש הערות והמלצות על האותנטיות, הערך האוניברסלי היוצא מהכלל ו/או היושרה/השלמות, ועל התנאים המשפטיים והניהוליים להגנת כל אתר;

ו. להעריך כל אתר, לרבות מצב השימור שלו, עפ"י הקריטריונים **ובהשוואה** לאתרים אחרים מסוג זה, הן בתוך גבולותיה של המדינה מגישת המועמדות והן מחוצה לה;

ז. להתייחס להחלטות ולדרישות של הוועדה;

ח. לא יתקבל מידע נוסף ממדינה חברה **אחרי 31 למרס** בשנת הבדיקה. המדינה תקבל הודעה אם התקבל מידע לאחר תאריך זה שלא הובא בחשבון. לוח זמנים זה ייאכף בקפדנות;

ט. לספק הצדקה להבהרות או מידע נוסף הנדרש בעזרת הערות וספרות ובתמיכה של מקורות מחקריים.

149. הגופים המייעצים נדרשים להעביר למדינה עד **31 לינואר** כל שנה שאלות, בקשות להבהרה או כל מידע לאחר ביצוע ההערכה על ידם.

150. המדינות בעלות העניין מוזמנות, עד שני ימים לפני פתיחת דיוני הוועדה,לשלוח ליו"ר מכתב, וכן עותקים לארגונים המייעצים, ולציין טעויות בהצגת עובדות בהערכת המועמדות שלהן שנעשתה על-ידי הארגונים המייעצים. מכתב זה יופץ לכל חברי הוועדה ויוקרא בדיון במהלך ההצגות וההערכות.

151. המלצות איקומוס ואיוסיאן תהיינה כדלקמן:

א. **להמליץ על אתר לרישום** והכרזה ללא הסתייגות

ב. **לא להמליץ על האתר**

ג. **להפנות מחדש למדינה או לדחות להמשך טיפול**

ו. משיכת המועמדות

152. מדינה חברה יכולה למשוך את המועמדות שהוגשה בכל זמן לפני מפגש הוועדה שנועד לבחון אותה. המדינה תיידע את המזכירות על כוונתה זו. אם תעשה זאת, תיחשב המועמדות כחדשה במחזור הבא (להלן סעיף 168).

ז. החלטות הוועדה למורשת עולמית

153. הוועדה יכולה להחליט לכלול את המועמדויות ברשימת מורשת עולמית, להפנותן חזרה, לדחות את מועד ההחלטה בעניינן או לא לכלול אותן ברשימה.

הכרזה (Inscribed)

154. עם קבלת החלטת הוועדה, על-פי המלצת הארגונים המייעצים, לרשום אתר ברשימת מורשת עולמית (תוך הצדקת המועמדות), תאמץ הוועדה הודעה כתובה על ערכו האוניברסלי היוצא מהכלל של האתר.

155. בהודעה על הערך האוניברסלי היוצא מהכלל תופיע תמצית של החלטת הוועדה על ערכו האוניברסלי היוצא מהכלל של האתר. כמו כן ההודעה תציין את הקריטריונים שלפיהם נכלל האתר ברשימה ואת הערכת האותנטיות או היושרה/השלמות של האתר

ושל מנגנוני הניהול. ההצהרה על הערך האוניברסלי היוצא מהכלל צריכה, בעתיד, לשמש בסיס לניהול האתר ולהגנה עליו.

156. בזמן ההכרזה ייתכן שהוועדה תמליץ המלצות נוספות על ערכו של האתר, ניהולו וההגנה עליו.

157. הוועדה תציג בדוחותיה ובפרסומיה הצהרה על הערך האוניברסלי היוצא מהכלל ותפרט את הקריטריונים שלפיהם אתר מסוים נכלל ברשימת המורשת העולמית.

דחייה (Not to Inscribe)

158. אם הוועדה מחליטה שאתר מסוים לא ייכלל ברשימת המורשת העולמית, אין אפשרות להגיש את מועמדותו שוב, אלא בנסיבות חריגות. נסיבות חריגות אלו ייתייחסו לגילויים חדשים או מידע מדעי חדש על אודות האתר או מועמדות חדשה המסתמכת על קריטריונים אחרים, קריטריונים שלא הוצגו בהצעת המועמדות המקורית. במקרים אלו ייחשבו האתר והמידע המהותי החדש למועמדות חדשה.

הפניה (Referral)

159. הוועדה עשויה להפנות חזרה את המועמדות למדינה החברה שהגישה אותה לשם תיקונים קלים או לצורך קבלת מידע נוסף. במקרה כזה, על המדינה להציג שוב את המועמדות לוועדה בשנה שלאחר מכן, **לא יאוחר מ-1 בפברואר**, וזו תעבירה לארגונים המייעצים במועד. מועמדות שהופנתה חזרה ולא הוגשה לוועדה בתוך שלוש שנים מהחלטת הוועדה המקורית, אם תוגש לעיון מחודש, תיחשב למועמדות חדשה. אם הוועדה מחליטה שבקשתה של המדינה צריכה להיכתב לגמרי מחדש, אפשר שתדחה את מועד ההחלטה בעניין המועמדות ותבקש מהמדינה החברה לתקן את הצעת המועמדות ולהגישה מחדש. במקרה זה תיחשב המועמדות למועמדות חדשה. (להלן סעיף 168).

הפניה מחדש (Deferral)

160. הוועדה רשאית להחליט על החזרת המועמדות למדינה לצורך בדיקה מעמיקה או שינויים משמעותיים. אם תחליט המדינה להגיש אותה שוב, עליה לעשות זאת **עד 1 לפברואר בכל שנה**. מועמדויות כאלו יוערכו על-ידי הארגונים המייעצים במחזור הבא. (להלן סעיף 168)

ח. הגשת מועמדות בהליך חירום

161. לוח הזמנים הרגיל והגדרת מועמדות מלאה במה שקשור בהגשת מועמדויות ובבחינתן לא יחולו על אתרים, אשר לדעת הוועדה, ולאחר התייעצות עם הארגון המייעץ הרלוונטי, יעמדו **בלא כל ספק בקריטריונים** להכללתם ברשימת המורשת העולמית, ואשר ניזוקו או עומדים בפני סכנות חמורות וספציפיות בגין אירועי טבע או פעולות אנוש. מועמדויות כאלו ייבחנו בתהליך חירום, ואם יעמדו בקריטריונים, הן עשויות להירשם הן ברשימת המורשת העולמית והן ברשימת מורשת עולמית בסיכון. (להלן סעיפים 191-177)

162. נוהל חירום לבחינת מועמדויות יהיה כדלקמן:

א. מדינה חברה מגישה מועמדות ומבקשת לבחון אותה בתהליך חירום. האתר חייב להיות כלול או מועמד מיידית לרשימה הטנטטיבית.

ב. הצעת המועמדות חייבת לכלול את:

i. תיאור האתר וזיהויו;

ii. הערך האוניברסלי היוצא מהכלל שלו לפי הקריטריונים i–x;

iii. הצדקה לאותנטיות ו/או היושרה;

iv. תיאור תכנית ההגנה והממשק הניהולי;

v. הסבר ל מצב החירום, לרבות טיבם והיקפם של הנזק או הסכנה, כולל הנמקה מדוע הוועדה נדרשת לפעול מיידית להצלת האתר.

ג. המזכירות תעביר מיד את המועמדות לארגון המייעץ הרלוונטי (IUCN ICOMOS או שניהם) ותבקש הערכה הן של הערך האוניברסלי היוצא מהכלל של האתר והן של טיב מצב החירום, הנזק ו/או הסיכון. הארגון המייעץ יחליט אם יש צורך בביקור שטח.

ד. בד בבד יודיע המרכז למורשת עולמית ליו"ר הוועדה על המועמדות ועל הצעדים שננקטו. היו"ר עשוי להחליט להודיע לוועדה.

ה. אם הארגון המייעץ קובע שהאתר עומד בלא כל ספק בקריטריונים לרישום, ושהסיכון ו/או הנזק מצדיקים את החלת פסקה א' לעיל, בדיקת האתר תועלה בישיבה הקרובה של הוועדה. בעת הרישום תשקול הוועדה גם:

i. לרשום את האתר ברשימת מורשת עולמית בסיכון

ii. לאשר סיוע בין–לאומי לאתר להכנת מועמדות שלמה ומלאה של האתר.

iii. ביקורים ומעקב וכל שיידרש על–ידי המזכירות והארגונים המייעצים הרלוונטיים מיד לאחר הרישום.

ט. התאמות בגבולות, בקריטריונים ובהצדקה לאתר מורשת עולמית

התאמות קלות בגבולות

163. התאמה קלה פירושה שהשפעתה על האתר או על ערכו היוצא מהכלל אינה משמעותית.

164. אם מדינה מעוניינת לבצע שינויים קלים בגבולותיו של אתר שכבר רשום ברשימת מורשת עולמית, עליה להגיש למזכירות את הבקשה לשנות את הגבולות **עד 1 לפברואר** בכל שנה בעצה אחת עם הארגון המייעץ הרלוונטי. הוועדה יכולה לאשר שינויים אלו או לקבוע ששינוי הגבול חשוב דיו כדי להביא לידי הרחבה של האתר, ואז יחול נוהל הגשת מועמדות חדשה.

התאמות משמעותיות בגבולות

165. אם המדינה מעוניינת לשנות מהותית את גבולות האתר שכבר רשום ברשימת המורשת העולמית, עליה להגיש את הצעתה **עד 1 בפברואר** כמועמדות חדשה. במקרה זה, המועמדות המחודשת תיבדק במחזור חדש מלא של 18 החודשים. (להלן סעיף 168).

נוהל זה רלוונטי להרחבת אתרים ולהקטנתם.

התאמות של קריטריונים להצדקת מועמדות

166. כאשר מדינה מעוניינת לשנות את הקריטריונים שעל פיהם נרשם האתר ברשימה העולמית, היא תגיש את בקשתה כמועמדות חדשה **עד לתאריך 1 בפברואר**. המועמדות תיבחן במחזור מלא של 18 חודש לפי הנוהל (להלן סעיף 168). האתרים יוערכו לפי הקריטריונים החדשים ויישארו ברשימה גם אם הבקשה על-פי הקריטריונים החדשים נדחתה על-ידי הוועדה.

שינויים בשם האתר

167. מדינה יכולה לבקש מהוועדה לשנות את שם האתר שנרשם ברשימה העולמית. את הבקשה יש **להגיש לפחות שלושה חודשים** לפני מפגש הוועדה.

ט. לוח זמנים

168. להלן לוח הזמנים לתהליך הגשת המועמדות:

נוהל ותהליך	שנה ראשונה
תאריך יעד להגשת טיוטת מועמדות למזכירות	**30 בספטמבר**
המזכירות תגיב באשר **לשלמות המועמדות**, ואם תקבע שאינה שלמה (מלאה) תודיע מה נדרש כדי להשלימה.	**15 בנובמבר**
על כל המועמדויות המושלמות שהמדינות החברות מגישות להגיע למזכירות לצורך העברתם לארגונים המייעצים **עד 1 בפברואר בשעה 17:00**.	**1 בפברואר**
רישום מועמדות ואישור קבלה. מועמדויות מלאות מועברות לארגונים המייעצים. הודעה על מועמדויות שאינן מלאות תימסר למדינה ולא תועבר לארגונים המייעצים. המדינה תגיש השלמות מועמדות עד 1 בפברואר במחזור הבא.	**1 בפברואר עד 1 במרס**
תאריך היעד הראשון שבו אפשר לקבל מידע חדש מהארגונים המייעצים, אך לא יאוחר מ-31 בינואר.	**31 בינואר**
תאריך יעד אחרון להגשת מידע רלוונטי הנדרש ע"י הארגונים המייעצים. הגשת מידע נוסף למזכירות במספר עותקים (סעיף 132לעיל). **את השינויים יש להגיש כתיקון לתיק המועמדות בהגשה מתוקנת ומלאה של המועמדות. השינויים אלו יובלטו בטקסט בפונט אחר**. יש להגיש גם פורמט אלקטרוני (CD-ROM).	**31 במרס**
	שנה שנייה
הארגונים המייעצים יגישו למזכירות וגם למדינות החברות את ההמלצות וההערכה.	**6 שבועות לפני המפגש השנתי של הוועדה**
מדינה חברה רשאית להגיש תיקונים במכתב ליו"ר הוועדה עם עותקים לארגונים המייעצים תוך פירוט הטעויות בעובדות שהוצגו בהערכת המועמדות ע"י הארגונים המייעצים.	**עד יומיים לפני פתיחת המפגש השנתי של הוועדה**
הוועדה בוחנת את המועמדויות ומקבלת החלטות.	**המפגש השנתי של הוועדה יוני/יולי**
המזכירות תיידע את המדינות על ההחלטה הרלוונטית לרישום האתר כולל מפה והצהרה של הערך האוניברסלי היוצא מהכלל והקריטריונים. הוועדה תפרסם את הרשימה העולמית ובה שמות המדינות שאתריהן הוכרזו.	**הודעה מיידית למדינה החברה**
דוח הוועדה למורשת עולמית, ובו כל החלטותיה, יועבר לכל המדינות החברות.	**חודש לאחר מפגש הוועדה**

פרק IV. תהליך ניטור מצב השימור של אתרי מורשת עולמית

א. ניטור יזום

הגדרה

169. ניטור יזום הוא דיווח על-ידי המזכירות, סקטורים אחרים של אונסקו והארגונים המייעצים על אודות מצב השימור של אתרים מסוימים ברשימת המורשת העולמית בסיכון. לצורך הניטור יגישו המדינות החברות לוועדה, **עד 1 בפברואר**, באמצעות המזכירות, דיווחים והערכות ספציפיים והשפעה, בכל פעם שיהיו נסיבות יוצאות מגדר הרגיל או שתתבצע עבודה שעלולה להשפיע על מצב השימור של האתר. ניטור יזום צפוי בקשר לאתרים שנרשמו או שעתידים להירשם ברשימת המורשת העולמית בסיכון, (להלן סעיפים 177–191). ניטור יזום צפוי גם בנהלים המובילים למחיקת אתרים מרשימת המורשת העולמית, (להלן סעיפים 192–198).

מטרה

170. באימוץ נהלים לניטור יזום, הוועדה ממליצה, לנקוט בכל הצעדים האפשריים כדי למנוע הסרה של אתר כלשהו מרשימת המורשת העולמית ומציעה ככל האפשר שיתוף פעולה טכני למדינות החברות. סעיף 4 באמנה.

171. הוועדה ממליצה למדינות החברות לשתף פעולה עם הארגונים המייעצים שהוועדה ביקשה מהם לבצע ניטור ודיווח על עבודות שנעשו לשמירת האתרים ברשימת מורשת עולמית.

מידע המתקבל ממדינות חברות וממקורות אחרים

172. מדינות חברות מוזמנות להודיע לוועדה, באמצעות מזכירות אונסקו, על כוונתן לבצע או להתיר עבודות שיקום מקיפות או בנייה חדשה באתר המוגן שיש בהן כדי להשפיע על איכות המורשת העולמית של האתר. יש להודיע לוועדה במהירות האפשרית (לדוגמה, לפני ניסוח המסמכים הבסיסיים לפרויקטים ספציפיים) ולפני קבלת החלטה שיקשה להפוך אותה על-פיה כעבור זמן, כדי שהוועדה תוכל לסייע בחיפוש פתרונות הולמים שיבטיחו שהערך האוניברסלי היוצא מהכלל, האותנטיות והיושרה/השלמות של האתר ישתמרו במלואם.

173. הדוח על מצב השימור המוגש לוועדה יכלול:

א. מידע על הסכנות או שינויים משמעותיים בשימור האתר מאז הדוח האחרון שהוגש לה;

ב. מעקב אחר יישום החלטות הוועדה ביחס לשימור האתר;

ג. מידע על סכנות, מפגעים והערכת אובדן של הערך האוניברסלי היוצא מהכלל, היושרה/השלמות והאותנטיות של האתר.

174. כאשר מתקבל במזכירות מידע על מצב השימור של אתר מורשת עולמית ממקור שאינו המדינה החברה האמורה, היא תאמת – ככל האפשר – את המקור ואת תוכן המידע, בהתייעצות עם המדינה החברה האמורה, ותבקש תגובה מצדה.

החלטות הוועדה

175. המזכירות תבקש מהארגונים המייעצים המוסמכים (ICOMOS, IUCN או ICCROM) להעביר תגובות על המידע שהתקבל.

176. המידע שהתקבל ותגובות המדינה החברה והארגון(ים) המייעץ(ים) יובאו לתשומת לבה של הוועדה. הוועדה יכולה לנקוט באחד מהצעדים האלה:

א. להחליט שהאתר לא הידרדר הידרדרות חמורה ואין צורך לנקוט פעולה כלשהי;

ב. אם הוועדה סבורה שהאתר הידרדר הידרדרות חמורה, אבל לא במידה שהשיקום אינו אפשרי, היא עשויה להחליט להשאירו ברשימה, בתנאי שהמדינה החברה נוקטת את הצעדים הדרושים לשקם אותו בתוך פרק זמן סביר. הוועדה יכולה להחליט על שיתוף פעלה טכני במסגרת קרן המורשת העולמית לצורך העבודה הכרוכה בשיקום האתר, ולשם כך תציע למדינה החברה לבקש סיוע כזה, אם טרם עשתה כן;

ג. אם הבקשה עומדת בקריטריונים (להלן סעיפים 177–182), תחליט הוועדה לרשום את האתר ברשימת מורשת עולמית בסיכון (להלן סעיפים 183–189) ;

ד. אם יש עדות שהאתר הידרדר עד שאיבד לבלי שוב את המאפיינים שהצדיקו את הכללתו ברשימה, הוועדה יכולה להחליט למחוק אותו מהרשימה; לפני שהוועדה נוקטת צעד כזה, תודיע על כך המזכירות למדינה החברה האמורה; הערות כלשהן מטעם המדינה החברה יופנו לעיון הוועדה;

ה. אם המידע הקיים אינו מספק כדי לאפשר לוועדה לנקוט את הצעדים המתוארים בפסקות (א), (ב), (ג) או (ד) לעיל, הוועדה יכולה להחליט שהמזכירות מוסמכת לנקוט בפעולה הדרושה כדי לוודא, בהתייעצות עם המדינה החברה האמורה, מה מצבו הנוכחי של האתר, מה הסכנות הנשקפות לו ומה האפשרויות לשקמו כהלכה, ולדווח לוועדה. צעדים אלו עשויים לכלול שיגור משלחת בירור או התייעצות עם מומחים. במקרים שבהם נדרשת פעולת חירום, יו"ר הוועדה יכול לאשר מימון מקרן המורשת העולמית כדי לממן את סיוע החירום הנדרש.

ב. רשימת מורשת עולמית בסיכון

תהליך רישום אחר ברשימת מורשת עולמית בסיכון

177. בהתאם לאמנה, הוועדה יכולה לכלול אתר מאתרי המורשת העולמית ברשימת מורשת עולמית בסיכון, אם מתמלאות הדרישות האלה: סעיף 11 (ד) באמנה

א. האתר נמצא ברשימת מורשת עולמית;

ב. לאתר נשקפת סכנה חמורה וספציפית;

ג. יש צורך בפעולות רחבות היקף כדי לשמר את האתר;

ד. נתבקש סיוע בעבור האתר לפי תנאי האמנה; במקרים מסוימים הסיוע היעיל ביותר יכול להיות מסר המביע את דאגתה של הוועדה, הנובע מעצם הכללת אתר ברשימת מורשת עולמית בסיכון שכל חבר ועדה או מזכירות רשאי לבקש סיוע כזה.

קריטריונים לרישום אתר ברשימת מורשת עולמית בסיכון

178. אפשר לרשום אתר מאתרי המורשת העולמית – כמוגדר באמנה ברשימת מורשת עולמית בסיכון, אם לדעת הוועדה מצבו תואם לפחות אחד מהקריטריונים באחד משני המקרים המתוארים כגון: סעיפים 1 ו–2 באמנה

179. אתרי תרבות:

א. **סכנה ודאית** – לאתר נשקפת סכנה ספציפית ומוכחת, בגין:

i. הידרדרות חמורה של חומרים;

ii. הידרדרות חמורה של מבנה ו/או מאפייני עיטור;

iii. הידרדרות חמורה בקוהרנטיות הארכיטקטונית או בקוהרנטיות התכנון עירוני;

iv. הידרדרות חמורה של המרחב העירוני / הכפרי או של הסביבה הטבעית;

v. אבדן ניכר של האותנטיות ההיסטורית;

vi. אבדן של ממש של החשיבות התרבותית.

ב. **סכנה פוטנציאלית** – לאתר נשקפות סכנות שעלולות לפגוע במאפייניו הבסיסיים, בגין:

i. שינוי במעמד המשפטי של האתר שיש בו כדי לבטל את מידת ההגנה עליו;

ii. העדר מדיניות שימור;

iii. השפעות מאיימות מצד פרויקטים של תכנון אזורי;

iv. השפעות מאיימות מצד התכנון העירוני;

v. התפרצות או סכנה של עימות מזוין;

vi. שינויים הדרגתיים של גורמים גאולוגיים, אקלימיים או סביבתיים אחרים.

180. אתרי טבע:

א. **סכנה ודאית** – האתר עומד בפני סכנה מיידית, ספציפית ומוכחת בגין:

i. הדרדרות חמורה באוכלוסיית זן הנתון בסכנה או מין אחר בעל ערך אוניברסלי יוצא מהכלל שהאתר הוקם כחוק כדי להגן עליו, בין מפני גורמים טבעיים כמו מחלות ובין מפני גורמים מעשה ידי אדם כגון ציד בלתי–חוקי.

ii. הידרדרות חמורה ביופי הטבעי או בערך המדעי של האתר, עקב התיישבות אנושית, בנייה של סכרים הגורמים להצפת חלקים חשובים של האתר, פיתוח תעשייתי וחקלאי, למשל שימוש בחומרי הדברה ודשנים, עבודות ציבוריות גדולות, כרייה, זיהום, כריתת עצים ואיסוף עצים לבעירה.

iii. פלישה אנושית לגבולות האתר או לאזורים במעלה הזרם שמאיימת על יושרת/שלמות האתר.

ב. **סכנה פוטנציאלית** – על האתר מאיימים מפגעים שיכולים להשפיע לרעה על מאפייניו הייחודיים, בגין:

i. שינוי המעמד המשפטי המוגן של האזור;

ii. תכנון להתיישבות–מחדש או לפרויקט פיתוח בתוך האתר או במקום שיש בו כדי לאיים על האתר;

iii. התפרצות או איום להתפרצות של סכסוך מזוין;

iv. אין תכנית ניהול או מערכת ניהול או שהן אינן מספיקות או שלא יושמו במלואן.

181. נוסף על כך, הגורם או הגורמים המאיימים על יושרת האתר חייבים להיות ניתנים לתיקון מעשה ידי אדם. אם מדובר באתרי תרבות, אפשר שיאיימו עליהם גורמים טבעיים וגורמים מעשה ידי אדם כאחד, אך אם מדובר באתרי טבע, מרבית האיומים יהיו מעשה ידי אדם, ורק לעתים נדירות יאיים על יושרת האתר גורם טבעי (כגון מגֵפה). במקרים מסוימים אפשר להפחית מהאיום על יושרת האתר על–ידי פעולה מנהלית או על–ידי חקיקה, כגון ביטול פרויקט גדול של עבודות ציבוריות או שיפור מעמדו המשפטי של האתר.

182. בבואה לשקול את רישומו של אתר תרבות או טבע ברשימת מורשת עולמית בסיכון אפשר שהוועדה תרצה להביא בחשבון גורמים נוספים, כגון:

א. המדינות מחליטות את ההחלטות המשפיעות על אתר מורשת עולמית לאחר שהן בודקות את כל הגורמים. אם עצתה של הוועדה למורשת עולמית תינתן **לפני** שתרחף על האתר סכנה, אפשר בהחלט שהיא תהווה שיקול מכריע;

ב. אם מדובר **בסכנה ברורה**, ההידרדרות הפיזית או התרבותית באתר צריכה להיבדק לפי עצמת השפעותיה; כל מקרה צריך להיבדק לגופו;

ג. מעל לכול, אם מדובר **בסכנה פוטנציאלית** לאתר, יש להביא בחשבון:

i. שאת מידת האיום צריך להעריך לפי ההתפתחות הכלכלית והחברתית הרגילה באזור שהאתר שוכן בו;

ii. שלעתים קרובות אי–אפשר לזהות ולהעריך איומים מסוימים – כגון איום בסכסוך מזוין – ומה השפעותיהם האפשריות על אתרי תרבות או טבע;

iii. שיש איומים שמטבעם אינם מיידיים ואפשר רק לצפותם, כגון, גידול דמוגרפי.

ד. לבסוף, הוועדה בהערכתה **תביא בחשבון כל סיבה ממקור לא-ידוע או לא-צפוי** המסכנת אתר תרבות או טבע.

תהליך ההכרזה של אתר ברשימת מורשת עולמית בסיכון

183. כאשר נבחן רשום אתר מורשת עולמית ברשימת המורשת העולמית בסיכון או הסרתו מרשימת המורשת העולמית, תגבש ותאמץ הוועדה, ככל האפשר, בהתייעצות עם המדינה החברה האמורה תכנית לצעדי תיקון.

184. כדי לגבש את התכנית הנדרשת לתיקון המצב, תבקש הוועדה מהמזכירות לוודא, בהתייעצות עם המדינה החברה האמורה, מה מצבו הנוכחי של האתר, מה הסכנות הנשקפות לו ומה האפשרויות הקיימות לנקוט צעדי תיקון. הוועדה יכולה גם להחליט לשגר משלחת של משקיפים מוסמכים מטעם IUCN, ICOMOS, ICCROM או ארגונים אחרים לביקור באתר, כדי להעריך את טיבן והיקפן של הסכנות ולהציע אילו צעדים לנקוט.

185. המזכירות תביא לעיון הוועדה את המידע שהתקבל וכן את ההערות מטעם המדינה החברה והארגון(ים) המייעץ(ים).

186. הוועדה תבחן את המידע הקיים ותקבל החלטה בדבר רישום האתר ברשימת המורשת העולמית בסיכון. החלטה כזו צריכה להתקבל ברוב של שני שלישים מחברי הוועדה הנוכחים ובעלי זכות ההצבעה. הוועדה תגדיר את תכנית צעדי התיקון שצריך לנקוט. תכנית זו תוצע למדינה החברה האמורה לשם יישום מיידי.

187. המדינה החברה האמורה תקבל מהמרכז למורשת עולמית הודעה על החלטת הוועדה לרשום אתר ברשימת מורשת עולמית בסיכון, עפ"י האמנה.

סעיף 11(ד) באמנה.

188. הודעה פומבית על ההחלטה תתפרסם מיד באתר האינטרנט של המרכז למורשת עולמית.

http://whc.unesco.org

189. הוועדה תקצה חלק ניכר ומיוחד מהקרן למורשת עולמית כדי לממן סיוע לאתרי מורשת עולמית הרשומים ברשימת מורשת עולמית בסיכון.

הערכה קבועה של מצב שימור האתרים ברשימת מורשת עולמית בסיכון

190. הוועדה תבחן מדי שנה בשנה את מצב שימור האתרים ברשימת מורשת עולמית בסיכון. בחינה זו תכלול צעדי ניטור ומשלחות מומחים, לפי ראות עיניה של הוועדה.

191. על סמך הבחינות הקבועות הללו, תחליט הוועדה, בהתייעצות עם המדינה החברה האמורה, אם:

א. צעדים נוספים נחוצים כדי לשמר את האתר;

ב. להסיר את האתר מרשימת מורשת עולמית בסיכון, אם כבר אין איום שנשקף לאתר;

ג. לשקול את הסרתו של האתר הן מרשימת מורשת עולמית בסיכון והן מרשימת מורשת עולמית, אם האתר הידרדר עד שאיבד את המאפיינים שהצדיקו את הכללתו ברשימת מורשת עולמית, לפי הנוהל המפורט (להלן סעיפים 192–198).

ג. נוהל הוצאת אתרים מרשימת מורשת עולמית

192. הוועדה תאמץ את הנוהל הבא לבדיקת אתר ורשימת מורשת עולמית במקרים של:

א. האתר הידרדר למצב בו אבדו לו המאפיינים שהביאו לרישומו ברשימה העולמית

ב. אם האיכויות של האתר הרשום היו כבר , עם הגשתו, תחת איום בגין פעולת בני אדם והאמצעים שקבעה המדינה לא בוצעו במועדם (סעיף 116 לעיל).

193. אם חלה הידרדרות חמורה במצבו של אתר הכלול ברשימת מורשת עולמית, או אם צעדי התיקון הנדרשים לא ננקטו בתוך פרק הזמן שהציעה הוועדה, תודיע על כך המדינה החברה, שהאתר שוכן בשטחה, למרכז למורשת עולמית.

194. המזכירות תוודא כל מידע שהתקבל (לא מהמדינה) בהתייעצות עם המדינה.

195. המזכירות תתייעץ לגבי המידע שהתקבל גם עם הארגונים המייעצים.

196. הוועדה תבחן את כל המידע שברשותה ותחליט לפי האמנה, כל החלטה כזו תתקבל ברוב של שני שלישים מחברי הוועדה הנוכחים ובעלי זכות הצבעה. הוועדה לא תחליט להסיר אתר כלשהו בטרם התייעצה בסוגיה עם המדינה החברה.

סעיף 13(ח) באמנה.

197. המדינה החברה תקבל הודעה על החלטת הוועדה, והודעה רשמית תתפרסם מטעם המרכז למורשת עולמית.

198. אם החלטת הוועדה כוללת שינוי כלשהו ברשימת מורשת עולמית, יבוא שינוי זה לידי ביטוי ברשימה המעודכנת הבאה שתתפרסם.

פרק V . דיווח תקופתי על יישום האמנה

א. מטרות

199. מדינות נדרשות להגיש דוחות לוועידה הכללית של אונסקו באמצעות הוועדה למורשת עולמית על החקיקה והאמצעים המינהליים והפעולות שננקטו ליישום האמנה, כולל מצב השימור של אתרי מורשת עולמית בשטחן.

סעיף 29 לאמנה, האסיפה הכללית ה–11 והוועידה ה–29 של אונסקו.

200. מדינות יכולות לבקש סיוע מארגונים המייעצים בתיאום עם המזכירות.

201. הדיווח התקופתי על יישום האמנה למורשת עולמית נועד לשרת ארבע מטרות עיקריות:

א. להעריך את מידת יישום האמנה למורשת עולמית על–ידי המדינה החברה;

ב. להעריך אם הערך האוניברסלי היוצא מהכלל של האתרים הרשומים ברשימת המורשת העולמית נשמר לאורך זמן;

ג. לעדכן מידע על אתרי מורשת עולמית כדי לתעד את הנסיבות המשתנות ואת מצב שימור האתרים;

ד. לספק מנגנון לשיתוף פעולה אזורי, לחילופי מידע וניסיון בין המדינות החברות בתהליך יישום האמנה ושימור המורשת העולמית.

202. דיווח תקופתי חשוב לצורך שימור לטווח ארוך ולצורך פיתוח כלים יעילים למאמצי השימור, כדי לחזק את מהימנות יישום האמנה. הוועדה מביעה את תמיכתה בפיתוח תכניות ארוכות–טווח שבעזרתן יספק הדיווח התקופתי קשר אינטגרלי שיהיה בו ביטוי מדויק יותר לצורכי המורשת העולמית ושיקל על הסיוע הבין–לאומי.

ב. נוהל ותבנית

203. הוועדה למורשת עולמית.

א. מאמצת את התבנית ודברי ההסבר (להלן נספח 7);

ב. מזמינה מדינות חברות להגיש דוח תקופתי אחת ל– 6 שנים;

ג. מחליטה לבדוק דיווחי מדינות עפ"י אזורים;

אזור	מחזור בדיקת אתרים מוכרזים	שנת הבדיקה על-ידי הוועדה
מדינות ערב	2010/2004/1998/1992	2012/2006/2000
אפריקה	2011/2005/1999/1993	2013–2012/2007–2006/2002–2001
אסיה והאוקיינוס השקט	2012/2006/2000/1994	2015/2009/2003
אמריקה הלטינית והקריביים	2013/2007/2001/1995	2016/2010/2004
אירופה וצפון אמריקה	2015/2009/2003/1996–7	2017/2010/2006/2005

ד. לבקש מהמרכז למורשת עולמית של אונסקו ומהארגונים המייעצים, בעזרת המדינות החברות, מוסדות בעלי יכולת ומומחים באזור, לגבש אסטרטגיות אזוריות לתהליך הדיווח התקופתי במה שקשור בלוח הזמנים שנקבע בפסקה ג' לעיל.

204. אסטרטגיות אלו אמורות להביא בחשבון את המאפיינים הספציפיים של האזורים ולתרום לתיאום בין המדינות החברות, במיוחד במקרים של אתרים חוצי גבולות. המזכירות תתייעץ עם המדינות על פיתוח ויישום של אסטרטגיות אזוריות אלו.

205. לאחר סבב ראשון בן שש שנים, ייבדק שוב כל אזור באותו סדר שצוין בטבלה שלעיל. לאחר הסבב הראשון, תיתכן הפסקה בהערכה כדי לבחון ולהעריך את מנגנון הדיווח התקופתי לפני תחילתו של סבב חדש.

206. **תבנית הדיווח התקופתי** מורכבת משני פרקים:

התבנית אומצה במפגש ה–22, קיוטו, 1998.

א. **פרק א** – עוסק בצעדים התחיקתיים והמנהליים שהמדינה החברה נוקטת ובפעולות אחרות שנעשו לשם יישום האמנה וכן בפרטים על הניסיון שנצבר בתחום. הדבר נוגע במיוחד למגבלות ולהתחייבויות הכלליות המוגדרות בסעיפים ספציפיים באמנה.

ב. **פרק ב** – עוסק במצב שימור האתרים הספציפיים שבשטחה של המדינה החברה האמורה. פרק זה יש למלא לכל אתר מורשת עולמית בנפרד.

דברי הסבר מפורט על התבנית להלן נספח ז.

207. כדי לשפר ניהול מידע על המדינות להגיש הצעות בפורמט אלקטרוני למרכז למורשת עולמית של אונסקו בפריז.

ג. הערכה ומעקב

207. המזכירות מאגמת את הדוחות המדינתיים לדוח אזורי שאפשר לקבלו באתר המרכז. whc.unesco/org

208. הוועדה למורשת עולמית תבדוק ותייעץ למדינות בנושאים שהועלו בדוחות.

210. הוועדה מבקשת מהמזכירות והארגונים המייעצים לפתח, בהתייעצות עם המדינות, תכניות מעקב לטווח ארוך בהקשר של האסטרטגיה ולהביא אותן לעיונה. תכניות אלו ישקפו במדויק את הצרכים האזוריים, כך שיתאפשר סיוע בין-לאומי.

פרק VI. קידום התמיכה באמנה למורשת עולמית

א. מטרות

סעיף 27 באמנה

211. המטרות הן:

א. לפתח הכשרה מקצועית, מיומנויות ומחקר;

ב. לעורר מודעות והבנה ציבורית בצורך בשימור המורשת התרבותית והטבעית;

ג. לחזק את מקומה של מורשת העולמית בחיי הקהילה;

סעיף 5 (א) באמנה.

ד. להגדיל את מידת המעורבות של האוכלוסייה המקומית והארצית בהגנה על המורשת ובהצגתה;

ב. הכשרה מקצועית ומחקר

212. הוועדה מתייחסת להכשרה מקצועית בתוך המדינה בהתאם למטרות האסטרטגיות

אומצה במפגש ה-25, הלסניקי, 2001. (הצהרת בודפסט 2002).

אסטרטגיה גלובלית להכשרה

213. בהכירה במיומנות הגבוהה והאינטרדיסציפלינרית הנדרשת להגנה, שימור והצגה של מורשת עולמית, הוועדה אימצה אסטרטגיית הכשרה גלובלית. המטרה העיקרית שלה היא להבטיח פיתוח כלים ומיומנויות ע"י גורמים שונים ליישום טוב יותר של האמנה. על מנת למנוע כפילויות ולייעל את יישום האסטרטגיה , הוועדה תבטיח קשר בין יוזמות כמו האסטרטגיה לייצוגיות, איזון ואמינות של הרשימה העולמית והדיווח התקופתי. הוועדה תקיים הערכה שנתית של צרכי ההכשרה, תגיש ותקבל דיווחים שנתיים ותמליץ על יוזמות הכשרה בעתיד.

שיתוף פעולה אזורי

214. מדינות נדרשות להבטיח שהמומחים ואנשי המקצוע שלהם בכל הרמות יוכשרו כראוי. על המדינות לפתח תכניות הכשרה תוך התייחסות גם לשיתוף פעולה אזורי.

מחקר

215. הוועדה תפתח ותתאם שיתוף פעולה בין-לאומי בתחום המחקר הנדרש ליישום האמנה. המדינות מתבקשות להקצות משאבים למחקר מאחר שמידע הוא תנאי בסיסי לזיהוי, ניהול וניטור של אתרי מורשת עולמית.

סיוע בין-לאומי

216. בקשות לסיוע בהכשרה ובמחקר של מדינות יוגשו לפי הנוהל (להלן פרק VII).

ג. חינוך ופיתוח מודעות ציבורית

פיתוח מודעות

217. המדינות החברות נקראות להגביר את המודעות בצורך לשמר את המורשת העולמית במדינתן. בייחוד עליהן לנסות להבטיח שמעמדה של המורשת העולמית יצוין ויקודם כראוי באתר עצמו.

המזכירות תסייע למדינות החברות בפיתוח פעולות שמטרתן להגביר את מודעות הציבור לאמנה וליידע את הציבור בדבר הסכנות הנשקפות למורשת העולמית. המזכירות תייעץ למדינות החברות במה שקשור בהכנה וביישום של פרויקטים לקידום וחינוך באתר עצמו. הארגונים המייעצים והגופים המתאימים במדינה נקראים אף הם לייעץ בפרויקטים כאלה.

218. המזכירות מעניקה סיוע למדינות מתפתחות להגברת המודעות לאמנה ולסיכונים לאתרים. הסיוע כולל יעוץ בהכנה, ישום וחינוך, ביחד עם הארגונים המייעצים.

חינוך

219. הוועדה למורשת עולמית מעודדת ותומכת בפיתוח חומרי למידה, פעילויות ותכניות.

220. על המדינות החברות, כל אימת שאפשר, לעודד בתי ספר, אוניברסיטאות, מוזיאונים ורשויות חינוך מקומיות וארציות לפתח פעילויות חינוך הקשורות למורשת עולמית ולהשתתף בהן.

סעיף 27 (ב) באמנה.

סיוע בין-לאומי

221. המרכז למורשת עולמית, בשיתוף סקטור החינוך של אונסקו ושותפים אחרים, מפיק ומפרסם ערכת משאבים חינוכיים העוסקת במורשת עולמית ומיועדת לבתי ספר תיכוניים ברחבי העולם.

http:whc.unesco.org/education

222. מדינות (מתפתחות) יכולות להגיש בקשה לסיוע בין-לאומי מהקרן למורשת עולמית למטרת פיתוח ויישום של פעילויות חינוך לפי הנוהל (להלן פרק VII).

פרק VII. קרן מורשת עולמית וסיוע בין-לאומי*

א. הקרן למורשת עולמית

223. הקרן למורשת עולמית היא קרן שנוסדה בהתאם לאמנה ולהנחיות הפיננסיות של אונסקו. המקורות הם דמי חבר ותרומות של מדינות וכל מקור אחר שאושר על-ידי תקנות הקרן.

סעיף 15 לאמנה.

224. הנהלים הפיננסיים של הקרן מפורטים במסמך whc/7 באתר מורשת עולמית.

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הסיוע הבין-לאומי ימומן בעיקר מכספי הקרן למורשת עולמית. הקרן הוקמה לפי תנאי האמנה למורשת עולמית. הוועדה במהלך דיוניה, במושב השנתי שלה, קובעת את התקציב שיוקצה לסיוע בין-לאומי.

ב. גיוס משאבים טכניים ופיננסיים ויצירת שותפויות

225. ככל האפשר, צריך להשתמש בקרן למורשת עולמית כדי לגייס משאבים לצורכי סיוע בין-לאומי גם ממקורות נוספים.

226. התרומות המוצעות לקרן למורשת עולמית לצורך מבצעי סיוע בין-לאומי ופרויקטים אחרים של אונסקו למען אתר הרשום ברשימת מורשת עולמית יהיו בגדר סיוע בין-לאומי לפי הנהלים שנקבעו לביצוע הפרויקט.

סעיף 5 באמנה

227. מדינות חברות החתומות על האמנה, בנוסף לתשלום דמי חבר, נקראות להרים תרומות באמצעות הקרן למורשת עולמית או ישירות לאתרים.

סעיף 15 (ג) באמנה.

228. מדינות מתבקשות להשתתף בפעילויות בין-לאומיות יזומות על-ידי אונסקו לגיוס משאבים , המיועדות לשמור על המורשת העולמית.

229. מדינות המתכוונות לתרום ליוזמות אלו מתבקשות לבצע את תרומותיהן באמצעות הקרן.

230. מדינות מתבקשות לייעד קרנות ציבוריות ופרטיות לצורך גיוס משאבים להגנה ושימור מורשת עולמית.

231. המזכירות תספק סיוע בגיוס מקורות פיננסיים וטכניים. לצורך זה היא תפתח שותפויות עם הסקטור הציבורי והפרטי בהתאם להחלטות וההנחיות של הוועדה ואונסקו.

232. המזכירות תשתמש בנהלים הרלוונטיים להנחות/ להפנות תרומות חוץ-תקציביות לקרן.

* הסיוע מיועד בעיקר למדינות לא-מפותחות.

ג. סיוע בין-לאומי

233. האמנה למורשת עולמית מאפשרת להושיט סיוע בין-לאומי למדינות החברות (מתפתחות) כדי להגן על אתרי המורשת התרבותית והטבעית שבשטחן ורשומים או מתאימים פוטנציאלית לרישום ברשימת מורשת עולמית. הסיוע הבין-לאומי צריך להשלים את מאמצי השימור הלאומיים בניהול אתרי מורשת עולמית שברשימה הטנטטיבית, אם אין משאבים הולמים מספיקים ברמה הלאומית.

סעיפים 13 (א, ב) ו-19-26 באמנה.

234. הסיוע הבין-לאומי ממומן מהקרן שנוסדה על-פי האמנה. הוועדה מגדירה את הסיוע על בסיס דו-שנתי.

235. הוועדה למורשת עולמית מתאמת ומקצה סיוע בין-לאומי לפי בקשות המדינות החברות. ואלה סוגי הסיוע הבין-לאומי, לפי סדר העדיפויות: (להלן נספח 7)

א. סיוע חירום

ב. סיוע בהכנה

ג. סיוע במחקר ובהכשרה

ד. שיתוף פעולה טכני

ד. סיוע בחינוך, מידע והגברת מודעות

ד. עקרונות וסדר עדיפויות לסיוע בין-לאומי

236. יש תקנה תקציבית המבטיחה עדיפות לסיוע בין-לאומי לאתרים הנכללים ברשימת מורשת עולמית בסיכון.

סעיף 13 (א) באמנה.

237. רק מדינות חברות ששילמו את דמי החבר לקרן למורשת עולמית זכאיות לקבל סיוע בין-לאומי, חוץ ממקרים של סיוע חירום.

238. כדי לתמוך במטרות האסטרטגיות של הוועדה, הוועדה מקצה סיוע בין-לאומי בהתאמה לתכניות אזוריות. הוועדה תקבע סדרי עדיפויות וצרכים עפ"י דיווחים תקופתיים ותחליט בעניינן של תכניות אלו (לעיל פרק V).

239. השיקולים שלהלן, נוסף על סדר העדיפויות (סעיפים 236–238 לעיל) ינחו את החלטות הוועדה לגבי הסיוע הבין-לאומי:

א. הסבירות שלסיוע במימון בסיסי (seed money) תהיה השפעה מזרזת ומכפילה והוא יאפשר גיוס תרומות כספיות וטכניות ממקורות נוספים;

ב. הבקשה לסיוע בין-לאומי היא ממדינה בלתי-מפותחת או מעוטת הכנסה על פי הגדרת הוועדה למדיניות פיתוח של המועצה הכלכלית-חברתית של האו"ם;

ג. מידת הדחיפות של צעדי ההגנה שצריך לנקוט בעניין אתרי מורשת עולמית;

ד. מידת המחויבות החוקתית, מנהלית, וככל האפשר גם הכספית לפעילות זו, מצדה של המדינה החברה;

ה. ההשפעה שתהיה לפעולה בקידום סדרי העדיפויות שנקבעו על-ידי הוועדה, כולל על האסטרטגיה הגלובלית. (סעיף 26 לעיל).

ו. המידה שבה הפעולה ממלאת את הצרכים שזוהו בניתוח הדוחות התקופתיים האזוריים;

ז. הערך המוסף של הסיוע למחקר מדעי ופיתוח שיטות שימור יעילות;

ח. עלות הפעולה והתוצאות הצפויות שלה;

ט. הערך החינוכי מבחינת הכשרת מומחים והציבור הרחב.

240. יש לשמור על איזון בין הכספים המוקצים לפעולות למורשת תרבותית לבין הכספים המוקצים לפעולות למורשת טבעית, על בסיס בדיקה והחלטות של הוועדה.

ה. טבלה מסכמת

241. טבלת סיכום לסיוע בין -לאומי

סוג הסיוע הבינ"ל	מטרות	• תקרת תקציב • מועד אחרון להגשת הבקשה	• סמכות לאישור
חירום	תמיכה באתרים (שניזוקו קשות או שצפויה להם סכנה מיידית של נזק חמור), הרשומים ברשימת המורשת העולמית בסיכון, ברשימת המורשת העולמית או ברשימה הטנטטיבית ואשר מתאימים להיכלל ברשימת המורשת העולמית, כדי: א. לגבש תכנית חירום; ב. לנקוט צעדי חירום לשם הגנה על האתר.	בכל עת – בקשות מתחת ל- 75,000 $ 1 בפברואר – בקשות מעל 75,000 $	• יו"ר הוועדה • הוועדה
הכנה (יש עדיפות למדינות ללא אתר ברשימה העולמית)	א. להכין רשימות טנטטיביות לאומיות של אתרים המתאימים לרישום ברשימת המורשת העולמית; ב. לארגן מפגשים לצורך תיאום בין רשימות טנטטיביות לאומיות באותו אזור גאו-תרבותי; ג. להכין מועמדויות של אתרים לרישום ברשימת המורשת העולמית; ד. להכין בקשות לסיוע בהכשרה ובמחקר ובשיתוף פעולה טכני לאתרי מורשת עולמית.	בכל עת – בקשות מתחת ל- 30,000 $	• יו"ר הועדה
הכשרה ומחקר	א. הכשרת צוות ומומחים בתחומי: זיהוי, ניטור, שימור, ניהול והצגה של המורשת העולמית (דגש על הכשרה קבוצתית); ב. מחקר מדעי שיהיה בו כדי לסייע לאתרי מורשת עולמית; ג. מחקרים על בעיות מדעיות וטכניות של שימור, ניהול והצגה של אתרי מורשת עולמית.	בכל עת – בקשות מתחת ל- 30,000 $ 1 בפברואר – בקשות מעל 30,000 $	• יו"ר הוועדה • הוועדה

סוג הסיוע הבינ"ל	מטרות	• תקרת תקציב • מועד אחרון להגשת הבקשה	• סמכות לאישור
שיתוף פעולה טכני	א. ייעוץ ע"י מומחים, טכנאים וכוח אדם מיומן לצורך שימור, ניהול והצגה של אתרים הרשומים ברשימת המורשת העולמית בסיכון וברשימת המורשת העולמית; ב. רכישת ציוד נחוץ למדינה החברה לשימור, ניהול והצגה של אתרים הרשומים ברשימת המורשת העולמית בסיכון וברשימת המורשת העולמית; ג. הלוואות בריבית נמוכה או בלא ריבית לצורך נקיטת פעולות לשם שימור, ניהול והצגה של אתרים הרשומים ברשימת המורשת העולמית בסיכון וברשימת המורשת העולמית, שאפשר יהיה לפרוע אותן בטווח הארוך.	בכל עת – בקשות מתחת ל- 30,000 $ 1 בפברואר – בקשת מעל 30,000 $	• יו"ר הוועדה • הוועדה
חינוך, מידע והעלאת המודעות	א. תכניות, פעילויות ומפגשים ברמות האזוריות והבין-לאומיות שיש בהם כדי: • לסייע ליצור עניין באמנה במדינות באזור מסוים; • ליצור מודעות רבה יותר לסוגיות שונות שעניינן ביישום האמנה, כדי לקדם מעורבות פעילה יותר ביישומה; • לאפשר חילופי מידע וניסיון; • לעודד תכניות ופעילויות משותפות לחינוך, למידע ולקידום של שימור המורשת העולמית, ובמיוחד אם משתתפים בהן צעירים. ב. לקדם מפגשים שנועדו, ברמה הארצית במיוחד, כדי להעמיק את ההיכרות עם האמנה, במיוחד בקרב צעירים, או כדי ליצור אגודות לאומיות של מורשת עולמית, לפי סעיף 17 באמנה; • הכנת חומר ומידע חינוכי לקידום של האמנה, ולא לקידום אתר מסוים, במיוחד בקרב צעירים.	בכל עת – עד 5,000 $ בכל עת – 5,000–10,000 $	• מנהל המרכז למורשת עולמית • יו"ר הוועדה

ו. נוהל ותבנית

242. כל המדינות המגישות בקשות לסיוע בין-לאומי מתבקשות להתייעץ במהלך התכנון עם המזכירות והארגונים המייעצים. לרשות המדינות עומד מאגר דוגמאות של בקשות.

243. טופס הבקשה סוגי הסיוע, הסכומים ולו"ז מפורטים (פסקה ה לעיל).

244. הבקשה תוגש ע"י הוועד הישראלי לאונסקו למרכז מורשת עולמית.

245. הבקשות תוגשנה בפורמט אלקטרוני בצירוף עותק כתוב.

246. ראוי להגיש בקשה מפורטת ככל האפשר בצירוף חומרים תומכים נוספים. (להלן נספח 8)

ז. הערכת הבקשות ואישורן

247. המרכז למורשת עולמית והארגונים המייעצים מעריכים כל בקשה מהר ככל האפשר, בהנחה שהמדינה החברה הגישה בקשה מלאה ושלמה.

248. ICOMOS ו-ICCROM מעריכים את כל הבקשות לסיוע בין-לאומי למורשת תרבותית.

249. ICOMOS, ICCROM ו-IUCN מעריכים את כל הבקשות לסיוע בין-לאומי לאתרים המשלבים מורשת תרבותית וטבעית.

250. IUCN מעריך את כל הבקשות לסיוע בין-לאומי למורשת טבעית.

251. הקריטריונים להערכה על-ידי הארגונים המייעצים יפורטו בהמשך. (נספח 9 בהכנה)

252. כל הבקשות לאישור הוועדה או יושב הראש של הוועדה תוגשנה בכל עת ותאושרנה לאחר בדיקה.

253. היו"ר אינו מוסמך לאשר בקשות שהגישה מדינתו. הוועדה היא שתבדוק אותן.

254. כל הבקשות לאישור הוועדה תוגשנה **לפני 1 בפברואר** והוועדה תבחן אותן במפגשה הקרוב.

ח. הסדרים והסכמים

255. הסכם יגובש בין אונסקו לבין המדינה החברה האמורה (או המדינות החברות) או מי מטעמן כדי לבצע את הסיוע הבין-לאומי המאושר לפי תקנות אונסקו, על-פי תכנית עבודה וסעיפי תקציב של הבקשה המאושרת המקורית.

בכל ההסכמים הנזכרים לעיל מתבצעת הערכה שמטרתה לבדוק את תוצאות הפעולה.

ט. הערכה ומעקב

256. הוועדה תאמץ מנגנון לבדיקה, הערכה ומעקב אחר פעולות הסיוע הבין-לאומי. מנגנון זה ייבחן ויעודכן דרך קבע, ובתוך 12 חודשים מיום השלמת הסיוע הבין-לאומי ינטר ויעריך את יעילות הסיוע. המזכירות בשיתוף הארגונים המייעצים תשווה ותשמור על תוצאות ההערכה, והוועדה תבחן אותן דרך קבע.

257. הוועדה תבחן ותעקוב אחר יישום הסיוע כדי לאפשר לה להעריך את יעילות הסיוע הבין-לאומי ולהגדיר מחדש את סדרי העדיפויות שלה.

פרק VIII. לוגו, סמל ושם של מורשת עולמית ואונסקו*

סעיפים 13 (1, 2) ו–26–19 באמנה.

א. הקדמה

המפגש ה–2, וושינגטון, 1978.

258. את סמל המורשת העולמית (להלן "הסמל") יצר האמן מר אוליף. הסמל אומץ ע"י הוועדה למורשת עולמית כסמל הרשמי של האמנה למורשת עולמית, והוא מסמל את התלות ההדדית של אתרי התרבות והטבע.

הסמל המסמל את האמנה, מציין את דבקותן של המדינות החברות בה ומשמש לזיהוי האתרים הרשומים ברשימת המורשת העולמית. הוא קשור בהכרת הציבור את האמנה ומשמש חותם לאמינותה וליוקרתה. מעל לכול, הסמל מייצג את הערכים האוניברסליים שבבסיס האמנה.

259. הוועדה החליטה שאפשר להשתמש בסמל בכל צבע וגודל, תלוי בקונטקסט. על הסמל **תופיע הכותרת "מורשת עולמית" באנגלית ובשפות הלאומיות הרשמיות**.

260. כדי להבטיח יתרונות של הסמל ולהימנע משימוש לרעה קבעה הוועדה קווים מנחים לשימוש בו.

המפגש ה–22, קיוטו, 1998 .

261. אף שאין אזכור לסמל באמנה, הוועדה אימצה את השימוש בו, בשנת 1978, כדי לזהות אתרים המוגנים על–פי האמנה והרשומים ברשימת המורשת העולמית.

262. הוועדה למורשת עולמית אחראית לקבוע את אופן השימוש בסמל המורשת העולמית ואת מדיניות השימוש בו.

263. עפ"י בקשת הוועדה, הסמל והלוגו מוגנים עפ"י סעיף 6 של אמנת פאריז לשמירה על סמלים.

המפגש ה–26, בודפסט, 2002.

264. הסמל מסייע לגיוס משאבים; אפשר לנצלו לקידום ערך השיווק של המוצרים שהוא קשור בהם. יש צורך באיזון בין השימוש בסמל לקידום מטרות וההכרה באמנה ברחבי העולם, לבין הצורך למנוע שימוש לרעה בסמל לצרכים לא–הולמים ולא–מורשים כמו מטרות מסחריות או אחרות.

265. ההנחיות והעקרונות לשימוש בסמל וההתניות לבקרת האיכות לא תהוונה מכשול לשיתוף פעולה למען קידום מטרות האמנה. לרשויות שבסמכותן להחליט על השימושים בסמל נקבעו פרמטרים שעליהם יוכלו לבסס את החלטותיהן.

ב. יישום ההנחיות והעקרונות

266. ההנחיות והעקרונות המוצגות כאן חלים על כל המשתמשים בסמל:

א. המרכז למורשת עולמית;

ב. ההוצאה לאור של אונסקו ומשרדים אחרים של אונסקו;

ג. הועד הלאומי האחראי ליישום האמנה במדינה;

ד. אתרי מורשת עולמית, בהסכמת הוועד הלאומי;

ה. צדדים אחרים להסכמים מי שפועלים בעיקר למטרות מסחריות חייבים לקבל את הסכמת המרכז למורשת עולמית, באמצעות הוועד הלאומי.

* **הלוגו והסמל של מורשת עולמית ואונסקו הם סמלים מוגנים בישראל.**

ג. אחריות המדינות החברות

267. מדינות חברות באמנה צריכות לנקוט בארצותיהן, בכל האמצעים האפשריים כדי למנוע את השימוש בסמל ללא הכרה מפורשת של הוועד לכל מטרה שלא זכתה בהכרה כזו. מומלץ שהמדינות החברות ישתמשו בחקיקה לאומית לשמירה על סימנים מסחריים.

ד. השימושים הנאותים בסמל

268. יש לציין בסמל את האתרים הכלולים ברשימת המורשת העולמית, בצירוף הלוגו של אונסקו. חשוב למקם אותם באופן שלא יפגעו חזותית באתר.

ה. הפקת לוחות מידע לאתר מוכרז

269. אם אתר נכלל ברשימת המורשת העולמית, על המדינה החברה להציב לוח מידע כדי ליידע את הציבור במדינה וכן מבקרים זרים שלאתר זה יש ערך מיוחד שזכה בהכרת הקהילה הבין–לאומית. במילים אחרות, האתר הוא בעל ערך יוצא מן הכלל ובעל עניין לא רק לאותה מדינה, אלא לעולם כולו. עם זה, ללוחות אלו יש תפקיד נוסף: עליהם ליידע את הציבור בעניין האמנה למורשת עולמית וברעיון המורשת העולמית ורשימת המורשת העולמית.

270. הוועדה אימצה את ההנחיות שלהלן ללוחות מידע אלו:

א. הלוחות יוצבו במקומות שיאפשרו למבקרים לראותם בקלות, בלי לפגוע בחזות האתר;

ב. סמלי המורשת העולמית ואונסקו יופיעו על–גבי הלוח;

ג. הכיתוב יציין את ערכו האוניברסלי היוצא מהכלל של האתר; כולל תיאור קצר של מאפייניו היוצאים מהכלל של האתר. המדינות החברות רשאיות להשתמש בתיאורים המופיעים בפרסומי המורשת העולמית או בתצוגת המורשת העולמית, ואותם אפשר לקבל מן המרכז למורשת עולמית;

ד. הכיתוב צריך להזכיר את אמנת המורשת העולמית, ובמיוחד את רשימת המורשת העולמית ואת ההכרה הבין–לאומית המוענקת לאתר מעצם הכללתו ברשימה (עם זה, אין צורך להזכיר באיזו ישיבה של הוועדה צורף אתר זה לרשימה); ראוי להפיק את הלוחות בכמה שפות, עבור אתרים שיש בהם מבקרים זרים רבים.

271. הוועדה מציעה את הטקסט שלהלן לדוגמה:

"(שם האתר) נכלל ברשימת המורשת העולמית של האמנה להגנה על המורשת התרבותית והטבעית העולמית. הכללתו ברשימה מאשרת את הערך האוניברסלי היוצא מהכלל של אתר התרבות או הטבע הראוי להגנה לטובת כלל האנושות."

272. לאחר כיתוב זה צריך להופיע תיאור קצר של האתר.

273. יתר על כן, ראוי לעודד שימוש נרחב בסמל על-ידי הטבעתו על ניירות מכתבים, עלונים ומדי הצוות של אתר המורשת העולמית.

274. צד שלישי שהוענקה לו הזכות על ידי המרכז למורשת עולמית באמצעות הוועד הלאומי להפיק מוצרי תקשורת הקשורים באמנה למורשת עולמית ובאתריה, חייב להעניק לסמל מקום בולט. על צד כזה להימנע מליצור סמל או לוגו שונה לאותו מוצר מסוים.

ו. עקרונות השימוש בסמל מורשת

275. הוועד הישראלי לאונסקו אחראי ליישום העקרונות לשימוש בסמל מורשת:

1. יש להשתמש בסמל בכל הפרויקטים הקשורים במהותם באמנה – ובהם, ככל שהדבר אפשרי מבחינה טכנית וחוקית, אלו שכבר אושרו ואומצו, כדי לקדם את האמנה.

2. החלטה לאשר את **השימוש בסמל חייבת להביא בחשבון את האיכות ואת התוכן** של המוצר שהיא קשורה בו – **ולא את היקף המוצרים לשיווק או את הרווח הכספי הצפוי. הקריטריון העיקרי לאישור צריך להיות הערך החינוכי, המדעי, התרבותי או האמנותי של המוצר המוצע והקשר שלו לעקרונות ולערכים של המורשת העולמית.** אין להעניק כעניין שבשגרה אישור להטביע את הסמל על גבי מוצרים שאין להם ערך חינוכי או שהערך החינוכי שלהם קטן ביותר, כגון ספלים, חולצות T, סיכות ומזכרות אחרות לתיירים. באירועים מיוחדים, כגון פגישות של הוועדה וטקסי הסרת הלוט מעל הלוחות, אפשר יהיה לשקול חריגים ממדיניות זו.

3. כל החלטה בעניין אישור השימוש בסמל חייבת להיות חד-משמעית ועליה לעלות בקנה אחד עם המטרות המפורשות והמרומזות עם ערכי האמנה למורשת עולמית.

4. פרט למקרים שבהם מאשרים את השימוש בסמל על-פי עקרונות אלו, **אין לגורמים מסחריים הרשאה לעשות שימוש ישיר בסמל על חומרים משלהם גם לא כדי להפגין את תמיכתם במורשת העולמית**. עם זה, הוועדה מכירה בזכותם של כל יחיד, ארגון או חברה לפרסם או לייצר כל דבר שנראה להם מתאים לאתרי מורשת עולמית, אבל האישור הרשמי לעשות זאת בחסות הסמל של מורשת עולמית נשאר זכותה הבלעדית של הוועדה, וזו תפעל על-פי הנחיות ועקרונות אלו, **בהמלצת הוועד הלאומי**.

5. יש לאשר לצדדים אחרים להשתמש בסמל רק אם השימוש המוצע קשור ישירות באתרי מורשת עולמית. אפשר להתיר שימושים כאלה רק אחרי שהוועד הישראלי יעניק אישור לכך.

6. במקרים שבהם אין קשר לאתרים ספציפיים של מורשת עולמית, או שאין הם המוקד העיקרי של השימוש המוצע, כגון בסמינרים כלליים ו/או בסדנאות על נושאים מדעיים או טכניקות שימור, אפשר לקבל היתר לשימוש בסמל רק בהסכמה מפורשת של הוועדה על-פי הנחיות ועקרונות אלו **באמצעות הוועד הישראלי לאונסקו**. בקשות לשימושים מסוג זה יפרטו את האופן שבו מצפים שהשימוש המוצע יקדם את רעיון האמנה.

7. **לסוכנויות נסיעות, לקווי תעופה או לכל סוג אחר של עסק הפועל בעיקר למטרות מסחריות, אין להעניק רשות להשתמש בסמל, אלא בנסיבות יוצאות דופן** וכאשר אפשר לראות מפורשת את התועלת בעבור מורשת עולמית בכלל או בעבור אתרים ספציפיים של מורשת עולמית. בקשות לשימוש כזה יחייבו אישור לפי הנחיות ועקרונות אלו ואת הסכמת הוועד הישראלי לאונסקו.

המזכירות לא תקבל מסוכנויות נסיעות או מחברות מסחריות דומות כל תמורה – פרסום, נסיעות או תגמולים אחרים – במקום תמורה כספית לשימוש בסמל.

8. **אך, כאשר צפויים יתרונות מסחריים, המרכז אמור להבטיח שהקרן למורשת עולמית תקבל נתח הוגן מההכנסות ותחתום חוזה או הסכם אחר שיתעד את אופי ההבנות המנחות את הפרויקט ואת ההסדרים להעברת ההכנסות לקרן.** בכל המקרים של שימוש מסחרי, יממן הצד המבקש אישור להשתמש בסמל את עלות זמן הצוות והעלויות הנלוות של אנשי סגל המרכז או בודקים אחרים בהתאם לצורך, לכל יזמה שמעבר לנומינלי.

הוועד הישראלי לאונסקו אף נקרא להבטיח שהאתרים או הקרן למורשת עולמית יקבלו נתח הוגן מההכנסות תוך הגדרה ברורה של חלוקת הרווחים.

9. אם מחפשים נותני חסות לייצור מוצרים שהמרכז רואה חשיבות להפיצם, בחירת השותף או השותפים צריכה להיות בהתאם לקריטריונים של "המדריך הפנימי לאיסוף כספים לטובת אונסקו במגזר הפרטי" ובהתאם לכל הנחיה נוספת בעניין גיוס כספים שתפרסם הוועדה. יש להבהיר את הצורך במוצרים כאלה ולהצדיק אותו בהודעות כתובות שיחייבו הסכמה, כפי שתקבע הוועדה.

ז. נוהל אישור שימוש בסמל המורשת העולמית

הסכמת הוועד הישראלי

276. הוועד הישראלי רשאי להעניק אישור שימוש בסמל, בתנאי שהפרויקט (לאומי או בין–לאומי) כולל רק אתרי מורשת עולמית הנמצאים בשטח המדינה. ההחלטה צריכה להתקבל על סמך ההנחיות והעקרונות דלעיל.

277. מזכירות הוועד הישראלי לאונסקו היא הסמכות האחראית הבלעדית לשימוש בסמל, בלוגו ובשם.

בקרת תכנים

278. כל בקשה אחרת לאישור שימוש בסמל תיבחן גם על–פי הנוהל שלהלן:

א. פניה למנהל המרכז למורשת עולמית תוך ציון מטרת, זמן ומיקום השימוש בסמל.

ב. למנהל המרכז למורשת עולמית יש סמכות להעניק את הזכות להשתמש בסמל לפי ההנחיות והעקרונות. במקרים שההנחיות והעקרונות אינם חלים עליהם או אינם חלים עליהם במידה מספקת, יעביר המנהל את העניין ליושב הראש; ובמקרים מיוחדים ביותר, היו"ר עשוי להעביר את העניין להחלטה הסופית של הוועדה. דוח שנתי על השימושים המורשים בסמל יוגש לוועדה למורשת עולמית.

ג. האישור להשתמש בסמל במוצרים מרכזיים המיועדים להפצה רחבה לפרק זמן שאינו מוגדר מותנה בקבלת מחויבות היצרן להיוועץ במדינות בעלות העניין ולהבטיח את אישורן לכיתוב ולתמונות באתרים שבשטחן, בלא כל עלות שתוטל על המרכז. הכיתוב המיועד יהיה באחת השפות הרשמיות של הוועדה או בשפת המדינה האמורה. ובאמצעותו אפשר לקבל את אישור הוועד הישראלי לאונסקו (להלן דוגמה).

טופס אישור תוכן

[הוועד הישראלי לאונסקו], הגוף הרשמי האחראי לאישור תוכן הטקסטים והתמונות העוסקים באתרי מורשת עולמית ונמצאים בשטחה של **[ישראל]**, מאשר/ת בזאת ל **[שם היצרן]** שהטקסט והתמונות שהוגשו עבור **[שם האתר]**, אתר(י) מורשת עולמית,

[מאושרים] [מאושרים כפוף לשינויים המתבקשים הבאים] [אינם מאושרים].

(יש למחוק את המיותר, ובמידת הצורך למסור עותק מתוקן של הטקסט או רשימת תיקונים חתומה).

הערות:

- מומלץ שהאחראי מטעם המדינה יחתום בראשי תיבות על כל עמוד בטקסט.
- לרשות הוועד הישראלי עומדים חודשיים מרגע שקיבל את החומר כדי לאשר את תוכנו.
- יש לספק לוועד הישראלי את הטקסטים באנגלית, בעברית ובערבית.

ד. אם לאחר בדיקת הבקשה ימצא המרכז שהיא ראויה, יוכל לערוך הסכם עם היזם.

ה. אם מנהל המרכז יחשוב ששימוש מוצע בסמל אינו מקובל, יודיע, באמצעות הוועד הישראלי לאונסקו על החלטתו בכתב ליזם.

ח. בקרת איכות

279. הסמכות, כאמור, להשתמש בסמל בלוגו ובשם נתונה בידי הוועד הישראלי שיפעיל לצורך כך, בקרת איכות.

א. המדינות החברות באמנה הן הצדדים היחידים הרשאים לאשר את תוכנו (תמונות וטקסט) של כל מוצר הקשור באתרים שבשטחן ומופץ בחסות סמל המורשת העולמית.

ב. המדינות החברות המגֻנות כחוק על הסמל חייבות לבדוק שימושים אלו.

ג. מדינות חברות אחרות עשויות להחליט לבחון את השימושים המוצעים או להפנות הצעות כאלה אל המרכז למורשת עולמית. **המדינה הודיעה למרכז שהוועד הישראלי לאונסקו הוא הגוף האחראי המתאים לבחון את השימושים המוצעים ולזהות שימושים שאינם הולמים**. בידי המרכז תהיה רשימה של הוועדים הלאומיים האחראים.

פרק IX. מקורות מידע

א. מידע ארכיוני

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280. המזכירות שומרת את כל המסמכים של הוועדה, האסיפה הכללית באתר מרכז מורשת עולמית.

281. המזכירות תוודא שעותקים של הרשימות הטנטטיביות, מועמדויות לרשימת מורשת עולמית, לרבות עותקים של מפות ומידע רלוונטי שהתקבל מהמדינות החברות, יאוחסנו ככל האפשר כתדפיסים ובפורמט אלקטרוני. המזכירות דואגת גם לאחסן מידע רלוונטי הנוגע לאתרים האמורים וכן מסמכים אחרים שניסחו הארגונים המייעצים, כל תכתובת ודיווחים שהתקבלו מהמדינות החברות (ובהם דיווחים על מצב השימור ודיווחים תקופתיים) ותכתובת וחומר מהמרכז ומהוועדה למורשת עולמית.

282. החומר יישמר בצורה מתאימה לאחסון לטווח-ארוך. ייעשו הסידורים המתאימים כדי לאחסן עותקים מודפסים ועותקים אלקטרוניים, לפי הצורך, וכן כדי לספק, לפי בקשה, עותקים למדינות החברות.

283. מועמדויות של אתרים ברשימת המורשת העולמית יועמדו לרשות המדינות. מדינות מתבקשות להעלות עותק על האתר שלהן ליידע על כך את המזכירות . הדבר עשוי לסייע ולהדריך אותן בזיהוי ופיתוח של מועמדויות חדשות.

284. הערכות הארגונים המייעצים לכל מועמדות והחלטת הוועדה בנוגע לכל מועמדות מוצגות באתר האינטרנט של המרכז למורשת עולמית.

ב. מידע נגיש לוועדה למורשת עולמית ושאר המדינות החברות

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285. למרכז למורשת עולמית שתי רשימות דיוור אלקטרוניות: האחת לחברי הוועדה והאחת לכל המדינות החברות, בהתאמה. מדינות חברות מתבקשות לעדכן את כל כתובות הדואר האלקטרוני הרלוונטיות. רשימות הדיוור האלקטרוניות משלימות את האמצעים הרגילים ליידע את המדינות החברות אך אינן באות במקומם. הן מאפשרות למרכז להעביר בתוך זמן קצר הודעות על זמינותם של מסמכים, שינויים בלוח זמנים ונושאים אחרים הרלוונטיים לחברי הוועדה ולמדינות החברות.

286. מידע נוסף מופץ ע"י המזכירות למדינות באמצעות תכתובת קבועה.

287. למזכירות יש בסיס נתונים הפתוח לכל באתר מורשת עולמית.

ג. מידע נגיש לציבור

288. המרכז למורשת עולמית מאפשר, ככל האפשר, גישה חופשית בלא מגבלת זכויות יוצרים למידע על אתרי מורשת עולמית ושאר עניינים רלוונטיים.

289. מידע על הנושאים הקשורים במורשת עולמית אפשר למצוא גם בספריות וגם באתרי האינטרנט של שלושת הארגונים המייעצים. קישורים לאתרים שימושיים אפשר למצוא באתר האינטרנט של מורשת עולמית.

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www.icomos.org
www.iucn.org
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290. למרכז למורשת עולמית מגוון פרסומים על אודות המורשת העולמית, לרבות רשימת מורשת עולמית, רשימת מורשת עולמית בסכנה, תיאורים קצרים של אתרי מורשת עולמית, עדכונים, עלונים וערכות מידע. כמו כן מתפרסם מידע נוסף המיועד ספציפית לקהל הרחב. חומרים אלו מחולקים לציבור ישירות או באמצעות רשתות ארציות ובין-לאומיות שהקימו המדינות החברות או השותפים למורשת העולמית.

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תבנית הצטרפות לאמנה

הואיל והאמנה להגנה על מורשת עולמית תרבותית וטבעית אומצה ביום 16 בנובמבר 1972 בידי הוועידה הכללית של אונסקו במושבה ה- 17;

והואיל ואפשר להצטרף לאמנה האמורה על-ידי _____ לפי סעיף 32 באמנה

לפיכך ממשלת _____ לאחר ששקלה את האמנה האמורה, מצטרפת בזאת ומתחייבת למלא את ההתניות המפורטות בה.

לראיה באתי על החתום בחתימתי על מסמך זה

שנערך ב_____ ביום _____ בחודש _____ בשנת _____.

(חותמת אישור)

חתימת ראש המדינה,
ראש הממשלה
או שר החוץ

תבנית אשרור / קבלה והצטרפות לאמנה

טופס לאשרור

הואיל והאמנה להגנה על המורשת העולמית התרבותית והטבעית אומצה ביום 16 בנובמבר 1972 בידי הוועידה הכללית של אונסקו במושבה ה– 17;

והואיל ואפשר [לאשרר את האמנה האמורה _____

[להצטרף לאמנה האמורה _____ לפי סעיף 31 באמנה

לפיכך ממשלת _____ לאחר ששקלה את האמנה האמורה,

[מאשררת אותה בזאת

[מקבלת אותה בזאת

ומתחייבת למלא את ההתניות המפורטות בה.

לראיה באתי על החתום בחתימתי על מסמך זה

שנערך ב_____ ביום _____ בחודש _____ בשנת _____.

(חותמת אישור)

חתימת ראש המדינה,
ראש הממשלה
או שר החוץ

תבנית ההגשה לרשימה הטנטטיבית

תבנית ההגשה לרשימה טנטטיבית (באנגלית)*

המדינה החברה: תאריך הגשה:

שם: **דואר אלקטרוני:**

כתובת: **פקס:**

ארגון: **טלפון:**

הוכן על-ידי:

שם האתר:
מדינה:
קו רוחב וקו אורך או קואורדינטות ברשת UTM:

תיאור:

_____

_____

_____

הצדקה לערך אוניברסלי יוצא מהכלל עפ"י סעיף 77 להנחיות האמנה:

(יש לסמן את הקריטריונים המתאימים המוצעים ולהסביר מדוע נבחר כל אחד מהם).

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הבטחת האותנטיות או היושרה (סעיפים 95-78):

השוואה בינ"ל עם אתרים דומים אחרים:

- הנחיות נוספות להכנת הרשימות הטנטטיביות (סעיפים 67-62).
- דוגמה לטופס הגשה מלא לרשימה הטנטטיבית אפשר למצוא באתר: http://whc.unesco.org

* נא עיין במדריך הישראלי להגשת הצעה לרשימה הטנטטיבית.

הנחיות לרישום סוגים שונים
של אתרים ברשימת מורשת עולמית*
נספח 3

* אפשר שהוועדה תכין הנחיות נוספות בשנים הבאות לסוגים אחרים של אתרים.

הנחיות לרישום סוגים שונים
של אתרים ברשימת מורשת עולמית

הנחיות לרישום סוגים שונים של אתרים ברשימת מורשת עולמית

1. נספח זה מספק מידע על סוגים מסוימים של אתרים כדי להנחות את המדינות החברות בהכנת מועמדויות של אתרים לרישום ברשימת מורשת עולמית. בהנחיות אלו חשוב להיעזר בפרק II – "רשימת מורשת עולמית" של ההנחיות האופרטיביות.

2. הוועדה אימצה את ממצאי מפגשי המומחים בעניין נופי תרבות, ערים, תעלות ודרכים. (חלק א').

3. התייחסות לדיווחים של מפגשי מומחים שנערכו לבקשת הוועדה למורשת עולמית, במסגרת האסטרטגיה הגלובלית לרשימת מורשת עולמית מאוזנת, מייצגת ומהימנה. (חלק ב').

4. מפרט מחקרים השוואתיים ונושאיים שהכינו הארגונים המייעצים. (חלק ג').

חלק א - נופי תרבות, ערים, תעלות ודרכים

5. הוועדה למורשת עולמית זיהתה והגדירה סוגים של אתרי תרבות וטבע ואימצה הנחיות ספציפיות כדי לזרז את הערכת אתרים אלו עם הגשת מועמדותם להכללה ברשימת מורשת עולמית. כיום, הם כוללים את הקטגוריות שלהלן, אם כי ייתכן שיתווספו אליהן קטגוריות נוספות במרוצת הזמן:

   א. **נופי תרבות;**

   ב. **ערים היסטוריות ומרכזי ערים;**

   ג. **תעלות מורשת;**

   ד. **דרכי מורשת.**

נופי תרבות

הגדרות וקטגוריות

6. **נופי תרבות מייצגים "יצירות משולבות של טבע ואדם"**, כמפורט בסעיף 1 של האמנה. הם מעידים על התפתחות החברה האנושית וההתיישבות לאורך זמן, בהשפעתם של אילוצים פיזיים ו/או הזדמנויות שהסביבה הטבעית יצרה ובהשפעת כוחות חברתיים, כלכליים ותרבותיים שנבעו מכך, פנימיים וחיצוניים כאחד. יש לבחור אותם הן על סמך ערכם האוניברסלי היוצא מהכלל והן על סמך ייצוגיותם מבחינת אזור גיאו–תרבותי מוגדר בבירור, וכן על סמך יכולתם להמחיש את האלמנטים התרבותיים המהותיים והמובחנים של אזורים אלו.

7. נופי תרבות יבחרו על פי הערך האוניברסלי היוצא מן הכלל שלהן ומידת ייצוגם במונחים גיאו–תרבותיים ומאפיינים אחרים של האזור.

8. המונח 'נופי תרבות' כולל מגוון ביטויים של האינטראקציה בין בני האדם לבין הסביבה הטבעית שלהם.

9. נופי תרבות משקפים לא אחת טכניקות ספציפיות של שימוש בר–קיימא בקרקע המתבססות על המאפיינים והמגבלות של הסביבה הטבעית שהם נמצאים בה והתייחסות רוחנית ספציפית לטבע. ההגנה על נופי תרבות יכולה לתרום לשיטות מודרניות של שימוש בר–קיימא בקרקע ויכולה לשמר או לבסס את ערכי הטבע בנוף. קיומן המתמשך של צורות מסורתיות של שימוש בקרקע תומך במגוון הביולוגי באזורים רבים בעולם. ההגנה על נופי תרבות מסורתיים עוזרת לפיכך לשמור על המגוון הביולוגי.

קטגוריות של נוף תרבות*

10. לנופי התרבות שלוש קטגוריות עיקריות:

א. **נוף שעוצב ותוכנן במתכוון בידי אדם** – כאן נכללים גנים ופארקים שהוקמו מטעמים אסתטיים ואשר קשורים לעתים קרובות (אם כי לא תמיד) למבנים או למכלולים דתיים או מונומנטליים;

ב. **נוף שהתפתח באופן אורגני** – מקורו של נוף כזה בצורך ראשוני חברתי, כלכלי, מנהלי ו/או דתי, שיחד עם הסביבה הטבעית שלו, או בתגובה לה, התפתח לצורתו הנוכחית. נופים כאלה, בצורתם ובמרכיביהם, משקפים את תהליך ההתפתחות, והם מתחלקים לשתי קטגוריות–משנה:

- **שריד נוף (או מאובן)** – נוף שהתהליך האבולוציוני בו הגיע אל קצו בשלב כלשהו בעבר, בבת אחת או לאורך זמן. עם זאת, המאפיינים המבחינים המהותיים שלו עדיין ניכרים בצורתו החומרית.
- **נוף מתמשך** – נוף ששומר על תפקיד חברתי פעיל בחברה בת–זמננו וקשור קשר הדוק באורח חיים מסורתי, והתהליך האבולוציוני בו עדיין נמשך. בד בבד, הוא מציג עדויות חומריות מהותיות להתפתחותו לאורך זמן.

ג. **נוף תרבות אסוציאטיבי** – הכללת נופים כאלה ברשימת מורשת עולמית מוצדקת בשל הקשרים הדתיים, האמנותיים או התרבותיים החזקים של הטבע, ולאו דווקא בשל העדות התרבותית החומרית; זו עשויה להיות משנית או אפילו לא להתקיים כלל.

* ראה טבלה בנספח 6, סעיף 1.6.

הכללת נופי תרבות ברשימת מורשת עולמית

11. גודלו של נוף התרבות שאמור להיכלל ברשימת מורשת עולמית הוא יחסי לפונקציות והרציונליות שלו. בכל מקרה, המדגם שבוחרים חייב להיות מהותי דיו כדי לשקף נכונה את מכלול נוף התרבות שהוא ממחיש. אין לפסול את האפשרות לייעד אזורים ליניאריים ארוכים המייצגים רשתות תחבורה ותקשורת בעלות חשיבות תרבותית.

12. הקריטריונים הכלליים לשימור וניהול הם קריטריונים שווים לכל נופי התרבות. חשוב שתיוחד תשומת לב ראויה לכל הערכים המיוצגים בנוף, ערכי תרבות וערכי טבע. יש להכין את המועמדויות בשיתוף כל בעלי העניין, הרשויות המקומיות באישורן ובתמיכתן המלאה.

13. קיומה של הקטגוריה 'נוף תרבות', ברשימת מורשת עולמית על סמך הקריטריונים המפורטים בסעיף 77 בהנחיות האופרטיביות, אין בה כדי להוציא את האפשרות שאתרים בעלי חשיבות תרבותית וגם טבעית יוצאת דופן יוסיפו להיות מוכרזים (סעיף 46 בהנחיות האופרטיביות). **אתרים אלו, המתוארים כ'אתרים מעורבים' (mixed), ערכם האוניברסלי היוצא מן הכלל חייב להיות מוצדק כבעל חשיבות תרבותית וגם טבעית יוצאת מן הכלל.**

ערים היסטוריות ומרכזי ערים

הגדרות וקטגוריות

14. קבוצות של מבנים עירוניים הראויות להיכלל ברשימת מורשת עולמית מתחלקות לשלוש קטגוריות עיקריות:

א. **ערים לא מיושבות** – שיש בהן עדות ארכיאולוגית שאינה משתנה של העבר; ערים אלו עומדות בדרך כלל בתנאי האותנטיות, וניתן לפקח על שימורן;

ב. **ערים היסטוריות מיושבות** – אשר מעצם טבען התפתחו ויוסיפו להתפתח תחת השפעות של שינויים חברתיים–כלכליים ותרבותיים. מצב זה הופך את בחינת האותנטיות שלהן לקשה יותר ואת מדיניות השימור לבעייתית יותר;

ג. **ערים חדשות במאה העשרים** – שיש להן באופן פרדוקסלי משהו משותף עם הקטגוריות הנ"ל: אפשר לזהות את הארגון העירוני המקורי שלהן ואין להתכחש לאותנטיות שלהן, אך עתידן אינו ברור מפני שהפיתוח בהן ברובו אינו ניתן לשליטה.

רישום ערים היסטוריות ומרכזי ערים ברשימת מורשת עולמית*

15. חשיבות ערים היסטוריות תיבחן על–פי הפרמטרים שלהלן:

א. ערים לא מיושבות

הערכת ערים לא מיושבות אינה מעוררת קשיים מיוחדים מעבר לאלו הקשורים באתרים ארכיאולוגיים בכלל: הקריטריונים לייחודיות או לאופי ייחודי הובילו לבחירתן של קבוצות מבנים ראויות לציון בזכות טוהר סגנונן, ריכוז המונומנטים שבהן ולעתים בזכות חשיבות ההקשרים ההיסטוריים שלהן. חשוב שאתרים ארכיאולוגיים עירוניים יירשמו כיחידות אינטגרליות. אין די בקבוצה של מונומנטים או קבוצה קטנה של בניינים כדי לרמוז על התפקודים הרבים והמורכבים של עיר שנעלמה; שרידי עיר כזאת אמורים להשתמר בשלמותם ככל האפשר בסביבתם הטבעית.

ב. ערים היסטוריות מיושבות

במקרה של ערים היסטוריות מיושבות, הקשיים רבים, בעיקר בשל שברירות המרקם העירוני שלהן שבמקרים רבים הופר מאוד מאז תחילת העידן התעשייתי ובשל המהירות האדירה שבה הפכה אף סביבתם לעירונית. כדי שעיר כזאת תהיה זכאית להופיע ברשימה, עליה לזכות בהכרה לאור העניין האדריכלי שבה, ולא רק על בסיס תפקידה בעבר או ערכה בתור סמל היסטורי על–פי קריטריון (i) לאתרי תרבות המופיע ברשימת המורשת העולמית [(סעיף 77) בהנחיות האופרטיביות]. לצורך זכאות להופיע ברשימה, צריכים הארגון המרחבי, המבנה, החומרים, הצורות, ובמידת האפשר תפקודי קבוצת המבנים, לשקף את התרבות או את רצף התרבויות שבגינן הוצעה המועמדות של האתר. אפשר להבחין בין ארבע קטגוריות:

1. **ערים טיפוסיות לתקופה או תרבות ספציפיות** – שהשתמרו כמעט במלואן, וכמעט שלא הושפעו מהתפתחויות מאוחרות. כאן האתר המועמד לרישום הוא העיר על כל סביבותיה, ולכן יש להגן גם על הסביבה;

2. **ערים שהתפתחו לפי מאפיינים מיוחדים** – שהצליחו לשַמר, לעתים בתוך סביבה טבעית יוצאת דופן, הסדרים מרחביים ומבנים אופייניים לשלבים השונים בהיסטוריה שלהן. כאן מקבל החלק ההיסטורי המוגדר בבירור, עדיפות על פני הסביבה העכשווית;

3. **'מרכזים היסטוריים'** – שתופסים בדיוק אותו השטח שתפסו הערים הקדומות, ועתה הם מוקפים בערים מודרניות. כאן חשוב לקבוע את הגבולות המדויקים של האתר בממדים ההיסטוריים הרחבים ביותר שלו ולדאוג כראוי לסביבתו המיידית;

* (המושג נדון על ידי איקומוס בפריז, צרפת (ספטמבר 1984).

4. **מתחמים, אזורים או יחידות מבודדות** – שאפילו המצב שבו שרדו מספק עדות ברורה לאופייה של העיר ההיסטורית שנעלמה. במקרים כאלה האזורים והמבנים ששרדו חייבים לספק עדות מספקת ליושרה/לשלמות מן העבר.

מרכזים היסטוריים ואזורים היסטוריים ייכללו ברשימה רק אם הם מכילים מספר רב של מבנים עתיקים בעלי חשיבות מונומנטלית המספקים עדות ישירה להיבטים האופייניים של עיר שיש בה עניין מיוחד. **אין לעודד מועמדויות של בניינים מבודדים שאינם קשורים זה בזה** המייצגים כשלעצמם כביכול עיר שאי–אפשר להבחין במרקם העירוני שלה.

עם זה, **אפשר להציע אתרים התופסים מרחב מוגבל** אך יש להם השפעה משמעותית על ההיסטוריה של תכנון ערים. במקרים כאלה, המועמדות צריכה להבהיר שמדובר בקבוצה מונומנטלית שיש לרשום אותה וכי העיר נזכרת רק דרך אגב משום שהיא המקום שבו האתר ממוקם. בדומה, אם **מקומו של בניין בעל משמעות אוניברסלית יוצאת מהכלל** הוא בסביבה עירונית מדורדרת מאוד או שאין לה ייצוג עירוני מספיק, צריך לרשום את הבניין, כמובן, בלי כל התייחסות מיוחדת לעיר.

ג. **ערים חדשות של המאה העשרים**

קשה להעריך את איכותן של הערים החדשות של המאה העשרים. ההיסטוריה לבדה תשפוט אילו מהן יהיו דוגמאות מוצלחות של תכנון עירוני בן–זמננו. יש לדחות את בדיקת התיקים הקשורים בערים אלו, פרט לנסיבות יוצאות דופן.

בתנאים הנוכחיים, צריך **להעדיף מתוך רשימת המורשת העולמית אזורים עירוניים קטנים או בגודל בינוני**, שכן אזורים כאלו יוכלו לנהל צמיחה, אם תהיה כזאת, ולא ערי ענק (מטרופולין) שלא קל לספק לגביהן מידע ותיעוד שישמש בסיס משביע רצון להצגתן בשלמותן ברשימה.

לנוכח ההשפעות האפשריות על עתידה של עיר, **מועמדות כזו לרשימת מורשת עולמית צריכה להיות עניין מיוחד. הופעה ברשימה משמעותה שכבר ננקטו אמצעי חקיקה ומינהל כדי להבטיח הגנה על קבוצת המבנים וסביבתם**. חשוב שתהא גם מודעות מצד האוכלוסייה הנוגעת לעניין, משום שבלי השתתפותה הפעילה, כל תכנית שימור לא תהיה מעשית.

תעלות מורשת

16. המושג 'תעלות' נדון בהרחבה בדוח מומחים בנושא תעלות מורשת (קנדה, ספטמבר 1994).

הגדרה

17. **תעלה היא מעבר מים מעשה ידי אדם** – היא עשויה להיות בעלת ערך אוניברסלי יוצא מהכלל – היסטורי או טכנולוגי – בשל מהותה או בתור דוגמה יוצאת דופן המייצגת קטגוריה זו של אתר תרבותי. אפשר שהתעלה תהיה עבודה מונומנטלית, או תאפיין נוף תרבות ליניארי או שתהיה מרכיב אינטגרלי בנוף תרבות מורכב.

רישום תעלות מורשת ברשימת מורשת עולמית

18. האותנטיות תלויה בערכים ובקשרים שביניהם. אחד המאפיינים המיוחדים של התעלה בתור אלמנט של מורשת הוא התפתחותה לאורך זמן. הדבר קשור באופן השימוש בה בתקופות שונות ובשינויים הטכנולוגיים הקשורים לתעלה. היקף ועומק השינויים הללו עשוי להיות אלמנט של מורשת.

19. אותנטיות התעלה והפרשנות ההיסטורית לה כוללות את הקשר בין האתר הפיזי ובין אתרים ניידים אפשריים (סירות, פריטי ניווט), מבנים נלווים (גשרים) ונוף.

20. חשיבות התעלות יכולה להיבחן לפי פרמטרים של טכנולוגיה, כלכלה, חברה ונוף, כמפורט להלן:

א. טכנולוגיה

תעלות יכולות לשמש למטרות: השקיה, מעבר כלי שיט, הגנה, ניצול כוח מים, מניעת הצפה, ניקוז קרקע ואספקת מים. להלן תחומי הטכנולוגיה שעשויים להיות בעלי חשיבות:

1. ביטוּן התעלה ואטימתה;
2. המבנים ההנדסיים של התעלה לעומת מאפיינים מבניים בתחומים אחרים של אדריכלות וטכנולוגיה;
3. פיתוח שיטות בנייה מתוחכמות;
4. הטמעה ושימוש בטכנולוגיות.

ב. כלכלה

תעלות תורמות לכלכלה: פיתוח כלכלי והעברת סחורות ובני אדם. התעלות היו דרכי התעבורה הראשונות מעשה ידי אדם להעברה יעילה של מטענים גדולים. התעלות מילאו ומוסיפות למלא תפקיד מכריע בפיתוח כלכלי בזכות שימושי ההשקיה שלהן. הגורמים שלהלן הם בעלי חשיבות:

1. בניית לאום;
2. פיתוח חקלאי;
3. פיתוח תעשייתי;
4. יצירת עושר;
5. פיתוח כישורי הנדסה ויישומם בתחומים וענפים אחרים;
6. תיירות.

ג. חברה

לבניית התעלות ולהמשך תפעולן יש והיו תוצאות במובן של:

1. חלוקת העושר, והשלכותיו החברתיות והתרבותיות;
2. תנועת בני אדם ואינטראקציה בין קבוצות תרבותיות.

ד. נוף

לעבודות הנדסיות רחבות היקף כאלה הייתה וישנה השפעה על הנוף הטבעי. פעילות תעשייתית הקשורה בה ושינוי דפוסי התיישבות מחוללים שינויים ניכרים בצורות הנוף ובתבניותיו.

דרכי מורשת

21. המונח 'דרכים' או נתיבי תרבות נדון בישיבת המומחים בנושא 'דרכים כחלק ממורשת התרבות שלנו" (מדריד, ספרד, נובמבר 1994).

הגדרה וקטיגוריה

22. המושג 'דרכי מורשת' הוא מושג עשיר ויצירתי ומציע מסגרת רחבה המשלבת הבנה הדדית, גישה פלורליסטית להיסטוריה ותרבות של שלום.

23. **דרך מורשת** – מורכבת מאלמנטים מוחשיים שבהם החשיבות התרבותית נובעת מחילופים ומהידברות רב-ממדית בין מדינות או אזורים, והם ממחישים את האינטראקציה בתנועה לאורך הדרך, במרחב ובזמן.

רישום דרכי מורשת ברשימת מורשת עולמית

24. בהחלטה אם דרך מורשת מסוימת מתאימה להרשם ברשימת מורשת עולמית, יש להביא בחשבון את הנקודות שלהלן:

א. דרישה לערך אוניברסלי יוצא מהכלל.

ב. המושג 'דרכי מורשת':

* **מבוסס** על הדינמיקה שבתנועה ועל **רעיון החילופין תוך המשכיות** בזמן ובמרחב;
* **מתייחס למכלול**; לדרך יש איכות העולה על סך האלמנטים שלה, והיא שמעניקה לה את משמעותה התרבותית;
* **מדגיש** את **הדיאלוג בין מדינות או אזורים**;
* **מבטא רב-ממדיות** בעלת היבטים שונים המתפתחים ומוסיפים על מטרתו הראשונית, שעשויה להיות דתית, מסחרית, מנהלית או אחרת.

ג. **דרך מורשת יכולה להיחשב סוג מסוים ודינמי של נוף תרבות**.

ד. **דרך מורשת כאוסף** של אלמנטים מוחשיים, המעידים על חשיבות הדרך עצמה.

ה. **מבחן האותנטיות יחול על חשיבותה ועל האלמנטים האחרים של הדרך**. יובאו בחשבון אורך הדרך, ועד כמה היא פעילה כיום, וכן השאיפות הלגיטימיות לפיתוח העמים המושפעים ממנה.

נקודות אלו יובאו בחשבון בתוך המסגרת הטבעית של הדרך והרבדים הלא-מוחשיים והסמליים שלה.

חלק ב - דוחות אזוריים ונושאיים של מפגשי מומחים

25. הוועדה למורשת עולמית, במסגרת האסטרטגיה הגלובלית ליצירת רשימת מורשת עולמית מאוזנת, מייצגת ואמינה, מזמנת מפגשי מומחים אזוריים ונושאיים על סוגים שונים של אתרים. תוצאות המפגשים הללו עשויות להנחות את המדינות החברות בהכנת מועמדויות. את דוחות מפגשי המומחים המוגשים לוועדה למורשת עולמית אפשר למצוא באתר האינטרנט whc.unesco.org.

חלק ג - מחקרים נושאיים והשוואתיים של הארגונים המייעצים

26. כדי לעמוד בהתחייבות בעניין הערכות מועמדויות של אתרים תרבותיים וטבעיים, הארגונים המייעצים מבצעים מחקרים השוואתיים ונושאיים, לעתים בשיתוף ארגונים שותפים, במגוון נושאים כדי לספק הקשר להערכותיהם. את רוב הדוחות אלה אפשר למצוא באתרי האינטרנט המתאימים, והם כוללים:

Earth's Ecological History
A Contextual Framework for Assessment of World Heritage Fossil Site Nominations (1996)

International Canal Movements List (1996)
http://www.icomos.org/studies/canals-toc.htm

World Heritage Bridges (1996)
http://www.icomos.org/studies/bridges.htm
A Global Overview of Forest Protected Areas on the World Heritage List (1997)
http://www.unep-wcmc.org/wh/reviews/forests

(A Global Overview of Wetland and Marine Protected Areas on the World Heritage List 1997)
http://www.unep-wcmc.org/wh/reviews/wetlands/

Human Use of World Heritage Natural Sites (September 1997)
http://www.unep-wcmc.org/wh/reviews/human/

Fossil Hominid Sites (1997)
http://www.icomos.org/studies/hominid.htm

The Urban Architecture Heritage of Latin America (1998)
http://www.icomos.org/studies/latin-towns.htm

International Cultural Crossroads; Cultural Routes, Legislation and Cultural Tourism (1998)
http://www.icomos-ciic.org/INDEX_esp.htm

Les Théâtres et les Anphithéârtres antiques (1999)
http://www.icomos.org/studies/theatres.htm

Railways as World Heritage Sites (1999)
http://www.icomos.org/studies/railways.htm

The wine and the vine routes in the Mediterranean Cultural Heritage (1999)
http://www.icomos-ciic.org/index_esp.htm

A Global Overview of Protected Areas on the World Heritage List of Particular Importance for Biodiversity (November 2000)
http://www.unep-wcmc.org/wh/reviews/

Les Villages ouvriers comme éléments du patrimoine de l'industrie (2001)
http://www.icomos.org/studies/village-ouvriers.htm

A Global Strategy for Geological World Heritage (February 2002)

Rock-Art Sites of Southern Africa (2002)
http://www.icomos.org/sarockart.htm

נספח 4 אותנטיות באמנה למורשת עולמית

אותנטיות בהקשר של האמנה למורשת עולמית

נספח 4

אותנטיות בהקשר של האמנה למורשת עולמית

מבוא

את 'מסמך נארה בדבר אותנטיות' ניסחו 45 שהשתתפו ב'ועידת נארה' בדבר אותנטיות והקשר שלה לאמנה למורשת עולמית" שהתקיימה בנארה, יפן, ב–1 עד 6 בנובמבר 1994, בהזמנת הסוכנות לתרבות (ממשלת יפן) ומחוז נארה. ועידת נארה אורגנה בשיתוף אונסקו, ICCROM ו–ICOMOS. הוועדה (במושבה ה–18, פוקט, תאילנד 1994) אימצה את המלצות מסמך נארה. מפגשי מומחים נוספים העשירו את המושג אותנטיות בהקשר של מורשת עולמית.

מסמך נארה בדבר אותנטיות

הקדמה

1. אנו, המומחים שהתכנסנו בנארה (יפן), מבקשים להודות על הנדיבות והאומץ האינטלקטואלי שהפגינו שלטונות יפן בכך שאפשרו קיומו של פורום נחוץ זה, אשר בו יכולנו לקרוא תיגר על החשיבה הקונבנציונלית בתחום השימור ולדון בדרכים ובאמצעים להרחיב את אופקינו כדי לתת כבוד רב יותר למגוון התרבותי לשימור המורשת.

2. אנו מכירים בערכה של מסגרת הדיון שיזמה הוועדה למורשת עולמית ליישם את מבחן האותנטיות בדרכים שיעניקו את מלוא הכבוד לערכים החברתיים והתרבותיים של כל החברות המתמודדות עם שאלת הערך האוניברסלי היוצא מהכלל של אתרי תרבות המוצעים כמועמדים לרישום ברשימת מורשת עולמית.

3. מסמך נארה בדבר אותנטיות נכתב לאור 'אמנת ונציה' (1964), מסתמך עליה ומרחיב אותה למורשת התרבות והאינטרסים בעולם בן–זמננו.

4. בעולם הנתון יותר ויותר לכוחות הגלובליזציה וההומוגניות ובעולם שבו החיפוש אחר זהות תרבותית נעשה לעתים באמצעות לאומנות תוקפנית ודיכוי תרבויות של מיעוטים, התרומה החיונית של ערך האותנטיות בשימור היא בהארה והבהרה של הזיכרון הקולקטיבי של האנושות.

מגוון תרבותי ומגוון מורשת

5. מגוון התרבויות והמורשת בעולמנו הוא מקור חסר תחליף לעושר רוחני ואינטלקטואלי לאנושות כולה. יש לקדם את ההגנה על המגוון התרבותי ועל מגוון המורשת ואף להרחיבם באורח פעיל, בהיותם היבט חיוני של ההתפתחות האנושית.

6. מגוון המורשת התרבותית קיים בזמן ובמרחב ודורש יחס של כבוד לתרבויות אחרות ולכל היבטי מערכות האמונה שלהן. במקרים שבהם נראה שיש סתירה בערכים התרבותיים, הכבוד כלפי מגוון תרבותי דורש הכרה בלגיטימיות הערכים התרבותיים של כל הצדדים.

7. כל התרבויות והחברות מעוגנות בצורות ביטוי, בדרכים מוחשיות ולא–מוחשיות, המהוות את המורשת שלהן, ויש לכבדן.

8. חשוב להדגיש שאחד מעקרונות היסוד של אונסקו הוא שמורשת התרבותית של אחר היא מורשת התרבותית של העולם. האחריות למורשת התרבותית ולניהולה מוטלת בראש ובראשונה על הקהילה התרבותית שיצרה אותה, ולפיכך על מי שמטפל בה. ואולם, נוסף על אחריות זו, השמירה על אמנות והסכמים בין-לאומיים שגובשו בעניין שימור מורשת תרבותית מצריך התחשבות בעקרונות ובאחריות הנובעים מהם. רצוי מאוד לשמור על איזון בין הדרישות של כל קהילה לבין הדרישות של קהילות אחרות, בתנאי שהשגת איזון זה אינה פוגעת בערכי התרבות היסודיים שלהן.

ערכים ואותנטיות

9. שימור המורשת התרבותית בכל צורותיה ובתקופותיה ההיסטוריות מעוגן בערכים המיוחסים למורשת. מקצת מיכולתנו להבין ערכים אלו מותנית במידה שבה אפשר לראות במקורות המידע על ערכים אלו מקורות אמינים ואמִתיים. הידע וההבנה של מקורות מידע אלו, ביחס למאפיינים המקוריים והמאפיינים הנובעים מהם של המורשת התרבותית ושל משמעותם הם תנאי מקדים בסיסי להערכת כל היבטי האותנטיות.

10. אותנטיות הנבחנת באופן זה ומאושרת באמנת ונציה היא גורם חיוני בנוגע לערכים. הבנת האותנטיות ממלאת תפקיד מכריע בכל המחקרים המדעיים של המורשת התרבותית, בתכניות שימור ושחזור וכן במסגרת נוהלי הרישום המשמשים את האמנה למורשת עולמית ורשימות אחרות של מורשת תרבותית.

11. כל ההחלטות בעניין הערכים של אתרי תרבות וכן בעניין אמינות מקורות המידע הקשורים בהם עשויות להשתנות מתרבות לתרבות, ואפילו בתוך אותה תרבות עצמה. לפיכך אי-אפשר לבסס את קביעת הערכים והאותנטיות על קריטריונים קבועים. להפך, הכבוד לכל התרבויות דורש שאתרי המורשת יבחנו בתוך ההקשרים התרבותיים שהם שייכים אליהם.

12. לפיכך, חשוב ונחוץ שבכל תרבות תינתן הכרה על-פי האופי הספציפי של ערכי המורשת שלה וכן האמינות והאמִיתות של מקורות המידע הקשורים בה.

13. כפוף לטיבה של מורשת תרבותית, ההקשר התרבותי שלה והערכתה על פני זמן, ההערכות האותנטיות עשויות להיות קשורות בערכו של מגוון גדול של מקורות מידע. אפשר שהיבטים של המקורות יכללו צורה ועיצוב, חומרים ותוכן, שימוש ותפקוד, מסורת וטכניקות, מקום ורקע, רוח ותחושה וכן גורמים פנימיים וחיצוניים אחרים. השימוש במקורות אלו מאפשר להרחיב את הממדים האמנותיים, ההיסטוריים, החברתיים והמדעיים הספציפיים של המורשת התרבותית הנבדקת.

תוספת 1: הצעות למעקב (הוצע ע"י הרב סטובל)

א. כבוד למגוון התרבותי ולמגוון המורשת דורש מאמץ מודע להימנע מכפיית נוסחאות קבועות או נהלים סטנדרטיים בניסיון להגדיר או לקבוע אותנטיות של מונומנטים ואתרים ספציפיים.

ב. מאמצים לקבוע אותנטיות באופן שיכובד מגוון תרבויות ומורשת דורשים גישות המעודדות תרבויות לפתח תהליכים וכלים אנליטיים ספציפיים לאופיין ולצרכים שלהן. אפשר שיהיו להם כמה היבטים משותפים:

* להבטיח שהערכת אותנטיות כרוכה בשיתוף פעולה רב-תחומי ובשימוש הולם בכל המומחיות והידע הקיימים;
* להבטיח שהערכים המיוחסים אכן מייצגים את התרבות ואת מגוון האינטרסים שלה, במיוחד בנוגע למונומנטים ואתרים;
* לתעד בבירור את האופי הספציפי של האותנטיות של המונומנטים והאתרים כהנחיה מעשית לטיפול וניטור בעתיד;
* לעדכן הערכות אותנטיות לפי השתנות ההערכים והנסיבות.

ג. חשובים במיוחד המאמצים להבטיח שהערכים המיוחסים אכן יכובדו ושהקביעה כוללת מאמצים לגבש, ככל האפשר, קונסנזוס רב-תחומי וקהילתי בעניין ערכים אלו.

ד. הגישות צריכות גם להתבסס על שיתוף פעולה בין-לאומי בין כל בעלי העניין בשימור המורשת התרבותית ולאפשר שיתוף פעולה כזה כדי לשפר את הכבוד הגלובלי וההבנה כלפי ביטויים מגוונים וערכים של כל תרבות.

ה. המשך הידברות זו והרחבתה לאזורים ותרבויות ברחבי העולם הם תנאי מוקדם לחיזוק הערך המעשי של משקל האותנטיות בשימור המורשת המשותפת של המין האנושי.

ו. הגברת המודעות בציבור להיבט בסיסי זה של המורשת היא תנאי חיוני להגיע לצעדים מוחשיים של הגנה על אתרי העבר. הדבר כרוך בפיתוח הבנה מעמיקה יותר של הערכים שאתרי התרבות עצמם מייצגים וכן ביחס של כבוד כלפי תפקידם של המונומנטים והאתרים הללו בחברה בת-זמננו.

תוספת 2: הגדרות

שימור: כל המאמצים המכוונים להבין את מורשת התרבותית, להכיר את ההיסטוריה והמשמעות שלה, להבטיח את ההגנה החומרית עליה ולפי הצורך, גם את הצגתה, שיקומה והרחבתה. (מורשת תרבותית נתפסת ככוללת מונומנטים, קבוצות מבנים ואתרים בעלי ערך תרבותי (כמוגדר בסעיף 1 באמנה למורשת עולמית).

מקורות מידע: כל המקורות בכתב, בעל-פה ובאיור, המאפשרים לדעת על טיבה, פרטיה, משמעותה של המורשת התרבותית ועל ההיסטוריה שלה.

II. CHRONOLOGICAL BIBLIOGRAPHY - ON AUTHENTICITY

Publications which preceded the Nara meeting and which helped prepare the ground for the authenticity discussion which took place in Nara:

Larsen, Knut Einar, *A note on the authenticity of historic timber buildings with particular reference to Japan,* Occasional Papers for the World Heritage Convention, ICOMOS, December 1992.

Larsen, Knut Einar, *Authenticity and Reconstruction: Architectural Preservation in Japan,* Norwegian Institute of Technology, Vols. 1-2, 1993.

Preparatory meeting for the Nara Meeting, held in Bergen. Norway. 31 January - 1 February 1994:

Larsen, Knut Einar and Marstein, Nils (ed.), *Conference on authenticity in relation to the World Heritage Convention Preparatory workshop,* Bergen, Norway, 31 January - 2 February 1994, Tapir Forlag, Trondheim 1994.

The Nara meeting. 1-6 November 1994. Nara. Japan:

Larsen, Knut Einar with an editorial group (Jokilehto, Lemaire, Masuda, Marstein, Stovel), *Nara conference on authenticity in relation to the World Heritage Convention. Conference de Nara sur I'authenticite dans le cadre de la Convention du Patrimoine Mondial.* Nara, Japan, 1-6 November 1994, Proceedings published by UNESCO - World Heritage Centre, Agency for Cultural Affairs of Japan, ICCROM and ICOMOS, 1994.

The Nara meeting brought together 45 experts from 26 countries and international organizations from around the world. Their papers are contained in the volume cited above, as is the Nara document prepared in a working group of 12 meeting participants and edited by Raymond Lemaire and Herb Stovel. This volume of Proceedings invites members of ICOMOS and others to extend the discussions of the Nara Document issues to other regions of the world.

Significant post-Nara regional meetings (as of January 2005):

Authenticity and Monitoring, October 17-22, 1995, Cesky Krumlov, Czech Republic, ICOMOS European Conference, 1995.

The European ICOMOS Conference of 17-22 October, 1995 which took place in Cesky Krumlov, Czech Republic brought together 18 European members of ICOMOS to present national views of the application of authenticity concepts from 14 countries. A synthesis of presentations affirmed the importance of authenticity within the analytical processes we apply to conservation problems as a means of assuring truthful, sincere and honest approaches to conservation problems, and gave emphasis to strengthening the notion of dynamic conservation in order to apply authenticity analysis appropriately to cultural landscapes and urban settings.

Interamerican symposium on authenticity in the conservation and management of the cultural heritage, US/ICOMOS, The Getty Conservation Institute, San Antonio, Texas 1996.

This Authenticity meeting which took place in San Antonio, Texas, USA in March 1996, brought together participants from ICOMOS national committees of North, Central and South America to debate the application of the concepts of Nara. The meeting adopted the

Declaration of San Antonio, which discussed the relationship between authenticity and identity, history, materials, social value, dynamic and static sites, stewardship and economics, and contained recommendations extending "proofs" of authenticity to include *reflection of its true value, integrity, context, identity, use and function,* as well as recommendations pertinent to different typologies of sites.

Saouma-Forero, Galia, (edited by), *Authenticity and integrity in an African context: expert meeting, Great Zimbabwe,* Zimbabwe, 26-29 May 2000, UNESCO - World Heritage Centre, Paris 2001.

The Great Zimbabwe meeting organised by the World Heritage Centre (26-29 May 2000) focused attention on both authenticity and integrity in an African context. Eighteen speakers looked at issues arising in management of both cultural and natural heritage properties. The meeting resulted in the publication cited above, which includes a set of recommendations coming from meeting participants. Among recommendations were suggestions to include *management systems, language, and other forms of intangible heritage* among attributes expressing authenticity, and an emphasis given to the place of local communities in the sustainable heritage management process.

Reconstruction discussions in the context of the *World Heritage Convention* (as of January 2005):

The Riga Charter on authenticity and historical reconstruction in relationship to cultural heritage adopted by regional conference, Riga, 24 October 2000, Latvian National Commission for UNESCO-World Heritage Centre, ICCROM.

Incerti Medici, Elena and Stovel, Herb, *Authenticity and historical reconstruction in relationship with cultural heritage, regional conference, Riga, Latvia, October 23-24 2000: summary report,* UNESCO - World Heritage Centre, Paris, ICCROM, Rome 2001.

Stovel, Herb, *The Riga Charter on authenticity and historical reconstruction in relationship to cultural heritage, Riga, Latvia, October 2000,* in *Conservation and management of archaeological sites,* **Vol. 4, n. 4,2001.**

Alternatives to historical reconstruction in the World Heritage Cities, Tallinn, 16-18 May 2002, Tallinn Cultural Heritage Department, Estonia National Commission for UNESCO, Estonia National Heritage Board.

תבנית הגשת מועמדות לרישום אתרים
ברשימת המורשת העולמית*
נספח 5

* מסמך זה קיים בצורה אלקטרונית באתר האינטרנט של המרכז למורשת עולמית של אונסקו (http://whc.unesco.org/nominform.doc).
תוקף תבנית זו החל מ-2.2.2005

תמצית מנהלים

המדינה החברה	
מחוז	
שם האתר	
קוארדינטות גיאוגרפיות עד לשנייה הקרובה ביותר (UTM)	
תיאור בכתב של גבול(ות) האתר	
מפה של האתר המועמד, המראה את גבולות האתר המוצע לרישום ואזורי החיץ שלו	לצרף מפה בגודל A4
הצדקת הערך האוניברסלי היוצא מהכלל (על הטקסט להבהיר איזה ערך אוניברסלי יוצא מהכלל מגולם באתר המועמד)	
קריטריונים למועמדות האתר (לפרט קריטריונים לפי סעיף 77 בהנחיות האופרטיביות)	
מידע ליצירת קשר עם הגורם הרשמי במדינה	ארגון: הוועד הישראלי לאונסקו כתובת: משרד החינוך טלפון: 972-2-5603746 פקס: 972-2-5603747 דואר אלקטרוני: barelid@education.gov.il אתר אינטרנט: www.education.gov.il/unesco

אתרים לרישום ברשימת המורשת העולמית

שימו לב: בעת הכנת המועמדות, על המדינות החברות להשתמש בתבנית זו אך להשמיט את דברי ההסבר המופיעים מתחת לכל כותרת.

תבנית המועמדות	דברי הסבר
פרק 1 – זיהוי האתר **פרק זה ופרק 2 הם הפרקים החשובים ביותר בהגשת המועמדות.** • על פרק זה להבהיר לוועדה במדויק מהו מקום האתר וכיצד הוא מוגדר מבחינה גיאוגרפית. • במקרה של מועמדות סדרתית, יש לצרף טבלה לכל אתר ואתר, קואורדינטות, אזור מוכרז ואזור חיץ. • אפשר להוסיף גם מידע אחר, איזכורים ומפות המבחינים בין המרכיבים השונים.	
א. המדינה	
ב. המחוז	
ג. שם האתר	• זהו השם הרשמי של האתר, כפי שיופיע בפרסומים של המורשת העולמית, עליו להיות מדויק ותמציתי. אין לכלול יותר מ–200 סימני דפוס, לרבות רווחים וסימני פיסוק. במקרה של מועמדויות סדרתיות, צריך לתת שם למכלול (למשל, "כנסיות הבארוק של הפיליפינים"). • אין לכלול את שמות המרכיבים של מועמדות סדרתית (סעיפים 140–137 בהנחיות האופרטיביות); שמות אלו צריכים להיכלל בטבלה, כמפורט בפרק 1, סעיפים (ד) ו–(ו) שלהלן.
ד. קואורדינטות גיאוגרפיות עד לשנייה הקרובה ביותר	• יש לפרט את קואורדינטות האורך והרוחב (במעלות עשרוניות או עד לשנייה הקרובה ביותר) או בקואורדינטות UTM של נקודה במרכז הקרוב לאתר המועמד. אין להשתמש במערכת קואורדינטות אחרת. • במקרה של ספק, נא לפנות אל המרכז למורשת עולמית להתייעצות. במקרה של מועמדות סדרתית, יש לספק טבלה המציגה את שמו של כל אתר, האזור שלו (או העיר הקרובה ביותר, לפי הצורך) ואת הקואורדינטות של נקודת המרכז שלו. דוגמאות לתבנית קואורדינטות: צ 45° 06′ 05″ מע 15° 37′ 56″ או אזור UTM 18 מזרחית: 546570 צפונית: 4586750

תבנית המועמדות	דברי הסבר
ה. מפות, ותכניות המראות את גבול האזור המוצע להכרזה ואזור החיץ	כנספח למועמדות יש לצרף קנה מידה ותאריכים: 1. **העתק מקורי של המפה הטופוגרפית הרשמית** המראה את האתר המוצע, בקנה המידה הגדול ביותר האפשרי המראה את האתר כולו. 2. **גבולות שטח האתר המוצע לרישום ואזור החיץ** צריכים להיות מסומנים בבירור על מפה זו או על מפה נלווית. יש לפרט גם רישום של גבולות האזורים שיש להם הגנה משפטית מיוחדת רלוונטיות לאתר. במקרה של מועמדות סדרתית יהיה צורך בכמה מפות. • אם אין מפות טופוגרפיות בקנה המידה המתאים, יש לספק במקומן מפות אחרות. המפות הלא-חתוכות צריכות להציג קנה מידה, אוריינטציה, היטל מפה, דטום, שם האתר ותאריך. במידת האפשר, צריך לשלוח את המפות מגולגלות ולא מקופלות. • יש להגיש מידע גאוגרפי בצורה דיגיטלית, מותאם ל GIS (Geographic Information System). 3. **התוויית הגבולות** (האתר המועמד ואזור החיץ) צריכה להיעשות בצורת וקטור, בקנה המידה הגדול ביותר האפשרי. אפשר לקבל ייעוץ מהמזכירות. 4. **מפת מיקום** המראה את מקום האתר במדינה. 5. **תכניות ומפות של האתר** שהוכנו במיוחד, המראות מאפיינים פרטניים, עשויות לעזור ואפשר לצרפן כנספח. כדי להקל את ההעתקה וההצגה לארגונים המייעצים ולוועדה למורשת עולמית, צריך לצרף לטקסט המועמדות גם הקטנה לגודל A4 וקובץ הדמיה דיגיטלי. 6. **אם לא מוצע אזור חיץ**, על המועמדות לכלול הצהרה מנומקת מדוע לא נחוץ אזור חיץ לצורך שמירה מתאימה על האתר.
ו. שטח האתר המוצע לרישום ואזור החיץ המוצע	**אזור הליבה:** _____ הקטרים **אזור החיץ:** _____ הקטרים **סך הכול:** _____ הקטרים במקרה של **מועמדות סדרתית**, (סעיפים 137–140 להנחיות האופרטיביות) יש להראות בטבלת המועמדות הסדרתית את גודלם של השטחים המועמדים המרכיבים אותה ואת גודלו של כל אזור החיץ. יש לצרף טבלה שמציינת את המרכיבים השונים (אזור, קואורדינטות, שטח מוכרז ואזורי חיץ)

תבנית המועמדות	דברי הסבר
פרק 2 – תיאור • פרק זה יתאר את האתר במועד הגשת המועמדות תוך התייחסות למאפיינים החשובים של האתר.	
א. תיאור האתר	• **אתרי תרבות** – ההסבר צריך לכלול תיאור של המבנה או המבנים ושל הסגנון הארכיטקטוני שלהם, מועד הבנייה והחומרים.חשוב לתאר גם גנים, פארקים או רקע אחר. במקרה של עיר היסטורית או מחוז, אין צורך לתאר כל מבנה ומבנה, אך צריך לתאר בנפרד מבני ציבור חשובים ולספק הסבר לתכנון או לצורת הארגון של האזור, מתווה הרחובות. • **אתרי טבע** – ההסבר צריך לעסוק במאפיינים הפיזיים החשובים, בגיאולוגיה, בבתי הגידול, במינים ובגודל האוכלוסייה וכן במאפיינים ובתהליכים אקולוגיים חשובים אחרים. חשוב לצרף רשימת מינים ולהדגיש את קיומם של מינים מקומיים או הנתונים בסכנה. יש לתאר את ההיקף והשיטות לניצול המשאבים הטבעיים. • **נופי תרבות**, חובה לספק תיאור של כל העניינים המוזכרים לעיל, וחשוב להקדיש תשומת לב מיוחדת לאינטראקציה בין האדם לסביבה. • יש לתאר את האתר המועמד כולו, כאמור בפרק 1 לעיל (זיהוי האתר). • **מועמדות סדרתית**, יש לתאר בנפרד כל אחד מהאתרים (סעיפים 137–140 בהנחיות האופרטיביות).
ב. היסטוריה והתפתחות	• **אתרי תרבות** – יש לתאר כיצד הגיע האתר לצורתו ולמצבו כיום, כולל את היסטוריית השימור שלו והשינויים המשמעותיים שהתחוללו בו. בתיאור זה צריך לכלול הסבר על שלבי הבנייה של: מונומנטים, אתרים, מבנים או קבוצות מבנים. יש לתאר אם חלו שינויים משמעותיים, הרס או בנייה מחדש. • **אתרי טבע** – ההסבר צריך לסקור אירועים משמעותיים בהיסטוריה או בפרה–היסטוריה אשר השפיעו על התפתחות האתר ולתאר את האינטראקציה עם המין האנושי. כאן ייכללו עניינים כגון: התפתחות ושינויים בשימוש לצורכי ציד, דיג או חקלאות או שינויים שהתחוללו בעקבות שינוי אקלימי, שיטפונות, רעידות אדמה או כל גורם טבע אחר. • **נופי תרבות** – יש לסקור את כל היבטי ההיסטוריה של הפעילות האנושית באזור.

תבנית המועמדות	דברי הסבר
פרק 3 – הצדקה לרישום • פרק זה צריך להבהיר לוועדה מדוע האתר הוא בעל "ערך אוניברסלי יוצא מהכלל". • יש לדייק בכתיבת פרק זה ולפרט בדקדקנות את הקריטריונים לרישום על-פי סעיף 77 בהנחיות האופרטיביות. • **אין להציג חומר תיאורי מפורט על האתר או על ניהולו, הנכללים בפרקים אחרים, אלא להתמקד בשאלת חשיבותו של האתר.**	
א. הקריטריונים שעל-פיהם האתר מוצע וההצדקה לרישומו (סעיף 77 של ההנחיות האופרטיביות).	• יש להסביר בקצרה כיצד האתר עומד בקריטריונים שעל-פיהם מועמדותו מוצעת. • בעת הצורך, ניתן להשתמש בפרק 2, ה"תיאור" שלעיל ובפסקה ג' ה"ניתוח ההשוואתי" שלהלן, **אך אין להעתיק** את הטקסט מפרקים אלו. • **יש להצדיק בנפרד כל קריטריון**. • במועמדות סדרתית יש להסביר לגבי כל אתר מדוע הוא בעל ערך אוניברסלי יוצא מן הכלל.
ב. הצהרה בדבר ערך אוניברסלי יוצא מהכלל (סעיפים 154–157 להנחיות האופרטיביות).	• ההצהרה בדבר ערך אוניברסלי יוצא מהכלל צריכה להבהיר מדוע האתר ראוי להיכלל ברשימת המורשת העולמית. • ייתכן שיש בו שריד ייחודי מצורת מבנה מסוים או בית גידול או עיר מתוכננת. • ייתכן שהוא שריד מוקדם או עשיר במיוחד, או שהוא מעיד על תרבות שנכחדה, דרך חיים או מערכת אקולוגית. • ייתכן שהוא מכיל אוסף של מינים מקומיים הנתונים בסכנה, מערכות אקולוגיות יוצאות דופן, נופים יוצאים מן הכלל או תופעות טבע אחרות.
ג. ניתוח השוואתי בינ"ל – מצב השימור של אתרים דומים	• יש לערוך השוואה בין האתר לבין: – אתרים דומים [אם ישנם] ברשימת מורשת עולמית; – אתרים דומים באותו אזור גיאו-תרבותי או ביו-גאוגרפי. – אתרים בתקופת זמן היסטורית זהה. • ההשוואה תפרט את קווי הדמיון בין האתר המוצע לבין האתרים האחרים ואת הסיבות המייחדות את האתר המוצע. • יש להתייחס למחקרים בינ"ל, אזוריים או לאומיים המזהים את האתר כבעל ערך אוניברסלי יוצא מהכלל (סעיף 132 להנחיות האופרטיביות).

תבנית המועמדות	דברי הסבר
ד. אותנטיות או יושרה/שלמות	• הצהרת האותנטיות או השלמות/היושרה צריכה להוכיח שהאתר עומד בתנאי האותנטיות/ היושרה/שלמות כפי שנקבעו בפרק II (ד) של ההנחיות האופרטיביות, המתארים את הקריטריונים בפרוטרוט. • **אתר תרבות** – צריך לתאר גם אם נעשו תיקונים תוך שימוש בשיטות ובחומרים מסורתיים באותה תרבות, בהתאם למסמך נארה (נספח 4). • **אתרי טבע** – צריך לתאר כל הופעה חריגה של מינים אקזוטיים של בעלי חיים או צמחייה וכל פעילות מעשה ידי אדם שעלולה לפגוע ביושרת/שלמות האתר.
פרק 4 – מצב שימור האתר וגורמים משפיעים עליו • המידע המוצג בפרק זה יספק בסיס נתונים הנחוצים לניטור מצב האתר. • יש לספק מידע סטטיסטי אמפירי במידת האפשר. המידע יתייחס למצב הפיזי, לסכנות ולאמצעים לשימור (סעיף 132 להנחיות האופרטיביות).	
א. מצב השימור הנוכחי	• **אתרי תרבות** – לדוגמה, בעיר היסטורית או אזור היסטורי, יש לציין את שיעור המבנים הזקוקים לעבודות שיפוץ מהותיות או מינוריות וכן את היקף והמשך של עבודות שיפוץ מהותיות מתוכננות או שנעשו באחרונה. • **אתרי טבע** – יש לספק נתונים על מינים, מגמות או יושרת המערכות האקולוגיות. יש לכך חשיבות, שכן המועמדות תשמש בשנים הבאות למטרות השוואה כדי לעקוב אחר שינויים במצב האתר. • מידע על אינדיקטורים סטטיסטיים דרושים לניטור להלן פרק 6.

תבנית המועמדות	דברי הסבר
ב. הגורמים המשפיעים על האתר	• פסקה זו צריכה לכלול מידע על כל הגורמים שעשויים להשפיע על האתר או לסכן אותו. יש לתת את הדעת גם לסכנות שכבר ננקטו צעדים כדי להתמודד עמן, בין ביישום הגנה כמתואר בפרק 5(ג) שלהלן ובין בדרך אחרת. • כמובן, לא כל הגורמים המוצעים בפרק זה רלוונטיים לכל האתרים. מטרתם לתת מושג ולסייע לזהות את הגורמים הרלוונטיים לכל אתר ספציפי. 1. **לחצי פיתוח (פלישות קרקע, שינויי יעוד, חקלאות, כרייה)** • יש לפרט את אופי לחצי הפיתוח המשפיעים על האתר, לדוגמה: הריסה או בנייה מחדש; התאמת מבנים קיימים לשימושים חדשים שעלולים לפגוע באותנטיות או ביושרה/שלמות שלהם; שינוי בתי גידול או הרס בתי גידול בעקבות פלישות חקלאיות, ייעור או רעייה, או בשל תיירות שאינה מנוהלת כהלכה או בשל שימושים אחרים; ניצול לא–הולם של משאבי טבע או ניצול שאינו בר–קיימא; נזק בגין כרייה; חדירת מינים אקזוטיים שעלולים לפגוע בתהליכים אקולוגיים טבעיים וליצור ריכוזי אוכלוסייה חדשים באתרים או לידם כך שסביבתם תיפגע. 2. **לחצים סביבתיים** (זיהום, שינויי אקלים, מדבור) • יש לערוך רשימה תמציתית של הסיבות העיקריות להידרדרות סביבתית במארג המבנים, בעלי החיים והצמחייה. 3. **אסונות טבע ומוכנות לסיכונים** (רעידות אדמה, שיטפונות, שריפות) • יש לפרט את האסונות המאיימים על האתר שאפשר לחזותם ואלו אמצעים ננקטים כדי להתוות תכניות מתאימות להתמודדות עמם כמו; אמצעי הגנה פיזיים והכשרת צוות. (בהתייחסות לאמצעים הפיזיים, להגנה על מונומנטים ומבנים, חשוב לכבד את שלמות/יושרת המבנה.) 4. **לחצי מבקרים/ תיירים** • יש לתאר את "כושר הנשיאה" של האתר: האם הוא יכול "לספוג" את כמות המבקרים הנוכחית או העתידית בלי שהדבר ישפיע עליו לרעה? • ראוי לפרט גם את הצעדים הננקטים לניהול מבקרים ותיירים. לאור לחצי תיירים אפשר בין השאר שתחול הידרדרות של: שחיקת אבן, עץ, זכוכית או משטחי קרקע אחרים; חום או רמות לחות; הפרעות לבתי–גידול של מינים מסוימים; הפרעה לאורח חיים או לתרבויות מסורתיות.

תבנית המועמדות	דברי הסבר
	5. **מספר תושבי האתר ואזור החיץ** יש לפרט נתונים סטטיסטיים מדויקים על מספר התושבים באתר המוצע ובאזור החיץ. יש לציין באיזו שנה נעשה האומדן או המפקד. • אומדן אוכלוסייה: באזור המוכרז _____ באזור החיץ _____בסך הכול _____ שנה _____
פרק 5 – הגנה, ממשק וניהול • פרק זה נועד לספק תמונה ברורה של מערכות הניהול, התכנון, הממשק, ההגנה והמשפט הקיימות כולל המסורתיות כדי להגן על האתר ולשמרו, כנדרש לפי האמנה. • הפרק עוסק הן בהיבטי המדיניות של המעמד המשפטי והן בצעדי ההגנה ובפרטי הניהול ברמה היום-יומית (סעיף 132 בהנחיות האופרטיביות).	
א. בעלות	• יש לציין את הקטגוריות העיקריות של בעלות על הקרקע (מדינה, פרטית, ארגונים לא-ממשלתיים) ולרשום את הבעלים העיקריים וכתובותיהם.
ב. הגנה ייעודית	• יש לציין את מעמדו המשפטי של האתר: פארק לאומי; אתר בעל ייעוד של מונומנט היסטורי או אזור מוגן על-פי החוק הלאומי. • חשוב לציין את השנה שבה הוחלט על ייעודו ואת החוק(ים) הקובע(ים) את מעמדו. אם לחלקים שונים של האתר המועמד מעמד משפטי שונה, יש להציגם במפות ובמסמכים. • **אם התכניות קיימות רק בעברית, יש לצרף תמצית מנהלים מתורגמת לאנגלית** המדגישה את הסעיפים המרכזיים.
ג. צעדי הגנה ואמצעים ליישומם	• יש לתאר כיצד פועלת ההגנה המוקנית מכוח המעמד המשפטי של האתר, כמפורט בפרק 5 (ב) שלעיל. • יש לציין את החקיקה הרלוונטית הקיימת שבאה להגן על האתר ולפרט בקצרה את סעיפיה. • יש לכלול גם את תמצית טקסט החקיקה באנגלית, כמסמכים מצורפים על-פי פרק 7(ב) שלהלן.

תבנית המועמדות	דברי הסבר
ד. תכניות קיימות ומתוכננות ברשות המוניציפלית (תכנית מחוזית, תכנית שימור, תכנית פיתוח תיירות)	• בפסקה זה יש לתמצת את הסעיפים הרלוונטיים. • יש לציין תכניות מוסכמות שהתקבלו, כולל תאריך והגוף האחראי להכנתן. • יש לכלול העתק של התכנית כמסמך מצורף על-פי פרק 7(ב). • **אם התכניות קיימות רק בעברית**, יש לצרף תמצית מנהלים **מתורגמת לאנגלית** המדגישה את הסעיפים המרכזיים.
ה. תכנית ממשק לניהול (סעיף 132 בהנחיות האופרטיביות)	• יש להציג תכנית ניהולית מתאימה או מערכת ניהול אחרת בעת הגשת המועמדות. • הציפייה היא גם לערובות ליישום תכנית הניהול או כל מערכת ניהול אחרת. • יש לצרף כנספח להגשת המועמדות את תכנית הניהול ומסמכים על כל מערכת ניהול קיימת (**באנגלית**). פרק 7(ב) שלהלן. • יש לצרף ניתוח מפורט של תכנית הממשק (**באנגלית**).
ו. מקורות מימון והיקף המימון	• יש להציג את מקורות ואת היקף המימון הקיימים לאתר, על בסיס שנתי. אפשר גם להציג אומדן, ובמיוחד לזהות פערים, ליקויים או תחומים כלשהם שיהיה צורך לגייס עבורם משאבים.
ז. משאבים מקצועיים: מומחיות ומיומנויות בשיטות שימור וניהול	• יש לציין את המומחיות וההכשרה הרלוונטיים של כוח האדם העובד באתר, ברמה הארצית וברמת המחוז של רשויות לאומיות או ארגונים אחרים.
ח. תשתיות מבקרים ונתונים	• נוסף על ציון הנתונים הקיימים או האומדנים לגבי מספר המבקרים או דפוסי הביקור במהלך כמה שנים, פסקה זו תתייחס גם לתשתיות מבקרים הקיימות באתר כגון: שירותי תרגום והסברים בשבילים, במדריכים, בשלטים ובפרסומים; מוזיאון, מרכז מבקרים; סידורי לינה; הסעדה או מזנון להתרעננות; חנויות; חנייה; שירותים; שירותי חיפוש וחילוץ.
ט. מדיניות ותכניות להצגה ולקידום האתר	• פסקה זו עוסקת בסעיפים 4 ו- 5 של האמנה בעניין הצגה ושימור של המורשת התרבותית והטבעית לדורות הבאים. • יש לספק מידע על המדיניות ועל התכניות להצגה ולקידום של האתר המועמד.
י. רמת כוח האדם (מקצועי, טכני, תחזוקה)	• יש לציין את הכישורים וההכשרה של כוח אדם העובד באתר.

פרק 6 – ניטור

- פרק זה של הצעת המועמדות **מיועד לספק עדות למצב שימור האתר כדי שאפשר יהיה לבדוק ולבחון אותה באופן סדיר ולהגדיר אינדיקציות ומגמות לאורך זמן.**

א. אינדיקטורים מרכזיים למדידת מצב השימור	• יש לפרט בטבלה את האינדיקטורים המרכזיים שנבחרו לשמש מדד למצב שימור האתר כולו (פרק 4 (א) לעיל). • חשוב לציין מה תכיפות בדיקת האינדיקטורים האלה והיכן מאוחסן מידע זה. הם יכולים לייצג היבט חשוב של האתר ולהתייחס באופן הדוק ככל שאפשר להצהרה בדבר הערך האוניברסלי היוצא מהכלל (פרק 2 (ב) לעיל). • רצוי לבטא מידע זה בנתונים כמותיים, ואם אי–אפשר, צריכה להיות אפשרות לשחזר אותם, לדוגמה: על–ידי צילום תמונה מאותה נקודה. להלן דוגמאות לאינדיקטורים מוצלחים: i. מספר המינים או אוכלוסיית מינים בסיסית באתר טבע; ii. שיעור הבניינים הזקוקים לשיפוץ מהותי בעיר היסטורית או במחוז היסטורי; iii. אומדן מספר השנים שיחלפו עד להשלמת תכנית שימור מהותית; iv. יציבות תנועה במבנה מסוים או באלמנט של מבנה והיקף התנועה בהם; v. קצב ההתגברות או הנסיגה והכרסום באתר מסוים.
ב. הסדרים מנהליים לניטור האתר	• יש לציין שם ופרטי יצירת קשר של הגופים האחראים לניטור המוזכר בפרק 6 (א) לעיל.
ג. ממצאי דיווחים קודמים	• יש לפרט ברשימה שלהלן, ולצרף סיכום קצר של דוחות קודמים על מצב שימור האתר ולהמציא תקצירים והפניות למקורות שפורסמו. (לדוגמה: דוחות שהוגשו בהתאם להסכמים בין–לאומיים ותכניות, למשל, Ramsar, MAB).

אינדיקטורים*	תקופה	מיקום אחסון המידע

* יש לציין אינדיקטורים נוספים ולפרט על פי הטבלה ככל הנדרש

פרק 7 – תיעוד	
א. תצלומים, שקופיות ועזרים אודיו-ויזואליים אחרים*	• יש להגיש תצלומים, שקופיות, צילומי אוויר וסרט בפורמט CD, כדי להציג תמונה כללית טובה של האתר. • השקופיות צריכות להיות בגודל 35 מ"מ ברזולוציה 300 dpi . • יש לצרף **רשימה מלאה של השקופיות**, **התדפיסים** ושאר החומרים החזותיים המצורפים ולפרט את **תוכנם, תאריך ואת שם הצלם**. • יש לציין מי מחזיק בזכויות יוצרים ולפרט אנשי קשר ומגבלות זכויות יוצרים אחרות. • יש לכלול לפחות תצלום אחד של האתר שאפשר יהיה להשתמש בו באתר אינטרנט פומבי, ללא זכויות יוצרים.
ב. תכניות ניהול או מערכות ניהול	• **יש לצרף עותקים וטקסטים רלוונטיים באנגלית** של תוכניות ניהול האתר ותקצירים של תכניות הגנה אחרות הרלוונטיות לאתר (פרק 5 (ב), (ד), (ה) לעיל.
ג. צורה, תיארוך ותיעוד המצאי של האתר	• יש לצרף תצהיר המפרט את הנוסח והתאריך של הרשומות האחרונות של האתר או רשימות מצאי של האתר. • יש לתאר רק רשומות ברות שחזור.
ד. כתובת אחסון מידע, רשומות וארכיונים	• יש לציין את השם והכתובת של הגופים שמחזיקים ברשומות המצאי (בניינים, מונומנטים, מיני צמחייה ובעלי חיים), ושל מיקום המידע.
ה. ביבליוגרפיה	• יש לפרט רשימה של האזכורים העיקריים שפורסמו ולהשתמש בפורמט ביבליוגרפי מקובל.

* ראה רשימת מצאי של תמונות וחומרים אודיו-ויזואליים.

רשימת מצאי של תמונות וחומרים אודיו-וידואליים

כותרת תמונה	תמונה/שקופית/ וידאו	מספר זיהוי	תאריך הצילום (שנה/חודש)	שם הצלם	זכויות יוצרים	פרטי קשר	ויתור על שימוש

פרק 8 – פרטי התקשרות • פרק זה יאפשר למרכז למורשת עולמית להעביר מידע מעודכן על חדשות המורשת העולמית וסוגיות אחרות.	
א. מכין המועמדות:	• יש לציין שם, כתובת ופרטים אחרים ליצירת קשר עם האדם האחראי להכנת המועמדות. – **שם** – **תואר** – **כתובת** – **טלפון** – **פקס** – **דוא"ל**
ב. מוסד/ ארגון	• יש לציין שם של גוף לאומי, מוזיאון או מוסד האחראי לניהול המקומי של האתר, על פי הפרטים דלעיל.
ג. ארגונים אחרים	• יש לפרט רשימה הכוללת שם מלא, כתובת, מספרי טלפון ופקס וכתובות דואר אלקטרוני של כל המוזיאונים, לשכות התיירות הרשמיות ומרכזי המבקרים שצריכים לקבל את העידכונים של המורשת העולמית (World Heritage Newsletter) על אירועים ועניינים הקשורים במורשת עולמית.
ד. אתר אינטרנט רשמי	• יש לציין כתובות אינטרנט של האתר המועמד. שם: _____ דואר אלקטרוני:_____ _____

פרק 9 – חתימה בשם המדינה החברה

- הוועד הישראלי לאונסקו אחראי להגשת המועמדות וחותם בשם המדינה.

נספח 6 נוהלי הערכה של הארגונים המייעצים IUCN -ו ICOMOS

נוהלי הערכה של הארגונים המייעצים

IUCN/ICOMOS

נספח 6

נוהלי הערכה של הארגונים המייעצים
IUCN/ICOMOS

נספח זה כולל שלושה פרקים: (פרטים נוספים בסעיפים 143–151 של ההנחיות האופרטיביות).

א. **נוהלי איקומוס - אתרי תרבות**

ב. **נוהלי IUCN - אתרי טבע**

ג. **נוהל משותף - אתרים מעורבים ונופי תרבות**

פרק א - נוהל ההערכה של ICOMOS

1. **המועצה הבין-לאומית למונומנטים ולאתרים (ICOMOS)** – מעריכה הצעות למועמדות של אתרי התרבות על-פי הקריטריונים שנוסחו בהנחיות האופרטיביות (סעיף 148 להנחיות האופרטיביות).

2. תהליך ההערכה מתבטא במגוון רחב של תחומי התמחות שהחברות ב-ICOMOS ובוועדות הלאומיות והבין-לאומיות שלו נותנת להם ביטוי, וכן של רשתות מומחים רבות שהוא קשור עמן. החברים משתתפים גם במשלחות מומחים כדי לבצע הערכות שטח. ההתייעצויות המקיפות הללו מסוכמות בהמלצות מפורטות המוגשות לפאנל של איקומוס ביחד עם הערכת "שולחן" לוועדה למורשת עולמית בישיבותיה השנתיות (תרשים 1).

בחירת מומחים

3. ישנו נוהל שנתי מוגדר להגשת מועמדות אתרים לרשימת מורשת עולמית. מרגע שהמרכז למורשת עולמית של אונסקו בודק הצעת מועמדות ומוצא אותה שלמה, היא מועברת למזכירות ICOMOS. הפעולה הראשונה היא בחירת המומחים לביצוע ההערכה. **ראשית**, מומחים מעריכים את 'הערך האוניברסלי היוצא מהכלל' וההשוואה הבינ"ל של האתר המועמד. זו בדיקה ברמת "ספרייה" (desk) על-ידי אנשי אקדמיה ומומחים. לפעמים המומחים אינם חברי ICOMOS, אם אין מומחיות מתאימה בקרב חברי ICOMOS בתחום ספציפי; לדוגמה, מועמדות של אתר מאובנים, שבה יש צורך בעזרתם של מומחים למאובנים.

4. **שנית**, מומחים בעלי ניסיון מעשי בהיבטי ניהול, שימור ואותנטיות של אתרים, המתבקשים לצאת למשלחת בדיקה באתר. תהליך זה של בחירת המומחים מתבסס על רשת חברי ICOMOS, ונעשה בעזרתן של ועדות איקומוס המדעיות של מומחים אחרים, הוועדה הבין-לאומית לשימור מורשת תעשייתית (TICCIH), הפדרציה הבין-לאומית של אדריכלי נוף (IFLA) הוועדה הבין-לאומית לתיעוד מונומנטים ואתרים של התנועה המודרנית ולשימורם (DoCoMoMo).

בדיקת האתר ב"שטח"

5. בבחירת המומחים שיצאו במשלחות הערכה לאתר, מדיניות ICOMOS היא לבחור, כל אֵימת שאפשר, מומחה מאזור האתר המועמד. מומחים אלו נדרשים להיות מנוסים בניהול מורשת ובשימורה; הם אינם בהכרח מומחי אקדמיה. מצפים מהם לתקשר על בסיס מקצועי עם מנהלי האתר ולהעריך הערכות מושכלות את תכניות הניהול, את נוהלי השימור ואת הטיפול באתרים. הם מקבלים תדריך מפורט, כולל העתק רלוונטי מתיק המועמדות. מועדי הביקור שלהם ותכניותיהם נקבעים בהסכמת המדינה החברה, המתבקשת לוודא שמשלחת ההערכה של ICOMOS לא תזכה לחשיפה תקשורתית. מומחי ICOMOS מגישים לוועד המנהל דוחות חסויים בנושאים הקשורים לאתר האמור. פרסום טרם זמנו עלול להביך הן את ICOMOS והן את הוועדה למורשת עולמית.

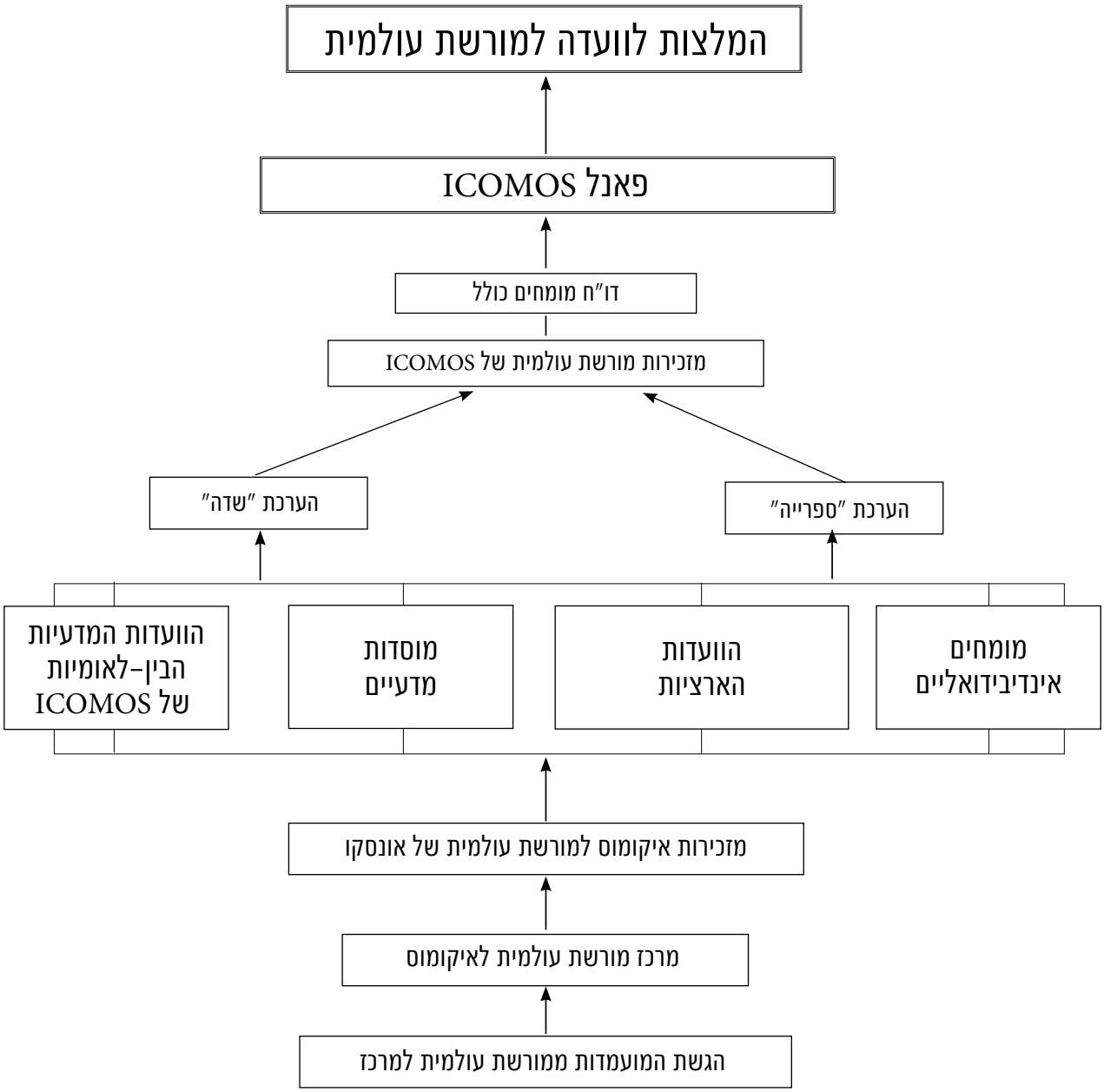
פאנל מורשת עולמית

6. בעקבות תהליך זה מתקבלים שני דוחות (הערכת "ספרייה" וְהערכת "שדה") במזכירות ICOMOS בפריז, והיא מכינה הערכה כוללת, ובה תיאור קצר והיסטורי של האתר, תקציר ההגנה המשפטית שלו, הניהול ומצב השימור, הערות על היבטים אלו והמלצות לוועדה למורשת עולמית.

הטיוטה מוצגת לאחר מכן בפאנל מורשת עולמית של ICOMOS, שנמשך יומיים–שלושה. הפאנל מורכב מחברים נבחרים של הוועד המנהל; חברים אלו באים מכל חלקי העולם, ויש להם מגוון רחב של כישורים וניסיון. על חברי הוועד המנהל מתווספים חברים בקטגוריות מסוימות של מורשת המופיעות ברשימת המועמדויות השנתית אך אינן מיוצגות בוועדה.

7. כל אתר מוצג על–ידי נציג ICOMOS, ואחר כך מתקיים דיון. לאחר בחינה אובייקטיבית וממצה של המועמדות, מכינים את ההמלצות הקולקטיביות של ICOMOS. ההערכות נבדקות, מודפסות ומוגשות לוועדה למורשת עולמית.

תרשים 1: תהליך הערכת איקומוס



פרק ב - נוהל ההערכה של IUCN - אתרי טבע

8. בביצוע הבדיקה הטכנית, ארגון השימור הבין-לאומי, ובשמו פורמלי 'האיגוד הבין-לאומי לשימור הטבע ומשאבי טבע' (IUCN), פועל על-פי סעיף 148 של ההנחיות האופרטיביות.

תהליך ההערכה (המוצג בתרשים 2) כרוך בחמישה שלבים:

א. **איסוף נתונים:** עם קבלת תיק המועמדות מהמרכז למורשת עולמית, מרכיב IUCN גיליון נתונים סטנדרטי על האתר ומשתמש לשם כך בבסיס הנתונים של 'אזור מוגן' במרכז לניטור שימור העולם-UNEP/ (UNEP WCMC).

ב. **בדיקה חיצונית:** המועמדות נשלחת לעשרה עד 15 מומחים המכירים את האתר, בעיקר חברי ועדות ברשת IUCN.

ג. **הערכת שטח:** מומחה או שניים מטעם IUCN מבקרים בכל אתר מועמד כדי לקבל מהרשויות ובעלי העניין הרלוונטיים פרטים על האזור, על ניהול האתר ולדון אִתם במועמדות. מומחי IUCN נבחרים בשל הראייה הגלובלית שלהם בנושאי שימור והיסטוריה של הטבע וכן בזכות הידע שלהם בתחום השימור, ועל-פי-רוב הם מומחים ברשת העולמית לאזורים מוגנים של IUCN, או שהם משתייכים לסגל מזכירות IUCN (פרק ג) שלהלן.

ד. **מקורות מידע נוספים:** IUCN עשוי להתייעץ ולקבל הערות מארגונים לא-ממשלתיים ואחרים.

ה. **בדיקת פאנל מורשת עולמית של IUCN:** פאנל המורשת העולמית של IUCN בוחן את דוחות בדיקת השטח, הערות החוקרים וחומר הרקע הקשור להכנת דוח ההערכה הטכנית לכל אתר מועמד.

כל דוח הערכה טכנית מציג סיכום תמציתי של ערכו האוניברסלי היוצא מהכלל של האתר המועמד, השוואה עם אתרים דומים וסקירה של נושאי הניהול והיושרה/השלמות, ובסיכום הוא מציג הערכה של ישימות הקריטריונים והמלצה ברורה לוועדה למורשת עולמית. דפי נתונים מועברים ע"י UNEP/WCMC לוועדה למורשת עולמית.

שיטת המיון הביו-גיאוגרפית של אודוורדי - Udvardy; Biogeographical Provinces of the World (1975)

9. IUCN בהערכותיו משתמש בשיטת המיון הביו-גיאוגרפית של אודוורדי, זוהי שיטת מיון לאזורי מים מתוקים ואזורים יבשתיים בעולם, והיא מאפשרת לחזות ולהניח הנחות בעניינם של אזורים ביו-גיאוגרפיים דומים. שיטת אודוורדי מספקת אמצעי אובייקטיבי להשוואת אתרים מועמדים עם אתרים בעלי תנאים אקלימיים ואקולוגיים דומים.

10. יודגש כי מושג הפרובינציה הביו-גיאוגרפית משמש בסיס להשוואה בלבד ואין פירושו שאתרי מורשת עולמית נבחרים אך ורק על פי קריטריון זה. העיקרון המנחה הוא שאתרי מורשת עולמית הם אתרים בעלי ערך אוניברסלי יוצא מהכלל.

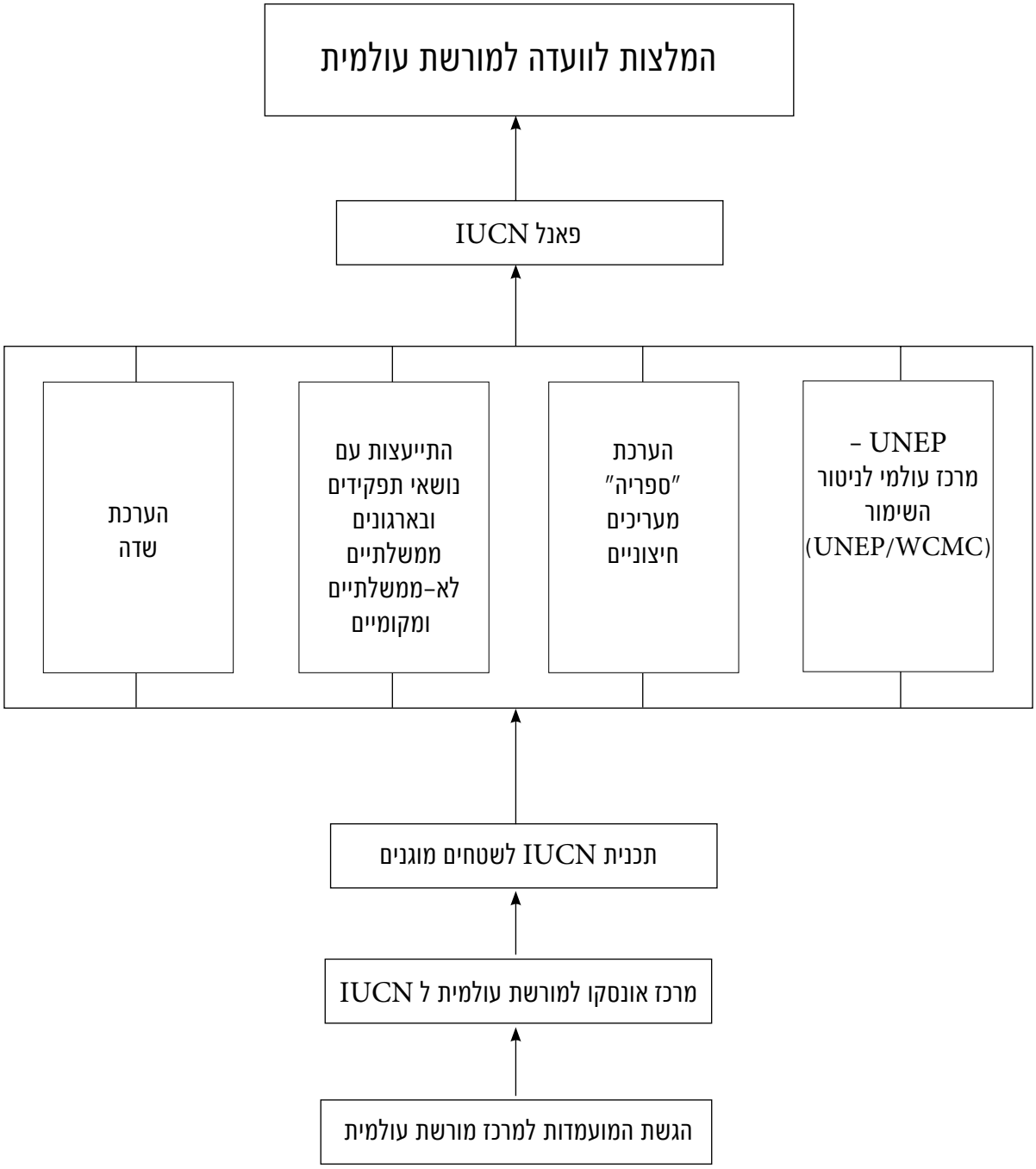
מערכות לזיהוי אזורי עדיפות לשימור

11. IUCN נעזר גם במערכות זיהוי, כגון קרן הטבע העולמית לאזורים אקולוגיים טבעיים עולמיים (WWF), מרכזים למגוון צמחייה, מוקדי שימור בין-לאומיים של מגוון ביולוגי (IUCN/ WWF) ו-'בירדלייף אינטרנשיונל' (BLI).

שיטות להערכת אתרים בעלי ערך גיאולוגי מדעי

12. בהערכת אתרים המועמדים בשל ערכם הגיאולוגי, IUCN מתייעץ עם שורה של ארגונים מומחים, כגון חטיבת מדעי כדור-הארץ של אונסקו והארגון הבין-לאומי לחקר מערות. כמו כן, עם האיגוד הבין-לאומי למדעי הגיאולוגיה (IUGS).

תרשים 2: תהליך הערכת IUCN



מקורות רלוונטיים בתהליך ההערכה

13. תהליך ההערכה נעזר בפרסומים ומקורות יען על אזורים מוגנים בעולם המתפרסמים על-ידי IUCN, UNEP, WCMC, BLI וגופים אחרים, והם:

א. סקירות של מערכות אזורים מוגנים באוקיינוס השקט, אפריקה ואסיה;

ב. המדריך לאזורים המוגנים בעולם (4 כרכים);

ג. המדריך לשוניות האלמוגים בעולם;

ד. אטלס השימור (6 כרכים);

ה. המדריך ל'מערכת עולמית לאזורים ימיים מוגנים' (4 כרכים);

ו. מרכזים למגוון צמחייה. (3 כרכים)

ז. שטחי נדידה וצפרות חשובים בעולם

14. מסמכים אלו מספקים סקירה כוללת רב-מערכתית ומאפשרים להשוות בין חשיבות השימור באזורים מוגנים ברחבי העולם. עם פיתוח אסטרטגיה עולמית למורשת הטבעית, IUCN משתמש יותר ויותר במסמכי 'הסקירה העולמית' שלו כדי לזהות פערים בהתפלגות של 'מורשת עולמית טבעית' ושל אתרים בעלי פוטנציאל להכרזה כ'אתרי מורשת עולמית'. אפשר לעיין במידע זה באתר של IUCN.

הערכת ערכי טבע ותרבות בנופי תרבות (נספח 3 בהנחיות לאמנה)

15. ל- IUCN עניין רב בנופי תרבות, ומסיבה זו הוא משתתף בהערכת שטח משותפת עם איקומוס (פרק ג' שלהלן). אפשר לעיין ב"הערכה של ערכי טבע בנופי תרבות" באתר של IUCN.

16. בעת הערכת נופי תרבות IUCN מתייחס לשיקולים שלהלן :

i. שימור מערכות אקולוגיות טבעיות וטבעיות-למחצה, ושימור מיני חי וצומח

ii. שימור מגוון ביולוגי במערכות חקלאיות

iii. שימוש בר-קיימא בקרקע

iv. שימור יופי הנוף

v. הימצאות אוסף ייחודי של צמחים שהועברו ממקומם

vi. עדות לדוגמה ייחודית ויוצאת מהכלל של קשרי גומלין בין אדם לטבע IUCN

vii. ממצאים בעלי חשיבות היסטורית

הטבלה שלהלן מציבה כל אחד מן השיקולים הנ"ל אל מול הקטגוריות של נופי תרבות שבנספח 3, ובכך היא מסייעת לקבוע מתי סביר שתהיה התאמה. העדר התאמה אין פירושה שלעולם לא תהיה רלוונטיות לנוף התרבות האמור, אלא שעל פי רוב לא יהיה בעל חשיבות אוניברסלית.

סוג נוף תרבות*	שיקולי טבע רלוונטיים (סעיף 16 לעיל)						
נוף מתוכנן /מעוצב					v		
נוף אורגני נוף מתמשך	i	ii	iii	iv			
שריד נוף או מאובן	i					vi	
נוף אסוצאטיבי							vii

* ראה נספח 3, סעיף 10.

פרק ג - שיתוף פעולה בין הארגונים המייעצים

הכללת נופי תרבות במסגרת האמנה למורשת עולמית בשנת 1993 הייתה צעד חשוב בהכרה בתפקיד המורכב והדדי של הטבע והתרבות, וסייעה לקרב בין אלמנטים של טבע ותרבות. אף כי יש נטייה למיין נופי תרבות לפי קריטריוני תרבות יותר מאשר לפי קריטריוני טבע, הרי IUCN מילא תפקיד חשוב בהטמעת מושג חדש זה לאמנה וקידם בברכה התפתחות זו.

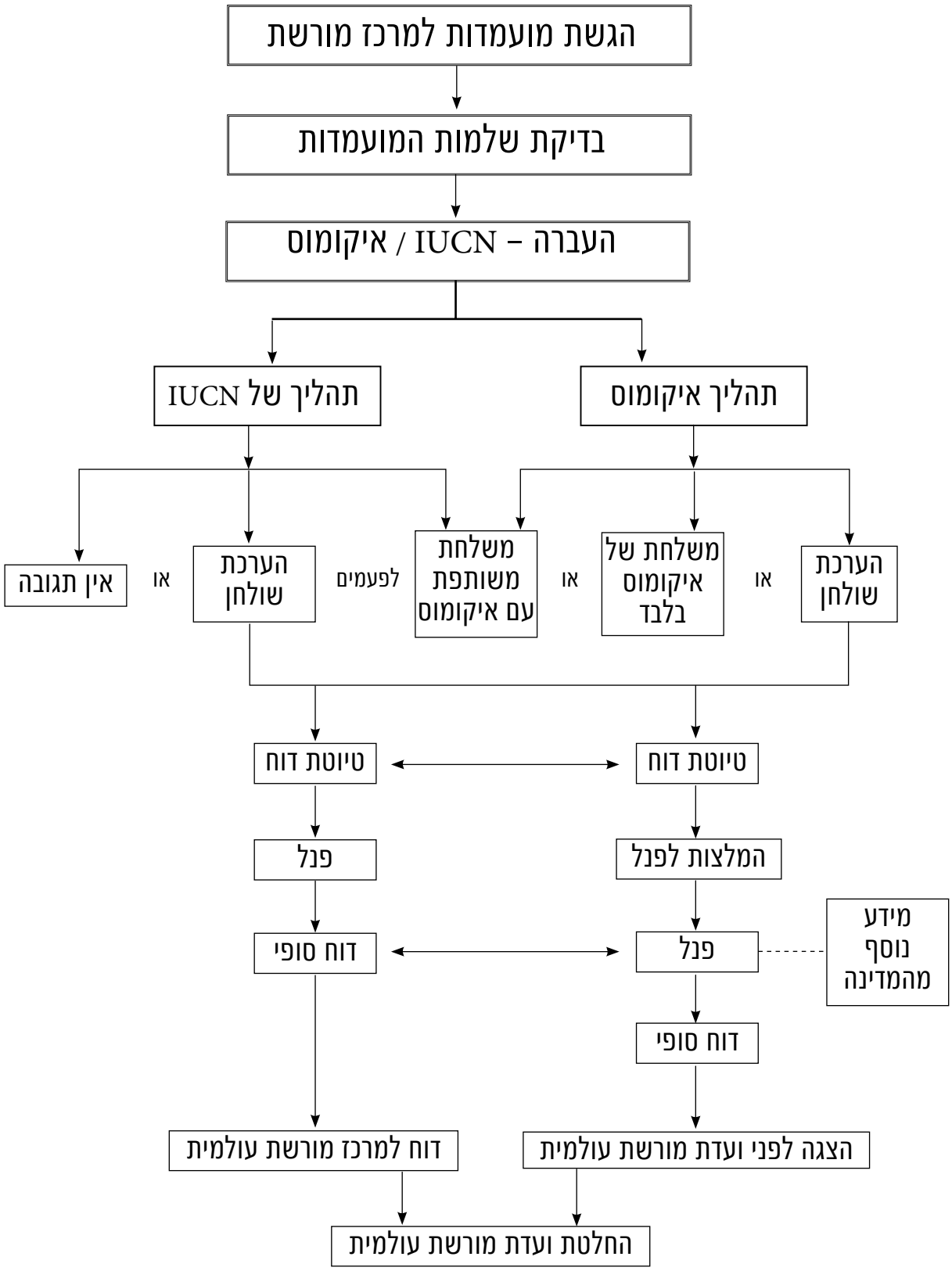
אתרים מעורבים

17. אתרים מועמדים לפי קריטריונים טבעיים וקריטריונים תרבותיים מצריכים הערכת שדה משותפת של IUCN ו-ICOMOS. לאחר ביקור המשלחת, כל גוף מייעץ מכין הערכה טכנית של האתר על-פי הקריטריונים הרלוונטיים (פרק א' (6) ופרק ב' 8(ה) לעיל).

נופי תרבות

18. אתרים המועמדים כנופי תרבות מוערכים על-ידי איקומוס על-פי קריטריונים [(i-vi) וסעיף 77 בהנחיות האופרטיביות)] ולפיכך ICOMOS הוא המבצע את ההערכה הטכנית. לעתים קרובות מתבקש IUCN על ידי ICOMOS לבחון את הערך הטבעי [(קריטריונים vii-x, סעיף 77 בהנחיות האופרטיביות)] ואת ניהול נופי התרבות. הדבר כפוף להסדר בין הארגונים המייעצים. במקרים מסוימים, נדרשת משלחת משותפת.

תרשים 3: תהליך הערכת נופי תרבות



דיווח תקופתי על יישום האמנה למורשת עולמית

נספח 7

כדי להקל את ניהול המידע, המדינה מתבקשת להגיש את הדוחות באנגלית, בצורה אלקטרונית וגם מודפסת.

* התבנית נמצאת באתר מרכז מורשת עולמית wh-info@unesco.org
* מידע נוסף בפרק V בהנחיות האופרטיביות

דיווח תקופתי על יישום האמנה למורשת עולמית

דרישות כלליות

- המידע חייב להיות מדויק וספציפי ונסמך על נתונים כמותיים;
- יש להציג מידע מתומצת תוך הימנעות מתיאור ארוך של אירועים ומהלכים היסטוריים;
- יש להציג עמדה עובדתית ומנומקת;
- יש להגיש מידע כתוב ואלקטרוני כולל מפות (A4) .

פרק א: דווח על יישום האמנה למורשת עולמית על-ידי המדינה

המדינות החברות מתבקשות "לספק מידע באשר לצעדים התחיקתיים והמנהליים שנקטו ולפעולות אחרות שנעשו לשם יישום האמנה וכן פרטים על הניסיון שנצבר בתחום" (סעיף 29 (א) באמנה).

1. מבוא

א. המדינה החברה

ב. שנת אשרור האמנה

ג. הארגונים או הגופים האחראים להכנת הדוח

ד. תאריך הדוח

ה. חתימה בשם המדינה החברה

2. זיהוי אתרי מורשת תרבותית וטבעית עולמית

- פסקה זו מתייחסת בעיקר לסעיפים 3, 4 וְ- 11 באמנה, העוסקים בזיהוי המורשת התרבותית והטבעית ובמועמדות האתרים לרישום ברשימת המורשת העולמית.

א. רשימות מצאי לאומית (מאגר אתרים)

- רשימות מצאי של מורשת תרבותית וטבעית בעלת חשיבות לאומית מהוות בסיס לזיהוי אתרים אפשריים של מורשת עולמית. יש לציין אילו מוסדות ממונים על הכנה ועדכון של רשימות לאומיות אלו ואם ובאיזו מידה הרשימות ו/או הרישומים ברמה המקומית ו/או הארצית קיימות ושלמות.

ב. רשימה טנטטיבית

- סעיף 11 באמנה עוסק בהגשת רשימות טנטטיביות של האתרים המתאימים לרישום ברשימת מורשת עולמית. יש להכין רשימות טנטטיביות של אתרי תרבות וטבע לפי סעיפים 62-69 של ההנחיות האופרטיביות. על המדינות החברות לדווח על הצעדים שנקטו כדי ליישם את החלטת הוועדה בישיבתה ה- 24 (קאירנס, דצמבר 2000) והאסיפה הכללית ה- 12 של המדינות החברות (1999) שלפיה הרשימות הטנטטיביות צריכות לשמש כלי תכנוני לצמצום חוסר האיזון ברשימת המורשת העולמית.

- יש לדווח על מועד הגשת הרשימה הטנטטיבית ועל כל עדכון שנעשה מאז הגשתה. המדינות החברות נקראות גם לספק תיאור של תהליך ההכנה והעדכון של הרשימה הטנטטיבית, למשל, האם ארגון כלשהו קיבל עליו את האחריות לזיהוי ולתיאור מפורט של אתרי מורשת עולמית, האם הרשויות המקומיות והאוכלוסייה המקומית מעורבים בהכנה? אם כן, יש לפרט במדויק.
- כל הוספה של אתר לרשימה הטנטטיבית יש להגיש לפני 15.5 כל שנה.

ג. מועמדויות

- הדוח התקופתי צריך לפרט אתרים המועמדים לרישום ברשימת מורשת עולמית. המדינות החברות נקראות לספק ניתוח של תהליך הכנת המועמדויות, שיתוף הפעולה עם הרשויות המקומיות ועם האנשים, המוטיבציה, המכשולים והקשיים שנתקלו בהם בעת התהליך, היתרונות והלקחים שנלמדו.

3. הגנה, שימור והצגה של המורשת התרבותית והטבעית

- פסקה זו מתייחסת במיוחד לסעיפים 4 ו– 5 באמנה. על–פיהם המדינות החברות מכירות בחובתן להבטיח זיהוי, הגנה, שימור, הצגה והעברה לדורות הבאים של המורשת התרבותית והטבעית העולמית ולנקוט צעדים יעילים ומעשיים לשם כך. הנחיות נוספות בעניין המחויבות של המדינות החברות אפשר למצוא בסעיפים 16–10 בהנחיות האופרטיביות.

סעיף 5 באמנה מפרט את הצעדים שלהלן:

א. פיתוח מדיניות כללית

- יש לספק מידע על מדיניות השואפת להקנות למורשת התרבותית והטבעית תפקיד בחיי הקהילה. יש לספק מידע בעניין האופן שבו המדינה החברה או הרשויות הרלוונטיות נקטו או נוקטות צעדים כדי לשלב הגנה על אתרי המורשת העולמית בתכניות תכנון מקיפות. יש לציין תחומים שבהם פועלת המדינה.

ב. מעמד הארגונים והשירותים להגנה, שימור והצגה

- במידת האפשר יש לספק מידע על כל הסוכנויות והשירותים בשטחיהן של המדינות החברות אשר הוקמו או שודרגו מאז הדוח התקופתי הקודם. יש לייחד תשומת לב לשירותים המיועדים להגנה, שימור והצגה של המורשת התרבותית והטבעית וכן לציין את הצוות המתאים ואת האמצעים למילוי תפקידיהם. יש לתאר תחומים טעוני שיפור ולציין כיצד המדינה החברה פועלת לשפרם.

ג. מחקרים מדעיים וטכניים

- הנחיה נוספת בנושאי מחקר אפשר למצוא בסעיף 215 בהנחיות האופרטיביות.
- יש לפרט מחקרים טכניים ומדעיים משמעותיים או פרויקטים מחקריים בעלי אופי ג'נרי שיש בהם ערך מוסף לאתרי מורשת עולמית אשר הוכרזו מאז הדוח התקופתי האחרון. יש לתאר תחומים טעוני שיפור ולציין כיצד המדינה החברה פועלת לתקנם.
- יש לדווח על מחקרים מדעיים ספציפיים של האתר או על פרוייקטים מחקריים על–פי פרק ב (4) של נספח זה

ד. אמצעי זיהוי, הגנה, שימור, הצגה ושיקום

- יש לציין את האמצעים החוקיים והמנהליים ההולמים שהמדינה או הרשויות הרלוונטיות נוקטות לזיהוי, הגנה, שימור, הצגה ושיקום של המורשת התרבותית והטבעית. יש לייחד תשומת לב לאמצעים שעניינם ניהול מבקרים ופיתוח באזור. המדינה החברה נקראת גם לציין אם, על בסיס הניסיון שהצטבר, יש צורך ברפורמה במדיניות ו/או בחוק. ראוי לציין גם על אילו אמנות בין–לאומיות אחרות להגנה על המורשת התרבותית או הטבעית חתמה המדינה החברה או אילו אמנות אשררה, ואם עשתה זאת, מהי רמת התיאום והיישום של כלים משפטיים שונים הללו וכיצד הם משולבים במדיניות ובתכנון.
- יש לציין את האמצעים המדעיים והטכניים הרלוונטיים שהמדינה החברה או הרשויות הרלוונטיות נוקטות לזיהוי, הגנה, שימור, הצגה ושיקום של המורשת התרבותית והטבעית.
- יש לציין את האמצעים והמשאבים הרלוונטיים שהמדינה החברה או הרשויות הרלוונטיות נוקטות לזיהוי, הגנה, שימור, הצגה ושיקום של המורשת התרבותית והטבעית.
- יש להפנות לפרסומים, אתרי אינטרנט, סרטים, בולים, גלויות, ספרים הכוללים המידע על הצגת המורשת.
- יש לציין תחומים שבהם נדרש שיפור ושהמדינה החברה פועלת למענם.

ה. הכשרה

- הנחיות נוספות בעניין הכשרה אפשר למצוא בסעיפים 214–213 בהנחיות האופרטיביות.
- יש לספק מידע על אסטרטגיות ההכשרה והחינוך שיושמו במדינה החברה לצורך בניית מיומנות מקצועית וכן הקמה ופיתוח של מרכז ארצי או אזורי להכשרה, לחינוך, להגנה, לשימור ולהצגה של המורשת התרבותית והטבעית, והמידה שבה הכשרה כזו משולבת במערכות החינוך והאקדמיה הקיימות.
- יש לציין את הצעדים שהמדינה החברה נוקטת כדי לעודד מחקר מדעי שנועד לתמוך בפעילויות ההכשרה והחינוך.
- יש לציין תחומים שבהם נדרש שיפור ושהמדינה החברה פועלת למענם.

4. שיתוף פעולה בין-לאומי וגיוס משאבים

- פסקה זו מתייחסת במיוחד לסעיפים 4, 6, 17 וְ– 18 באמנה. הנחיות נוספות בעניין אפשר למצוא בסעיפים 231–227 בהנחיות האופרטיביות.
- יש לספק מידע על שיתוף הפעולה עם מדינות חברות אחרות לצורך זיהוי, הגנה ושימור של המורשת העולמית שבשטחיהן.
- יש לציין גם אילו אמצעים ננקטו כדי למנוע נזק במישרין או בעקיפין למורשת העולמית שבשטחיהן של המדינות החברות האחרות.
- יש לציין האם הוקמו קרנות לאומיות, ציבוריות ופרטיות, והאם המדינה החברה העניקה לכך סיוע או גייסה כספים או תרומות למען הגנה על המורשת העולמית?

5. חינוך, מידע ויצירת מודעות

- פסקה זו מתייחסת במיוחד לסעיפים 27 וְ– 28 באמנה. הנחיות נוספות בעניינים אלו אפשר למצוא בפרק IX בהנחיות האופרטיביות.
- יש לציין את הצעדים שהמדינה החברה נוקטת למען מודעות בקרב מקבלי ההחלטות, בעלי עניין והציבור הרחב לגבי הגנה ושימור של המורשת התרבותית והטבעית.

- יש לספק מידע על תכניות חינוך לביה"ס בכל הרמות (יסודית, תיכונית ועל-תיכונית) המופעלות או המתוכננות במטרה לחזק את ההערכה והכבוד מצד האוכלוסייה, ליידע את הציבור בדבר הסכנות המאיימות והאורבות למורשת וכן בדבר הפעילויות שנעשות בהתאם לאמנה. האם המדינה החברה משתתפת בפרויקט המיוחד של אונסקו, "השתתפות צעירים בשימור ובקידום המורשת העולמית"?
- יש לספק מידע על פעילויות ותכניות ספציפיות לאתר על פי פרק ב (4) בנספח זה העוסק בניהול.

6. מסקנות ופעולות מומלצות

- יש לסכם ולערוך את המסקנות העיקריות של כל אחד מהסעיפים בפרק א' בנספח זה וכן את הפעולות שעל הגופים האחראים לנקוט ולוח זמנים לביצוע:

  i. מסקנות עיקריות

  ii. פעולות מוצעות לעתיד

  iii. הגופים האחראים ליישום

  iv. לוח זמנים ליישום

  v. צרכים לסיוע בין-לאומי

- המדינות החברות נקראות גם לספק בדוח התקופתי הראשון שלהן ניתוח של תהליך אשרור האמנה, המוטיבציה, המכשולים והקשיים שניצבו במשך התהליך, היתרונות בעיניהן והלקחים שנלמדו.

פרק ב: דווח על מצב השימור של אתרי מורשת עולמית מוכרזים

- את הדוחות התקופתיים על מצב השימור צריכים להכין האחראים לניהול השוטף של האתר. לאתרים חוצי גבולות מומלץ להכין את הדוחות יחד או בשיתוף פעולה הדוק בין כל הגופים הנוגעים בדבר.
- **הדוח התקופתי הראשון צריך לעדכן את המידע** שנמסר בתיק המועמדות המקורי. הדוחות **שלאחר מכן יתמקדו בשינויים כלשהם שחלו מאז הגשת הדוח הקודם**.
- משום כך, פרק זה של הדוח התקופתי יסתמך על תבנית תיק המועמדות.
- הוועדה למורשת עולמית בודקת בקביעות את מצב האתרים הנכללים ברשימת מורשת עולמית בסיכון, על פי רוב אחת לשנה. בדיקה זו מתמקדת בגורמים ובשיקולים הספציפיים שהביאו לידי הכללת האתר ברשימת מורשת עולמית בסיכון. עדיין יש צורך להכין דוח תקופתי מלא על מצב שימורם של אתרים אלו.
- יש למלא, בנפרד, פרק זה עבור כל אתר מורשת עולמית מוכרז.

1. מבוא

א. המדינה החברה

ב. שם האתר

ג. קואורדינטות גיאוגרפיות עד לשנייה הקרובה ביותר

ד. תאריך רישום האתר ברשימת המורשת העולמית

ה. הארגונים או הגופים האחראים להכנת הדוח

ו. תאריך הדוח

ז. חתימה בשם המדינה החברה

2. הצהרת החשיבות האוניברסלית (סעיף 77 בהנחיות לאמנה)

- בעת רישום האתר ברשימת מורשת עולמית, הוועדה למורשת עולמית מציינת את הערך האוניברסלי היוצא מהכלל של האתר על-ידי קביעת הקריטריונים לרישום. יש לציין את ההצדקה לרישום שמסרה המדינה החברה ואת הקריטריונים של הוועדה לרישום האתר ברשימת מורשת עולמית.
- על המדינה החברה לבחון האם הצהרת החשיבות אכן משקפת נכונה את הערך האוניברסלי היוצא מהכלל של האתר או שמא יש צורך בהגשת מועמדות מחודשת? אפשר לשקול עניין זה, למשל, כדי להכיר בערכים תרבותיים של אתר מורשת עולמית הרשום ברשימה בשל ערכו הטבעי היוצא מהכלל או להיפך. ייתכן שהדבר יהיה הכרחי בשל שינוי של ממש בקריטריונים של הוועדה למורשת עולמית או בשל זיהוי טוב יותר או ידע בעניין הערך האוניברסלי היוצא מהכלל של האתר.
- נושא נוסף שעשוי להיבחן כאן, הוא אם יש בתיחום גבולות אתר המורשת העולמית ואזור החיץ שלו, כדי להבטיח את ההגנה והשימור של הערך האוניברסלי היוצא מהכלל הגלום באתר. אפשר לשקול עיון מחדש או הרחבה של הגבולות בעקבות בדיקה כזו.
- אם אין בנמצא הצהרת חשיבות או שהיא אינה שלמה, על המדינה החברה למסור הצהרה שכזו בדיווח התקופתי הראשון. הצהרת החשיבות צריכה לשקף את הקריטריונים שהוועדה רשמה על-פיהם את האתר ברשימת המורשת העולמית. עליה גם להשיב על שאלות כגון מה האתר מייצג? מדוע האתר יוצא מהכלל? מה הן האיכויות הספציפיות המייחדות את האתר, מהו הקשר של האתר לסביבתו? הארגונים המייעצים הרלוונטיים יבדקו את הצהרת החשיבות, והיא תועבר לאישור הוועדה למורשת עולמית, אם יהיה בכך צורך.

3. הצהרת אותנטיות/יושרה

- בסעיף זה יש לבחון אם נשמרו הערכים שבזכותם נרשם האתר ברשימת מורשת עולמית ובאו לידי ביטוי בהצהרת החשיבות על-פי סעיף 2 לעיל.
- יש לעסוק גם בסוגיית האותנטיות/ היושרה/השלמות של האתר. מה הייתה הערכת האותנטיות/ היושרה/השלמות של האתר בעת הרישום ברשימה? מהי הערכת האותנטיות/ היושרה/השלמות כעת?
- יש לשים לב שנדרש ניתוח מפורט יותר של תנאי האתר על-פי סעיף 6 שלהלן על סמך אינדיקטורים בסיסיים לבחינת מצב השימור.

4 . ניהול/ ממשק

- בפסקה זו יש לדווח על יישומה ויעילותה של חקיקה להגנה ברמה הארצית, המחוזית או המוניציפלית ו/או על הגנה חוזית או מסורתית וכן על ניהול ו/או תכנון בקרה של האתר האמור וגם על פעולות צפויות בעתיד כדי לשמר את הערך המתואר בהצהרת החשיבות על-פי סעיף 2 לעיל. הנחיות נוספות אפשר למצוא בפרק III להנחיות האופרטיביות.
- על המדינה החברה לדווח גם על שינויים חשובים בבעלות, במעמד המשפטי ו/או בצעדי הגנה חוזיים או מסורתיים, הסדרי ניהול ותכניות ניהול לעומת המצב בעת רישום האתר או במועד הדוח התקופתי הקודם. במקרה כזה, המדינה החברה מתבקשת לצרף לדוח התקופתי את כל המסמכים הרלוונטיים, ובמיוחד טקסטים משפטיים, תכניות ניהול ו/או תכניות עבודה (שנתיות) לניהול ותחזוקה של האתר. יש לצרף גם שם מלא וכתובת של הגוף או של האדם האחראי ישירות על האתר.
- המדינה החברה יכולה לספק הערכה של משאבי אנוש והמשאבים הכספיים הקיימים והדרושים לצורך ניהול האתר, וכן הערכה של צורכי הכשרת הצוות באתר.
- המדינה החברה תספק מידע על מחקרים מדעיים, פרויקטים מחקריים, פעילויות חינוך, מידע ויצירת מודעות הקשורים ישירות באתר, ולתאר את המידה שבה ערכי המורשת של האתר מונחלים לתושבים, למבקרים ולציבור הרחב. אפשר לעסוק בין היתר בעניינים כגון, האם יש באתר לוח הנצחה המציין שזהו אתר מורשת עולמית? האם יש תכניות חינוכיות לבתי הספר? האם מתקיימים אירועים מיוחדים ותערוכות? האם יש מתקנים, מרכז מבקרים, מוזיאון, שבילי סיור, מדריכים, חומר אינפורמטיבי בעבור המבקרים באתר? איזה תפקיד יש למורשת העולמית בכל התכניות והפעילויות הללו?
- יתר על כן, המדינה החברה תספק מידע סטטיסטי, על בסיס שנתי במידת האפשר, על ההכנסות, מספר המבקרים, היקף הצוות ושאר הפריטים הרלוונטיים.
- על סמך סקירת מצב ניהול האתר, המדינה החברה יכולה לשקול אם יש צורך בשינוי של ממש בתנאים התחיקתיים והמנהליים, לשם שימור האתר.

5. גורמים המשפיעים על האתר

- יש להתייחס למידה שבה בעיות וסיכונים ספציפיים מהווים איום על האתר. בפריט זה יש לתת את הדעת לגורמים שהוצגו במסמך המועמדות, למשל, לחצי פיתוח, לחצים מצד שוחרי איכות הסביבה, אסונות טבע ומוכנות לקראתם, לחצי מבקרים/ תיירים, מספר תושבים.
- בשל החשיבות שבתכנון מראש ושל מוכנות לסיכונים, יש לספק מידע רלוונטי על שיטות הפעולה שיאפשרו למדינה החברה להתמודד עם הסכנות המאיימות או העלולות לאיים על המורשת התרבותית והטבעית. יש לתת את הדעת לבעיות ולסיכונים כגון רעידות אדמה, שיטפונות, מפולות, תנודות קרקע, זיהום תעשייתי, ונדליזם, גנבות, ביזה, שינויים בהקשר הפיזי של האתרים, כרייה, בירוא יערות, הסגת גבולות וכן שינויים בשימושי קרקע, חקלאות, סלילת דרכים, פעילויות בנייה, תיירות. יש לציין תחומים שבהם נדרש שיפור ושהמדינה החברה פועלת לקראתם.

- בפריט זה יש לספק מידע עדכני על כל הגורמים העשויים להשפיע או לאיים על האתר. יש להתייחס גם לצעדים הננקטים כדי להתמודד עם איומים אלו.
- יש להעריך גם אם השפעת הגורמים הללו על האתר גוברת או מתמתנת ואילו פעולות ננקטות או מתוכננות כדי להתמודד ביעילות עם הגורמים האלה.

6. ניטור

- סעיף 3 לעיל מספק הערכה כוללת על אודות שימור הערך האוניברסלי היוצא מהכלל של האתר, סעיף 6 לעומתו, מנתח ביתר פירוט את תנאי האתר על סמך אינדיקטורים בסיסיים למדידת מצב השימור.
- אם לא זוהו אינדיקטורים כלשהם בעת רישום האתר ברשימת מורשת עולמית, יש לעשות זאת בעת הגשת הדוח התקופתי הראשון. הכנת הדוח התקופתי יכולה לשמש גם הזדמנות להעריך את תקפות האינדיקטורים שזוהו קודם לכן ולשנות אותם במידת הצורך.
- יש לספק מידע עדכני על אודות כל אינדיקטור. חשוב לוודא שהמידע הנמסר מדויק ומהימן ככל האפשר, למשל על-ידי ביצוע תצפיות כפי שבוצעו קודם ועל-ידי שימוש בציוד דומה ובשיטות דומות לאלו ששימשו קודם לכן ובמועד דומה בשנה.
- יש לציין אילו שותפים מעורבים בניטור, אם יש כאלה, ולתאר איזה שיפור המדינה החברה צופה או מה לדעתה טעון שיפור בשיטת הניטור.
- במקרים ספציפיים, ייתכן שהוועדה למורשת עולמית ו/או הלשכה כבר בחנו את מצב שימור האתר והגישו המלצות למדינה החברה, אם בעת הרישום ואם אחריו. במקרים כאלה, המדינה החברה מתבקשת לדווח על הפעולות שנקטה בתגובה להערות או להמלצות של הלשכה או של הוועדה.

7. סיכום המסקנות והפעולות המומלצות

- יש לסכם ולערוך בטבלה את המסקנות העיקריות על פרטי מצב השימור, ובמיוחד אם הערך האוניברסלי היוצא מהכלל נשמר ולצרף להן:

  א. מסקנות עיקריות בעניין שימור ערכי המורשת העולמית של האתר (סעיפים 2 ו- 3 לעיל)

  ב. מסקנות העיקריות בעניין הניהול והגורמים המשפיעים על האתר (סעיפים 4 ו- 5 לעיל)

  ג. הצעה לפעולות עתידיות

  ד. הגופים האחראים ליישום

  ה. לוח זמנים ליישום

  ו. צורך בסיוע בין-לאומי

- המדינה החברה מתבקשת גם לציין את הניסיון שצברה, העשוי להיות רלוונטי להתמודדות עם בעיות או סוגיות דומות.
- יש לציין פרטים ליצירת קשר עם ארגונים או מומחים לצורך מעקב.

בקשה לסיוע טכני בין-לאומי

נספח 8

- הבקשות לסיוע בין-לאומי תוגשנה ע"י הוועד הישראלי אונסקו.
- המדינה החברה יכולה להגיש את הבקשות לסיוע בין-לאומי בדואר אלקטרוני, אך יש לשלוח גם עותק מודפס חתום רשמית.

1. המדינה החברה_____

2. שם הפעילות _____

_____

_____

3. הפעילות נדרשת לאתרים:

☐ הרשומים ברשימת מורשת עולמית בסיכון

☐ הרשומים ברשימת מורשת עולמית

☐ המועמדים לרשימה הטנטטיבית

אם אחת מהאפשרויות שלעיל נכונה, יש לציין את שם האתר(ים): _____

_____

_____

4. סוג הפעילות סיוע ל-

☐ חירום

☐ הכנה

☐ הכשרה ומחקר

☐ שיתוף פעולה טכני

☐ חינוך, מידע והעלאת מודעות

(פירוט בטבלה בסעיף 241 להנחיות האופרטיביות)

5. תרומות קודמות מהקרן למורשת עולמית

א. אם הפעילות אמורה לסייע לאתר או לאתרי מורשת עולמית, האם היו תרומות קודמות מקרן המורשת העולמית לאתר או לאתרים אלו?

☐ כן ☐ לא

ב. האם התקיימו במדינה החברה בעבר פעולות דומות או קשורות בעזרת תרומות מקרן המורשת העולמית?

☐ כן ☐ לא

אם התשובה לסעיף 5א' ו/או ב' היא חיובית, יש לציין את כל התרומות הקודמות מהקרן למורשת עולמית, לפי המתכונת שלהלן:

סוג הסיוע הבין-לאומי	שנה	סכום ב-$	שם הפעילות

6. מקום הפעילות

א. האם הפעילות תתקיים באתר מורשת עולמית? ☐ כן ☐ לא

ב. האם יתקיימו סיורים לימודיים באתר? ☐ כן ☐ לא

אם כן, היכן? _____

_____

7. לו"ז של הפעילות (תכנון) ומשך הפעילות (ביצוע)

א. מועדים: _____

ב. משך: _____

8. הפעילות תהיה ברמה

☐ מקומית

☐ ארצית

☐ תת-אזורית (כוללת כמה מדינות חברות מהאזור)

☐ אזורית (כוללת את רוב המדינות החברות מהאזור)

☐ בין-לאומית (כוללת מדינות חברות מאזורים שונים)

אם הפעילות היא פעילות תת-אזורית, אזורית או בין-לאומית, יש לציין את המדינות שישתתפו בפעילות זו או שיסתייעו בה:

שם המדינות: _____

_____

_____

9. הצדקה לפעילות

- יש לציין את הבעיות או הסוגיות העומדות לדיון. התיאור צריך להצדיק את הפעילות ולספק אינדיקציות למידת הדחיפות של הפעילויות שיינקטו בעת הצורך. יש לפרט את הסכנה הוודאית או האפשרית הנשקפת לאתר(ים) שמדובר בו (בהם). במידת האפשר, יש לצרף ראיות מתועדות, כגון דוחות, תצלומים, שקופיות ומפות. יש לרשום את כל התיעוד המצורף.

יש להסביר כיצד תתרום הפעילות ליישום:

א. החלטות ועדת מורשת עולמית;

ב. המלצות משלחות מומחים בין–לאומיים שהוגשו על–פי בקשת הוועדה, היו"ר או אונסקו;

ג. המלצות הארגונים המייעצים;

ד. המלצות המרכז למורשת עולמית של אונסקו או מחלקות אחרות של אונסקו;

ה. המלצות של תכניות ניהול ממשק העוסקות באתר;

ו. הנחיות שגובשו בעקבות פעילויות קודמות שזכו לתמיכת הקרן למורשת עולמית באתר מורשת עולמית או במדינה החברה.

10. מטרות הפעילות

- יש לפרט בבהירות את מטרות הפעילות המוצעת לקבלת תמיכה מטעם הקרן למורשת עולמית.

א. _____

_____

ב. _____

_____

ג. _____

_____

ד. _____

_____

11. תכנית עבודה מפורטת

- יש לתאר את התכנית ואת דרכי היישום של הפעילות שתתבצע. יש להתייחס ספציפית למטרות שצוינו בסעיף 10 שלעיל. לצורך מפגשים ופעילויות הדרכה, יש לספק תכנית הכוללת את הנושאים, הסוגיות והבעיות שיידונו.

א. תיאור התוכנית.

ב. סדנאות / מפגשים.

ג. נושאים / סוגיות ובעיות

12. לוח זמנים מפורט

- יש לציין לו"ז למשך כל הפעילות, ובו פרטים על:

א. הכנת הפעילות;

ב. משך כל פעולה;

ג. רכישת ציוד, אם רלוונטי;

ד. מועדים שבהם יידרשו כספים כדי להשלים בהצלחה את הפעילות;

ה. הערכה לאחר היישום (חובה).

13. פרופיל של מומחים, מדריכים, טכנאים ו/או כוח אדם מיומן, המשתתפים

- יש לציין את תחום ההתמחות המדויק ואת העבודה שתידרש **מכל אחד מהמומחים** וכן את משך העבודה הנדרש. המרכז למורשת עולמית והגופים המייעצים יכולים להמליץ על אנשי משאבים / מדריכים, אם המדינה החברה תבקש זאת.

א. מהות המומחיות.

ב. מקצוע.

ג. ניסיון נדרש.

14. פרופיל המשתלמים/המשתתפים

- יש לציין את קבוצות המטרה ומי יפיק תועלת מהפעילות, מה מקצועותיהם, לאילו מוסדות הם משתייכים ומה תחומי ההתמחות שלהם.

א. אוכלוסיית יעד.

ב. תועלות צפויות.

ג. תחומי מקצועיות.

ד. השתייכות מוסדית.

15. ציוד

- אם תידרש אספקת ציוד לצורך פעילות זו, יש לצרף רשימה מפורטת של הציוד הנדרש, בצירוף עותקי הזמנות (פרופורמה).

16. תפוקות צפויות, מעקב

- יש לתאר את תפוקות צפויות, במיוחד בשים-לב להשפעה שתהיה לפעילות על השיפור בשימור, בניהול ובהצגה של אתרי המורשת העולמית האמורים.

_____

_____

- יש לתאר אינדיקטורים ברורים להשפעת הפעילות על המטרות שהוזכרו בסעיף 10.

_____

_____

- יש לציין את הפעולות שננקטו כדי לבחון את תפוקות הפעילות ברמה הארצית ומערכת מעקב צפויה.

_____

_____

17. תקציב

א. יש לציין פירוט של ההוצאות, (במטבע דולר ארה"ב), לכל אחד מהאלמנטים בסעיפים שלהלן; רצוי לציין גם עלויות ליחידה.

1. ארגון (שכר דירה, הוצאות משרדיות כגון צילומים, ציוד משרדי, סיוע מזכירות, תרגום, תרגום סימולטני, סידורים אודיו-ויזואליים)
2. שירותי כוח אדם וייעוץ (שכר לנותני שירותים ברמה ארצית/ בין-לאומית; יש לציין שכר יומי / שבועי / חודשי)
3. נסיעות (נסיעות בין-לאומיות, ברחבי הארץ או מקומיות)
4. לינה, הוצאות מחיה יומיות (ליום)
5. ציוד (במידת הצורך)
6. דיווח, הערכה ופרסום (אם צפוי פרסום יש לפרט את הוצאות התרגום, העריכה, ההדפסה, הסדר, ההפצה והתקשורת)
7. שונות (אשרות והוצאות אחרות).

דוגמה לפירוט של הוצאות:

פריט	עלות ב-$	סיכום ביניים ב-$
ארגון • שכר דירה • הוצאות משרדיות • שירותי מזכירות • תרגום • תרגום סימולטני • ציוד אודיו–ויזואלי • אחר	 ליום X מס' ימים ליום X מס' ימים ליום X מס' ימים לעמוד X מס' עמודים ליום X מס' ימים ליום X מס' ימים ליום X מס' ימים	
שירותי כוח אדם וייעוץ • מומחה בינ"ל לניהול • מנחה ארצי • רכז ארצי • אחר	 לשבוע X מס' שבועות לשבוע X מס' שבועות לשבוע X מס' שבועות לשבוע X מס' שבועות	
נסיעות • כרטיס טיסה בינ"ל הלוך ושוב למומחים • הוצאות נסיעה מקומיות • אחר	 X מס' המומחים דמי נסיעה באוטובוס ליום X מס' ימים =	
לינה, הוצאות מחיה • מזון • לינה	 ליום X מס' אנשים = ליום X מס' אנשים =	
ציוד	ליחידה X מס' יח' =	
דיווח, הערכה ופרסום • דיווח • הערכה • עריכה / סדר • הדפסה • הפצה • אחר	 עלות לפי היקף החומר/התיעוד ואופיו (תמונות/CD)	
• שונות • ויזה	למשתתף X מספר משתתפים	
סה"כ		

ב. יש לציין מקורות מימון ותרומות

- לפרט תרומה בעין של גופים ארציים מתורגמת לערכים כספיים.

שם הארגון	תרומה בעין
1.	
2.	
3.	
4.	
5.	

- תמיכה כספית של גופים ארציים/לאומיים

שם הארגון	תרומה בעין
1.	
2.	
3.	
4.	
5.	

- משאבים מארגונים בי–לטרליים/ מולטי–לטרליים, תורמים.

שם הארגון	תרומה בעין
1.	
2.	
3.	
4.	
5.	

- סיוע של קרן מורשת עולמית: יש להסביר מדוע המשאבים ברמה הארצית אינם מספיקים.

הנימוקים לבקשה:

1.

2.

3.

4.

18. גופים אחראים ליישום הפעילות

יש לציין שם, תואר, כתובת וכל פרטי יצירת הקשר של האדם/ הגופים שיהיו אחראים ליישום הפעילות וכן של האנשים מהגופים המשתתפים האחרים.

שם:

תואר:

כתובת דואר:

דוא"ל:

טלפון:

טל' נייד:

19. חתימה בשם המדינה החברה

שם מלא _____

תואר _____

תאריך _____

נספח 9 קריטריונים של הארגונים המייעצים לבקשות סיוע בינ"ל (בהכנה)

קריטריונים של הארגונים המייעצים לבקשות לסיוע בינ"ל

(בהכנה)

נספח 9

מילון מושגים

(בהכנה)

ביבליוגרפיה

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ICCROM
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United Nations
Educational, Scientific and
Cultural Organization

Basic Texts

of the 1972 World Heritage Convention

BACK

Basic Texts

of the 1972

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Budapest Declaration on World Heritage

The World Heritage Committee:

Noting that in 2002, United Nations Year for Cultural Heritage, the World Heritage Committee celebrates the thirtieth anniversary of the *Convention concerning the Protection of the World Cultural and Natural Heritage* adopted by the General Conference of UNESCO in 1972;

Considering that in 30 years, the *Convention* has proven to be a unique instrument of international co-operation in the protection of cultural and natural heritage of outstanding universal value;

Adopts the Budapest Declaration on World Heritage as follows:

1. We, the members of the World Heritage Committee, recognize the universality of the 1972 *Convention concerning the Protection of the World Cultural and Natural Heritage* and the consequent need to ensure that it applies to heritage in all its diversity,as an instrument for the sustainable development of all societies through dialogue and mutual understanding;

2. The properties on the World Heritage List are assets held in trust to pass on to generations of the future as their rightful inheritance;

3. In view of the increasing challenges to our shared heritage, we will:

   (a) **encourage** countries that have not yet joined the *Convention* to do so at the earliest opportunity, as well as join other related international heritage protection instruments;

   (b) **invite** States Parties to the *Convention* to identify and nominate cultural and natural heritage properties representing heritage in all its diversity, for inclusion on the World Heritage List;

   (c) **seek to ensure** an appropriate and equitable balance between conservation, sustainability and development, so that World Heritage properties can be protected through appropriate activities contributing to the social and economic development and the quality of life of our communities;

(d) **join to cooperate** in the protection of heritage, recognizing that to harm such heritage is to harm, at the same time, the human spirit and the world's inheritance;

(e) **promote** World Heritage through communication, education, research, training and public awareness strategies;

(f) **seek to ensure** the active involvement of our local communities at all levels in the identification, protection and management of our World Heritage properties;

4. We, the World Heritage Committee, will cooperate and seek the assistance of all partners for the support of World Heritage. For this purpose, we invite all interested parties to cooperate and to promote the following objectives:

(a) strengthen the **Credibility** of the World Heritage List, as a representative and geographically balanced testimony of cultural and natural properties of outstanding universal value;

(b) ensure the effective **Conservation** of World Heritage properties;

(c) promote the development of effective **Capacity-building** measures, including assistance for preparing the nomination of properties to the World Heritage List, for the understanding and implementation of the *World Heritage Convention* and related instruments;

(d) increase public awareness, involvement and support for World Heritage through **Communication**.

5. We will evaluate, at our 31st session in 2007, the achievements made in the pursuit of the above mentioned objectives and in support of this commitment.

Budapest, 28 June 2002

WHC-2004/WS/2

Convention concerning the Protection of the World Cultural and Natural Heritage

Adopted by the General Conference
at its seventeenth session
Paris, 16 November 1972

This document is also available at the following Web address:

http://whc.unesco.org/en/conventiontext *(English)*
http://whc.unesco.org/fr/conventiontexte *(French)*

Convention concerning the Protection of the World Cultural and Natural Heritage

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris from 17 October to 21 November 1972, at its seventeenth session,

Noting that the cultural heritage and the natural heritage are increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction,

Considering that deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that protection of this heritage at the national level often remains incomplete because of the scale of the resources which it requires and of the insufficient economic, scientific, and technological resources of the country where the property to be protected is situated,

Recalling that the Constitution of the Organization provides that it will maintain, increase, and diffuse knowledge by assuring the conservation and protection of the world's heritage, and recommending to the nations concerned the necessary international conventions,

Considering that the existing international conventions, recommendations and resolutions concerning cultural and natural property demonstrate the importance, for all the peoples of the world, of safeguarding this unique and irreplaceable property, to whatever people it may belong,

Considering that parts of the cultural or natural heritage are of outstanding interest and therefore need to be preserved as part of the world heritage of mankind as a whole,

Considering that, in view of the magnitude and gravity of the new dangers threatening them, it is incumbent on the international community as a whole to participate in the protection of the cultural and natural heritage of outstanding universal value, by the granting of collective assistance which, although not taking the place of action by the State concerned, will serve as an efficient complement thereto,

Considering that it is essential for this purpose to adopt new provisions in the form of a convention establishing an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this sixteenth day of November 1972 this *Convention*.

I. Definition of the Cultural and Natural 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.

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.

II. National protection and international protection of the Cultural and Natural Heritage

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.

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.

III. Intergovernmental Committee for the protection of the World Cultural and Natural Heritage

Article 8

1. An Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Committee", is hereby established within the United Nations Educational, Scientific and Cultural Organization. It shall be composed of 15 States Parties to the *Convention*, elected by States Parties to the Convention meeting in general assembly during the ordinary session of the General Conference of the United Nations Educational, Scientific and Cultural Organization. The number of States members of the Committee shall be increased to 21 as from the date of the ordinary session of the General Conference following the entry into force of this *Convention* for at least 40 States.

2. Election of members of the Committee shall ensure an equitable representation of the different regions and cultures of the world.

3. A representative of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre), a representative of the International Council of Monuments and Sites (ICOMOS) and a representative of the International Union for Conservation of Nature and Natural Resources (IUCN), to whom may be added, at the request of States Parties to the *Convention* meeting in general assembly during the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization, representatives of other intergovernmental or non-governmental organizations, with similar objectives, may attend the meetings of the Committee in an advisory capacity.

Article 9

1. The term of office of States members of the World Heritage Committee shall extend from the end of the ordinary session of the General Conference during which they are elected until the end of its third subsequent ordinary session.

2. The term of office of one-third of the members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the General Conference following that at which they were elected; and the term of office of a further third of the members designated at the same time shall cease at the end of the second ordinary session of the General Conference following that at which they were elected. The names of these members shall be chosen by lot

by the President of the General Conference of the United Nations Educational, Scientific and Cultural Organization after the first election.

3. States members of the Committee shall choose as their representatives persons qualified in the field of the cultural or natural heritage.

Article 10

1. The World Heritage Committee shall adopt its Rules of Procedure.

2. The Committee may at any time invite public or private organizations or individuals to participate in its meetings for consultation on particular problems.

3. The Committee may create such consultative bodies as it deems necessary for the performance of its functions.

Article 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.

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 threat of disappearance caused by accelerated deterioration, large-scale public or private projects or rapid urban or tourist development projects; destruction caused by changes in the use or ownership of the land; major alterations due to unknown causes; abandonment for any reason whatsoever; the outbreak or the threat of an armed conflict; calamities and cataclysms; serious fires, earthquakes, landslides; volcanic eruptions; changes in water level, floods and tidal waves.

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.

7. The Committee shall, with the agreement of the States concerned, co-ordinate and encourage the studies and research needed for the drawing up of the lists referred to in paragraphs 2 and 4 of this article.

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.

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.

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.

Article 14

1. The World Heritage Committee shall be assisted by a Secretariat appointed by the Director-General of the United Nations Educational, Scientific and Cultural Organization.

2. The Director-General of the United Nations Educational, Scientific and Cultural Organization, utilizing to the fullest extent possible the services of the International Centre for the Study of the Preservation and the 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) in their respective areas of competence and capability, shall prepare the Committee's documentation and the agenda of its meetings and shall have the responsibility for the implementation of its decisions.

IV. Fund for the protection of the World Cultural and Natural Heritage

Article 15

1. A Fund for the Protection of the World Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Fund", is hereby established.

2. The Fund shall constitute a trust fund, in conformity with the provisions of the Financial Regulations of the United Nations Educational, Scientific and Cultural Organization.

3. The resources of the Fund shall consist of:

   (a) compulsory and voluntary contributions made by States Parties to this *Convention*,

(b) Contributions, gifts or bequests which may be made by:
   (i) other States;
   (ii) the United Nations Educational, Scientific and Cultural Organization, other organizations of the United Nations system, particularly the United Nations Development Programme or other intergovernmental organizations;
   (iii) public or private bodies or individuals;

(c) any interest due on the resources of the Fund;

(d) funds raised by collections and receipts from events organized for the benefit of the fund; and

(e) all other resources authorized by the Fund's regulations, as drawn up by the World Heritage Committee.

4. Contributions to the Fund and other forms of assistance made available to the Committee may be used only for such purposes as the Committee shall define. The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project. No political conditions may be attached to contributions made to the Fund.

Article 16

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this *Convention* undertake to pay regularly, every two years, to the World Heritage Fund, contributions, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly of States Parties to the *Convention*, meeting during the sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization. This decision of the General Assembly requires the majority of the States Parties present and voting, which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the compulsory contribution of States Parties to the *Convention* exceed 1% of the contribution to the regular budget of the United Nations Educational, Scientific and Cultural Organization.

2. However, each State referred to in Article 31 or in Article 32 of this *Convention* may declare, at the time of the deposit of its instrument of ratification, acceptance or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.

3. A State Party to the *Convention* which has made the declaration referred to in paragraph 2 of this Article may at any time withdraw the said declaration by notifying the Director-General of the United Nations Educational, Scientific and Cultural Organization. However, the withdrawal of the declaration shall not take effect in regard to the compulsory contribution due by the State until the date of the subsequent General Assembly of States parties to the *Convention*.

4. In order that the Committee may be able to plan its operations effectively, the contributions of States Parties to this *Convention* which have made the declaration referred to in paragraph 2 of this Article, shall be paid on a regular basis, at least every two years, and should not be less

than the contributions which they should have paid if they had been bound by the provisions of paragraph 1 of this Article.

5. Any State Party to the *Convention* which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the World Heritage Committee, although this provision shall not apply to the first election. The terms of office of any such State which is already a member of the Committee shall terminate at the time of the elections provided for in Article 8, paragraph 1 of this *Convention*.

Article 17

The States Parties to this *Convention* shall consider or encourage the establishment of national public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of this *Convention*.

Article 18

The States Parties to this *Convention* shall give their assistance to international fund-raising campaigns organized for the World Heritage Fund under the auspices of the United Nations Educational, Scientific and Cultural Organization. They shall facilitate collections made by the bodies mentioned in paragraph 3 of Article 15 for this purpose.

V. Conditions and arrangements for international assistance

Article 19

Any State Party to this *Convention* may request international assistance for property forming part of the cultural or natural heritage of outstanding universal value situated within its territory. It shall submit with its request such information and documentation provided for in Article 21 as it has in its possession and as will enable the Committee to come to a decision.

Article 20

Subject to the provisions of paragraph 2 of Article 13, sub-paragraph (c) of Article 22 and Article 23, international assistance provided for by this *Convention* may be granted only to property forming part of the cultural and natural heritage which the World Heritage Committee has decided, or may decide, to enter in one of the lists mentioned in paragraphs 2 and 4 of Article 11.

Article 21

1. The World Heritage Committee shall define the procedure by which requests to it for international assistance shall be considered and shall specify the content of the request, which should define the operation contemplated, the work that is necessary, the expected cost thereof, the degree of urgency and the reasons why the resources of the State requesting assistance do not

allow it to meet all the expenses. Such requests must be supported by experts' reports whenever possible.

2. Requests based upon disasters or natural calamities should, by reasons of the urgent work which they may involve, be given immediate, priority consideration by the Committee, which should have a reserve fund at its disposal against such contingencies.

3. Before coming to a decision, the Committee shall carry out such studies and consultations as it deems necessary.

Article 22

Assistance granted by the World Heritage Fund may take the following forms:

(a) studies concerning the artistic, scientific and technical problems raised by the protection, conservation, presentation and rehabilitation of the cultural and natural heritage, as defined in paragraphs 2 and 4 of Article 11 of this *Convention*;

(b) provisions of experts, technicians and skilled labour to ensure that the approved work is correctly carried out;

(c) training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage;

(d) supply of equipment which the State concerned does not possess or is not in a position to acquire;

(e) low-interest or interest-free loans which might be repayable on a long-term basis;

(f) the granting, in exceptional cases and for special reasons, of non-repayable subsidies.

Article 23

The World Heritage Committee may also provide international assistance to national or regional centres for the training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage.

Article 24

International assistance on a large scale shall be preceded by detailed scientific, economic and technical studies. These studies shall draw upon the most advanced techniques for the protection, conservation, presentation and rehabilitation of the natural and cultural heritage and shall be consistent with the objectives of this *Convention*. The studies shall also seek means of making rational use of the resources available in the State concerned.

Article 25

As a general rule, only part of the cost of work necessary shall be borne by the international community. The contribution of the State benefiting from international assistance shall constitute a substantial share of the resources devoted to each programme or project, unless its resources do not permit this.

Article 26

The World Heritage Committee and the recipient State shall define in the agreement they conclude the conditions in which a programme or project for which international assistance under the terms of this *Convention* is provided, shall be carried out. It shall be the responsibility of the State receiving such international assistance to continue to protect, conserve and present the property so safeguarded, in observance of the conditions laid down by the agreement.

VI. Educational programmes

Article 27

1. The States Parties to this *Convention* shall endeavor by all appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect by their peoples of the cultural and natural heritage defined in Articles 1 and 2 of the *Convention*.

2. They shall undertake to keep the public broadly informed of the dangers threatening this heritage and of the activities carried on in pursuance of this *Convention*.

Article 28

States Parties to this *Convention* which receive international assistance under the *Convention* shall take appropriate measures to make known the importance of the property for which assistance has been received and the role played by such assistance.

VII. Reports

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.

VIII. Final clauses

Article 30

This *Convention* is drawn up in Arabic, English, French, Russian and Spanish, the five texts being equally authoritative.

Article 31

1. This *Convention* shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32

1. This *Convention* shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited by the General Conference of the Organization to accede to it.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33

This *Convention* shall enter into force three months after the date of the deposit of the twentieth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments of ratification, acceptance or accession on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 34

The following provisions shall apply to those States Parties to this *Convention* which have a federal or non-unitary constitutional system:

(a) with regard to the provisions of this *Convention*, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal

or central government shall be the same as for those States parties which are not federal States;

(b) with regard to the provisions of this *Convention*, the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces or cantons that are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 35

1. Each State Party to this *Convention* may denounce the Convention.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall not affect the financial obligations of the denouncing State until the date on which the withdrawal takes effect.

Article 36

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 32, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, or accession provided for in Articles 31 and 32, and of the denunciations provided for in Article 35.

Article 37

1. This *Convention* may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this *Convention* in whole or in part, then, unless the new convention otherwise provides, this *Convention* shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 38

In conformity with Article 102 of the Charter of the United Nations, this *Convention* shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this twenty-third day of November 1972, in two authentic copies bearing the signature of the President of the seventeenth session of the General Conference and of the Director-General

of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 31 and 32 as well as to the United Nations.

WHC. 08/01
January 2008

Operational Guidelines for the Implementation of the World Heritage Convention

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION

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

WORLD HERITAGE CENTRE

The *Operational Guidelines* are periodically revised to reflect the decisions of the World Heritage Committee. Please verify that you are using the latest version of the *Operational Guidelines* by checking the date of the *Operational Guidelines* on the UNESCO World Heritage Centre Web address indicated below.

The *Operational Guidelines* (in English and French), the text of the *World Heritage Convention* (in five languages), and other documents and information concerning World Heritage are available from the World Heritage Centre:

UNESCO World Heritage Centre
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Links : http://whc.unesco.org/
http://whc.unesco.org/en/guidelines *(English)*
http://whc.unesco.org/fr/orientations *(French)*

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ACRONYMS AND ABBREVIATIONS

DoCoMoMo	International Committee for the Documentation and Conservation of Monuments and Sites of the Modern Movement
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOMOS	International Council on Monuments and Sites
IFLA	International Federation of Landscape Architects
IUCN	World Conservation Union (formerly the International Union for Conservation of Nature and Natural Resources)
IUGS	International Union of Geological Sciences
MAB	Man and the Biosphere programme of UNESCO
NGO	Non-governmental organization
TICCIH	International Committee for the Conservation of the Industrial Heritage
UNEP	United Nations Environment Programme
UNEP-WCMC	World Conservation Monitoring Centre (UNEP)
UNESCO	United Nations Educational, Scientific and Cultural Organization

I. INTRODUCTION

I.A The Operational Guidelines

1. The *Operational Guidelines for the Implementation of the World Heritage Convention* (hereinafter referred to as the *Operational Guidelines)* aim to facilitate the implementation of the *Convention concerning the Protection of the World Cultural and Natural Heritage* (hereinafter referred to as "the *World Heritage Convention"* or *"*the *Convention"*), by setting forth the procedure for:

a) the inscription of properties on the World Heritage List and the List of World Heritage in Danger;

b) the protection and conservation of World Heritage properties;

c) the granting of International Assistance under the World Heritage Fund; and

d) the mobilization of national and international support in favor of the *Convention*.

2. The *Operational Guidelines* are periodically revised to reflect the decisions of the World Heritage Committee.

The historical development of the Operational Guidelines is available at the following Web address: http://whc.unesco.org/en/guidelineshistorical

3. The key users of the *Operational Guidelines* are:

a) the States Parties to the *World Heritage Convention*;

b) the Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, hereinafter referred to as "the World Heritage Committee" or "the Committee";

c) the UNESCO World Heritage Centre as Secretariat to the World Heritage Committee, hereinafter referred to as "the Secretariat";

d) the Advisory Bodies to the World Heritage Committee ;

e) site managers, stakeholders and partners in the protection of World Heritage properties.

I.B The *World Heritage Convention*

4. The cultural and natural heritage is among the priceless and irreplaceable assets, not only of each nation, but of humanity as a whole. The loss, through deterioration or disappearance, of any of these most prized assets constitutes an impoverishment of the heritage of all the peoples of the world. Parts of that heritage, because of their exceptional qualities, can be considered to be of “outstanding universal value” and as such worthy of special protection against the dangers which increasingly threaten them.

5. To ensure, as far as possible, the proper identification, protection, conservation and presentation of the world's heritage, the Member States of UNESCO adopted the *World Heritage Convention* in 1972. The *Convention* foresees the establishment of a "World Heritage Committee" and a "World Heritage Fund". Both the Committee and the Fund have been in operation since 1976.

6. Since the adoption of the *Convention* in 1972, the international community has embraced the concept of "sustainable development". The protection and conservation of the natural and cultural heritage are a significant contribution to sustainable development.

7. The *Convention* aims at the identification, protection, conservation, presentation and transmission to future generations of cultural and natural heritage of outstanding universal value.

8. The criteria and conditions for the inscription of properties on the World Heritage List have been developed to evaluate the outstanding universal value of properties and to guide States Parties in the protection and management of World Heritage properties.

9. When a property inscribed on the World Heritage List is threatened by serious and specific dangers, the Committee considers placing it on the List of World Heritage in Danger. When the outstanding universal value of the property which justified its inscription on the World Heritage List is destroyed, the Committee considers deleting the property from the World Heritage List.

I.C The States Parties to the *World Heritage Convention*

10. States are encouraged to become party to the *Convention*. Model instruments for ratification/acceptance and accession are included as Annex 1. The original signed version should be sent to the Director-General of UNESCO.

11. The list of States Parties to the *Convention* is available at the following Web address:
http://whc.unesco.org/en/statesparties

12. States Parties to the *Convention* are encouraged to ensure the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, non-governmental organizations (NGOs) and other interested parties and partners in the identification, nomination and protection of World Heritage properties.

13. States Parties to the *Convention* should provide the Secretariat with the names and addresses of the governmental organization(s) primarily responsible as national focal point(s) for the implementation of the *Convention*, so that copies of all official correspondence and documents can be sent by the Secretariat to these national focal points as appropriate. A list of these addresses is available at the following Web address:
http://whc.unesco.org/en/statespartiesfocalpoints
States Parties are encouraged to publicize this information nationally and ensure that it is up to date.

14. States Parties are encouraged to bring together their cultural and natural heritage experts at regular intervals to discuss the implementation of the *Convention*. States Parties may wish to involve representatives of the Advisory Bodies and other experts as appropriate.

15. While fully respecting the sovereignty of the States on whose territory the cultural and natural heritage is situated, States Parties to the *Convention* recognize the collective interest of the international community to cooperate in the protection of this heritage. States Parties to the *World Heritage Convention*, have the responsibility to:

Article 6(1) of the *World Heritage Convention*.

a) ensure the identification, nomination, protection, conservation, presentation, and transmission to future generations of the cultural and natural heritage found within their territory, and give help in these tasks to other States Parties that request it;

Article 4 and 6(2) of the *World Heritage Convention*.

b) adopt general policies to give the heritage a function in the life of the community;

Article 5 of the *World Heritage Convention*.

c) integrate heritage protection into comprehensive planning programmes;

d) establish services for the protection, conservation and presentation of the heritage;

e) develop scientific and technical studies to identify actions that would counteract the dangers that threaten the heritage;

f) take appropriate legal, scientific, technical, administrative and financial measures to protect the heritage;

g) foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the heritage and encourage scientific research in these fields;

h) not take any deliberate measures that directly or indirectly damage their heritage or that of another State Party to the *Convention*; — Article 6(3) of the *World Heritage Convention.*

i) submit to the World Heritage Committee an inventory of properties suitable for inscription on the World Heritage List (referred to as a Tentative List); — Article 11(1) of the *World Heritage Convention.*

j) make regular contributions to the World Heritage Fund, the amount of which is determined by the General Assembly of States Parties to the *Convention*; — Article 16(1) of the *World Heritage Convention.*

k) consider and encourage the establishment of national, public and private foundations or associations to facilitate donations for the protection of World Heritage; — Article 17 of the *World Heritage Convention.*

l) give assistance to international fund-raising campaigns organized for the World Heritage Fund; — Article 18 of the *World Heritage Convention.*

m) use educational and information programmes to strengthen appreciation and respect by their peoples of the cultural and natural heritage defined in Articles 1 and 2 of the *Convention*, and to keep the public informed of the dangers threatening this heritage; — Article 27 of the *World Heritage Convention.*

(n) provide information to the World Heritage Committee on the implementation of the *World Heritage Convention* and state of conservation of properties; and — Article 29 of the *World Heritage Convention.* Resolution adopted by the 11th General Assembly of States Parties (1997)

16. States Parties are encouraged to attend sessions of the World Heritage Committee and its subsidiary bodies.

Rule 8.1 of the *Rules of Procedure of the World Heritage Committee*.

I.D The General Assembly of States Parties to the *World Heritage Convention*

17. The General Assembly of States Parties to the *World Heritage Convention* meets during the sessions of the General Conference of UNESCO. The General Assembly manages its meetings according to its *Rules of Procedure*, available at the following Web address: http://whc.unesco.org/en/garules

Article 8(1), of the *World Heritage Convention*, Rule 49 of the *Rules of Procedure of the World Heritage Committee*.

18. The General Assembly determines the uniform percentage of contributions to the World Heritage Fund applicable to all States Parties and elects members to the World Heritage Committee. Both the General Assembly and General Conference of UNESCO receive a report from the World Heritage Committee on its activities.

Articles 8(1), 16(1) and 29 of the *World Heritage Convention and* Rule 49 of the *Rules of Procedure of the World Heritage Committee.*

I.E The World Heritage Committee

19. The World Heritage Committee is composed of 21 members and meets at least once a year (June/July). It establishes its Bureau, which meets during the sessions of the Committee as frequently as deemed necessary. The composition of the Committee and its Bureau is available at the following Web address: http://whc.unesco.org/en/committeemembers

The World Heritage Committee can be contacted through its Secretariat, the World Heritage Centre.

20. The Committee manages its meetings according to its *Rules of Procedure*, available at the following Web address: http://whc.unesco.org/committeerules

21. The term of office of Committee members is six years but, in order to ensure equitable representation and rotation, States Parties are invited by the General Assembly to consider voluntarily reducing their term of office from six to four years and are discouraged from seeking consecutive terms of office.

Article 9(1) of the *World Heritage Convention*.

Article 8(2) of the *World Heritage Convention* and the Resolutions of the 7th (1989), 12th (1999) and 13th (2001) General Assembly of States Parties to the *World Heritage Convention.*

22. A certain number of seats may be reserved for States Parties who do not have a property on the World Heritage List, upon decision of the Committee at the session that precedes the General Assembly.

Rule 14.1 of the *Rules of Procedure of the General Assembly of States Parties*.

23. Committee decisions are based on objective and scientific considerations, and any appraisal made on its behalf must be thoroughly and responsibly carried out. The Committee recognizes that such decisions depend upon:

a) carefully prepared documentation;

b) thorough and consistent procedures;

c) evaluation by qualified experts; and

d) if necessary, the use of expert referees.

24. The main functions of the Committee are, in co-operation with States Parties, to:

a) identify, on the basis of Tentative Lists and nominations submitted by States Parties, cultural and natural properties of outstanding universal value which are to be protected under the *Convention* and to inscribe those properties on the World Heritage List;

Article 11(2) of the *World Heritage Convention*.

b) examine the state of conservation of properties inscribed on the World Heritage List through processes of Reactive Monitoring (see Chapter IV) and Periodic Reporting (see Chapter V);

Articles 11(7) and 29 of the *World Heritage Convention*.

c) decide which properties inscribed on the World Heritage List are to be inscribed on, or removed from the List of World Heritage in Danger;

Article 11(4) and 11(5) of the *World Heritage Convention*.

d) decide whether a property should be deleted from the World Heritage List (see Chapter IV);

e) define the procedure by which requests for International Assistance are to be considered and carry out studies and consultations as necessary before coming to a decision (see Chapter VII);

Article 21(1) and 21(3) of the *World Heritage Convention*.

f) determine how the resources of the World Heritage Fund can be used most advantageously to assist States Parties in the protection of their properties of outstanding universal value;

Article 13(6) of the *World Heritage Convention*.

g) seek ways to increase the World Heritage Fund;

h) submit a report on its activities every two years to the General Assembly of States Parties and to the UNESCO General Conference;

Article 29(3) of the *World Heritage Convention* and Rule 49 of the Rules of procedure of the World Heritage Committee.

i) review and evaluate periodically the implementation of the *Convention*;

j) revise and adopt the *Operational Guidelines*.

25. In order to facilitate the implementation of the *Convention*, the Committee develops Strategic Objectives; they are periodically reviewed and revised to define the goals and objectives of the Committee to ensure that new threats placed on World Heritage are addressed effectively.

The first 'Strategic Orientations' adopted by the Committee in 1992 are contained in Annex II of document WHC-92/CONF.002/12

26. The current Strategic Objectives (also referred to as "the 5 Cs") are the following:

1. Strengthen the **Credibility** of the World Heritage List;
2. Ensure the effective **Conservation** of World Heritage Properties;
3. Promote the development of effective **Capacity-building** in States Parties;
4. Increase public awareness, involvement and support for World Heritage through **Communication**.
5. Enhance the role of **Communities** in the implementation of the *World Heritage Convention.*

In 2002 the World Heritage Committee revised its Strategic Objectives. The *Budapest Declaration on World Heritage* (2002) is available at the following Web address: http://whc.unesco.org/en/budapestdeclaration

Decision 31 COM 13B

I.F The Secretariat to the World Heritage Committee (World Heritage Centre)

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Tel: +33 (0) 1 4568 1571
Fax: +33 (0) 1 4568 5570
E-mail: wh-info@unesco.org
www: http://whc.unesco.org/

27. The World Heritage Committee is assisted by a Secretariat appointed by the Director-General of UNESCO. The function of the Secretariat is currently assumed by the World Heritage Centre, established in 1992 specifically for this purpose. The Director-General designated the Director of the World Heritage Centre as Secretary to the Committee. The Secretariat assists and collaborates with the States Parties and the Advisory Bodies. The Secretariat works in close co-operation with other sectors and field offices of UNESCO.

Article 14 of the *World Heritage Convention.*

Rule 43 of *Rules of Procedure of the World Heritage Committee.*

Circular Letter 16 of 21 October 2003 http://whc.unesco.org/circs/circ03-16e.pdf

28. The Secretariat's main tasks are:

a) the organization of the meetings of the General Assembly and the Committee;

Article 14.2 of the *World Heritage Convention.*

b) the implementation of decisions of the World Heritage Committee and resolutions of the General Assembly and reporting to them on their execution;

Article 14.2 of the *World Heritage Convention* and the *Budapest Declaration on World Heritage* (2002)

c) the receipt, registration, checking the completeness, archiving and transmission to the relevant Advisory Bodies of nominations to the World Heritage List;

d) the co-ordination of studies and activities as part of the Global Strategy for a Representative, Balanced and Credible World Heritage List;

e) the organization of Periodic Reporting and co-ordination of Reactive Monitoring;

f) the co-ordination of International Assistance;

g) the mobilisation of extra-budgetary resources for the conservation and management of World Heritage properties;

h) the assistance to States Parties in the implementation of the Committee's programmes and projects; and

i) the promotion of World Heritage and the *Convention* through the dissemination of information to States Parties, the Advisory Bodies and the general public.

29. These activities follow the decisions and Strategic Objectives of the Committee and the resolutions of the General Assembly of the States Parties and are conducted in close co-operation with the Advisory Bodies.

I.G Advisory Bodies to the World Heritage Committee

30. The Advisory Bodies to the World Heritage Committee are ICCROM (the International Centre for the Study of the Preservation and Restoration of Cultural Property), ICOMOS (the International Council on Monuments and Sites), and IUCN - the World Conservation Union.

Article 8.3 of the *World Heritage Convention*

31. The roles of the Advisory Bodies are to:

a) advise on the implementation of the *World Heritage Convention* in the field of their expertise;

Article 13.7 of the *World Heritage Convention*.

b) assist the Secretariat, in the preparation of the Committee's documentation, the agenda of its meetings and the implementation of the Committee's decisions;

c) assist with the development and implementation of the Global Strategy for a Representative, Balanced and Credible World Heritage List, the Global Training Strategy, Periodic Reporting, and the strengthening of the effective use of the World Heritage Fund;

d) monitor the state of conservation of World Heritage properties and review requests for International Assistance;

Article 14.2 of the *World Heritage Convention*.

e) in the case of ICOMOS and IUCN evaluate properties nominated for inscription on the World Heritage List and present evaluation reports to the Committee; and

f) attend meetings of the World Heritage Committee and the Bureau in an advisory capacity.

Article 8.3 of the *World Heritage Convention*.

ICCROM

32. ICCROM (the International Centre for the Study of the Preservation and Restoration of Cultural Property) is an international intergovernmental organization with headquarters in Rome, Italy. Established by UNESCO in 1956, ICCROM's statutory functions are to carry out research, documentation, technical assistance, training and public awareness programmes to strengthen conservation of immovable and moveable cultural heritage.

ICCROM

Via di S. Michele, 13
I-00153 Rome, Italy
Tel : +39 06 585531
Fax: +39 06 5855 3349
Email: iccrom@iccrom.org
http://www.iccrom.org/

33. The specific role of ICCROM in relation to the *Convention* includes: being the priority partner in training for cultural heritage, 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.

ICOMOS

34. ICOMOS (the International Council on Monuments and Sites) is a non-governmental organization with headquarters in Paris, France. Founded in 1965, its role is to promote the application of theory, methodology and scientific techniques to the conservation of the architectural and archaeological heritage. Its work is based on the principles of the 1964 International Charter on the Conservation and Restoration of Monuments and Sites (the Venice Charter).

ICOMOS

49-51, rue de la Fédération
75015 Paris, France
Tel : +33 (0)1 45 67 67 70
Fax : +33 (0)1 45 66 06 22
E-mail: secretariat@icomos.org
http://www.icomos.org/

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.

IUCN

36. IUCN – The World Conservation Union (formely the International Union for the Conservation of Nature and Natural Resources) was founded in 1948 and brings together national governments, NGOs, and scientists in a worldwide partnership. Its mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. IUCN has its headquarters in Gland, Switzerland.

IUCN - The World Conservation Union

rue Mauverney 28
CH-1196 Gland, Switzerland
Tel: + 41 22 999 0001
Fax: +41 22 999 0010
E-Mail: mail@hq.iucn.org
http://www.iucn.org

37. The specific role of IUCN 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 natural properties, reviewing requests for International Assistance submitted by States Parties, and providing input and support for capacity-building activities.

I.H Other organizations

38. The Committee may call on other international and non-governmental organizations with appropriate competence and expertise to assist in the implementation of the programmes and projects.

I.I Partners in the protection of World Heritage

39. A partnership approach to nomination, management and monitoring provides a significant contribution to the protection of World Heritage properties and the implementation of the *Convention*.

40. Partners in the protection and conservation of World Heritage can be those individuals and other stakeholders, especially local communities, governmental, non-governmental and private organizations and owners who have an interest and involvement in the conservation and management of a World Heritage property.

I.J Other Conventions, Recommendations and Programmes

41. The World Heritage Committee recognizes the benefits of closer co-ordination of its work with other UNESCO

42. The World Heritage Committee with the support of the Secretariat will ensure appropriate co-ordination and information-sharing between the *World Heritage Convention* and other Conventions, programmes and international organizations related to the conservation of cultural and natural heritage.

43. The Committee may invite representatives of the intergovernmental bodies under related Conventions to attend its meetings as observers. It may appoint a representative to observe meetings of the other intergovernmental bodies upon receipt of an invitation.

44. Selected global Conventions and programmes relating to the protection of cultural and natural heritage

UNESCO Conventions and Programmes

Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954)
Protocol I (1954)
Protocol II (1999)
http://www.unesco.org/culture/laws/hague/html_eng/page1.shtml

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970)
http://www.unesco.org/culture/laws/1970/html_eng/page1.shtml

Convention concerning the Protection of the World Cultural and Natural Heritage (1972)
http://www.unesco.org/whc/world_he.htm

Convention on the Protection of the Underwater Cultural Heritage (2001)
http://www.unesco.org/culture/laws/underwater/html_eng/convention.shtml

Convention for the Safeguarding of the Intangible Cultural Heritage (2003)
http://unesdoc.unesco.org/images/0013/001325/132540e.pdf

Man and the Biosphere (MAB) Programme
http://www.unesco.org/mab/

Other Conventions

Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar) (1971)
http://www.ramsar.org/key_conv_e.htm

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973)
http://www.cites.org/eng/disc/text.shtml

Convention on the Conservation of Migratory Species of Wild Animals (CMS) (1979)
http://www.unep-wcmc.org/cms/cms_conv.htm

United Nations Convention on the Law of the Sea (UNCLOS) (1982)
http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm

Convention on Biological Diversity (1992)
http://www.biodiv.org/convention/articles.asp

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (Rome, 1995)
http://www.unidroit.org/english/conventions/culturalproperty/c-cult.htm

United Nations Framework Convention on Climate Change (New York, 1992)
http://unfccc.int/essential_background/convention/background/items/1350.php

II. THE WORLD HERITAGE LIST

II.A Definition of World Heritage

Cultural and Natural Heritage

45. Cultural and natural heritage are defined in Articles 1 and 2 of the *World Heritage Convention*.

Article 1

For the purposes 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 of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points 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.

Mixed Cultural and Natural Heritage

46. Properties shall be considered as "mixed cultural and natural heritage" if they satisfy a part or the whole of the definitions

of both cultural and natural heritage laid out in Articles 1 and 2 of the *Convention*.

Cultural landscapes

47. Cultural landscapes 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. Annex 3

Movable Heritage

48. Nominations of immovable heritage which are likely to become movable will not be considered.

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.

50. States Parties are invited to submit nominations of properties of cultural and/or natural value considered to be of "outstanding universal value" for inscription on the World Heritage List.

51. At the time of inscription of a property on the World Heritage List, the Committee adopts a Statement of Outstanding Universal Value (see paragraph 154) which will be the key reference for the future effective protection and management of the property.

52. The *Convention* is not intended to ensure the protection of all properties of great interest, importance or value, but only for a select list of the most outstanding of these from an international viewpoint. It is not to be assumed that a property of national and/or regional importance will automatically be inscribed on the World Heritage List.

53. Nominations presented to the Committee shall demonstrate the full commitment of the State Party to preserve the heritage concerned, within its means. Such commitment shall take the

form of appropriate policy, legal, scientific, technical, administrative and financial measures adopted and proposed to protect the property and its outstanding universal value.

II.B A Representative, Balanced and Credible World Heritage List

54. The Committee seeks to establish a representative, balanced and credible World Heritage List in conformity with the four Strategic Objectives adopted by the Committee at its 26th session (Budapest, 2002).

Budapest Declaration on World Heritage (2002) at http://whc.unesco.org/en/budapestdeclaration

The Global Strategy for a Representative, Balanced and Credible World Heritage List

55. The Global Strategy for a Representative, Balanced and Credible World Heritage List is designed to identify and fill the major gaps in the World Heritage List. It does this by encouraging more countries to become States Parties to the *Convention* and to develop Tentative Lists as defined in paragraph 62 and nominations of properties for inscription on the World Heritage List (see http://whc.unesco.org/en/globalstrategy)

The report of the Expert Meeting on the "Global Strategy" and thematic studies for a representative World Heritage List (20-22 June 1994) was adopted by the World Heritage Committee at its 18th session (Phuket, 1994).

The Global Strategy was initially developed with reference to cultural heritage. At the request of the World Heritage Committee, the Global Strategy was subsequently expanded to also include reference to natural heritage and combined cultural and natural heritage.

56. States Parties and the Advisory Bodies are encouraged to participate in the implementation of the Global Strategy in co-operation with the Secretariat and other partners. Regional and thematic Global Strategy meetings and comparative and thematic studies are organized for this purpose. The results of these meetings and studies are available to assist States Parties in preparing Tentative Lists and nominations. The reports of the expert meetings and studies presented to the World Heritage Committee are available at the following Web address: http://whc.unesco.org/en/globalstrategy

57. All efforts should be made to maintain a reasonable balance between cultural and natural heritage on the World Heritage List.

58. No formal limit is imposed on the total number of properties to be inscribed on the World Heritage List.

Other measures

59. To promote the establishment of a representative, balanced

Resolution adopted by the 12th

and credible World Heritage List, States Parties are requested to consider whether their heritage is already well represented on the List and if so to slow down their rate of submission of further nominations by:

General Assembly of States Parties (1999).

a) spacing voluntarily their nominations according to conditions that they will define, and/or;

b) proposing only properties falling into categories still under-represented, and/or;

c) linking each of their nominations with a nomination presented by a State Party whose heritage is under-represented; or

d) deciding, on a voluntary basis, to suspend the presentation of new nominations.

60. States Parties whose heritage of outstanding universal value is under-represented on the World Heritage List are requested to:

Resolution adopted by the 12th General Assembly of States Parties (1999).

a) give priority to the preparation of their Tentative Lists and nominations;

b) initiate and consolidate partnerships at the regional level based on the exchange of technical expertise;

c) encourage bilateral and multilateral co-operation so as to increase their expertise and the technical capacities of institutions in charge of the protection, safeguarding and management of their heritage; and,

d) participate, as much as possible, in the sessions of the World Heritage Committee.

61. The Committee has decided to apply the following mechanism:

Decisions 24 COM VI.2.3.3, 28 COM 13.1 and 7 EXT.COM 4B.1
29 COM 18A
31 COM 10

a) examine up to two complete nominations per State Party, provided that at least one of such nominations concerns a natural property, nevertheless, on an experimental basis of 4 years, leaving to the State Party the decision on the nature of the nomination, whether natural or cultural, as per its national priorities, its history and geography and,

b) set at 45 the annual limit on the number of nominations it will review, inclusive of nominations deferred and referred by previous sessions of the Committee, extensions (except minor modifications of limits of the property), transboundary and serial

nominations,

c) the following order of priorities will be applied in case the overall annual limit of 45 nominations is exceeded:

i) nominations of properties submitted by States Parties with no properties inscribed on the List;

ii) nominations of properties submitted by States Parties having up to 3 properties inscribed on the List,

iii) nominations of properties that have been previously excluded due to the annual limit of 45 nominations and the application of these priorities,

iv) nominations of properties for natural heritage,

v) nominations of properties for mixed heritage,

vi) nominations of transboundary/transnational properties,

vii) nominations from States Parties in Africa, the Pacific and the Caribbean,

viii) nominations of properties submitted by States Parties having ratified the *World Heritage Convention* during the last ten years,

ix) nominations of properties submitted by States Parties that have not submitted nominations for ten years or more,

x) when applying this priority system, date of receipt of full and complete nominations by the World Heritage Centre shall be used as a secondary factor to determine the priority between those nominations that would not be designated by the previous points.

d) the States Parties co-authors of a transboundary or transnational serial nomination can choose, amongst themselves and with a common understanding, the State Party which will be bearing this nomination; and this nomination can be registered exclusively within the ceiling of the bearing State Party.

The impact of this decision will be evaluated at the Committee's 35th session (2011).

II.C Tentative Lists

Procedure and Format

62. A Tentative List is an inventory of those properties situated on its territory which each State Party considers suitable for inscription on the World Heritage List. States Parties should therefore include, in their Tentative Lists, the names of those properties which they consider to be cultural and/or natural heritage of outstanding universal value and which they intend to nominate during the following years.

Articles 1, 2 and 11(1) of the *World Heritage Convention.*

63. Nominations to the World Heritage List are not considered unless the nominated property has already been included on the State Party's Tentative List.

Decision 24COM para.VI.2.3.2

64. States Parties are encouraged to prepare their Tentative Lists with the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, NGOs and other interested parties and partners.

65. States Parties shall submit Tentative Lists to the Secretariat, preferably at least one year prior to the submission of any nomination. States Parties are encouraged to re-examine and re-submit their Tentative List at least every ten years.

66. States Parties are requested to submit their Tentative Lists in English or French using the standard format in Annex 2, containing the name of the properties, their geographical location, a brief description of the properties, and justification of their outstanding universal value.

67. The original duly signed version of the completed Tentative List shall be submitted by the State Party, to:

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Tel: +33 (0) 1 4568 1136
E-mail: wh-tentativelists@unesco.org

68. If all information has been provided, the Tentative List will be registered by the Secretariat and transmitted to the relevant Advisory Bodies for information. A summary of all Tentative Lists is presented annually to the Committee. The Secretariat, in consultation with the States Parties concerned, updates its

Decision 7 EXT.COM 4A

records, in particular by removing from the Tentative Lists the inscribed properties and nominated properties which were not inscribed.

69. The Tentative Lists of States Parties are available at the following Web address: http://whc.unesco.org/en/tentativelists

Decision 27 COM 8A

Tentative Lists as a planning and evaluation tool

70. Tentative Lists are a useful and important planning tool for States Parties, the World Heritage Committee, the Secretariat, and the Advisory Bodies, as they provide an indication of future nominations.

71. States Parties are encouraged to consult the analyses of both the World Heritage List and Tentative Lists prepared at the request of the Committee by ICOMOS and IUCN to identify the gaps in the World Heritage List. These analyses could enable States Parties to compare themes, regions, geo-cultural groupings and bio-geographic provinces for prospective World Heritage properties.

Decision 24 COM para. VI.2.3.2(ii)
Documents WHC-04/28.COM/13.B I and II

http://whc.unesco.org/archive/2004/whc04-28com-13b1e.pdf and http://whc.unesco.org/archive/2004/whc04-28com-13b2e.pdf

72. In addition, States Parties are encouraged to consult the specific thematic studies carried out by the Advisory Bodies (see paragraph 147). These studies are informed by a review of the Tentative Lists submitted by States Parties and by reports of meetings on the harmonization of Tentative Lists, as well as by other technical studies performed by the Advisory Bodies and qualified organizations and individuals. A list of those studies already completed is available at the following Web address: http://whc.unesco.org/en/globalstrategy

Thematic studies are different than the comparative analysis to be prepared by States Parties when nominating properties for inscription in the World Heritage List (see paragraph 132).

73. States Parties are encouraged to harmonize their Tentative Lists at regional and thematic levels. Harmonization of Tentative Lists is the process whereby States Parties, with the assistance of the Advisory Bodies, collectively assess their respective Tentative List to review gaps and identify common themes. The outcome of harmonization can result in improved Tentative Lists, new nominations from States Parties and co-operation amongst groups of States Parties in the preparation of nominations.

Assistance and Capacity-Building for States Parties in the preparation of Tentative Lists

74. To implement the Global Strategy, cooperative efforts in capacity-building and training may be necessary to assist States Parties to acquire and/or consolidate their expertise in the preparation, updating and harmonisation of their Tentative List and the preparation of nominations.

75. International Assistance may be requested by States Parties for the purpose of preparing, updating and harmonizing Tentative Lists (see Chapter VII).

76. The Advisory Bodies and the Secretariat will use the opportunity of evaluation missions to hold regional training workshops to assist under-represented States in the methods of preparation of their Tentative List and nominations.

Decision 24COM VI.2.3.5(ii)

II.D Criteria for the assessment of outstanding universal value

These criteria were formerly presented as two separate sets of criteria - criteria (i) - (vi) for cultural heritage and (i) - (iv) for natural heritage.
The 6th extraordinary session of the World Heritage Committee decided to merge the ten criteria (Decision 6 EXT.COM 5.1)

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 :

(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 or landscape which illustrates (a) significant stage(s) in human history;

(v) 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.

78. To be deemed of outstanding universal value, a property must also meet the conditions of integrity and/or authenticity and must have an adequate protection and management system to ensure its safeguarding.

II.E Integrity and/or authenticity

Authenticity

79. Properties nominated under criteria (i) to (vi) must meet the conditions of authenticity. Annex 4 which includes the Nara Document on Authenticity, provides a practical basis for examining the authenticity of such properties and is summarized below.

80. The ability to understand the value attributed to the heritage depends on the degree to which information sources about this value may be understood as credible or truthful. Knowledge and understanding of these sources of information, in relation to original and subsequent characteristics of the cultural heritage, and their meaning, are the requisite bases for assessing all aspects of authenticity.

81. Judgments about value attributed to cultural heritage, as well as the credibility of related information sources, may differ from culture to culture, and even within the same culture. The respect due to all cultures requires that cultural heritage must be considered and judged primarily within the cultural contexts to which it belongs.

82. Depending on the type of cultural heritage, and its cultural context, properties may be understood to meet the conditions of authenticity if their cultural value (as recognized in the

nomination criteria proposed) are truthfully and credibly expressed through a variety of attributes including:

- form and design;
- materials and substance;
- use and function;
- traditions, techniques and management systems;
- location and setting;
- language, and other forms of intangible heritage;
- spirit and feeling; and
- other internal and external factors.

83. Attributes such as spirit and feeling do not lend themselves easily to practical applications of the conditions of authenticity, but nevertheless are important indicators of character and sense of place, for example, in communities maintaining tradition and cultural continuity.

84. The use of all these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined. "Information sources" are defined as all physical, written, oral, and figurative sources, which make it possible to know the nature, specificities, meaning, and history of the cultural heritage.

85. When the conditions of authenticity are considered in preparing a nomination for a property, the State Party should first identify all of the applicable significant attributes of authenticity. The statement of authenticity should assess the degree to which authenticity is present in, or expressed by, each of these significant attributes.

86. In relation to authenticity, the reconstruction of archaeological remains or historic buildings or districts is justifiable only in exceptional circumstances. Reconstruction is acceptable only on the basis of complete and detailed documentation and to no extent on conjecture.

Integrity

87. All properties nominated for inscription on the World Heritage List shall satisfy the conditions of integrity. Decision 20 COM IX.13

88. Integrity is a measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes. Examining the conditions of integrity, therefore requires assessing the extent to which the property:

a) includes all elements necessary to express its outstanding universal value;

b) is of adequate size to ensure the complete representation of the features and processes which convey the property's significance;

c) suffers from adverse effects of development and/or neglect.

This should be presented in a statement of integrity.

Examples of the application of the conditions of integrity to properties nominated under criteria (i) - (vi) are under development.

89. For properties nominated under criteria (i) to (vi), the physical fabric of the property and/or its significant features should be in good condition, and the impact of deterioration processes controlled. A significant proportion of the elements necessary to convey the totality of the value conveyed by the property should be included. Relationships and dynamic functions present in cultural landscapes, historic towns or other living properties essential to their distinctive character should also be maintained.

90. For all properties nominated under criteria (vii) - (x), bio-physical processes and landform features should be relatively intact. However, it is recognized that no area is totally pristine and that all natural areas are in a dynamic state, and to some extent involve contact with people. Human activities, including those of traditional societies and local communities, often occur in natural areas. These activities may be consistent with the outstanding universal value of the area where they are ecologically sustainable.

91. In addition, for properties nominated under criteria (vii) to (x), a corresponding condition of integrity has been defined for each criterion.

92. Properties proposed under criterion (vii) should be of outstanding universal value and include areas that are essential for maintaining the beauty of the property. For example, a property whose scenic value depends on a waterfall, would meet the conditions of integrity if it includes adjacent catchment and downstream areas that are integrally linked to the maintenance of the aesthetic qualities of the property.

93. Properties proposed under criterion (viii) should contain all or most of the key interrelated and interdependent elements in their natural relationships. For example, an "ice age" area would meet the conditions of integrity if it includes the snow field, the glacier itself and samples of cutting patterns, deposition and colonization (e.g. striations, moraines, pioneer stages of plant succession, etc.); in the case of volcanoes, the magmatic series should be complete and all or most of the varieties of effusive rocks and types of eruptions be represented.

94. Properties proposed under criterion (ix) should have sufficient size and contain the necessary elements to demonstrate the key aspects of processes that are essential for the long term conservation of the ecosystems and the biological diversity they contain. For example, an area of tropical rain forest would meet the conditions of integrity if it includes a certain amount of variation in elevation above sea level, changes in topography and soil types, patch systems and naturally regenerating patches; similarly a coral reef should include, for example, seagrass, mangrove or other adjacent ecosystems that regulate nutrient and sediment inputs into the reef.

95. Properties proposed under criterion (x) should be the most important properties for the conservation of biological diversity. Only those properties which are the most biologically diverse and/or representative are likely to meet this criterion. The properties should contain habitats for maintaining the most diverse fauna and flora characteristic of the bio-geographic province and ecosystems under consideration. For example, a tropical savannah would meet the conditions of integrity if it includes a complete assemblage of co-evolved herbivores and plants; an island ecosystem should include habitats for maintaining endemic biota; a property containing wide ranging species should be large enough to include the most critical habitats essential to ensure the survival of viable populations of those species; for an area containing migratory species, seasonal breeding and nesting sites, and migratory routes, wherever they are located, should be adequately protected.

II.F Protection and management

96. Protection and management of World Heritage properties should ensure that the outstanding universal value, the conditions of integrity and/or authenticity at the time of inscription are maintained or enhanced in the future.

97. All properties inscribed on the World Heritage List must have adequate long-term legislative, regulatory, institutional and/or traditional protection and management to ensure their safeguarding. This protection should include adequately delineated boundaries. Similarly States Parties should demonstrate adequate protection at the national, regional, municipal, and/or traditional level for the nominated property. They should append appropriate texts to the nomination with a clear explanation of the way this protection operates to protect the property.

Legislative, regulatory and contractual measures for protection

98. Legislative and regulatory measures at national and local levels should assure the survival of the property and its protection against development and change that might negatively impact the outstanding universal value, or the integrity and/or authenticity of the property. States Parties should also assure the full and effective implementation of such measures.

Boundaries for effective protection

99. The delineation of boundaries is an essential requirement in

the establishment of effective protection of nominated properties. Boundaries should be drawn to ensure the full expression of the outstanding universal value and the integrity and/or authenticity of the property.

100. For properties nominated under criteria (i) - (vi), boundaries should be drawn to include all those areas and attributes which are a direct tangible expression of the outstanding universal value of the property, as well as those areas which in the light of future research possibilities offer potential to contribute to and enhance such understanding.

101. For properties nominated under criteria (vii) - (x), boundaries should reflect the spatial requirements of habitats, species, processes or phenomena that provide the basis for their inscription on the World Heritage List. The boundaries should include sufficient areas immediately adjacent to the area of outstanding universal value in order to protect the property's heritage values from direct effect of human encroachments and impacts of resource use outside of the nominated area.

102. The boundaries of the nominated property may coincide with one or more existing or proposed protected areas, such as national parks or nature reserves, biosphere reserves or protected historic districts. While such established areas for protection may contain several management zones, only some of those zones may satisfy criteria for inscription.

Buffer zones

103. Wherever necessary for the proper conservation of the property, an adequate buffer zone should be provided.

104. For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone, should be provided in the nomination.

105. A clear explanation of how the buffer zone protects the property should also be provided.

106. Where no buffer zone is proposed, the nomination should

include a statement as to why a buffer zone is not required.

107. Although buffer zones are not normally part of the nominated property, any modifications to the buffer zone subsequent to inscription of a property on the World Heritage List should be approved by the World Heritage Committee.

Management systems

108. Each nominated property should have an appropriate management plan or other documented management system which should specify how the outstanding universal value of a property should be preserved, preferably through participatory means.

109. The purpose of a management system is to ensure the effective protection of the nominated property for present and future generations.

110. An effective management system depends on the type, characteristics and needs of the nominated property and its cultural and natural context. Management systems may vary according to different cultural perspectives, the resources available and other factors. They may incorporate traditional practices, existing urban or regional planning instruments, and other planning control mechanisms, both formal and informal.

111. In recognizing the diversity mentioned above, common elements of an effective management system could include:

a) a thorough shared understanding of the property by all stakeholders;

b) a cycle of planning, implementation, monitoring, evaluation and feedback;

c) the involvement of partners and stakeholders;

d) the allocation of necessary resources;

e) capacity-building; and

f) an accountable, transparent description of how the management system functions.

112. Effective management involves a cycle of long-term and day-to-day actions to protect, conserve and present the nominated property.

113. Moreover, in the context of the implementation of the

Convention, the World Heritage Committee has established a process of Reactive Monitoring (see Chapter IV) and a process of Periodic Reporting (see Chapter V).

114. In the case of serial properties, a management system or mechanisms for ensuring the co-ordinated management of the separate components are essential and should be documented in the nomination (see paragraphs 137-139).

115. In some circumstances, a management plan or other management system may not be in place at the time when a property is nominated for the consideration of the World Heritage Committee. The State Party concerned should then indicate when such a management plan or system would be put in place, and how it proposes to mobilize the resources required for the preparation and implementation of the new management plan or system. The State Party should also provide other document(s) (e.g. operational plans) which will guide the management of the site until such time when a management plan is finalized.

116. Where the intrinsic qualities of a property nominated are threatened by action of man and yet meet the criteria and the conditions of authenticity or integrity set out in paragraphs 78-95, an action plan outlining the corrective measures required should be submitted with the nomination file. Should the corrective measures submitted by the nominating State Party not be taken within the time proposed by the State Party, the property will be considered by the Committee for delisting in accordance with the procedure adopted by the Committee (see Chapter IV.C).

117. States Parties are responsible for implementing effective management activities for a World Heritage property. State Parties should do so in close collaboration with property managers, the agency with management authority and other partners, and stakeholders in property management.

118. The Committee recommends that States Parties include risk preparedness as an element in their World Heritage site management plans and training strategies. Decision 28 COM 10B.4

Sustainable use

119. World Heritage properties may support a variety of ongoing and proposed uses that are ecologically and culturally sustainable. The State Party and partners must ensure that such sustainable use does not adversely impact the outstanding universal value, integrity and/or authenticity of the property. Furthermore, any uses should be ecologically and culturally sustainable. For some properties, human use would not be appropriate.

III. PROCESS FOR THE INSCRIPTION OF PROPERTIES ON THE WORLD HERITAGE LIST

III.A Preparation of Nominations

120. The nomination document is the primary basis on which the Committee considers the inscription of the properties on the World Heritage List. All relevant information should be included in the nomination document and it should be cross-referenced to the source of information.

121. Annex 3 provides guidance to States Parties in preparing nominations of specific types of properties.

122. Before States Parties begin to prepare a nomination of a property for inscription on the World Heritage List, they should become familiar with the nomination cycle, described in Paragraph 168.

123. Participation of local people in the nomination process is essential to enable them to have a shared responsibility with the State Party in the maintenance of the property. States Parties are encouraged to prepare nominations with the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, NGOs and other interested parties.

124. Preparatory Assistance, as described in Chapter VII.E, may be requested by States Parties for the preparation of nominations.

125. States Parties are encouraged to contact the Secretariat, which can provide assistance throughout the nomination process.

126. The Secretariat can also provide:

a) assistance in identifying appropriate maps and photographs and the national agencies from which these may be obtained;

b) examples of successful nominations, of management and legislative provisions;

c) guidance for nominating different types of properties, such as Cultural Landscapes, Towns, Canals, and Heritage Routes (see Annex 3)

d) guidance for nominating serial and transboundary properties (see paragraphs 134-139).

127. States Parties may submit draft nominations to the Secretariat

for comment and review by **30 September** of each year (see paragraph 168). This submission of a draft nomination is voluntary.

128. Nominations may be submitted **at any time during the year**, but only those nominations that are "complete" (see paragraph 132) and received by the Secretariat on or before **1 February** will be considered for inscription on the World Heritage List by the World Heritage Committee during the following year. Only nominations of properties included in the State Party's Tentative List will be examined by the Committee (see paragraph 63).

III.B Format and content of nominations

129. Nominations of properties for inscription on the World Heritage List should be prepared in accordance with the format set out in Annex 5.

130. The format includes the following sections:

1. Identification of the Property
2. Description of the Property
3. Justification for Inscription
4. State of conservation and factors affecting the property
5. Protection and Management
6. Monitoring
7. Documentation
8. Contact Information of responsible authorities
9. Signature on behalf of the State Party(ies)

131. Nominations to the World Heritage List are evaluated on content rather than on appearance.

132. For a nomination to be considered as "**complete**", the following requirements are to be met:

1. Identification of the Property

The boundaries of the property being proposed shall be clearly defined, unambiguously distinguishing between the nominated property and any buffer zone (when present) (see paragraphs 103-107). Maps shall be sufficiently detailed to determine precisely which area of land and/or water is nominated. Officially up-to-date published topographic maps of the State Party annotated to show the property boundaries shall be provided if available. A nomination shall be considered "incomplete" if it does not include clearly defined boundaries.

2. Description of the Property

The Description of the property shall include the identification

of the property, and an overview of its history and development. All component parts that are mapped shall be identified and described. In particular, where serial nominations are proposed, each of the component parts shall be clearly described.

The History and Development of the property shall describe how the property has reached its present form and the significant changes that it has undergone. This information shall provide the important facts needed to support and give substance to the argument that the property meets the criteria of outstanding universal value and conditions of integrity and/or authenticity.

3. Justification for Inscription

This section shall indicate the World Heritage criteria (see Paragraph 77) under which the property is proposed, together with a clearly stated argument for the use of each criterion. Based on the criteria, a proposed Statement of Outstanding Universal Value (see paragraphs 49-53and 155) of the property prepared by the State Party shall make clear why the property is considered to merit inscription on the World Heritage List. A comparative analysis of the property in relation to similar properties, whether or not on the World Heritage List, both at the national and international levels, shall also be provided. The comparative analysis shall explain the importance of the nominated property in its national and international context. Statements of integrity and/or authenticity shall be included and shall demonstrate how the property satisfies the conditions outlined in paragraphs 78-95.

The comparative analyses prepared by States Parties when nominating properties for inscription in the World Heritage List should not be confused with the thematic studies prepared by the Advisory Bodies at the request of the Committee (paragraph 148 below)

Decision 7 EXT.COM 4A

4. State of conservation and factors affecting the property

This section shall include accurate information on the present state of conservation of the property (including information on its physical condition of the property and conservation measures in place). It shall also include a description of the factors affecting the property (including threats). Information provided in this section constitutes the baseline data which are necessary to monitor the state of conservation of the nominated property in the future.

5. Protection and management

Protection: Section 5 shall include the list of the legislative, regulatory, contractual, planning, institutional and/ or traditional measures most relevant to the protection of the property and provide a detailed analysis of the way in which this protection actually operates. Legislative, regulatory,

contractual planning and/or institutional texts, or an abstract of the texts, shall also be attached in English or French.

Management: An appropriate management plan or other management system is essential and shall be provided in the nomination. Assurances of the effective implementation of the management plan or other management system are also expected.

A copy of the management plan or documentation of the management system shall be annexed to the nomination. If the management plan exists only in a language other than English or French, an English or French detailed description of its provisions shall be annexed.

A detailed analysis or explanation of the management plan or a documented management system shall be provided.

A nomination which does not include the above-mentioned documents is considered incomplete unless other documents guiding the management of the property until the finalization of the management plan are provided as outlined in paragraph 115.

6. Monitoring

States Parties shall include the key indicators proposed to measure and assess the state of conservation of the property, the factors affecting it, conservation measures at the property, the periodicity of their examination, and the identity of the responsible authorities.

7. Documentation

All necessary documentation to substantiate the nomination shall be provided. In addition to what is indicated above, this shall include photographs, 35 mm slides, image inventory and photograph authorization form. The text of the nomination shall be transmitted in printed form as well as in electronic format (Diskette or CD-Rom).

8. Contact Information of responsible authorities

Detailed contact information of responsible authorities shall be provided.

9. Signature on behalf of the State Party

The nomination shall conclude with the original signature of the official empowered to sign it on behalf of the State Party.

10. Number of printed copies required

- Nominations of cultural properties (excluding cultural landscapes): 2 copies
- Nominations of natural properties: 3 copies
- Nominations of mixed properties and cultural landscapes: 4 copies

11. Paper and electronic format

Nominations shall be presented on A4-size paper (or "letter"); and in electronic format (diskette or CD-ROM). At least one paper copy shall be presented in a loose-leaf format to facilitate photocopying, rather than in a bound volume.

12. Sending

States Parties shall submit the nomination in English or French duly signed, to:

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Tel: +33 (0) 1 4568 1136
Fax: +33 (0) 1 4568 5570
E-mail: wh-nominations@unesco.org

133. The Secretariat will retain all supporting documentation (maps, plans, photographic material, etc.) submitted with the nomination.

III.C Requirements for the nomination of different types of properties

Transboundary properties

134. A nominated property may occur: Decision 7 EXT.COM 4A

a) on the territory of a single State Party, or

b) on the territory of all concerned States Parties having adjacent borders (transboundary property).

135. Wherever possible, transboundary nominations should be prepared and submitted by States Parties jointly in conformity with Article 11.3 of the *Convention*. It is highly recommended that the States Parties concerned establish a joint management committee or similar body to oversee the management of the

whole of a transboundary property.

136. Extensions to an existing World Heritage property located in one State Party may be proposed to become transboundary properties.

Serial properties

137. Serial properties will include component parts related because they belong to:

a) the same historico – cultural group;

b) the same type of property which is characteristic of the geographical zone;

c) the same geological**,** geomorphological formation, the same biogeographic province, or the same ecosystem type;

and provided it is the series as a whole – and not necessarily the individual parts of it – which are of outstanding universal value.

138. A serial nominated property may occur : Decision 7 EXT.COM 4A

a) on the territory of a single State Party (serial national property); or

b) within the territory of different States Parties, which need not be contiguous and is nominated with the consent of all States Parties concerned (serial transnational property)

139. Serial nominations, whether from one State Party or multiple States, may be submitted for evaluation over several nomination cycles, provided that the first property nominated is of outstanding universal value in its own right. States Parties planning serial nominations phased over several nomination cycles are encouraged to inform the Committee of their intention in order to ensure better planning.

III.D Registration of nominations

140. On receipt of nominations from States Parties, the Secretariat will acknowledge receipt, check for completeness and register nominations. The Secretariat will forward complete nominations to the relevant Advisory Bodies for evaluation. The Secretariat will request any additional information from the State Party and when required by Advisory Bodies. The timetable for registration and processing of nominations is detailed in paragraph 168.

141. The Secretariat establishes and submits at each Committee session a list of all nominations received, including the date of reception, an indication of their status "complete" or "incomplete", as well as the date at which they are considered as "complete" in conformity with paragraph 132.

Decisions 26 COM 14 and 28 COM 14B.57

142. A nomination passes through a cycle between the time of its submission and the decision by the World Heritage Committee. This cycle normally lasts one and a half years between submission in February of Year 1 and the decision of the Committee in June of Year 2.

III.E. Evaluation of nominations by the Advisory Bodies

143. The Advisory Bodies will evaluate whether or not properties nominated by States Parties have outstanding universal value, meet the conditions of integrity and/or authenticity and meet the requirements of protection and management. The procedures and format of ICOMOS and IUCN evaluations are described in Annex 6.

144. Evaluations of cultural heritage nominations will be carried out by ICOMOS.

145. Evaluations of natural heritage nominations will be carried out by IUCN.

146. In the case of nominations of cultural properties in the category of 'cultural landscapes', as appropriate, the evaluation will be carried out by ICOMOS in consultation with IUCN. For mixed properties, the evaluation will be carried out jointly by ICOMOS and IUCN.

147. As requested by the World Heritage Committee or as necessary, ICOMOS and IUCN will carry out **thematic studies** to evaluate proposed World Heritage properties in their regional, global or thematic context. These studies should be informed by a review of the Tentative Lists submitted by States Parties and by reports of meetings on the harmonization of Tentative Lists, as well as by other technical studies performed by the Advisory Bodies and qualified organizations and individuals. A list of those studies already completed may be found in section III of Annex 3, and on the Web addresses of the Advisory Bodies. These studies should not be confused with the **comparative analysis** to be prepared by States Parties in nominating properties for inscription on the World Heritage List (see paragraph 132).

ICOMOS:

http://www.icomos.org/studies/

IUCN:

http://www.iucn.org/themes/wcpa/pubs/Worldheritage.htm

148. The following principles must guide the evaluations and presentations of ICOMOS and IUCN. The evaluations and presentations should:

Decision 28 COM 14B.57.3

a) adhere to the *World Heritage Convention* and the relevant *Operational Guidelines* and any additional policies set out by the Committee in its decisions;

b) be objective, rigorous and scientific in their evaluations;

c) be conducted to a consistent standard of professionalism;

d) comply to standard format, both for evaluations and presentations, to be agreed with the Secretariat and include the name of the evaluator(s) who conducted the site visit;

d) indicate clearly and separately whether the property has outstanding universal value, meets the conditions of integrity and/or authenticity, a management plan/system and legislative protection;

f) evaluate each property systematically according to all relevant criteria, including its state of conservation, relatively, that is, by comparison with that of other properties of the same type, both inside and outside the State Party's territory;

g) include references to Committee decisions and requests concerning the nomination under consideration;

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h) not take into account or include any information submitted by the State Party after **28 February**, as evidenced by the postmark, in the year in which the nomination is considered. The State Party should be informed when information has arrived after the deadline and is not being taken into account in the evaluation. This deadline should be rigorously enforced; and

i) provide a justification for their views through a list of references (literature) consulted, as appropriate.

149. The Advisory Bodies are requested to forward to States Parties by **31 January** of each year any final question or request for information that they may have after the examination of their evaluation.

Decision 7 EXT.COM 4B.1

150. The concerned States Parties are invited to send, at least two working days before the opening of the session of the Committee, a letter to the Chairperson, with copies to the Advisory Bodies, detailing the factual errors they might have identified in the evaluation of their nomination made by the Advisory Bodies. This letter will be distributed in the working languages to the members of the Committee and may be read by the Chairperson following the presentation of the evaluation. Decision 7 EXT.COM 4B.1

151. ICOMOS and IUCN make their recommendations under three categories:

a) properties which are **recommended for inscription** without reservation;

b) properties which are **not recommended** for inscription;

c) nominations which are recommended for **referral** or **deferral**.

III.F Withdrawal of nominations

152. A State Party may **withdraw** a nomination it has submitted at any time prior to the Committee session at which it is scheduled to be examined. The State Party should inform the Secretariat in writing of its intention to withdraw the nomination. If the State Party so wishes it can resubmit a nomination for the property, which will be considered as a new nomination according to the procedures and timetable outlined in paragraph 168.

III.G Decision of the World Heritage Committee

153. The World Heritage Committee decides whether a property should or should not be inscribed on the World Heritage List, referred or deferred.

Inscription

154. When deciding to inscribe a property on the World Heritage List, the Committee, guided by the Advisory Bodies, adopts a Statement of Outstanding Universal Value for the property.

155. The Statement of Outstanding Universal Value should include a summary of the Committee's determination that the property has outstanding universal value, identifying the criteria under which the property was inscribed, including the assessments of the conditions of integrity or authenticity, and of the requirements for protection and management in force. The Statement of Outstanding Universal Value shall be the basis for the future protection and management of the property.

156. At the time of inscription, the Committee may also make other recommendations concerning the protection and management of the World Heritage property.

157. The Statement of Outstanding Universal Value (including the criteria for which a specific property is inscribed on the World Heritage List) will be set out by the Committee in its reports and publications.

Decision not to inscribe

158. If the Committee decides that a property should **not be inscribed** on the World Heritage List, the nomination may not again be presented to the Committee except in exceptional circumstances. These exceptional circumstances may include new discoveries, new scientific information about the property, or different criteria not presented in the original nomination. In these cases, a new nomination shall be submitted.

Referral of Nominations

159. Nominations which the Committee decides **to refer** back to the State Party for additional information may be resubmitted to the following Committee session for examination. The additional information shall be submitted to the Secretariat by **1 February** of the year in which examination by the Committee is desired. The Secretariat will immediately transmit it to the relevant Advisory Bodies for evaluation. A referred nomination which is not presented to the Committee within three years of the original Committee decision will be considered as a new nomination when it is resubmitted for examination, following the procedures and timetable outlined in paragraph 168.

Deferral of Nominations

160. The Committee may decide **to defer** a nomination for more in-depth assessment or study, or a substantial revision by the State Party. Should the State Party decide to resubmit the deferred nomination, it shall be resubmitted to the Secretariat by **1 February**. These nominations will then be revaluated by the relevant Advisory Bodies during the course of the full year and a half evaluation cycle according to the procedures and timetable outlined in paragraph 168.

III.H Nominations to be processed on an emergency basis

161. The normal timetable and definition of completeness for the submission and processing of nominations will not apply in the case of properties which, in the opinion of the relevant Advisory Bodies, would **unquestionably** meet the criteria for inscription on the World Heritage List and which have suffered damage or

162. The procedure for nominations to be processed on an emergency basis is as follows:

a) A State Party presents a nomination with the request for processing on an emergency basis. The State Party shall have already included, or immediately include, the property on its Tentative List.

b) The nomination shall:

i) describe and identify the property;
ii) justify its outstanding universal value according to the criteria;
iii) justify its integrity and/or authenticity;
iv) describe its protection and management system;
v) describe the nature of the emergency, including the nature and extent of the damage or danger and showing that immediate action by the Committee is necessary for the survival of the property.

c) The Secretariat immediately transmits the nomination to the relevant Advisory Bodies, requesting an assessment of its outstanding universal value, and of the nature of the emergency, damage and/or danger. A field visit may be necessary if the relevant Advisory Bodies consider it appropriate;

d) If the relevant Advisory Bodies determine that the property **unquestionably** meets the criteria for inscription, and that the requirements (see a) above) are satisfied, the examination of the nomination will be added to the agenda of the next session of the Committee.

e) When reviewing the nomination the Committee will also consider:

i) inscription on the List of World Heritage in Danger;
ii) allocation of International Assistance to complete the nomination; and
iii) follow-up missions as necessary by the Secretariat and the relevant Advisory Bodies as soon as possible after inscription.

III.I Modifications to the boundaries, to the criteria used to justify inscription or to the name of a World Heritage property

Minor modifications to the boundaries

163. A minor modification is one which has not a significant impact on the extent of the property nor affects its outstanding universal value.

164. If a State Party wishes to request a minor modification to the boundaries of a property already on the World Heritage List, it shall submit this by **1 February** to the Committee through the Secretariat, which will seek the advice of the relevant Advisory Bodies. The Committee can approve such modification, or it may consider that the modification to the boundary is sufficiently important to constitute an extension of the property, in which case the procedure for new nominations will apply.

Significant modifications to the boundaries

165. If a State Party wishes to significantly modify the boundary of a property already on the World Heritage List, the State Party shall submit this proposal as if it were a new nomination. This re-nomination shall be presented by **1 February** and will be evaluated in the full year and a half cycle of evaluation according to the procedures and timetable outlined in paragraph 168. This provision applies to extensions, as well as reductions.

Modifications to the criteria used to justify inscription on the World Heritage List

166. Where a State Party wishes to have the property inscribed under additional or different criteria other than those used for the original inscription, it shall submit this request as if it were a new nomination. This re-nomination shall be presented by **1 February** and will be evaluated in the full year and a half cycle of evaluation according to the procedures and timetable outlined in paragraph 168. Properties recommended will only be evaluated under the new criteria and will remain on the World Heritage List even if unsuccessful in having additional criteria recognized.

Modification to the name of a World Heritage property

167. A State Party may request that the Committee authorize a modification to the name of a property already inscribed on the World Heritage List. A request for a modification to the name shall be received by the Secretariat **at least 3 months prior to**

the meeting of the Committee.

III.J Timetable – overview

168. TIMETABLE	PROCEDURES
30 September (before Year 1)	Voluntary deadline for receipt of draft nominations from States Parties by the Secretariat.
15 November (before Year 1)	Secretariat to respond to the nominating State Party concerning the completeness of the draft nomination, and, if incomplete, to indicate the missing information required to make the nomination complete.
1 February Year 1	Deadline by which complete nominations must be received by the Secretariat to be transmitted to the relevant Advisory Bodies for evaluation. Nominations shall be received by 17h00 GMT, or, if the date falls on a weekend by 17h00 GMT the preceeding Friday. Nominations received after this date will be examined in a future cycle.
1 February – 1 March Year 1	Registration, assessment of completeness and transmission to the relevant Advisory Bodies. The Secretariat registers each nomination, acknowledges receipt to the nominating State Party and inventories its contents. The Secretariat will inform the nominating State Party whether or not the nomination is complete. Nominations that are not complete (see paragraph 132) will not be transmitted to the relevant Advisory Bodies for evaluation. If a nomination is incomplete, the State Party concerned will be advised of information required to complete the nomination by the deadline of 1 February of the following year in order for the nomination to be examined in a future cycle. Nominations that are complete are transmitted to the relevant Advisory Bodies for evaluation.
1 March Year 1	Deadline by which the Secretariat informs the State Party of the receipt of a Nomination, whether it is considered complete and whether it has been received by 1 February.
March Year 1 – May Year 2	Evaluation by the Advisory Bodies

31 January Year 2	If necessary, the relevant Advisory Bodies may request States Parties to submit additional information during the evaluation and no later than 31 January Year 2.
31 March Year 2	Deadline by which additional information requested by the relevant Advisory Bodies shall be submitted by the State Party to them via the Secretariat. Additional information shall be submitted in the same number of copies and electronic formats as specified in Paragraph 132 to the Secretariat. To avoid confusing new and old texts, if the additional information submitted concerns changes to the main text of the nomination, the State Party shall submit these changes in an amended version of the original text. The changes shall be clearly identified. An electronic version (CD-ROM or diskette) of this new text shall accompany the paper version.
Six weeks prior to the annual World Heritage Committee session Year 2	The relevant Advisory Bodies deliver their evaluations and recommendations to the Secretariat for transmission to the World Heritage Committee as well as to States Parties.
At least two working days before the opening of the annual World Heritage Committee session Year 2	Correction of factual errors by States Parties The concerned States Parties can send, at least two working days before the opening of the session of the Committee, a letter to the Chairperson, with copies to the Advisory Bodies, detailing the factual errors they might have identified in the evaluation of their nomination made by the Advisory Bodies.
Annual session of the World Heritage Committee (June/July) Year 2	The Committee examines the nominations and makes its decisions.
Immediately following the annual session of the World Heritage Committee	Notification to the States Parties The Secretariat notifies all States Parties whose nominations have been examined by the Committee of the relevant decisions of the Committee. Following the decision of the World Heritage Committee to inscribe a property on the World Heritage List, the Secretariat writes to the State Party and site managers providing a map of the area inscribed and the Statement of Outstanding Universal Value (to include reference to the criteria met).
Immediately following the annual session of the World Heritage Committee	The Secretariat publishes the updated World Heritage List every year following the annual session of the

Committee.

The name of the States Parties having nominated the properties inscribed on the World Heritage List are presented in the published form of the List under the following heading: “Contracting State having submitted the nomination of the property in accordance with the *Convention*".

In the month following the closure of the annual session of the World Heritage Committee

The Secretariat forwards the published report of all the decisions of the World Heritage Committee to all States Parties.

IV. PROCESS FOR MONITORING THE STATE OF CONSERVATION OF WORLD HERITAGE PROPERTIES

IV.A Reactive Monitoring

Definition of Reactive Monitoring

169. Reactive Monitoring is the reporting by the Secretariat, other sectors of UNESCO and the Advisory Bodies to the Committee on the state of conservation of specific World Heritage properties that are under threat. To this end, the States Parties shall submit by **1 February** to the Committee through the Secretariat, specific reports and impact studies each time exceptional circumstances occur or work is undertaken which may have an effect on the state of conservation of the property. Reactive Monitoring is also foreseen in reference to properties inscribed, or to be inscribed, on the List of World Heritage in Danger as set out in paragraphs 177-191.Reactive Monitoring is foreseen in the procedures for the eventual deletion of properties from the World Heritage List as set out in paragraphs 192-198.

Objective of Reactive Monitoring

170. When adopting the process of Reactive Monitoring, the Committee was particularly concerned that all possible measures should be taken to prevent the deletion of any property from the List and was ready to offer technical co-operation as far as possible to States Parties in this connection.

Article 4 of the *Convention*:

"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...".

171. The Committee recommends that States Parties co-operate with the Advisory Bodies which have been asked by the Committee to carry out monitoring and reporting on its behalf on the progress of work undertaken for the preservation of properties inscribed on the World Heritage List.

Information received from States Parties and/or other sources

172. The World Heritage Committee invites the States Parties to the *Convention* to inform the Committee, through the Secretariat, of their intention to undertake or to authorize in an area protected under the *Convention* major restorations or new constructions which may affect the outstanding universal value of the property. Notice should be given as soon as possible (for instance, before drafting basic

documents for specific projects) and before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the outstanding universal value of the property is fully preserved.

173. The World Heritage Committee requests that reports of missions to review the state of conservation of the World Heritage properties include: Decision 27 COM 7B.106.2

a) an indication of threats or significant improvement in the conservation of the property since the last report to the World Heritage Committee;

b) any follow-up to previous decisions of the World Heritage Committee on the state of conservation of the property;

c) information on any threat or damage to or loss of outstanding universal value, integrity and/or authenticity for which the property was inscribed on the World Heritage List.

174. When the Secretariat receives information that a property inscribed has seriously deteriorated, or that the necessary corrective measures have not been taken within the time proposed, from a source other than the State Party concerned, it will, as far as possible, verify the source and the contents of the information in consultation with the State Party concerned and request its comments.

Decision by the World Heritage Committee

175. The Secretariat will request the relevant Advisory Bodies to forward comments on the information received.

176. The information received, together with the comments of the State Party and the Advisory Bodies, will be brought to the attention of the Committee in the form of a state of conservation report for each property, which may take one or more of the following steps:

a) it may decide that the property has not seriously deteriorated and that no further action should be taken;

b) when the Committee considers that the property has seriously deteriorated, but not to the extent that its restoration is impossible, it may decide that the property be maintained on the List, provided that the State Party takes the necessary measures to restore the property within a reasonable period of time. The

Committee may also decide that technical co-operation be provided under the World Heritage Fund for work connected with the restoration of the property, proposing to the State Party to request such assistance, if it has not already been done;

c) when the requirements and criteria set out in paragraphs 177-182 are met, the Committee may decide to inscribe the property on the List of World Heritage in Danger according to the procedures set out in paragraphs 183-189;

d) when there is evidence that the property has deteriorated to the point where it has irretrievably lost those characteristics which determined its inscription on the List, the Committee may decide to delete the property from the List. Before any such action is taken, the Secretariat will inform the State Party concerned. Any comments which the State Party may make will be brought to the attention of the Committee;

e) when the information available is not sufficient to enable the Committee to take one of the measures described in a), b), c) or d) above, the Committee may decide that the Secretariat be authorized to take the necessary action to ascertain, in consultation with the State Party concerned, the present condition of the property, the dangers to the property and the feasibility of adequately restoring the property, and to report to the Committee on the results of its action; such measures may include the sending of a fact-finding or the consultation of specialists. In cases where emergency action is required, the Committee may authorize the financing from the World Heritage Fund of the Emergency Assistance that is required.

IV.B The List of World Heritage in Danger

Guidelines for the inscription of properties on the List of World Heritage in Danger

177. In accordance with Article 11, paragraph 4, of the *Convention*, the Committee may inscribe a property on the List of World Heritage in Danger when the following requirements are met:

a) the property under consideration is on the World Heritage List;

b) the property is threatened by serious and specific danger;

c) major operations are necessary for the conservation of

the property;

d) assistance under the *Convention* has been requested for the property; the Committee is of the view that its assistance in certain cases may most effectively be limited to messages of its concern, including the message sent by inscription of a property on the List of World Heritage in Danger and that such assistance may be requested by any Committee member or the Secretariat.

Criteria for the inscription of properties on the List of World Heritage in Danger

178. A World Heritage property - as defined in Articles 1 and 2 of the *Convention* - can be inscribed on the List of World Heritage in Danger by the Committee when it finds that the condition of the property corresponds to at least one of the criteria in either of the two cases described below.

179. In the case of **cultural properties**:

a) ASCERTAINED DANGER - The property is faced with specific and proven imminent danger, such as:

i) serious deterioration of materials;

ii) serious deterioration of structure and/or ornamental features;

iii) serious deterioration of architectural or town-planning coherence;

iv) serious deterioration of urban or rural space, or the natural environment;

v) significant loss of historical authenticity;

vi) important loss of cultural significance.

b) POTENTIAL DANGER - The property is faced with threats which could have deleterious effects on its inherent characteristics. Such threats are, for example:

i) modification of juridical status of the property diminishing the degree of its protection;

ii) lack of conservation policy;

iii) threatening effects of regional planning projects;

iv) threatening effects of town planning;

v) outbreak or threat of armed conflict;

vi) gradual changes due to geological, climatic or other environmental factors.

180. In the case of **natural properties**:

a) ASCERTAINED DANGER - The property is faced with specific and proven imminent danger, such as:

i) A serious decline in the population of the endangered species or the other species of outstanding universal value for which the property was legally established to protect, either by natural factors such as disease or by man-made factors such as poaching.

ii) Severe deterioration of the natural beauty or scientific value of the property, as by human settlement, construction of reservoirs which flood important parts of the property, industrial and agricultural development including use of pesticides and fertilizers, major public works, mining, pollution, logging, firewood collection, etc.

iii) Human encroachment on boundaries or in upstream areas which threaten the integrity of the property.

b) POTENTIAL DANGER - The property is faced with major threats which could have deleterious effects on its inherent characteristics. Such threats are, for example:

i) a modification of the legal protective status of the area;

ii) planned resettlement or development projects

within the property or so situated that the impacts threaten the property;

iii) outbreak or threat of armed conflict;

iv) the management plan or management system is lacking or inadequate, or not fully implemented.

181. In addition, the factor or factors which are threatening the integrity of the property must be those which are amenable to correction by human action. In the case of cultural properties, both natural factors and man-made factors may be threatening, while in the case of natural properties, most threats will be man-made and only very rarely a natural factor (such as an epidemic disease) will threaten the integrity of the property. In some cases, the factors threatening the integrity of a property may be corrected by administrative or legislative action, such as the cancelling of a major public works project or the improvement of legal status.

182. The Committee may wish to bear in mind the following supplementary factors when considering the inclusion of a cultural or natural property in the List of World Heritage in Danger:

a) Decisions which affect World Heritage properties are taken by Governments after balancing all factors. The advice of the World Heritage Committee can often be decisive if it can be given before the property becomes threatened.

b) Particularly in the case of ascertained danger, the physical or cultural deteriorations to which a property has been subjected should be judged according to the intensity of its effects and analyzed case by case.

c) Above all in the case of potential danger to a property, one should consider that:

i) the threat should be appraised according to the normal evolution of the social and economic framework in which the property is situated;

ii) it is often impossible to assess certain threats - such as the threat of armed conflict - as to their effect on cultural or natural properties;

iii) some threats are not imminent in nature, but can only be anticipated, such as demographic growth.

d) Finally, in its appraisal the Committee should take into

account any cause of unknown or unexpected origin which endangers a cultural or natural property.

Procedure for the inscription of properties on the List of World Heritage in Danger

183. When considering the inscription of a property on the List of World Heritage in Danger, the Committee shall develop, and adopt, as far as possible, in consultation with the State Party concerned, a programme for corrective measures.

184. In order to develop the programme of corrective measures referred to in the previous paragraph, the Committee shall request the Secretariat to ascertain, as far as possible in co-operation with the State Party concerned, the present condition of the property, the dangers to the property and the feasibility of undertaking corrective measures. The Committee may further decide to send a mission of qualified observers from the relevant Advisory Bodies or other organizations to visit the property, evaluate the nature and extent of the threats and propose the measures to be taken.

185. The information received, together with the comments as appropriate of the State Party and the relevant Advisory Bodies or other organizations, will be brought to the attention of the Committee by the Secretariat.

186. The Committee shall examine the information available and take a decision concerning the inscription of the property on the List of World Heritage in Danger. Any such decision shall be taken by a majority of two-thirds of the Committee members present and voting. The Committee will then define the programme of corrective action to be taken. This programme will be proposed to the State Party concerned for immediate implementation.

187. The State Party concerned shall be informed of the Committee's decision and public notice of the decision shall immediately be issued by the Committee, in accordance with Article 11.4 of the *Convention*.

188. The Secretariat publishes the updated List of World Heritage in Danger in printed form and is also available at the following Web address: http://whc.unesco.org/en/danger

189. The Committee shall allocate a specific, significant portion of the World Heritage Fund to financing of possible assistance to World Heritage properties inscribed on the List of World Heritage in Danger.

Regular review of the state of conservation of properties on the List of World Heritage in Danger

190. The Committee shall review annually the state of conservation of properties on the List of World Heritage in Danger. This review shall include such monitoring procedures and expert missions as might be determined necessary by the Committee.

191. On the basis of these regular reviews, the Committee shall decide, in consultation with the State Party concerned, whether:

a) additional measures are required to conserve the property;

b) to delete the property from the List of World Heritage in Danger if the property is no longer under threat;

c) to consider the deletion of the property from both the List of World Heritage in Danger and the World Heritage List if the property has deteriorated to the extent that it has lost those characteristics which determined its inscription on the World Heritage List, in accordance with the procedure set out in paragraphs 192-198.

IV.C Procedure for the eventual deletion of properties from the World Heritage List

192. The Committee adopted the following procedure for the deletion of properties from the World Heritage List in cases:

a) where the property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the World Heritage List; and

b) where the intrinsic qualities of a World Heritage site were already threatened at the time of its nomination by action of man and where the necessary corrective measures as outlined by the State Party at the time, have not been taken within the time proposed (see paragraph 116).

193. When a property inscribed on the World Heritage List has seriously deteriorated, or when the necessary corrective measures have not been taken within the time proposed, the State Party on whose territory the property is situated should so inform the Secretariat.

194. When the Secretariat receives such information from a source other than the State Party concerned, it will, as far as possible, verify the source and the contents of the information in consultation with the State Party concerned and request its comments.

195. The Secretariat will request the relevant Advisory Bodies to forward comments on the information received.

196. The Committee will examine all the information available and will take a decision. Any such decision shall, in accordance with Article 13 (8) of the *Convention*, be taken by a majority of two-thirds of its members present and voting. The Committee shall not decide to delete any property unless the State Party has been consulted on the question.

197. The State Party shall be informed of the Committee's decision and public notice of this decision shall be immediately given by the Committee.

198. If the Committee's decision entails any modification to the World Heritage List, this modification will be reflected in the next updated List that is published.

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

V.A Objectives

199. States Parties are requested to submit reports to the UNESCO General Conference through the World Heritage Committee 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.

Article 29 of the *World Heritage Convention* and Resolutions of the 11th session of the General Assembly of States Parties (1997) and the 29th session of the UNESCO General Conference.

200. States Parties may request expert advice from the Advisory Bodies and the Secretariat, which may also (with agreement of the States Parties concerned) commission further expert advice.

201. Periodic Reporting serves four main purposes:

a) to provide an assessment of the application of the *World Heritage Convention* by the State Party;

b) to provide an assessment as to whether the outstanding universal value of the properties inscribed on the World Heritage List is being maintained over time;

c) to provide up-dated information about the World Heritage properties to record the changing circumstances and state of conservation of the properties;

d) to provide a mechanism for regional co-operation and exchange of information and experiences between States Parties concerning the implementation of the *Convention* and World Heritage conservation.

202. Periodic Reporting is important for more effective long term conservation of the properties inscribed, as well as to strengthen the credibility of the implementation of the *Convention*.

V.B. Procedure and Format

203. World Heritage Committee:

Decision 22 COM VI.7

a) adopted the Format and Explanatory Notes set out in Annex 7;

b) invited States Parties to submit periodic reports every

six years;

c) decided to examine the States Parties' periodic reports region by region according to the following table:

Region	Examination of properties inscribed up to and including	Year of Examination by Committee
Arab States	1992	December 2000
Africa	1993	December 2001/July 2002
Asia and the Pacific	1994	June-July 2003
Latin America and the Caribbean	1995	June-July2004
Europe and North America	1996/1997	June-July 2005/2006

d) requested the Secretariat, jointly with the Advisory Bodies, and making use of States Parties, competent institutions and expertise available within the region, to develop regional strategies for the periodic reporting process as per the timetable established under c) above.

204. The above-mentioned regional strategies should respond to specific characteristics of the regions and should promote co-ordination and synchronization between States Parties, particularly in the case of transboundary properties. The Secretariat will consult States Parties with regard to the development and implementation of those regional strategies.

205. After the first six-year cycle of periodic reports, each region will be assessed again in the same order as indicated in the table above. Following the first six-year cycle, there may be a pause for evaluation to assess and revise the periodic reporting mechanism before a new cycle is initiated.

206. The Format for the periodic reports by the States Parties consists of two sections:

This Format was adopted by the Committee at its 22nd session (Kyoto 1998) and may be revised following the completion of the first cycle of Periodic Reporting in 2006. For this reason, the Format has not been revised.

a) **Section I** refers to the legislative and administrative provisions which the State Party has adopted and other actions which it has taken for the application of the *Convention*, together with details of the experience acquired in this field. This particularly concerns the general obligations defined in specific articles of the *Convention*.

b) **Section II** refers to the state of conservation of specific World Heritage properties located on the territory of the State Party concerned. This Section should be completed for each World Heritage property.

Explanatory Notes are provided with the Format in Annex 7.

207. In order to facilitate management of information, States Parties are requested to submit reports, in English or French, in electronic as well as in printed form to :

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Tél: +33 (0)1 45 68 15 71
Fax: +33 (0)1 45 68 55 70
Email: wh-info@unesco.org

V.C Evaluation and Follow Up

208. The Secretariat consolidates national reports into Regional State of the World Heritage reports, which are available in electronic format at the following Web address http://whc.unesco.org/en/publications and in paper version (series World Heritage Papers).

209. The World Heritage Committee carefully reviews issues raised in Periodic Reports and advises the States Parties of the regions concerned on matters arising from them.

210. The Committee requested the Secretariat with the Advisory Bodies, in consultation with the relevant States Parties, to develop long-term follow-up Regional Programmes structured according to its Strategic Objectives and to submit them for its consideration. These should accurately reflect the needs of World Heritage in the Region and facilitate the granting of International Assistance. The Committee also expressed its support to ensure direct links between the Strategic Objectives and the International Assistance.

VI. ENCOURAGING SUPPORT FOR *THE WORLD HERITAGE CONVENTION*

VI.A Objectives

Article 27 of the *World Heritage Convention*

211. The objectives are:

a) to enhance capacity-building and research;

b) to raise the general public's awareness, understanding and appreciation of the need to preserve cultural and natural heritage;

c) to enhance the function of World Heritage in the life of the community; and

Article 5(a) of the *World Heritage Convention*

d) to increase the participation of local and national populations in the protection and presentation of heritage.

VI.B Capacity-building and research

212. The Committee seeks to develop capacity-building within the States Parties in conformity with its Strategic Objectives**.**

Budapest Declaration on World Heritage (2002)

The Global Training Strategy

213. Recognizing the high level of skills and multidisciplinary approach necessary for the protection, conservation, and presentation of the World Heritage, the Committee has adopted a Global Training Strategy for World Cultural and Natural Heritage. The primary goal of the Global Training Strategy is to ensure that necessary skills are developed by a wide range of actors for better implementation of the *Convention*. In order to avoid overlap and effectively implement the Strategy, the Committee will ensure links to other initiatives such as the Global Strategy for a Representative, Balanced and Credible World Heritage List and Periodic Reporting. The Committee will annually review relevant training issues, assess training needs, review annual reports on training initiatives, and make recommendations for future training initiatives.

Global Training Strategy for World Cultural and Natural Heritage adopted by the World Heritage Committee at its 25th session (Helsinki, Finland, 2001) (see ANNEX X of document WHC-01/CONF.208/24).

National training strategies and regional co-operation

214. States Parties are encouraged to ensure that their professionals and specialists at all levels are adequately trained. To this end, States Parties are encouraged to develop national training strategies and include regional co-operation for training as part of their strategies.

Research

215. The Committee develops and coordinates international co-operation in the area of research needed for the effective implementation of the *Convention*. States Parties are also encouraged to make resources available to undertake research, since knowledge and understanding are fundamental to the identification, management, and monitoring of World Heritage properties.

International Assistance

216. Training and Research Assistance may be requested by States Parties from the World Heritage Fund (see Chapter VII).

VI.C Awareness-raising and education

Awareness-raising

217. States Parties are encouraged to raise awareness of the need to preserve World Heritage. In particular, they should ensure that World Heritage status is adequately marked and promoted on-site.

218. The Secretariat provides assistance to States Parties in developing activities aimed at raising public awareness of the *Convention* and informing the public of the dangers threatening World Heritage. The Secretariat advises States Parties regarding the preparation and implementation of on-site promotional and educational projects to be funded through International Assistance. The Advisory Bodies and appropriate State agencies may also be solicited to provide advice on such projects.

Education

219. The World Heritage Committee encourages and supports the development of educational materials, activities and programmes.

International Assistance

220. States Parties are encouraged to develop educational activities related to World Heritage with, wherever possible, the participation of schools, universities, museums and other local and national educational authorities.

Article 27.2 of the *World Heritage Convention*

221. The Secretariat, in co-operation with the UNESCO Education Sector and other partners, produces and publishes a World Heritage Educational Resource Kit, "World Heritage in Young Hands", for use in secondary schools around the world. The Kit is adaptable for use at other educational levels.

"World Heritage in Young Hands" is available at the following Web address http://whc.unesco.org/education/index.htm

222. International Assistance may be requested by States Parties from the World Heritage Fund for the purpose of developing and implementing awareness-raising and educational activities or programmes (see Chapter VII).

VII. THE WORLD HERITAGE FUND AND INTERNATIONAL ASSISTANCE

VII.A The World Heritage Fund

223. The World Heritage Fund is a trust fund, established by the *Convention* in conformity with the provisions of the Financial Regulations of UNESCO. The resources of the Fund consist of compulsory and voluntary contributions made by States Parties to the *Convention*, and any other resources authorized by the Fund's regulations.

Article 15 of the *World Heritage Convention.*

224. The financial regulations for the Fund are set out in document WHC/7 available at the following Web address: http://whc.unesco.org/en/financialregulations

VII.B. Mobilization of other technical and financial resources and partnerships in support of the *World Heritage Convention*

225. To the extent possible, the World Heritage Fund should be used to mobilize additional funds for International Assistance from other sources.

226. The Committee decided that contributions offered to the World Heritage Fund for international assistance campaigns and other UNESCO projects for any property inscribed on the World Heritage List shall be accepted and used as international assistance pursuant to Section V of the *Convention*, and in conformity with the modalities established for carrying out the campaign or project.

227. States Parties are invited to provide support to the *Convention* in addition to obligatory contributions paid to the World Heritage Fund. This voluntary support can be provided through additional contributions to the World Heritage Fund or direct financial and technical contributions to properties.

Article 15(3) of the *World Heritage Convention*

228. States Parties are encouraged to participate in international fund-raising campaigns launched by UNESCO and aimed at protecting World Heritage.

229. States Parties and others who anticipate making contributions towards these campaigns or other UNESCO projects for World Heritage properties are encouraged to make their contributions through the World Heritage Fund.

230. States Parties are encouraged to promote the establishment of national, public and private foundations or associations

Article 17 of the *World Heritage Convention*

aimed at raising funds to support World Heritage conservation efforts.

231. The Secretariat provides support in mobilizing financial and technical resources for World Heritage conservation. To this end, the Secretariat develops partnerships with public and private institutions in conformity with the Decisions and the Guidelines issued by the World Heritage Committee and UNESCO regulations.

232. The Secretariat should refer to the "Directives concerning UNESCO's co-operation with private extra-budgetary funding sources" and "Guidelines for mobilizing private funds and criteria for selecting potential partners" to govern external fund-raising in favour of the World Heritage Fund. These documents are available at the following Web address: http://whc.unesco.org/en/privatefunds

"Directives concerning UNESCO's co-operation with private extra-budgetary funding sources" (Annex to the Decision 149 EX/Dec. 7.5) and "Guidelines for mobilizing private funds and criteria for selecting potential partners" (Annex to the Decision 156 EX/Dec. 9.4)

VII.C International Assistance

233. The *Convention* provides International Assistance to States Parties for the protection of the world cultural and natural heritage located on their territories and inscribed, or potentially suitable for inscription on the World Heritage List. International Assistance should be seen as supplementary to national efforts for the conservation and management of World Heritage and Tentative List properties when adequate resources cannot be secured at the national level.

See Articles 13 (1&2) and 19-26 of the *World Heritage Convention*.

234. International Assistance is primarily financed from the World Heritage Fund, established under the World Heritage Convention. The Committee determines the budget for International Assistance on a biennial basis.

Section IV of the *World Heritage Convention*

235. The World Heritage Committee co-ordinates and allocates types of International Assistance in response to State Party requests. These types of International Assistance, described in the summary table set out below, in order of priority are:

Decision 30 COM 14A

a) Emergency assistance

b) Preparatory assistance

c) Conservation and Management assistance (incorporating assistance for training and research, technical co-operation and promotion and education).

VII.D Principles and priorities for International Assistance

236. Priority is given to International Assistance for properties inscribed on the List of World Heritage in Danger. The Committee created a specific budget line to ensure that a significant portion of assistance from the World Heritage Fund is allocated to properties inscribed on the List of World Heritage in Danger.

Article 13(1) of the *World Heritage Convention.*

237. States Parties in arrears of payment of their compulsory or voluntary contributions to the World Heritage Fund are not eligible for international assistance, it being understood that this provision does not apply to requests for emergency assistance.

Decision 13 COM XII.34

238. To support its Strategic Objectives, the Committee also allocates International Assistance in conformity with the priorities set out by Regional Programmes. These Programmes are adopted as follow up to Periodic Reports and regularly reviewed by the Committee based on the needs of States Parties identified in Periodic Reports (see chapter V).

Decisions 26 COM 17.2, 26 COM 20 and 26 COM 25.3

239. In addition to the priorities outlined in paragraphs 236-238 above, the following considerations govern the Committee's decisions in granting International Assistance:

a) the likelihood that the assistance will have a catalytic and multiplier effect ("seed money") and promote financial and technical contributions from other sources;

b) whether the International Assistance request is from a State Party which which is :
- a Least Developed Country or Low Income Economy as defined by the United Nations Economic and Social Council's Committee for Development Policy,
- a Lower Middle Income Country as defined by the World Bank,
- a Small Island Developing State (SIDS), or
- a State Party in a post-conflict situation;

Decision 31 COM 18B

c) the urgency of the protective measures to be taken at World Heritage properties;

d) whether the legislative, administrative and, wherever possible, financial commitment of the recipient State Party is available to the activity;

e) the impact of the activity on furthering the Strategic

Paragraph 26 of *Operational Guidelines*

Objectives decided by the Committee;

f) the degree to which the activity responds to needs identified through the reactive monitoring process and/or the analysis of regional Periodic Reports;

Decision 20 COM XII

g) the exemplary value of the activity in respect to scientific research and the development of cost effective conservation techniques;

h) the cost of the activity and expected results; and

i) the educational value both for the training of experts and for the general public.

240. A balance will be maintained in the allocation of resources to activities for cultural and natural heritage. This balance is reviewed and decided upon on a regular basis by the Committee.

65% of the total International Assistance budget is set aside for cultural properties and 35% for natural properties

Decision 31 COM 18B

VII.E Summary Table

241.

Type of international assistance	Purpose	Budget ceilings	Deadline for submission of request	Authority for approval
Emergency Assistance	This assistance may be requested to address ascertained or potential threats facing properties included on the List of World Heritage in Danger and the World Heritage List which have suffered severe damage or are in imminent danger of severe damage due to sudden, unexpected phenomena. Such phenomena may include land subsidence, extensive fires, explosions, flooding or man-made disasters including war. This assistance does not concern cases of damage or deterioration caused by gradual processes of decay, pollution or erosion. It addresses emergency situations strictly relating to the conservation of a World Heritage property (see Decision 28 COM 10B 2.c). It may be made available, if necessary, to more than one World Heritage property in a single State Party (see Decision 6 EXT. COM 15.2). The budget ceilings relate to a single World Heritage property. The assistance may be requested to : (i) undertake emergency measures for the safeguarding of the property; (ii) draw up an emergency plan for the property.	Up to US$ 5.000 Between US$ 5.001 and 75.000 Over US$ 75.000	At any time At any time 1 February	Director of the World Heritage Centre Chairperson of the Committee Committee

Preparatory assistance	This assistance may be requested to: (i) prepare or update national Tentative Lists of properties suitable for inscription on the World Heritage List; (ii) organize meetings for the harmonization of national Tentative Lists within the same geo-cultural area; (iii) prepare nominations of properties for inscription on the World Heritage List (this may include the preparation of a comparative analysis of the property in relation to other similar properties (see 3.c of Annex 5); (iv) prepare requests for training and research assistance and for technical co-operation for World Heritage properties. Requests by States Parties whose heritage in un-represented or under-represented in the World Heritage List will be given priority for preparatory assistance.	Up to US$ 5.000 Between US$ 5.001 and 30.000	At any time At any time	Director of the World Heritage Centre Chairperson of the Committee
Conservation and Management Assistance (incorporating Training and Research assistance, Technical co-operation assistance and Promotion and education assistance)	This assistance may be requested for: (i) the training of staff and specialists at all levels in the fields of identification, monitoring, conservation, management and presentation of World Heritage, with an emphasis on group training; (ii) scientific research benefiting World Heritage properties; (iii) studies on the scientific and technical problems of conservation, management, and presentation of World Heritage properties. Note: Requests for support for individual training courses from UNESCO should be submitted on the standard "Application for fellowship" form available from the Secretariat. (iv) provision of experts, technicians and skilled labour for the conservation, management, and presentation of properties inscribed on the List of World Heritage in Danger and the World Heritage List; (v) supply of equipment which the State Party requires for the conservation, management, and presentation of properties inscribed on the List of World Heritage in Danger and the World Heritage List; (vi) low-interest or interest-free loans for undertaking activities for the conservation, management, and presentation of properties inscribed on the List of World Heritage in Danger and the World Heritage List, which may be repayable on a long-term basis. (vii) At the regional and international levels for Programmes, activities and the holding of meetings that could: - help to create interest in the *Convention* within the countries of a given region; - create a greater awareness of the different issues related to the implementation of the *Convention* to promote more active involvement in its application; - be a means of exchanging experiences; - stimulate joint education, information and promotional programmes and activities, especially when they involve the participation of young people for the benefit of World Heritage	Only for requests falling under items (i) to (vi): Up to US$ 5.000 Between US$ 5.001 and 30.000 Over US$ 30.000 Only for requests falling under items (vii) and (viii): Up to US$ 5,000 Between US$ 5,001 and 10,000	Only for requests falling under items (i) to (vi): At any time At any time 1 February Only for requests falling under items (vii) and (viii): At any time At any time	Only for requests falling under items (i) to (vi): Director of the World Heritage Centre Chairperson of the Committee Committee Only for requests falling under items (vii) and (viii): Director of the World Heritage Centre Chairperson of the Committee

	conservation. (viii) At the national level for: - meetings specifically organized to make the *Convention* better known, especially amongst young people, or for the creation of national World Heritage associations, in accordance with Article 17 of the *Convention*; - preparation and discussion of education and information material (such as brochures, publications, exhibitions, films, multimedia tools) for the general promotion of the *Convention* and the World Heritage List and not for the promotion of a particular property, and especially for young people.			

VII.F Procedure and format

242. All States Parties submitting requests for international assistance are encouraged to consult the Secretariat and the Advisory Bodies during the conceptualization, planning and elaboration of each request. To facilitate States Parties' work, examples of successful international assistance requests may be provided upon request.

243. The application form for International Assistance is presented in Annex 8 and the types, amounts, deadlines for submission and the authorities responsible for approval are outlined in the summary table in Chapter VII.E.

244. The request should be submitted in English or French, duly signed and transmitted by the National Commission for UNESCO, the State Party Permanent Delegation to UNESCO and/or appropriate governmental Department or Ministry to the following address:

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Tel: +33 (0) 1 4568 1276
Fax: +33 (0) 1 4568 5570
E-mail: wh-intassistance@unesco.org

245. Requests for international assistance may be submitted by electronic mail by the State Party but must be accompanied by an officially signed hard copy or be filled-in using the online format on the World Heritage Centre's Website at the following address: http://whc.unesco.org

246. It is important that all information requested in this application form is provided. If appropriate or necessary, requests may be supplemented by additional information, reports, etc.

VII.G Evaluation and approval of International Assistance requests

247. Provided that a request for assistance from a State Party is complete, the Secretariat, with the assistance of the Advisory Bodies, for requests above US$ 5,000, will process each request in a timely manner, as follows.

248. All requests for international assistance for cultural heritage are evaluated by ICOMOS and ICCROM, except requests for less than US$ 5,000. Decision 13 COM XII.34 Decision 31 COM 18B

249. All requests for international assistance for mixed heritage are evaluated by ICOMOS, ICCROM and IUCN, except requests for less than US$ 5,000. Decision 31 COM 18B

250. All requests for international assistance for natural heritage are evaluated by IUCN, except requests for less than US$ 5,000. Decision 31 COM 18B

251. The evaluation criteria used by the Advisory Bodies are outlined in Annex 9. Decision 31 COM 18B

252. All requests for International Assistance of more than US$ 5,000 are evaluated by a panel composed of the Chairperson of the World Heritage Committee, or one vice-chairperson, representatives of the World Heritage Centre Regional Desks and the Advisory Bodies, meeting at least twice a year before action by the Chairperson and Committee. Requests for the approval of the Chairperson can be submitted at anytime to the Secretariat and approved by the Chairperson after appropriate evaluation. Decision 31 COM 18B

253. The Chairperson is not authorized to approve requests submitted by his own country. These will be examined by the Committee.

254. All requests for the approval of the Committee should be received by the Secretariat on or before **1 February**. These requests are submitted to the Committee at its next session.

VII.H Contractual Arrangements

255. Agreements are established between UNESCO and the concerned State Party or its representative(s) for the implementation of the approved International Assistance requests in conformity with UNESCO regulations, following

the work plan and budget breakdown described in the originally approved request.

VII.I Evaluation and follow-up of International Assistance

256. The monitoring and evaluation of the implemention of the International Assistance requests will take place within 3 months of the activities' completion. The results of these evaluations will be collated and maintained by the Secretariat in collaboration with the Advisory Bodies and examined by the Committee on a regular basis.

257. The Committee reviews the implementation, evaluation and follow-up of International Assistance in order to evaluate the International Assistance effectiveness and to redefine its priorities.

VIII. THE WORLD HERITAGE EMBLEM

VIII.A Preamble

258. At its second session (Washington, 1978), the Committee adopted the World Heritage Emblem which had been designed by Mr. Michel Olyff. This Emblem symbolizes the interdependence of cultural and natural properties: the central square is a form created by man and the circle represents nature, the two being intimately linked. The Emblem is round, like the world, but at the same time it is a symbol of protection. It symbolizes the *Convention*, signifies the adherence of States Parties to the *Convention*, and serves to identify properties inscribed in the World Heritage List. It is associated with public knowledge about the *Convention* and is the imprimatur of the *Convention*'s credibility and prestige. Above all, it is a representation of the universal values for which the *Convention* stands.

259. The Committee decided that the Emblem proposed by the artist could be used, in any colour or size, depending on the use, the technical possibilities and considerations of an artistic nature. The Emblem should always carry the text "WORLD HERITAGE . PATRIMOINE MONDIAL". The space occupied by "PATRIMONIO MUNDIAL" can be used for its translation into the national language of the country where the Emblem is to be used.

260. In order to ensure the Emblem benefits from as much visibility as possible while preventing improper uses, the Committee at its twenty-second session (Kyoto, 1998) adopted "Guidelines and Principles for the Use of the World Heritage Emblem" as set out in the following paragraphs.

261. Although there is no mention of the Emblem in the *Convention*, its use has been promoted by the Committee to identify properties protected by the *Convention* and inscribed on the World Heritage List since its adoption in 1978.

262. The World Heritage Committee is responsible for determining the use of the World Heritage Emblem and for making policy prescriptions regarding how it may be used.

263. As requested by the Committee at its 26th session (Budapest, 2002), the World Heritage Emblem, the “World Heritage” name and its derivatives are currently being registered under Article 6ter of the Paris Convention for the Protection of Industrial Property and are therefore protected.

Decision 26 COM 15

264. The Emblem also has fund-raising potential that can be used to enhance the marketing value of products with which it is associated. A balance is needed between the Emblem's use to further the aims of the *Convention* and optimize knowledge of the *Convention* worldwide and the need to prevent its abuse for inaccurate, inappropriate, and unauthorized commercial or other purposes.

265. The Guidelines and Principles for the Use of the Emblem and modalities for quality control should not become an obstacle to co-operation for promotional activities. Authorities responsible for reviewing and deciding on uses of the Emblem (see below) need parameters on which to base their decisions.

VIII.B Applicability

266. The Guidelines and Principles proposed herein cover all proposed uses of the Emblem by:

a. The World Heritage Centre;
b. The UNESCO Publishing Office and other UNESCO offices;
c. Agencies or National Commissions, responsible for implementing the *Convention* in each State Party;
d. World Heritage properties;
e. Other contracting parties, especially those operating for predominantly commercial purposes.

VIII.C Responsibilities of States Parties

267. States Parties to the *Convention* should take all possible measures to prevent the use of the Emblem in their respective countries by any group or for any purpose not explicitly recognized by the Committee. States Parties are encouraged to make full use of national legislation including Trade Mark Laws.

VIII.D Increasing proper uses of the World Heritage Emblem

268. Properties inscribed on the World Heritage List should be marked with the emblem jointly with the UNESCO logo, which should, however, be placed in such a way that they do not visually impair the property in question.

<u>Production of plaques to commemorate the inscription of properties on the World Heritage List</u>

269. Once a property is inscribed on the World Heritage List, the

State Party should place a plaque, whenever possible, to commemorate this inscription. These plaques are designed to inform the public of the country concerned and foreign visitors that the property visited has a particular value which has been recognized by the international community. In other words, the property is exceptional, of interest not only to one nation, but also to the whole world. However, these plaques have an additional function which is to inform the general public about the *World Heritage Convention* or at least about the World Heritage concept and the World Heritage List.

270. The Committee has adopted the following Guidelines for the production of these plaques:

a) the plaque should be so placed that it can easily be seen by visitors, without disfiguring the property;

b) the World Heritage Emblem should appear on the plaque;

c) the text should mention the property's outstanding universal value; in this regard it might be useful to give a short description of the property's outstanding characteristics. States Parties may, if they wish, use the descriptions appearing in the various World Heritage publications or in the World Heritage exhibit, and which may be obtained from the Secretariat;

d) the text should make reference to the *World Heritage Convention* and particularly to the World Heritage List and to the international recognition conferred by inscription on this List (however, it is not necessary to mention at which session of the Committee the property was inscribed); it may be appropriate to produce the text in several languages for properties which receive many foreign visitors.

271. The Committee proposes the following text as an example:

"(Name of property) has been inscribed upon the World Heritage List of the *Convention concerning the Protection of the World Cultural and Natural Heritage*. Inscription on this List confirms the outstanding universal value of a cultural or natural property which deserves protection for the benefit of all humanity."

272. This text could be then followed by a brief description of the property concerned.

273. Furthermore, the national authorities should encourage World Heritage properties to make a broad use of the

Emblem such as on their letterheads, brochures and staff uniforms.

274. Third parties which have received the right to produce communication products related to the *World Heritage Convention* and World Heritage properties must give the Emblem proper visibility. They should avoid creating a different Emblem or logo for that particular product.

VIII.E Principles on the use of the World Heritage Emblem

275. The responsible authorities are henceforth requested to use the following principles in making decisions on the use of the Emblem:

a) The Emblem should be utilized for all projects substantially associated with the work of the *Convention*, including, to the maximum extent technically and legally possible, those already approved and adopted, in order to promote the *Convention*.

b) A decision to approve use of the Emblem should be linked strongly to the quality and content of the product with which it is to be associated, not on the volume of products to be marketed or the financial return expected. The main criterion for approval should be the educational, scientific, cultural, or artistic value of the proposed product related to World Heritage principles and values. Approval should not routinely be granted to place the Emblem on products that have no, or extremely little, educational value, such as cups, T-shirts, pins, and other tourist souvenirs. Exceptions to this policy will be considered for special events, such as meetings of the Committee and ceremonies at which plaques are unveiled.

c) Any decision with respect to authorizing the use of the Emblem must be completely unambiguous and in keeping with the explicit and implicit goals and values of the *World Heritage Convention*.

d) Except when authorized in accordance with these principles it is not legitimate for commercial entities to use the Emblem directly on their own material to show their support for World Heritage. The Committee recognizes, however, that any individual, organization, or company is free to publish or produce whatever they consider to be appropriate regarding World Heritage properties, but official authorization to do so under the World Heritage Emblem remains the exclusive prerogative of the Committee, to be

exercised as prescribed in these Guidelines and Principles.

e) Use of the Emblem by other contracting parties should normally only be authorized when the proposed use deals directly with World Heritage properties. Such uses may be granted after approval by the national authorities of the countries concerned.

f) In cases where no specific World Heritage properties are involved or are not the principal focus of the proposed use, such as general seminars and/or workshops on scientific issues or conservation techniques, use may be granted only upon express approval in accordance with these Guidelines and Principles. Requests for such uses should specifically document the manner in which the proposed use is expected to enhance the work of the *Convention*.

g) Permission to use the Emblem should not be granted to travel agencies, airlines, or to any other type of business operating for predominantly commercial purposes, except under exceptional circumstances and when manifest benefit to the World Heritage generally or particular World Heritage properties can be demonstrated. Requests for such use should require approval in accordance with these Guidelines and Principles and the concurrence of the national authorities of countries specifically concerned.

The Secretariat is not to accept any advertising, travel, or other promotional considerations from travel agencies or other, similar companies in exchange or in lieu of financial remuneration for use of the Emblem.

h) When commercial benefits are anticipated, the Secretariat should ensure that the World Heritage Fund receives a fair share of the revenues and conclude a contract or other agreement that documents the nature of the understandings that govern the project and the arrangements for provision of income to the Fund. In all cases of commercial use, any staff time and related costs for personnel assigned by the Secretariat or other reviewers, as appropriate, to any initiative, beyond the nominal, must be fully covered by the party requesting authorization to use the Emblem.

National authorities are also called upon to ensure that their properties or the World Heritage Fund receive a fair share of the revenues and to document the nature of the understandings that govern the project and the

distribution of any proceeds.

i) If sponsors are sought for manufacturing products whose distribution the Secretariat considers necessary, the choice of partner or partners should be consistent, at a minimum, with the criteria set forth in the "Directives concerning UNESCO's co-operation with private extra-budgetary funding sources" and "Guidelines for mobilizing private funds and criteria for selecting potential partners" and with such further fund-raising guidance as the Committee may prescribe. The necessity for such products should be clarified and justified in written presentations that will require approval in such manner as the Committee may prescribe.

"Directives concerning UNESCO's co-operation with private extra-budgetary funding sources" (Annex to the Decision 149 EX/Dec. 7.5) and "Guidelines for mobilizing private funds and criteria for selecting potential partners" (Annex to the Decision 156 EX/Dec. 9.4)

VIII.F Authorization procedure for the use of the World Heritage Emblem

Simple agreement of the national authorities

276. National authorities may grant the use of the Emblem to a national entity, provided that the project, whether national or international, involves only World Heritage properties located on the same national territory. National authorities' decision should be guided by the Guidelines and Principles.

277. States Parties are invited to provide the Secretariat with the names and addresses of the authorities in charge of managing the use of the Emblem.

Circular letter dated 14 April 1999
http://whc.unesco.org/circs/circ99-4e.pdf

Agreement requiring quality control of content

278. Any other request for authorization to use the Emblem should adopt the following procedure:

a) A request indicating the objective of the use of the Emblem, its duration and territorial validity, should be addressed to the Director of the World Heritage Centre.

b) The Director of the World Heritage Centre has the authority to grant the use of the Emblem in accordance with the Guidelines and Principles. For cases not covered, or not sufficiently covered, by the Guidelines and Principles, the Director refers the matter to the Chairperson who, in the most difficult cases, might wish to refer the matter to the Committee for final decision. A yearly report on the authorized uses of the Emblem will be submitted to the World Heritage Committee.

c) Authorization to use the Emblem in major products to be widely distributed over an undetermined period of time is conditional upon obtaining the manufacturer's commitment to consult with countries concerned and secure their endorsement of texts and images illustrating properties situated in their territory, at no cost to the Secretariat, together with the proof that this has been done. The text to be approved should be provided in either one of the official languages of the Committee or in the language of the country concerned. A draft model to be used by States Parties to authorize the use of the Emblem to third parties appears below.

Content Approval Form:

[Name of responsible national body], officially identified as the body responsible for approving the content of the texts and photos relating to the World Heritage properties located in the territory of **[name of country]**, hereby confirms to **[name of producer]** that the text and the images that it has submitted for the **[name of properties]** World Heritage property(ies) are **[approved] [approved subject to the following changes requested] [are not approved]**

(delete whatever entry does not apply, and provide, as needed, a corrected copy of the text or a signed list of corrections).

Notes:

It is recommended that the initials of the responsible national official be affixed to each page of text.

The National Authorities are given one month from their acknowledged receipt in which to authorize the content, following which the producers may consider that the content has been tacitly approved, unless the responsible National Authorities request in writing a longer period.

Texts should be supplied to the National Authorities in one of the two official languages of the Committee, or in the official language (or in one of the official languages) of the country in which the properties are located, at the convenience of both parties.

d) After having examined the request and considered it as acceptable, the Secretariat may establish an agreement with the partner.

e) If the Director of the World Heritage Centre judges that a proposed use of the Emblem is not acceptable, the Secretariat informs the requesting party of the decision in writing.

VIII.G Right of States Parties to exert quality control

279. Authorization to use the Emblem is inextricably linked to the requirement that the national authorities may exert quality control over the products with which it is associated.

a) The States Parties to the *Convention* are the only parties authorized to approve the content (images and text) of any distributed product appearing under the World Heritage Emblem with regard to the properties located in their territories.

b) States Parties that protect the Emblem legally must review these uses.

c) Other States Parties may elect to review proposed uses or refer such proposals to the Secretariat. States Parties are responsible for identifying an appropriate national authority and for informing the Secretariat whether they wish to review proposed uses or to identify uses that are inappropriate. The Secretariat maintains a list of responsible national authorities.

IX. INFORMATION SOURCES

IX.A Information archived by the Secretariat

280. The Secretariat maintains a database of all documents of the World Heritage Committee and the General Assembly of States Parties to the *World Heritage Convention*. This database is available at the following Web address: http://whc.unesco.org/en/statutorydoc

281. The Secretariat ensures that copies of Tentative Lists, World Heritage nominations, including copies of maps and relevant information received from States Parties are archived in hard copy and in electronic format where possible. The Secretariat also arranges for the archiving of relevant information relating to inscribed properties, including evaluations and other documents developed by the Advisory Bodies, any correspondence and reports received from States Parties (including Reactive Monitoring and Periodic Reports) and correspondence and material from the Secretariat and World Heritage Committee.

282. Archived material will be kept in a form appropriate to long-term storage. Provisions will be made for the storage of paper copies and electronic copies, as relevant. Provision will be made for copies to be provided to States Parties as requested.

283. Nominations of those properties inscribed on the World Heritage List by the Committee will be made available for consultation. States Parties are urged to place a copy of the nomination on their own Web addresses and inform the Secretariat of this action. States Parties preparing nominations may wish to use such information as guides for identifying and elaborating nomination of properties within their own territories.

284. Advisory Body evaluations for each nomination and the decision of the Committee concerning each nomination are available at the following Web address : http://whc.unesco.org/en/advisorybodies

IX.B Specific Information for World Heritage Committee members and other States Parties

285. The Secretariat maintains two electronic mailing lists: one for Committee members (wh-committee@unesco.org) and one for all States Parties (wh-states@unesco.org). States Parties are requested to supply all appropriate email addresses for the establishment of these lists. These electronic mailing

lists, which supplement but do not replace the traditional means of notifying States Parties, allow the Secretariat to communicate, in a timely manner, announcements about the availability of documents, changes to meeting schedules, and other issues relevant to Committee members and other States Parties.

286. Circular letters to the States Parties are available at the following Web address:
http://whc.unesco.org/en/circularletters
Another Web address, linked to the public Web address through restricted access, is maintained by the Secretariat and contains specific information targeted at Committee members, other States Parties and Advisory Bodies.

287. The Secretariat maintains also a database of decisions of the Committee and resolutions of the General Assembly of States Parties. These are available at the following Web addres: http://whc.unesco.org/en/decisions

Decision 28 COM 9

IX.C. Information and publications available to the public

288. The Secretariat provides access to information labelled as publicly available and copyright free on World Heritage properties and other relevant matters, wherever possible.

289. Information on issues related to World Heritage is available at the Secretariat's Web address (http://whc.unesco.org), on the Web addresses of the Advisory Bodies and in libraries. A list of databases accessible on the web and links to relevant web addresses can be found in the Bibliography.

290. The Secretariat produces a wide variety of World Heritage publications, including the World Heritage List, the List of World Heritage in Danger, Brief Descriptions of World Heritage properties, World Heritage Papers series, newsletters, brochures and information kits. In addition, other information materials aimed specifically at experts and the general public are also developed. The list of World Heritage publications can be found in the Bibliography or at the following Web address:
http://whc.unesco.org/en/publications.
These information materials are distributed to the public directly or through the national and international networks established by States Parties or by World Heritage partners.

ANNEXES

MODEL INSTRUMENT OF RATIFICATION / ACCEPTANCE

WHEREAS the Convention concerning the Protection of the World Cultural and Natural Heritage was adopted on 16 November 1972 by the General Conference of UNESCO at its seventeenth session;

NOW THEREFORE the Government of ..... having considered the aforesaid *Convention*, hereby [*ratifies* / [*accepts* the same and undertake faithfully to carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed and sealed this instrument.

Done at .....this .....day of .....20..... .

(Seal)

Signature of Head of State,

Prime Minister or

Minister of Foreign Affairs

- The model instrument of ratification / acceptance is available from the UNESCO World Heritage Centre and at the following Web address: http://whc.unesco.org/en/modelratification

- The original signed version of the completed form should be sent, preferably with an official translation in English or French, to: Director-General, UNESCO, 7 place de Fontenoy, 75352 Paris 07 SP, France

MODEL INSTRUMENT OF ACCESSION

WHEREAS the Convention concerning the Protection of the World Cultural and Natural Heritage was adopted on 16 November 1972 by the General Conference of UNESCO at its seventeenth session;

NOW THEREFORE the Government of ..... having considered the aforesaid *Convention*, hereby accedes the same and undertake faithfully to carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed and sealed this instrument.

Done at .....this .....day of .....20..... .

(Seal) *Signature of Head of State,*

Prime Minister or

Minister of Foreign Affairs

- The model instrument of accession is available from the UNESCO World Heritage Centre and at the following Web address: http://whc.unesco.org/en/modelratification

- The original signed version of the completed form should be sent, preferably with an official translation in English or French, to: Director-General, UNESCO, 7 place de Fontenoy, 75352 Paris 07 SP, France

TENTATIVE LIST SUBMISSION FORMAT

STATE PARTY: **DATE OF SUBMISSION:**

Submission prepared by:

Name: E-mail:

Address: Fax:

Institution: Telephone:

NAME OF PROPERTY:

State, Province or Region:

Latitude and Longitude, or UTM coordinates:

DESCRIPTION:

Justification of Outstanding Universal Value:
(Preliminary identification of the values of the property which merit inscription on the World Heritage List)

Criteria met [see Paragraph 77 of the *Operational Guidelines*]**:**
(Please tick the box corresponding to the proposed criteria and justify the use of each below)

(i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (ix) (x) .

Statements of authenticity and/or integrity [see Paragraphs 78-95 of the *Operational Guidelines*]**:**

Comparison with other similar properties:
(The comparison should outline similarities with other properties on the World Heritage List or not, and the reasons that make the property stand out)

- The Tentative List submission format is available from the UNESCO World Heritage Centre and at the following Web address: http://whc.unesco.org/en/tentativelists
- Further guidance on the preparation of Tentative Lists can be found in Paragraphs 62-67 of the *Operational Guidelines*.
- An example of a completed Tentative List submission format can be found at the following Web address: http://whc.unesco.org/en/tentativelists
- All Tentative Lists submitted by States Parties are available at the following Web address: http://whc.unesco.org/en/tentativelists
- The original signed version of the completed Tentative List submission format should be sent in English or French to: UNESCO World Heritage Centre, 7 place de Fontenoy, 75352 Paris 07 SP, France
- States Parties are encouraged to also submit this information in electronic format (diskette or CD-Rom) or by e-mail to wh-tentativelists@unesco.org

GUIDELINES ON THE INSCRIPTION OF SPECIFIC TYPES OF PROPERTIES ON THE WORLD HERITAGE LIST[1]

INTRODUCTION

1. This annex provides information on specific types of properties to guide States Parties in preparing nominations of properties for inscription on the World Heritage List. The following information constitutes guidelines that should be used in association with Chapter II of the *Operational Guidelines*, which contains the criteria for inscription of properties on the World Heritage List.

2. The Committee has endorsed the findings of expert meetings on the subject of cultural landscapes, towns, canals and routes (Part I, below).

3. The reports of other expert meetings requested by the World Heritage Committee, in the framework of the Global Strategy for a representative, balanced and credible World Heritage List, are referred to in Part II.

4. Part III lists various comparative and thematic studies prepared by the Advisory Bodies.

I. CULTURAL LANDSCAPES, TOWNS, CANALS AND ROUTES

5. The World Heritage Committee has identified and defined several specific types of cultural and natural properties and has adopted specific guidelines to facilitate the evaluation of such properties when nominated for inscription on the World Heritage List. To date, these cover the following categories, although it is likely that others may be added in due course:

   a) Cultural Landscapes;

   b) Historic Towns and Town Centres;

   c) Heritage Canals;

   d) Heritage Routes.

CULTURAL LANDSCAPES[2]

Definition

6. Cultural landscapes 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.

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[1] The Committee may develop additional guidelines for other types of properties in future years.

[2] This text was prepared by an Expert Group on Cultural Landscapes (La Petite Pierre, France, 24 - 26 October 1992) (see document *WHC-92/CONF.202/10/Add*). The text was subsequently approved for inclusion in the *Operational Guidelines* by the World Heritage Committee at its 16th session (Santa Fe 1992) (see document *WHC-92/CONF.002/12*).

7. They should be selected on the basis both of their outstanding universal value and of their representativity in terms of a clearly defined geo-cultural region and also for their capacity to illustrate the essential and distinct cultural elements of such regions.

8. The term "cultural landscape" embraces a diversity of manifestations of the interaction between humankind and its natural environment.

9. Cultural landscapes often reflect specific techniques of sustainable land-use, considering the characteristics and limits of the natural environment they are established in, and a specific spiritual relation to nature. Protection of cultural landscapes can contribute to modern techniques of sustainable land-use and can maintain or enhance natural values in the landscape. The continued existence of traditional forms of land-use supports biological diversity in many regions of the world. The protection of traditional cultural landscapes is therefore helpful in maintaining biological diversity.

Definition and Categories

10. Cultural landscapes fall into three main categories, namely:

(i) The most easily identifiable is the clearly defined **landscape designed and created intentionally by man**. This embraces garden and parkland landscapes constructed for aesthetic reasons which are often (but not always) associated with religious or other monumental buildings and ensembles.

(ii) The second category is the **organically evolved landscape**. This results from an initial social, economic, administrative, and/or religious imperative and has developed its present form by association with and in response to its natural environment. Such landscapes reflect that process of evolution in their form and component features. They fall into two sub-categories:

- a relict (or fossil) landscape is one in which an evolutionary process came to an end at some time in the past, either abruptly or over a period. Its significant distinguishing features are, however, still visible in material form.

- a continuing landscape is one which retains an active social role in contemporary society closely associated with the traditional way of life, and in which the evolutionary process is still in progress. At the same time it exhibits significant material evidence of its evolution over time.

(iii) The final category is the **associative cultural landscape**. The inscription of such landscapes on the World Heritage List is justifiable by virtue of the powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.

Inscription of Cultural Landscapes on the World Heritage List

11. The extent of a cultural landscape for inscription on the World Heritage List is relative to its functionality and intelligibility. In any case, the sample selected must be substantial enough to adequately represent the totality of the cultural landscape that it illustrates. The possibility of designating long linear areas which represent culturally significant transport and communication networks should not be excluded.

12. General criteria for protection and management are equally applicable to cultural landscapes. It is important that due attention be paid to the full range of values represented in the landscape, both cultural and natural. The nominations should be prepared in collaboration with and the full approval of local communities.

13. The existence of a category of "cultural landscape", included on the World Heritage List on the basis of the criteria set out in Paragraph 77 of the *Operational Guidelines*, does not exclude the possibility of properties of exceptional importance in relation to both cultural and natural criteria continuing to be inscribed (see definition of mixed properties as set out in Paragraph 46). In such cases, their outstanding universal value must be justified under both sets of criteria.

HISTORIC TOWNS AND TOWN CENTRES[3]

Definition and Categories

14. Groups of urban buildings eligible for inscription on the World Heritage List fall into three main categories, namely:

    (i) towns which are **no longer inhabited** but which provide unchanged archaeological evidence of the past; these generally satisfy the criterion of authenticity and their state of conservation can be relatively easily controlled;

    (ii) **historic towns which are still inhabited** and which, by their very nature, have developed and will continue to develop under the influence of socio-economic and cultural change, a situation that renders the assessment of their authenticity more difficult and any conservation policy more problematical;

    (iii) **new towns of the twentieth century** which paradoxically have something in common with both the aforementioned categories: while their original urban organization is clearly recognizable and their authenticity is undeniable, their future is unclear because their development is largely uncontrollable.

Inscription of Historic Towns and Town Centres on the World Heritage List

15. The significance of Historic Towns and Town Centres can be examined under the factors outlined below:

    (i) **Towns no longer inhabited**

    The evaluation of towns that are no longer inhabited does not raise any special difficulties other than those related to archaeological properties in general: the criteria which call for uniqueness or exemplary character have led to the choice of groups of buildings noteworthy for their purity of style, for the concentrations of monuments they contain and sometimes for their important historical associations. It is important for urban archaeological sites to be listed as integral units. A cluster of monuments or a small group of buildings is not adequate to suggest the multiple and complex functions of a city which has disappeared; remains of such a city should be preserved in their entirety together with their natural surroundings whenever possible.

[3] This text was included in the January 1987 version of the *Operational Guidelines* following the discussion by the Committee at its 8th session (Buenos Aires, 1984) of the conclusions of the Meeting of Experts to Consult on Historic Towns which met in Paris from 5 to 7 September 1984 organized by ICOMOS.

(ii) **Inhabited historic towns**

In the case of inhabited historic towns the difficulties are numerous, largely owing to the fragility of their urban fabric (which has in many cases been seriously disrupted since the advent of the industrial era) and the runaway speed with which their surroundings have been urbanized. To qualify for inscription, towns should compel recognition because of their architectural interest and should not be considered only on the intellectual grounds of the role they may have played in the past or their value as historical symbols under criterion (vi) for the inscription of cultural properties on the World Heritage List (see Paragraph 77 (vi) of the *Operational Guidelines*). To be eligible for inscription in the List, the spatial organization, structure, materials, forms and, where possible, functions of a group of buildings should essentially reflect the civilization or succession of civilizations which have prompted the nomination of the property. Four categories can be distinguished:

a) Towns which are typical of a specific period or culture, which have been almost wholly preserved and which have remained largely unaffected by subsequent developments. Here the property to be listed is the entire town together with its surroundings, which must also be protected;

b) Towns that have evolved along characteristic lines and have preserved, sometimes in the midst of exceptional natural surroundings, spatial arrangements and structures that are typical of the successive stages in their history. Here the clearly defined historic part takes precedence over the contemporary environment;

c) "Historic centres" that cover exactly the same area as ancient towns and are now enclosed within modern cities. Here it is necessary to determine the precise limits of the property in its widest historical dimensions and to make appropriate provision for its immediate surroundings;

d) Sectors, areas or isolated units which, even in the residual state in which they have survived, provide coherent evidence of the character of a historic town which has disappeared. In such cases surviving areas and buildings should bear sufficient testimony to the former whole.

Historic centres and historic areas should be listed only where they contain a large number of ancient buildings of monumental importance which provide a direct indication of the characteristic features of a town of exceptional interest. Nominations of several isolated and unrelated buildings which allegedly represent, in themselves, a town whose urban fabric has ceased to be discernible, should not be encouraged.

However, nominations could be made regarding properties that occupy a limited space but have had a major influence on the history of town planning. In such cases, the nomination should make it clear that it is the monumental group that is to be listed and that the town is mentioned only incidentally as the place where the property is located. Similarly, if a building of clearly outstanding universal value is located in severely degraded or insufficiently representative urban surroundings, it should, of course, be listed without any special reference to the town.

(iii) **New towns of the twentieth century**

It is difficult to assess the quality of new towns of the twentieth century. History alone will tell which of them will best serve as examples of contemporary town planning. The examination of the files on these towns should be deferred, save under exceptional circumstances.

Under present conditions, preference should be given to the inscription in the World Heritage List of small or medium-sized urban areas which are in a position to manage any potential

growth, rather than the great metropolises, on which sufficiently complete information and documentation cannot readily be provided that would serve as a satisfactory basis for their inscription in their entirety.

In view of the effects which the inscription of a town on the World Heritage List could have on its future, such entries should be exceptional. Inscription in the List implies that legislative and administrative measures have already been taken to ensure the protection of the group of buildings and its environment. Informed awareness on the part of the population concerned, without whose active participation any conservation scheme would be impractical, is also essential.

HERITAGE CANALS

16. The concept of "canals" is discussed in detail in the Report of the Expert Meeting on Heritage Canals (Canada, September 1994)[4].

Definition

17. A canal is a human-engineered waterway. It may be of outstanding universal value from the point of view of history or technology, either intrinsically or as an exceptional example representative of this category of cultural property. The canal may be a monumental work, the defining feature of a linear cultural landscape, or an integral component of a complex cultural landscape.

Inscription of Heritage Canals on the World Heritage List

18. Authenticity depends holistically upon values and the relationships between these values. One distinctive feature of the canal as a heritage element is its evolution over time. This is linked to how it was used during different periods and the associated technological changes the canal underwent. The extent of these changes may constitute a heritage element.

19. The authenticity and historical interpretation of a canal encompass the connection between the real property (subject of the *Convention*), possible movable property (boats, temporary navigation items) and the associated structures (bridges, etc) and landscape.

20. The significance of canals can be examined under technological, economic, social, and landscape factors as outlined below:

(i) **Technology**

Canals can serve a variety of purposes: irrigation, navigation, defence, water-power, flood mitigation, land-drainage and water-supply. The following are areas of technology which may be of significance:

a) The lining and waterproofing of the water channel;

b) The engineering structures of the line with reference to comparative structural features in other areas of architecture and technology;

c) The development of the sophistication of construction methods; and

d) The transfer of technologies.

[4] Expert meeting on "Heritage Canals" (Canada, 15-19 September 1994) (see document *WHC-94/CONF.003/INF.10*) discussed by the World Heritage Committee at its 19th session (Berlin, Germany, 1995) (see document *WHC-95/CONF.203/16*).

(ii) Economy

Canals contribute to the economy in a variety of ways, e.g. in terms of economic development and the conveyance of goods and people. Canals were the first man-made routes for the effective carriage of bulk cargoes. Canals played and continue to play a key role in economic development through their use for irrigation. The following factors are important:

a) Nation building;

b) Agricultural development;

c) Industrial development;

d) Generation of wealth;

e) Development of engineering skills applied to other areas and industries; and

f) Tourism.

(iii) Social Factors

The building of canals had, and their operation continues to have, social consequences:

a) The redistribution of wealth with social and cultural results; and

b) The movement of people and the interaction of cultural groups.

(iv) Landscape

Such large-scale engineering works had and continue to have an impact on the natural landscape. Related industrial activity and changing settlement patterns cause visible changes to landscape forms and patterns.

HERITAGE ROUTES

21. The concept of "routes" or cultural itineraries was discussed by the expert meeting on "Routes as a Part of our Cultural Heritage" (Madrid, Spain, November 1994)[5].

Definition

22. The concept of heritage routes is shown to be a rich and fertile one, offering a privileged framework in which mutual understanding, a plural approach to history and a culture of peace can all operate.

23. A heritage route is composed of tangible elements of which the cultural significance comes from exchanges and a multi-dimensional dialogue across countries or regions, and that illustrate the interaction of movement, along the route, in space and time.

[5] Expert Meeting on "Routes as part of Our Cultural Heritage" (Madrid, 24-25 November 1994) (see document *WHC-94/CONF.003/INF.13*) discussed by the World Heritage Committee at its 19th session (Berlin, 1995) (see document *WHC-95/CONF.203/16*).

Inscription of Heritage Routes on the World Heritage List

24. The following points should be considered when determining whether a heritage route is suitable for inscription on the World Heritage List:

(i) The requirement to hold outstanding universal value should be recalled.

(ii) The concept of heritage routes:

- is based on the dynamics of movement and the idea of **exchanges**, with **continuity** in space and time;
- refers to a **whole**, where the route has a worth over and above the sum of the elements making it up and through which it gains its cultural significance;
- highlights exchange and dialogue **between countries or between regions**;
- is **multi-dimensional**, with different aspects developing and adding to its prime purpose which may be religious, commercial, administrative or otherwise.

(iii) A heritage route may be considered as a specific, dynamic type of cultural landscape, just as recent debates have led to their acceptance within the *Operational Guidelines*.

(iv) The identification of a heritage route is based on a collection of strengths and tangible elements, testimony to the significance of the route itself.

(v) The conditions of authenticity are to be applied on the grounds of its significance and other elements making up the heritage route. It will take into account the duration of the route, and perhaps how often it is used nowadays, as well as the legitimate wishes for development of peoples affected.

These points will be considered within the natural framework of the route and its intangible and symbolic dimensions.

II. REPORTS OF REGIONAL AND THEMATIC EXPERT MEETINGS

25. The World Heritage Committee, in the framework of the Global Strategy for a representative, balanced and credible World Heritage List has requested a number of regional and thematic expert meetings on different types of properties. The results of these meetings may guide States Parties in preparing nominations. The reports of the expert meetings presented to the World Heritage Committee are available at the following Web address: http://whc.unesco.org/en/globalstrategy

III. THEMATIC AND COMPARATIVE STUDIES BY THE ADVISORY BODIES

26. To fulfil their obligations concerning evaluations of nominations of cultural and natural properties, the Advisory Bodies have undertaken comparative and thematic studies, often with partner organizations, in different subject areas in order to provide a context for their evaluations.
These reports, most of which are available on their respective Web addresses, include:

Earth's Geological History - A Contextual Framework for Assessment of World Heritage Fossil

Site Nominations (September 1996)

International Canal Monuments List (1996)
http://www.icomos.org/studies/canals-toc.htm

World Heritage Bridges (1996)
http://www.icomos.org/studies/bridges.htm

A Global Overview of Forest Protected Areas on the World Heritage List (September 1997)
http://www.unep-wcmc.org/wh/reviews/forests/

A Global Overview of Wetland and Marine Protected Areas on the World Heritage List (September 1997)
http://www.unep-wcmc.org/wh/reviews/wetlands/

Human Use of World Heritage Natural Sites (September 1997)
http://www.unep-wcmc.org/wh/reviews/human/

Fossil Hominid Sites (1997)
http://www.icomos.org/studies/hominid.htm

The Urban Architectural Heritage of Latin America (1998)
http://www.icomos.org/studies/latin-towns.htm

Les Théâtres et les Amphithéâtres antiques (1999)
http://www.icomos.org/studies/theatres.htm

Railways as World Heritage Sites (1999)
http://www.icomos.org/studies/railways.htm

A Global Overview of Protected Areas on the World Heritage List of Particular Importance for Biodiversity (November 2000)
http://www.unep-wcmc.org/wh/reviews/

Les villages ouvriers comme éléments du patrimoine de l'industrie (2001)
http://www.icomos.org/studies/villages-ouvriers.htm

A Global Strategy for Geological World Heritage (February 2002)

Rock-Art Sites of Southern Africa (2002)
http://www.icomos.org/studies/sarockart.htm

AUTHENTICITY IN RELATION TO THE *WORLD HERITAGE CONVENTION*

INTRODUCTION

This Annex reproduces the Nara Document on Authenticity, drafted by the 45 participants to the Nara Conference on Authenticity in Relation to the *World Heritage Convention*, held at Nara, Japan, from 1-6 November 1994. The Nara Conference was organized in co-operation with UNESCO, ICCROM and ICOMOS.

The World Heritage Committee examined the report of the Nara meeting on Authenticity at its 18th session (Phuket, Thailand, 1994) (see document WHC-94/CONF.003/16).

Subsequent expert meetings have enriched the concept of authenticity in relation to the *World Heritage Convention* (see Bibliography of the *Operational Guidelines*).

I. THE NARA DOCUMENT ON AUTHENTICITY

Preamble

1. *We, the experts assembled in Nara (Japan), wish to acknowledge the generous spirit and intellectual courage of the Japanese authorities in providing a timely forum in which we could challenge conventional thinking in the conservation field, and debate ways and means of broadening our horizons to bring greater respect for cultural and heritage diversity to conservation practice.*

2. *We also wish to acknowledge the value of the framework for discussion provided by the World Heritage Committee's desire to apply the test of authenticity in ways which accord full respect to the social and cultural values of all societies, in examining the outstanding universal value of cultural properties proposed for the World Heritage List.*

3. *The Nara Document on Authenticity is conceived in the spirit of the Charter of Venice, 1964, and builds on it and extends it in response to the expanding scope of cultural heritage concerns and interests in our contemporary world.*

4. *In a world that is increasingly subject to the forces of globalization and homogenization, and in a world in which the search for cultural identity is sometimes pursued through aggressive nationalism and the suppression of the cultures of minorities, the essential contribution made by the consideration of authenticity in conservation practice is to clarify and illuminate the collective memory of humanity.*

Cultural Diversity and Heritage Diversity

5. *The diversity of cultures and heritage in our world is an irreplaceable source of spiritual and intellectual richness for all humankind. The protection and enhancement of cultural and heritage diversity in our world should be actively promoted as an essential aspect of human development.*

6. *Cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties.*

7. *All cultures and societies are rooted in the particular forms and means of tangible and intangible expression which constitute their heritage, and these should be respected.*

8. *It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all. Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing their own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural values.*

Values and authenticity

9. *Conservation of cultural heritage in all its forms and historical periods is rooted in the values attributed to the heritage. Our ability to understand these values depends, in part, on the degree to which information sources about these values may be understood as credible or truthful. Knowledge and understanding of these sources of information, in relation to original and subsequent characteristics of the cultural heritage, and their meaning, is a requisite basis for assessing all aspects of authenticity.*

10. *Authenticity, considered in this way and affirmed in the Charter of Venice, appears as the essential qualifying factor concerning values. The understanding of authenticity plays a fundamental role in all scientific studies of the cultural heritage, in conservation and restoration planning, as well as within the inscription procedures used for the World Heritage Convention and other cultural heritage inventories.*

11. *All judgements about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must be considered and judged within the cultural contexts to which they belong.*

12. *Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources.*

13. *Depending on the nature of the cultural heritage, its cultural context, and its evolution through time, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of the sources may include form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling, and other internal and external factors. The use of these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined.*

Appendix 1: Suggestions for follow-up (proposed by Herb Stovel)

1. *Respect for cultural and heritage diversity requires conscious efforts to avoid imposing mechanistic formulae or standardized procedures in attempting to define or determine authenticity of particular monuments and sites.*

2. *Efforts to determine authenticity in a manner respectful of cultures and heritage diversity requires approaches which encourage cultures to develop analytical processes and tools specific to their nature and needs. Such approaches may have several aspects in common:*

   - efforts to ensure assessment of authenticity involve multidisciplinary collaboration and the appropriate utilisation of all available expertise and knowledge;

   - efforts to ensure attributed values are truly representative of a culture and the diversity of its interests, in particular monuments and sites;

   - efforts to document clearly the particular nature of authenticity for monuments and sites as a practical guide to future treatment and monitoring;

   - efforts to update authenticity assessments in light of changing values and circumstances.

3. *Particularly important are efforts to ensure that attributed values are respected, and that their determination included efforts to build, as far as possible, a multidisciplinary and community consensus concerning these values.*

4. *Approaches should also build on and facilitate international co-operation among all those with an interest in conservation of cultural heritage, in order to improve global respect and understanding for the diverse expressions and values of each culture.*

5. *Continuation and extension of this dialogue to the various regions and cultures of the world is a prerequisite to increasing the practical value of consideration of authenticity in the conservation of the common heritage of humankind.*

6. *Increasing awareness within the public of this fundamental dimension of heritage is an absolute necessity in order to arrive at concrete measures for safeguarding the vestiges of the past. This means developing greater understanding of the values represented by the cultural properties themselves, as well as respecting the role such monuments and sites play in contemporary society.*

Appendix 2: Definitions

Conservation: all efforts designed to understand cultural heritage, know its history and meaning, ensure its material safeguard and, as required, its presentation, restoration and enhancement. (Cultural heritage is understood to include monuments, groups of buildings and sites of cultural value as defined in Article 1 of the World Heritage Convention).

Information sources: all material, written, oral and figurative sources which make it possible to know the nature, specifications, meaning and history of the cultural heritage.

II. CHRONOLOGICAL BIBLIOGRAPHY - ON AUTHENTICITY

Publications which preceded the Nara meeting and which helped prepare the ground for the authenticity discussion which took place in Nara:

Larsen, Knut Einar, *A note on the authenticity of historic timber buildings with particular reference to Japan,* Occasional Papers for the World Heritage Convention, ICOMOS, December 1992.

Larsen, Knut Einar, *Authenticity and Reconstruction: Architectural Preservation in Japan,* Norwegian Institute of Technology, Vols. 1-2, 1993.

Preparatory meeting for the Nara Meeting, held in Bergen, Norway, 31 January - 1 February 1994:

Larsen, Knut Einar and Marstein, Nils (ed.), *Conference on authenticity in relation to the World Heritage Convention Preparatory workshop,* Bergen, Norway, 31 January - 2 February 1994, Tapir Forlag, Trondheim 1994.

The Nara meeting, 1-6 November 1994, Nara, Japan:

Larsen, Knut Einar with an editorial group (Jokilehto, Lemaire, Masuda, Marstein, Stovel), *Nara conference on authenticity in relation to the World Heritage Convention. Conférence de Nara sur l'authenticité dans le cadre de la Convention du Patrimoine Mondial*. Nara, Japan, 1-6 November 1994, Proceedings published by UNESCO - World Heritage Centre, Agency for Cultural Affairs of Japan, ICCROM and ICOMOS, 1994.

The Nara meeting brought together 45 experts from 26 countries and international organizations from around the world. Their papers are contained in the volume cited above, as is the Nara document prepared in a working group of 12 meeting participants and edited by Raymond Lemaire and Herb Stovel. This volume of Proceedings invites members of ICOMOS and others to extend the discussions of the Nara Document issues to other regions of the world.

Significant post-Nara regional meetings (as of January 2005):

Authenticity and Monitoring, October 17-22, 1995, Cesky Krumlov, Czech Republic, ICOMOS European Conference, 1995.

The European ICOMOS Conference of 17-22 October, 1995 which took place in Cesky Krumlov, Czech Republic brought together 18 European members of ICOMOS to present national views of the application of authenticity concepts from 14 countries. A synthesis of presentations affirmed the importance of authenticity within the analytical processes we apply to conservation problems as a means of assuring truthful, sincere and honest approaches to conservation problems, and gave emphasis to strengthening the notion of dynamic conservation in order to apply authenticity analysis appropriately to cultural landscapes and urban settings.

Interamerican symposium on authenticity in the conservation and management of the cultural heritage, US/ICOMOS, The Getty Conservation Institute, San Antonio, Texas 1996.

This Authenticity meeting which took place in San Antonio, Texas, USA in March 1996, brought together participants from ICOMOS national committees of North, Central and South America to debate the application of the concepts of Nara. The meeting adopted the

Declaration of San Antonio, which discussed the relationship between authenticity and identity, history, materials, social value, dynamic and static sites, stewardship and economics, and contained recommendations extending "proofs" of authenticity to include *reflection of its true value, integrity, context, identity, use and function,* as well as recommendations pertinent to different typologies of sites.

Saouma-Forero, Galia, (edited by), *Authenticity and integrity in an African context: expert meeting, Great Zimbabwe*, Zimbabwe, 26-29 May 2000, UNESCO - World Heritage Centre, Paris 2001.

The Great Zimbabwe meeting organised by the World Heritage Centre (26-29 May 2000) focused attention on both authenticity and integrity in an African context. Eighteen speakers looked at issues arising in management of both cultural and natural heritage properties. The meeting resulted in the publication cited above, which includes a set of recommendations coming from meeting participants. Among recommendations were suggestions to include *management systems, language, and other forms of intangible heritage* among attributes expressing authenticity, and an emphasis given to the place of local communities in the sustainable heritage management process.

Reconstruction discussions in the context of the *World Heritage Convention* (as of January 2005):

The Riga Charter on authenticity and historical reconstruction in relationship to cultural heritage adopted by regional conference, Riga, 24 October 2000, Latvian National Commission for UNESCO - World Heritage Centre, ICCROM.

Incerti Medici, Elena and Stovel, Herb, *Authenticity and historical reconstruction in relationship with cultural heritage, regional conference, Riga, Latvia, October 23-24 2000: summary report*, UNESCO - World Heritage Centre, Paris, ICCROM, Rome 2001.

Stovel, Herb, *The Riga Charter on authenticity and historical reconstruction in relationship to cultural heritage, Riga, Latvia, October 2000*, in *Conservation and management of archaeological sites*, Vol. 4, n. 4, 2001.

Alternatives to historical reconstruction in the World Heritage Cities, Tallinn, 16-18 May 2002, Tallinn Cultural Heritage Department, Estonia National Commission for UNESCO, Estonia National Heritage Board.

FORMAT FOR THE NOMINATION OF PROPERTIES FOR INSCRIPTION ON THE WORLD HERITAGE LIST

This Format must be used for all nominations submitted after 2 February 2005

- The Nomination Format is available at the following Web address: http://whc.unesco.org/en/nominationform
- Further guidance on the preparation of nominations can be found in Section III of the *Operational Guidelines*
- The original signed version of the completed Nomination Format should be sent in English or French to
  UNESCO World Heritage Centre
  7, place de Fontenoy
  75352 Paris 07 SP
  France
  Telephone: +33 (0) 1 4568 1571
  Fax: +33 (0) 1 4568 5570
  E-mail: wh-nominations@unesco.org

Executive Summary

This information, to be provided by the State Party, will be updated by the Secretariat following the decision by the World Heritage Committee. It will then be returned to the State Party confirming the basis on which the property is inscribed on the World Heritage List.

State Party	
State, Province or Region	
Name of Property	
Geographical coordinates to the nearest second	
Textual description of the boundary(ies) of the nominated property	
A4 (or "letter") size map of the nominated property, showing boundaries and buffer zone (if present)	**Attach A4 (or "letter") size map**
Justification **Statement of Outstanding Universal Value** (text should clarify what is considered to be the outstanding universal value embodied by the nominated property)	
Criteria under which property is nominated (itemize criteria) (see Paragraph 77 of the *Operational Guidelines*)	
Name and contact information of official local institution/agency	Organization: Address: Tel: Fax: E-mail: Web address:

Properties for inscription on the World Heritage List

Note: In preparing the nomination, States Parties should use this format but delete the explanatory notes.

NOMINATION FORMAT	EXPLANATORY NOTES
1. Identification of the Property	Together with Section 2, this is the most important section in the nomination. It must make clear to the Committee precisely where the property is located and how it is geographically defined. In the case of serial nominations, insert a table that shows the name of the component part, region (if different for different components), coordinates, area and buffer zone. Other fields could also be added (page reference or map number, etc.) that differentiate the several components.
1.a Country (and State Party if different)	
1.b State, Province or Region	
1.c Name of Property	This is the official name of the property that will appear in published material about World Heritage. It should be concise. Do not exceed 200 characters, including spaces and punctuation. In the case of serial nominations (see Paragraphs 137-140 of the *Operational Guidelines*), give a name for the **ensemble** (e.g., *Baroque Churches of the Philippines*). Do not include the name of the components of a serial nomination, which should be included in a table as part of 1.d and 1.f.
1.d Geographical coordinates to the nearest second	In this space provide the latitude and longitude coordinates (to the nearest second) or UTM coordinates (to the nearest 10 metres) of a point at the approximate centre of the nominated property. Do not use other coordinate systems. If in doubt, please consult the Secretariat. In the case of serial nominations, provide a table showing the name of each property, its region (or nearest town as appropriate), and the coordinates of its centre point. Coordinate format examples: N 45° 06' 05" W 15° 37' 56" or UTM Zone 18 Easting: ^{5}45670 Northing: ^{45}86750

NOMINATION FORMAT	EXPLANATORY NOTES
1.e Maps and plans, showing the boundaries of the nominated property and buffer zone	Annex to the nomination, and list below with scales and dates: (i) An original copy of a topographic map showing the property nominated, at the largest scale available which shows the entire property. The boundaries of the nominated property and buffer zone should be clearly marked. Either on this map, or an accompanying one, there should also be a record of the boundaries of zones of special legal protection from which the property benefits. Multiple maps may be necessary for serial nominations. Maps may be obtained from the addresses shown at the following Web address http://whc.unesco.org/en/mapagencies If topographic maps are not available at the appropriate scale, other maps may be substituted. All maps should be capable of being geo-referenced, with a minimum of three points on opposite sides of the maps with complete sets of coordinates. The maps, untrimmed, should show scale, orientation, projection, datum, property name and date. If possible, maps should be sent rolled and not folded. Geographic Information in digital form is encouraged if possible, suitable for incorporation into a GIS (Geographic Information System). In this case the delineation of the boundaries (nominated property and buffer zone) should be presented in vector form, prepared at the largest scale possible. The State Party is invited to contact the Secretariat for further information concerning this option. (ii) A Location Map showing the location of the property within the State Party, (iii) Plans and specially prepared maps of the property showing individual features are helpful and may also be annexed. To facilitate copying and presentation to the Advisory Bodies and the World Heritage Committee A4 (or "letter") size reduction and a digital image file of the principal maps should be included in the nomination text if possible. Where no buffer zone is proposed, the nomination must include a statement as to why a buffer zone is not required for the proper conservation of the nominated property.

NOMINATION FORMAT	EXPLANATORY NOTES
1.f Area of nominated property (ha.) and proposed buffer zone (ha.) Area of nominated property: _____ ha Buffer zone _____ ha Total _____ ha	In the case of **serial nominations** (see Paragraphs 137-140 of the *Operational Guidelines*), insert a table that shows the name of the component part, region (if different for different components), coordinates, area and buffer zone. The serial nomination table should also be used to show the size of the separate nominated areas and of the buffer zone(s).
2. Description	
2.a Description of Property	This section should begin with a description of the nominated property at the date of nomination. It should refer to all the significant features of the property. In the case of a cultural property this section will include a description of whatever elements make the property culturally significant. It could include a description of any building or buildings and their architectural style, date of construction, materials, etc. This section should also describe important aspects of the setting such as gardens, parks etc. For a rock art site, for example, the description should refer to the rock art as well as the surrounding landscapes. In the case of an historic town or district, it is not necessary to describe each individual building, but important public buildings should be described individually and an account should be given of the planning or layout of the area, its street pattern and so on. In the case of a natural property the account should deal with important physical attributes, geology, habitats, species and population size, and other significant ecological features and processes. Species lists should be provided where practicable, and the presence of threatened or endemic taxa should be highlighted. The extent and methods of exploitation of natural resources should be described. In the case of cultural landscapes, it will be necessary to produce a description under all the matters mentioned above. Special attention should be paid to the interaction of man and nature. The entire nominated property identified in section 1 (Identification of the Property) should be described. In the case of serial nominations (see Paragraphs 137-140 of the *Operational Guidelines*), each of the component parts should be separately described.
2.b History and Development	Describe how the property has reached its present form and condition and the significant changes that it has undergone, including recent conservation history.

NOMINATION FORMAT	EXPLANATORY NOTES
	This should include some account of construction phases in the case of monuments, sites, buildings or groups of buildings. Where there have been major changes, demolitions or rebuilding since completion they should also be described. In the case of a natural property, the account should cover significant events in history or pre-history that have affected the evolution of the property and give an account of its interaction with humankind. This will include changes in the use of the property and its natural resources for hunting, fishing or agriculture, or changes brought about by climatic change, floods, earthquake or other natural causes. Such information will also be required in the case of cultural landscapes, where all aspects of the history of human activity in the area needs to be covered.
3. Justification for Inscription	This section must make clear why the property is considered to be of "outstanding universal value". The whole of this section of the nomination should be written with careful reference to the criteria for inscription found in Paragraph 75 of the *Operational Guidelines*. It should not include detailed descriptive material about the property or its management, which are addressed in other sections, but should concentrate on why the property is important.
3.a Criteria under which inscription is proposed (and justification for inscription under these criteria)	See Paragraph 77 of the *Operational Guidelines*. Provide a separate justification for each criterion cited. State briefly how the property meets those criteria under which it has been nominated (where necessary, make reference to the "description" and "comparative analysis" sections below, but do not duplicate the text of these sections.).
3.b Proposed Statement of Outstanding Universal Value	Based on the criteria used above, the proposed Statement of Outstanding Universal Value should make clear why the property is considered to merit inscription on the World Heritage List (see Paragraphs 154-157 of the *Operational Guidelines*). It may be a unique survival of a particular building form or habitat or designed town. It may be a particularly fine or early or rich survival and it may bear witness to a vanished culture, way of life or eco-system. It may comprise assemblages of threatened endemic species, exceptional eco-systems, outstanding landscapes or other natural phenomena.
3.c Comparative analysis (including state of conservation of similar properties)	The property should be compared to similar properties, whether on the World Heritage List or not. The comparison should outline the similarities the nominated property has with other properties and the reasons that make the nominated property stand out. The comparative

NOMINATION FORMAT	EXPLANATORY NOTES
3.d Integrity and/or Authenticity	The statement of integrity and/or authenticity should demonstrate that the property fulfils the conditions of integrity and/or authenticity set out in Section II.D of the *Operational Guidelines*, which describe these conditions in greater detail. In the case of a cultural property it should also record whether repairs have been carried out using materials and methods traditional to the culture, in conformity with the Nara Document (1995) (see Annex 4). In the case of natural properties it should record any intrusions from exotic species of fauna or flora and any human activities that could compromise the integrity of the property.
4. State of Conservation and factors affecting the Property	
4.a Present state of conservation	The information presented in this section constitutes the base-line data necessary to monitor the state of conservation of the nominated property in the future. Information should be provided in this section on the physical condition of the property, any threats to the of the property and conservation measures at the property (see Paragraph 132) For example, in a historic town or area, buildings, monuments or other structures needing major or minor repair works, should be indicated as well as the scale and duration of any recent or forthcoming major repair projects. In the case of a natural property, data on species trends or the integrity of eco-systems should be provided. This is important because the nomination will be used in future years for purposes of comparison to trace changes in the condition of the property. For the indicators and statistical benchmarks used to monitor the state of conservation of the property see section 6 below.
4.b Factors affecting the property	This section should provide information on all the factors which are likely to affect or threaten the Outstanding Universal Value of a property. It should also describe any difficulties that may be encountered in addressing such problems. Not all the factors suggested in this section are appropriate for all properties. They are indicative and are intended to assist the State Party to identify the factors that are relevant to each specific property.

NOMINATION FORMAT	EXPLANATORY NOTES
(i) Development Pressures (e.g., encroachment, adaptation, agriculture, mining)	Itemize types of development pressures affecting the property, e.g., pressure for demolition, rebuilding or new construction; the adaptation of existing buildings for new uses which would harm their authenticity or integrity; habitat modification or destruction following encroaching agriculture, forestry or grazing, or through poorly managed tourism or other uses; inappropriate or unsustainable natural resource exploitation; damage caused by mining; the introduction of exotic species likely to disrupt natural ecological processes, creating new centres of population on or near properties so as to harm them or their settings.
(ii) Environmental pressures (e.g., pollution, climate change, desertification)	List and summarize major sources of environmental deterioration affecting building fabric, flora and fauna.
(iii) Natural disasters and risk preparedness (earthquakes, floods, fires, etc.)	Itemize those disasters which present a foreseeable threat to the property and what steps have been taken to draw up contingency plans for dealing with them, whether by physical protection measures or staff training.
(iv) Visitor/tourism pressures	Describe the "carrying capacity" of the property. Can it absorb the current or likely number of visitors without adverse effects? An indication should also be given of the steps taken to manage visitors and tourists. Possible forms of deterioration due to visitor pressure are: wear on stone, timber, grass or other ground surfaces; increases in heat or humidity levels; disturbances to species habitats; or disruption of traditional cultures or ways of life.
(v) Number of inhabitants within the property and the buffer zone Estimated population located within: Area of nominated property _____ Buffer zone _____ Total _____ Year _____	Give the best available statistics or estimate of the number of inhabitants living within the nominated property and any buffer zone. Indicate the year this estimate or count was made.
5. Protection and Management of the Property	This section of the nomination is intended to provide a clear picture of the legislative, regulatory, contractual, planning, institutional and/ or traditional measures (see Paragraph 132 of the *Operational Guidelines*) and the management plan or other management system (Paragraphs 108 to 118 of the *Operational Guidelines*) that is in place to protect and manage the property as

NOMINATION FORMAT	EXPLANATORY NOTES
	and protective measures and with the practicalities of day-to-day administration and management.
5.a Ownership	Indicate the major categories of land ownership (including State, Provincial, private, community, traditional, customary and non-governmental ownership, etc.).
5.b Protective designation	List the relevant legal, regulatory, contractual, planning, institutional and/ or traditional status of the property: For example, national or provincial park; historic monument, protected area under national law or custom; or other designation. Provide the year of designation and the legislative act(s) under which the status is provided. If the document cannot be provided in English or French, an English or French executive summary should be provided highlighting the key provisions.
5.c Means of implementing protective measures.	Describe how the protection afforded by its legal, regulatory, contractual, planning, institutional and/ or traditional status indicated in section 5.b. actually works.
5.d Existing plans related to municipality and region in which the proposed property is located (e.g., regional or local plan, conservation plan, tourism development plan)	List the agreed plans which have been adopted with the date and agency responsible for preparation. The relevant provisions should be summarized in this section. A copy of the plan should be included as an attached document as indicated in section 7.b. If the plans exist only in a language other than English or French, an English or French executive summary should be provided highlighting the key provisions.
5.e Property management plan or other management system	As noted in Paragraphs 132 of the *Operational Guidelines*, an appropriate management plan or other management system is essential and shall be provided in the nomination. Assurances of the effective implementation of the management plan or other management system are also expected. A copy of the management plan or documentation of the management system shall be annexed to the nomination, in English or French as indicated in section 7.b. If the management plan exists only in a language other than English or French, an English or French detailed description of its provisions shall be annexed. Give the title, date and author of management plans annexed to this nomination. A detailed analysis or explanation of the management plan or a documented management system shall be provided.
5.f Sources and levels of finance	Show the sources and level of funding which are available to the property on an annual basis. An

NOMINATION FORMAT		EXPLANATORY NOTES
		estimate could also be given of the adequacy or otherwise of resources available, in particular identifying any gaps or deficiencies or any areas where assistance may be required.
5.g	**Sources of expertise and training in conservation and management techniques**	Indicate the expertise and training which are available from national authorities or other organizations to the property.
5.h	**Visitor facilities and statistics**	As well as providing any available statistics or estimates of visitor numbers or patterns over several years, this section could describe the facilities available on site for visitors, for example interpretation/explanation, whether by trails, guides, notices or publications; property museum, visitor or interpretation centre; overnight accommodation; restaurant or refreshment facilities; shops; car parking; lavatories; search and rescue.
5.i	**Policies and programmes related to the presentation and promotion of the property**	This section refers to Articles 4 and 5 of the *Convention* regarding the presentation and transmission to future generations of the cultural and natural heritage. States Parties are encouraged to provide information on the policies and programmes for the presentation and promotion of the nominated property.
5.j	**Staffing levels (professional, technical, maintenance)**	Indicate the skills and training which are available at the property.
6.	**Monitoring**	This section of the nomination is intended to provide the evidence for the state of conservation of the property which can be reviewed and reported on regularly so as to give an indication of trends over time.
6.a	**Key indicators for measuring state of conservation**	List in table form those key indicators that have been chosen as the measure of the state of conservation of the whole property (see section 4.a above). Indicate the periodicity of the review of these indicators and the location where the records are kept. They could be representative of an important aspect of the property and relate as closely as possible to the Statement of Outstanding Universal Value (see section 2.b above). Where possible they could be expressed numerically and where this is not possible they could be of a kind which can be repeated, for example by taking a photograph from the same point. Examples of good indicators are the: (i) number of species, or population of a keystone species on a natural property; (ii) percentage of buildings requiring major repair in a historic town or district; (iii) number of years estimated to elapse before a major conservation programme is likely to be completed; (iv) stability or degree of movement in a particular building or element of a building; (v) rate at which encroachment of any kind on a property has increased or diminished.

NOMINATION FORMAT	EXPLANATORY NOTES

Indicator	Periodicity	Location of Records

NOMINATION FORMAT	EXPLANATORY NOTES
6.b Administrative arrangements for monitoring property	Give the name and contact information of the agency(ies) responsible for the monitoring referenced in 6.a.
6.c Results of previous reporting exercises	List, with a brief summary, earlier reports on the state of conservation of the property and provide extracts and references to published sources (for example, reports submitted in compliance with international agreements and programmes, e.g., Ramsar, MAB).
7. Documentation	This section of the nomination is the check-list of the documentation which shall be provided to make up a complete nomination.
7.a Photographs, slides, image inventory and authorization table and other audiovisual materials	States Parties shall provide a sufficient number of recent images (prints, slides and, where possible, electronic formats, videos and aerial photographs) to give a good general picture of the property. Slides shall be in 35mm format and electronic images in jpg format at a minimum of 300 dpi (dots per inch) resolution. If film material is provided, Beta SP format is recommended for quality assurances. This material shall be accompanied by the image inventory and photograph and audiovisual authorization form as set out below. At least one photograph that may be used on the public web page illustrating the property shall be included. States Parties are encouraged to grant to UNESCO, in written form and free of charge, the non exclusive cession of rights to diffuse, to communicate to the public, to publish, to reproduce, to exploit, in any form and on any support, including digital, all or part of the images provided and license these rights to third parties. The non exclusive cession of rights does not impinge upon intellectual property rights (rights of the photographer / director of the video or copyright owner if different) and that when the images are distributed by UNESCO a credit to the photographer / director of the video is always given, if clearly provided in the form. All possible profits deriving from such cession

NOMINATION FORMAT	EXPLANATORY NOTES
	of rights will go to the World Heritage Fund.

IMAGE INVENTORY AND PHOTOGRAPH AND AUDIOVISUAL AUTHORIZATION FORM

Id. No	Format (slide/ print/ video)	Caption	Date of Photo (mo/yr)	Photographer/Director of the video	Copyright owner (if different than photographer/director of video)	Contact details of copyright owner (Name, address, tel/fax, and e-mail)	Non exclusive cession of rights

NOMINATION FORMAT		EXPLANATORY NOTES
7.b	**Texts relating to protective designation, copies of property management plans or documented management systems and extracts of other plans relevant to the property**	Attach the texts as indicated in sections 5.b, 5.d and 5.e above.
7.c	**Form and date of most recent records or inventory of property**	Provide a straightforward statement giving the form and date of the most recent records or inventory of the property. Only records that are still available should be described.
7.d	**Address where inventory, records and archives are held**	Give the name and address of the agencies holding inventory records (buildings, monuments, flora or fauna species).
7.e	**Bibliography**	List the principal published references, using standard bibliographic format.
8.	**Contact Information of responsible authorities**	This section of the nomination will allow the Secretariat to provide the property with current information about World Heritage news and other issues.
8.a	**Preparer**	Provide the name, address and other contact information of the individual responsible for

NOMINATION FORMAT	EXPLANATORY NOTES
Name: **Title:** **Address:** **City, Province/State, Country:** **Tel:** **Fax:** **E-mail:**	preparing the nomination. If an e-mail address cannot be provided, the information must include a fax number.
8.b Official Local Institution/Agency	Provide the name of the agency, museum, institution, community or manager locally responsible for the management of the property. If the normal reporting institution is a national agency, please provide that contact information.
8.c Other Local Institutions	List the full name, address, telephone, fax and e-mail addresses of all museums, visitor centres and official tourism offices who should receive the free *World Heritage Newsletter* about events and issues related to World Heritage.
8.d Official Web address **http://** **Contact name:** **E-mail:**	Please provide any existing official web addresses of the nominated property. Indicate if such web addresses are planned for the future with the contact name and e-mail address.
9. Signature on behalf of the State Party	The nomination should conclude with the signature of the official empowered to sign it on behalf of the State Party.

EVALUATION PROCEDURES OF THE ADVISORY BODIES FOR NOMINATIONS

This Annex includes:

A. THE ICOMOS PROCEDURE FOR THE EVALUATION OF CULTURAL PROPERTIES

B. THE IUCN PROCEDURE FOR THE EVALUATION OF NATURAL PROPERTIES

C. ADVISORY BODY COLLABORATION - PROCEDURE FOR THE EVALUATION OF CULTURAL AND NATURAL PROPERTIES AND OF CULTURAL LANDSCAPES

For further information please also refer to Paragraphs 143-151 of the *Operational Guidelines*.

A. THE ICOMOS PROCEDURE FOR THE EVALUATION OF CULTURAL PROPERTIES

1. In carrying out its evaluation of nominations of cultural properties ICOMOS (the International Council of Monuments and Sites) is guided by the *Operational Guidelines*; (see Paragraph 148).

2. The evaluation process (see Figure 1) involves consultation of the wide range of expertise represented by the membership of ICOMOS and its National and International Committees, as well as the many other specialist networks with which it is linked. Members are also sent on expert missions to carry out confidential on-site evaluations. This extensive consultation results in the preparation of detailed recommendations that are submitted to the World Heritage Committee at its annual meetings.

Choice of experts

3. There is a clearly defined annual procedure for the submission of properties to the World Heritage List. Once new nominations have been checked for completeness by the UNESCO World Heritage Centre and the Advisory Bodies, the nomination dossiers are then delivered to ICOMOS, where they are handled by the ICOMOS World Heritage secretariat. The first action involved is the choice of the experts who are to be consulted. This involves two separate groups. First, there are those who can advise on the "outstanding universal value" of the nominated property. This is essentially a "library" exercise for specialist academics, and may sometimes involve non-ICOMOS members, in cases where there is no adequate expertise within the ICOMOS membership on a specific topic: an example is the occasional nomination of fossil hominid sites, where the services of palaeontologists are required.

4. The second group of experts are those with practical experience of the management, conservation, and authenticity aspects of individual properties, who are required to carry out site missions. The process of selecting these experts makes full use of the ICOMOS network. The advice of International Scientific Committees and individual members is sought, as is that of specialist bodies with whom ICOMOS has partnership agreements, such as The International Committee for the Conservation of the Industrial Heritage (TICCIH), the International Federation of Landscape Architects (IFLA), and the International Committee for the Documentation and Conservation of Monuments and Sites of the Modern Movement (DoCoMoMo).

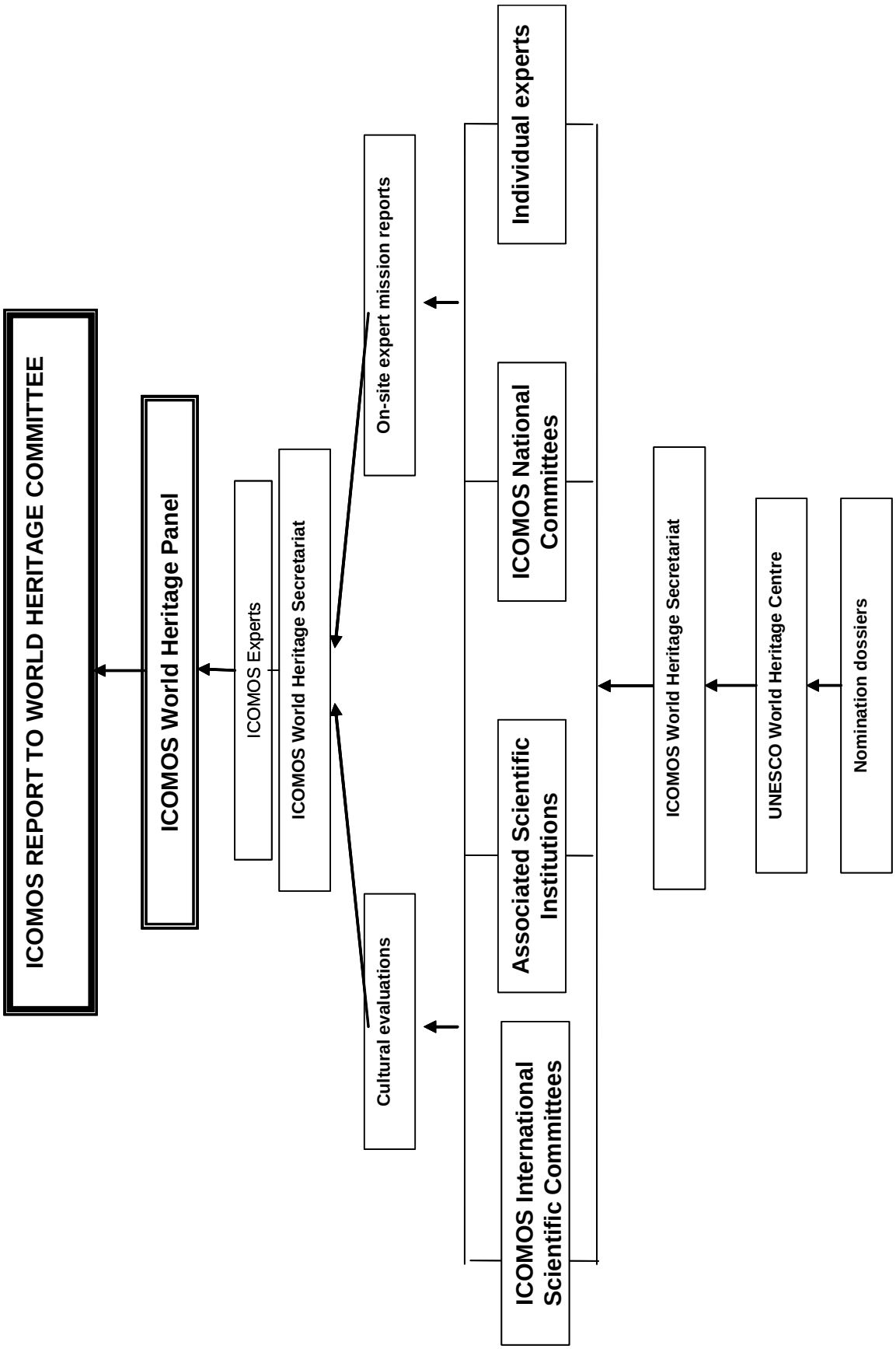
Site missions

5. In selecting experts to carry out on-site evaluation missions, the policy of ICOMOS is wherever possible to choose someone from the region in which the nominated property is located. Such experts are required to be experienced in heritage management and conservation: they are not necessarily high academic experts in the type of property. They are expected to be able to talk to site managers on a basis of professional equality and to make informed assessments of management plans, conservation practices, visitor handling, etc. They are provided with detailed briefings, which include copies of the relevant information from the dossiers. The dates and programmes of their visits are agreed in consultation with States Parties, who are requested to ensure that ICOMOS evaluation missions are given a low profile so far as the media are concerned. ICOMOS experts submit their reports in confidence to the Executive Committee on practical aspects of the properties concerned, and premature publicity can cause embarrassment both to ICOMOS and to the World Heritage Committee.

World Heritage Panel

6. The two reports (cultural assessment and site mission report) that emerge from these consultations are received by the ICOMOS secretariat in Paris, and from them a draft evaluation is prepared. This contains a brief description and history of the property, summaries of its legislative protection, management, and state of conservation, comments on these aspects, and recommendations to the World Heritage Committee. Draft evaluations are then presented to a two or three-day meeting of the ICOMOS World Heritage Panel. The Panel comprises the members of the Executive Committee, who come from all parts of the world and who possess a wide range of skills and experience. The Executive Committee members are supplemented by experts in certain categories of heritage that figure on the annual list of nominations but which are not represented on the Committee.

7. Each nominated property is the subject of a 10–15 minute illustrated presentation by a representative of ICOMOS, followed by discussion. Following the objective and exhaustive examination of the nominations, the collective recommendations of ICOMOS are prepared, and the evaluations are revised and printed, for presentation to the World Heritage Committee.


ICOMOS REPORT TO WORLD HERITAGE COMMITTEE
ICOMOS World Heritage Panel
ICOMOS Experts
ICOMOS World Heritage Secretariat
Cultural evaluations
On-site expert mission reports
ICOMOS International Scientific Committees
Associated Scientific Institutions
ICOMOS National Committees
Individual experts
ICOMOS World Heritage Secretariat
UNESCO World Heritage Centre
Nomination dossiers

B. THE IUCN PROCEDURE FOR THE EVALUATION OF NATURAL PROPERTIES

8. In carrying out its evaluation of nominations of natural properties, IUCN (the World Conservation Union) is guided by the *Operational Guidelines* (see Paragraph 148). The evaluation process (see Figure 2) involves five steps:

(i) **Data Assembly**. Following receipt of the nomination dossier from the World Heritage Centre, a standardised data sheet is compiled on the property by the UNEP-World Conservation Monitoring Centre (UNEP-WCMC), using the Protected Area database, and verified with the State Party during the field inspection.

(ii) **External Review**. The nomination is normally sent for desk review to up to 15 experts knowledgeable about the property, primarily members of IUCN's specialist Commissions and networks.

(iii) **Field Inspection**. One or two IUCN experts visit each nominated property to clarify details about the area, to evaluate site management and to discuss the nomination with relevant authorities and stakeholders. IUCN experts, selected for their global perspective on conservation and natural history as well as their knowledge of the *Convention*, are usually members of the IUCN World Commission on Protected Areas' World Heritage Expert Network or are IUCN secretariat staff. (This field inspection is undertaken jointly with ICOMOS in certain situations - see Part C below)

(iv) **Other sources of information**. IUCN may also consult additional literature and receive comments from local NGOs and others.

(v) **IUCN World Heritage Panel Review**. The IUCN World Heritage Panel reviews all field inspection reports, reviewers' comments, the UNEP-WCMC data sheet and other background material before finalising the text of the IUCN evaluation report for each nominated property.

Each evaluation report presents a concise summary of the outstanding universal value of the property nominated, a comparison with other similar sites and a review of integrity and management issues. It concludes with the assessment of the applicability of the criteria, and a clear recommendation to the World Heritage Committee. The UNEP-WCMC data sheets are also made available to the World Heritage Committee.

The Udvardy biogeographic classification system

9. In the evaluations, IUCN uses Udvardy's "Biogeographical Provinces of the World" (1975) biogeographic classification system. This is a classification system for freshwater and terrestrial areas of the world which enables predictions and assumptions to be made about similar biogeographical regions. The Udvardy system provides an objective means of comparing nominated properties with sites of similar climatic and ecological conditions.

10. It is stressed, however, that the Biogeographical Province concept is used as a basis for comparison only and does not imply that World Heritage properties are to be selected solely on this criterion. The guiding principle is that World Heritage properties must be of outstanding universal value.

Systems to identify priority areas for conservation

11. IUCN also uses systems which identify priority areas for conservation such as the Worldwide Fund for Nature's (WWF) Global Ecoregions, WWF/IUCN's Centres of Plant Diversity, Conservation International's Biodiversity Hotspots, and Birdlife International's Endemic Bird Areas and Important Bird Areas.

Systems to evaluate properties for earth science value

12. In evaluating properties which have been nominated for their geological value, IUCN consults with a range of specialised organisations such as the UNESCO Earth Sciences Division, the International Union of Speleology and the International Union of Geological Sciences (IUGS).

Relevant publications used in the evaluation process

13. The evaluation process is aided by the publication of some 20 reference volumes on the world's protected areas published by IUCN, UNEP, UNEP-WCMC, Birdlife International and other publishers. These include:

(i) Reviews of Protected Area Systems in Oceania, Africa, and Asia;
(ii) The four volume directory of Protected Areas of the World;
(iii) The World Atlas of Coral Reefs;
(iv) The six volume Conservation Atlas series;
(v) The four volume "A Global Representative System of Marine Protected Areas";
(vi) The three volume Centres of Plant Diversity; and
(vii) Important Bird Areas and Endemic Bird Areas of the World

14. These documents together provide system-wide overviews which allow comparison of the conservation importance of protected areas throughout the world. With the development of the Global Strategy work for natural heritage, IUCN is increasingly using its "global overview" papers to identify gaps in natural World Heritage coverage and properties of World Heritage potential. These can be viewed on the IUCN website at http://iucn.org/themes/wcpa/wheritage/globalstrategy.htm

Evaluation of Cultural Landscapes (see also Annex 3)

15. IUCN has an interest in many cultural properties, especially those nominated as cultural landscapes. For that reason, it will on occasion participate in joint field inspections to nominated cultural landscapes with ICOMOS (see Part C below). IUCN's evaluation of such nominations is guided by an internal paper, "The Assessment of Natural Values in cultural landscapes", available on the IUCN web site at http://www.iucn.org/themes/wcpa/wheritage/culturallandscape.htm

16. In accordance with the natural qualities of certain cultural landscapes identified in Annex 3, Paragraph 11, IUCN's evaluation is concerned with the following factors:

(i) Conservation of natural and semi-natural systems, and of wild species of fauna and flora
(ii) Conservation of biodiversity within farming systems;
(iii) Sustainable land use;
(iv) Enhancement of scenic beauty;
(v) Ex-situ collections;

(vi) Outstanding examples of humanity's inter-relationship with nature;
(vii) Historically significant discoveries

The following table sets each of the above list in the context of the categories of cultural landscapes in Annex 3, thereby indicating where each consideration is most likely to occur (the absence of a consideration does not mean that it will *never* occur, only that this is unlikely):

Cultural Landscape type (see also Annex 3)	**Natural considerations most likely to be relevant (see Paragraph 16 above)**						
Designed landscape					(v)		
Organically evolving landscape - continuous	(i)	(ii)	(iii)	(iv)			
Organically evolving landscape - fossil	(i)					(vi)	
Associative landscape							(vii)

C. ADVISORY BODY COLLABORATION - THE EVALUATION OF MIXED PROPERTIES AND OF CULTURAL LANDSCAPES

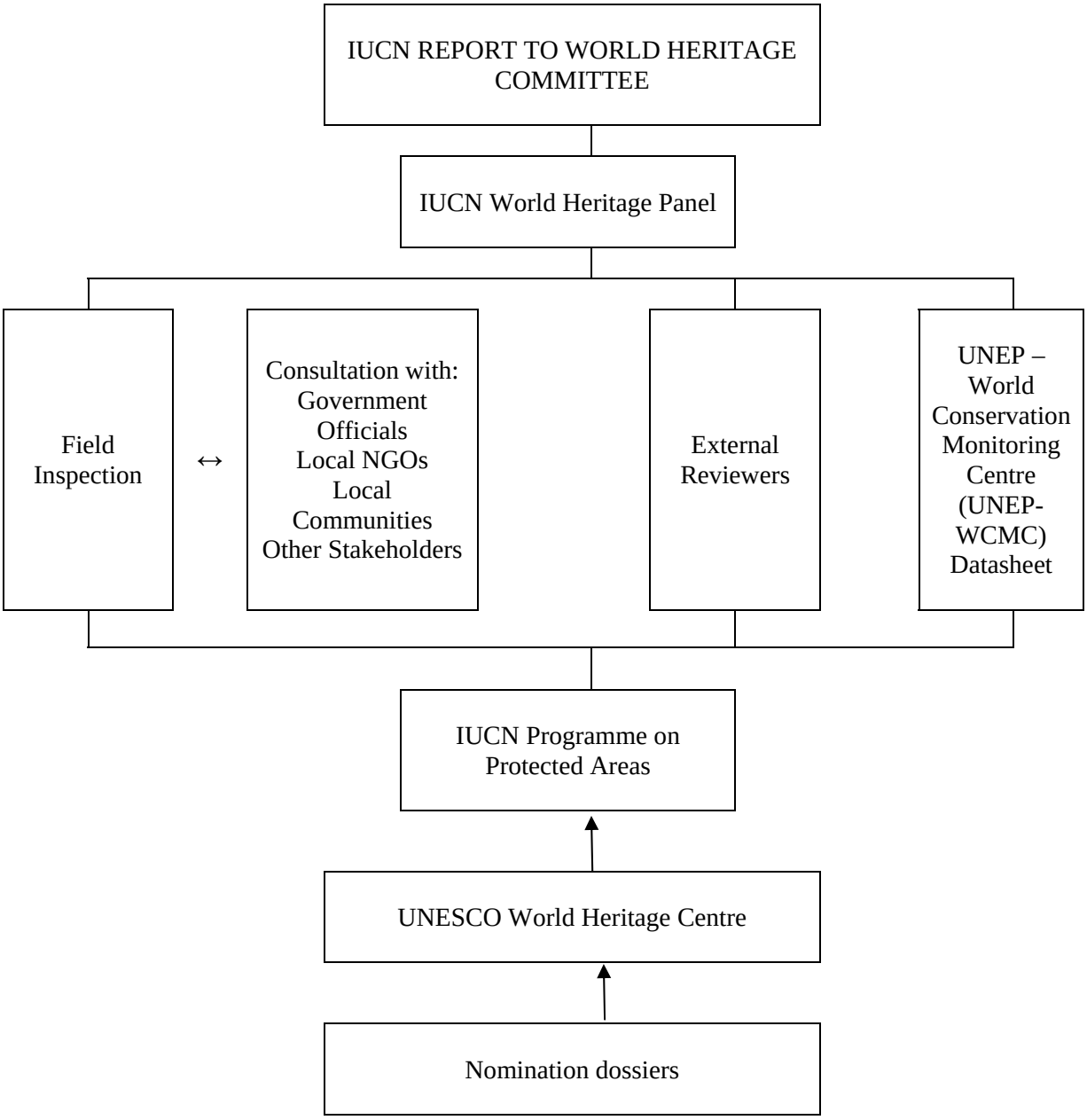
Mixed properties

17. Properties that are nominated as having both natural and cultural value entail a joint IUCN and ICOMOS mission to the nominated property. Following the mission, IUCN and ICOMOS prepare separate evaluation reports of the property under the relevant criteria (see A, Paragraph 5 and B, Paragraph 9 (iii) above).

Cultural Landscapes

18. Properties nominated as Cultural Landscapes are evaluated by ICOMOS under criteria (i) - (vi) (see Paragraph 77 of the *Operational Guidelines*). IUCN is called upon by ICOMOS to review the natural values and the management of the nominated property. This has been the subject of an agreement between the Advisory Bodies. In some cases, a joint mission is required.

FIGURE 2: IUCN EVALUATION PROCEDURE



FORMAT FOR THE PERIODIC REPORTING
ON THE APPLICATION OF
THE *WORLD HERITAGE CONVENTION*

- The Format for Periodic Reporting is available at the following Web address: http://whc.unesco.org/en/periodicreporting
- Further guidance on Periodic Reporting can be found in Section V of the *Operational Guidelines*
- In order to facilitate management of information, States Parties are requested to submit reports, in English or French, in electronic as well as in printed form to :

UNESCO World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP
France
Telephone: +33 (0) 1 4568 1571
Fax: +33 (0) 1 4568 5570
E-mail through: http://whc.unesco.org/en/contacts

FORMAT

PERIODIC REPORTING ON THE APPLICATION OF THE *WORLD HERITAGE CONVENTION*

General Requirements

- Information should be as precise and specific as possible. It should be quantified where possible and fully referenced.
- Information should be concise. In particular long historical accounts of sites and events which have taken place there should be avoided, especially when they can be found in readily available published sources.
- Expressions of opinion should be supported by reference to the authority on which they are made and the verifiable facts which support them.
- Periodic reports should be completed on A4 paper (210mm x 297mm), with maps and plans a maximum of A3 paper (297mm x 420mm). States Parties are also encouraged to submit the full text of the periodic reports in electronic form.

SECTION I: APPLICATION OF THE *WORLD HERITAGE CONVENTION* BY THE STATE PARTY

States Parties are requested to 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 (Article 29.1 of the *World Heritage Convention*).

I.1 Introduction

(i) State Party
(ii) Year of ratification or acceptance of the *Convention*
(iii) Organization(s) or entity(ies) responsible for the preparation of the report
(iv) Date of the report
(v) Signature on behalf of the State Party

I.2 Identification of cultural and natural heritage properties

This item refers in particular to Articles 3, 4 and 11 of the *Convention* regarding the identification of cultural and natural heritage and the nomination of properties for inscription on the World Heritage List.

(i) National inventories

Inventories of cultural and natural heritage of national significance form the basis for the identification of possible World Heritage properties.

Indicate which institutions are in charge of the preparation and keeping up-to-date of these national inventories and if, and to what extent, inventories, lists and/or registers at the local, state and/or national level exist and have been completed.

(ii) Tentative List

Article 11 of the *Convention* refers to the submission by States Parties of inventories of

Provide the date of submission of the Tentative List or any revision made since its submission. States Parties are also encouraged to provide a description of the process of preparation and revision of the Tentative List, e.g. has (have) any particular institution(s) been assigned the responsibility for identifying and delineating World Heritage properties, have local authorities and local population been involved in its preparation? If so, provide exact details.

(iii) Nominations

The periodic report should list properties that have been nominated for inscription on the World Heritage List. States Parties are encouraged to provide an analysis of the process by which these nominations are prepared, the collaboration and co-operation with local authorities and people, the motivation, obstacles and difficulties encountered in that process and perceived benefits and lessons learnt.

I.3 Protection, conservation and presentation of the cultural and natural heritage

This item refers in particular to Articles 4 and 5 of the *Convention*, in which States Parties recognise their duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural World Heritage and that effective and active measures are taken to this effect. Additional guidance on States Parties obligations can be found in Paragraphs 10-16 of the *Operational Guidelines*.

Article 5 of the *Convention* specifies the following measures:

(i) General policy development

Provide information on the adoption of policies that aim to give the cultural and natural heritage a function in the life of the community. Provide information on the way the State Party or the relevant authorities has (have) taken steps to integrate the protection of World Heritage properties into comprehensive planning programmes. Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

(ii) Status of services for protection, conservation and presentation

Provide information on any services within the territories of the State Party which have been set up or have been substantially improved since the previous periodic report, if applicable. Particular attention should be given to services aiming at the protection, conservation and presentation of the cultural and natural heritage, indicating the appropriate staff and the means to discharge their functions. Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

(iii) Scientific and technical studies and research

Additional guidance on research can be found in Paragraph 215 of the *Operational Guidelines*.

List significant scientific and technical studies or research projects of a generic nature that would benefit World Heritage properties, initiated or completed since the last periodic report. Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

Site specific scientific studies or research projects should be reported upon under Section II.4 of this Format.

(iv) Measures for identification, protection, conservation, presentation and rehabilitation

Indicate appropriate legal and administrative measures that the State Party or relevant authorities have taken for the identification, protection, conservation, presentation and rehabilitation of cultural and natural heritage. Particular attention should be given to measures concerning visitor management and development in the region. The State Party is also encouraged to indicate if, on the basis of the experiences gained, policy and/or legal reform is considered necessary. It is also relevant to note which other international conventions for the protection of cultural or natural heritage have been signed or ratified by the State Party and if so, how the application of these different legal instruments is co-ordinated and integrated in national policies and planning.

Indicate relevant scientific, and technical measures that the State Party or relevant institutions within the State have taken for the identification, protection, conservation, presentation and rehabilitation of cultural and natural heritage.

Indicate relevant financial measures that the State Party or relevant authorities have taken for the identification, protection, conservation, presentation and rehabilitation of cultural and natural heritage.

Information on the presentation of the heritage can refer to publications, internet web-pages, films, stamps, postcards, books etc.

Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

(v) Training

Additional guidance on training can be found in Paragraphs 213-214 of the *Operational Guidelines*.

Provide information on the training and educational strategies that have been implemented within the State Party for professional capacity building, as well as on the establishment or development of national or regional centres for training and education in the protection, conservation, and presentation of the cultural and natural heritage, and the degree to which such training has been integrated within existing university and educational systems.

Indicate the steps that the State Party has taken to encourage scientific research as a support to training and educational activities.

Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

I.4 International co-operation and fund raising

This item refers particularly to Articles 4, 6, 17 and 18 of the *Convention*. Additional guidance on this issue can be found in Paragraphs 227-231 of the *Operational Guidelines*.

Provide information on the co-operation with other States Parties for the identification, protection, conservation and preservation of the World Heritage located on their territories.

Also indicate which measures have been taken to avoid damage directly or indirectly to the World Heritage on the territory of other States Parties.

Have national, public and private foundations or associations been established for, and has the State Party given assistance to, raising funds and donations for the protection of the World Heritage?

I.5 Education, information and awareness building

This item refers particularly to Articles 27 and 28 of the *Convention* on educational programmes. Additional guidance on these matters can be found in Chapter IX of the *Operational Guidelines*.

Indicate steps that the State Party has taken to raise the awareness of decision-makers, property owners, and the general public about the protection and conservation of cultural and natural heritage.

Provide information on education (primary, secondary and tertiary) and information programmes that have been undertaken or are planned to strengthen appreciation and respect by the population, to keep the public broadly informed of the dangers threatening the heritage and of activities carried out in pursuance of the *Convention*. Does the State Party participate in the UNESCO Special Project *Young People's Participation in World Heritage Preservation and Promotion*?

Information on site-specific activities and programmes should be provided under item II.4 concerning management, below.

I.6 Conclusions and recommended action

The main conclusions under each of the items of Section I of the report should be summarized and tabulated together with the proposed action(s) to be taken, the agency(ies) responsible for taking the action(s) and the timeframe for its execution:

(i) Main conclusions
(ii) Proposed future action(s)
(iii) Responsible implementing agency(ies)
(iv) Timeframe for implementation
(v) Needs for international assistance

States Parties are also encouraged to provide in their first periodic report an analysis of the process by which they ratified the *Convention*, the motivation, obstacles and difficulties encountered in that process and perceived benefits and lessons learnt.

SECTION II: STATE OF CONSERVATION OF SPECIFIC WORLD HERITAGE PROPERTIES

The preparation of periodic state of conservation reports should involve those who are responsible for the day-to-day management of the property. For transboundary properties it is recommended that reports be prepared jointly by or in close collaboration between the agencies concerned.

The first periodic report should update the information provided in the original nomination dossier. Subsequent reports will then focus on any changes that may have occurred since the previous report was submitted.

This section of the periodic report follows, therefore, the format for the nomination dossier.

The state of properties included on the List of World Heritage in Danger are reviewed by the World Heritage Committee at regular intervals, in general once every year. This review concentrates on the specific factors and considerations that led to the inscription of the property on the List of World Heritage in Danger. It will still be necessary to prepare a complete periodic report on the state of conservation of these properties.

This section should be completed for each individual World Heritage property.

II.1 Introduction

(i) State Party
(ii) Name of the World Heritage property
(iii) Geographical coordinates to the nearest second
(iv) Date of inscription on the World Heritage List
(v) Organization(s) or entity(ies) responsible for the preparation of the report
(vi) Date of the report
(vii) Signature on behalf of the State Party

II.2 Statement of Outstanding Universal Value

At the time of inscription of a property on the World Heritage List, the World Heritage Committee indicates its outstanding universal value by deciding on the criteria for inscription. Please indicate the justification for inscription provided by the State Party, and the criteria under which the Committee inscribed the property on the World Heritage List.

In the view of the State Party, does the Statement of Outstanding Universal Value adequately reflect the outstanding universal value of the property or is a re-submission necessary? This could be considered, for example, to recognise cultural values of a World Heritage property inscribed for its outstanding natural value, or vice-versa. This may become necessary either due to the substantive revision of the criteria by the World Heritage Committee or due to better identification or knowledge of specific outstanding universal value of the property.

Another issue that might be reviewed here is whether the delimitation of the World Heritage property, and its buffer zone if appropriate, is adequate to ensure the protection and conservation of the outstanding universal value embodied in it. A revision or extension of the boundaries might be considered in response to such a review.

If a Statement of Outstanding Universal Value is not available or incomplete, it will be necessary, in the first periodic report, for the State Party to propose such a statement. The Statement of Outstanding Universal Value should reflect the criterion (criteria) on the basis of which the Committee inscribed the property on the World Heritage List. It should also address questions such as: What does the property represent, what makes the property outstanding,

what are the specific values that distinguish the property, what is the relationship of the property with its setting, etc.? Such Statement of Outstanding Universal Value will be examined by the Advisory Body(ies) concerned and transmitted to the World Heritage Committee for approval, if appropriate.

II.3 Statement of authenticity and/or integrity

Under this item it is necessary to review whether the value on the basis of which the property was inscribed on the World Heritage List, and reflected in the Statement of Outstanding Universal Value under item II.2 above, are being maintained.

This should also include the issue of authenticity and/or integrity in relation to the property. What was the evaluation of the authenticity and/or integrity of the property at the time of inscription? What is the authenticity and/or integrity of the property at present?

Please note that a more detailed analysis of the conditions of the property is required under item II.6 on the basis of key indicators for measuring its state of conservation.

II.4 Management

Under this item, it is necessary to report on the implementation and effectiveness of protective legislation at the national, provincial or municipal level and/or contractual or traditional protection as well as of management and/or planning control for the property concerned, as well as on actions that are foreseen for the future, to preserve the value described in the Statement of Outstanding Universal Value under item II.2. Additional guidance on this issue can be found in Section III.D of the *Operational Guidelines*.

The State Party should also report on significant changes in the ownership, legal status and/or contractual or traditional protective measures, management arrangements and management plans as compared to the situation at the time of inscription or the previous periodic report. In such case, the State Party is requested to attach to the periodic report all relevant documentation, in particular legal texts, management plans and/or (annual) work plans for the management and maintenance of the property. Full name and address of the agency or person directly responsible for the property should also be provided.

The State Party could also provide an assessment of the human and financial resources that are available and required for the management of the property, as well as an assessment of the training needs for its staff.

The State Party is also invited to provide information on scientific studies, research projects, education, information and awareness building activities directly related to the property and to comment on the degree to which heritage values of the property are effectively communicated to residents, visitors and the public. Matters that could be addressed are, among other things: is there a plaque at the property indicating that the property is a World Heritage property? Are there educational programmes for schools? Are there special events and exhibitions? What facilities, visitor centre, site museum, trails, guides, information material etc. are made available to visitors? What role does the World Heritage designation play in all these programmes and activities?

Furthermore, the State Party is invited to provide statistical information, if possible on an annual basis, on income, visitor numbers, staff and other items if appropriate.

On the basis of the review of the management of the property, the State Party may wish to consider if a substantive revision of the legislative and administrative provisions for the conservation of the property is required.

II.5 Factors affecting the property

Please comment on the degree to which the property is threatened by particular problems and risks. Factors that could be considered under this item are those that are listed in the nomination format, e.g. development pressure, environmental pressure, natural disasters and preparedness, visitor/tourism pressure, number of inhabitants.

Considering the importance of forward planning and risk preparedness, provide relevant information on operating methods that will make the State Party capable of counteracting dangers that threaten or may endanger its cultural or natural heritage. Problems and risks to be considered could include earthquakes, floods, land-slides, vibrations, industrial pollution, vandalism, theft, looting, changes in the physical context of properties, mining, deforestation, poaching, as well as changes in land-use, agriculture, road building, construction activities, tourism. Areas where improvement would be desirable, and towards which the State Party is working should be indicated.

This item should provide up-to-date information on all factors which are likely to affect or threaten the property. It should also relate those threats to measures taken to deal with them.

An assessment should also be given if the impact of these factors on the property is increasing or decreasing and what actions to address them have been effectively taken or are planned for the future.

II.6 Monitoring

Whereas item II.3 of the periodic report provides an overall assessment of the maintenance of the outstanding universal value of the property, this item analyses in more detail the conditions of the property on the basis of key indicators for measuring its state of conservation.

If no indicators were identified at the time of inscription of the property on the World Heritage List, this should be done in the first periodic report. The preparation of a periodic report can also be an opportunity to evaluate the validity of earlier identified indicators and to revise them, if necessary.

Up-to-date information should be provided in respect to each of the key indicators. Care should be taken to ensure that this information is as accurate and reliable as possible, for example by carrying out observations in the same way, using similar equipment and methods at the same time of the year and day.

Indicate which partners if any are involved in monitoring and describe what improvement the State Party foresees or would consider desirable in improving the monitoring system.

In specific cases, the World Heritage Committee and/or its Bureau may have already examined the state of conservation of the property and made recommendations to the State Party, either at the time of inscription or afterwards. In such cases the State Party is requested to report on the actions that have been taken in response to the observations or recommendations made by the Bureau or Committee.

II.7 Summary of conclusions and recommended actions

The main conclusions under each of the items of the state of conservation report, in particular, whether the outstanding universal value of the property are maintained, should be summarized and tabulated together with:

(i) Main conclusions regarding the state of the outstanding universal value of the property (see items II.2. and II.3. above)
(ii) Main conclusions regarding the management and factors affecting the property (see Items II.4 and II.5. above)
(iii) Proposed future action(s)
(iv) Responsible implementing agency(ies)
(v) Timeframe for implementation
(vi) Needs for international assistance

The State Party is also requested to indicate what experience the State Party has obtained that could be relevant to others dealing with similar problems or issues. Please provide names and contact details of organizations or specialists who could be contacted for this purpose.

INTERNATIONAL ASSISTANCE REQUEST FORM

- The International Assistance request form is available at the following Web address: http://whc.unesco.org/en/intassistance , and can be filled at the same address.

- Further guidance on International Assistance can be found in Section VII of the *Operational Guidelines*

- See attached Explanatory Notes on completing this Request form

- The original signed version of the completed International Assistance request form should be sent in English or French to:

  UNESCO World Heritage Centre
  7, place de Fontenoy
  75352 Paris 07 SP
  France
  Telephone: +33 (0)1 45 68 12 76
  Fax: +33 (0)1 45 68 55 70
  E-mail: wh-intassistance@unesco.org

1. STATE PARTY

_____

2. TITLE OF PROJECT

_____

_____

_____

3. TYPE OF ASSISTANCE

	Emergency Assistance	*Preparatory Assistance*	*Conservation and management*
Culture			
Nature			
Mixed			

4. PROJECT LOCATION:

a) Will the project be implemented at a World Heritage property?
□ - yes □ - no

If yes, give the name of the property

_____

_____

b) Will the project include a field component?
□ - yes □ - no

If yes, where and how?

_____

_____

c) If the project is being implemented at a World Heritage property, indicate whether it will also benefit other World Heritage properties, and if so, which ones and how?

_____

_____

5. TIMEFRAME FOR THE IMPLEMENTATION OF THE PROJECT (indicate whether estimated or fixed)

Dates:_____

Duration: _____

6. THE PROJECT IS:

□ - local
□ - national
□ - sub-regional involving a few States Parties from a region
□ - regional involving most States Parties from a region
□ - international involving States Parties from different regions

If the project is national, sub-regional, regional or international, please indicate the countries/properties which will participate/benefit from the project:

_____

_____

_____

_____

7. JUSTIFICATION OF THE PROJECT

a) Explain why this project is needed
(for Emergency Assistance, please fill in item 8 below instead).

_____

_____

_____

_____

b) List all supporting documents submitted, if applicable.

_____

_____

8. FOR EMERGENCY ASSISTANCE ONLY

a) Describe the actual or potential threat/danger affecting the property

_____

_____

b) Indicate how it might affect the property's Outstanding Universal Value

_____

_____

c) Explain how the proposed project will address the threat/danger

_____

_____

9. OBJECTIVES OF THE PROJECT

Clearly set out the specific objectives of the project

10. EXPECTED RESULTS

a) Clearly state the results expected from the project

_____

_____

b) Define the indicators and means of verification which can be used to assess the achievements of these results:

Expected Results	*Indicators*	*Means of verification*

11. WORK PLAN (including specific activities and timetable)

Activities	*Timeframe (in months)*						
Activity							
Activity							
Activity							
Activity							

12. EVALUATION AND REPORTING (to be submitted to the World Heritage Centre within three months after the project is completed)

13. PROFILES OF SPECIALISTS, TRAINERS, TECHNICIANS AND/OR SKILLED LABOUR, IF THE PROJECT FORESEES THE PARTICIPATION OF SUCH PEOPLE (if the identity of the specialists, trainers, technicians, and/or skilled labourers is already known, please state their names and include a brief CV if possible)

_____

_____

14. KEY TARGET AUDIENCES, INCLUDING PROFILES OF TRAINEES / PARTICIPANTS, IF THE PROJECT FORESEES THE PARTICIPATION OF SUCH PEOPLE

_____

_____

15. BUDGET BREAKDOWN

a) Provide, in the following table (in United States dollars), a detailed breakdown of costs of the individual elements of the project including, if possible, unit costs and show how these will be shared between the different funding sources.

Items **(choose items as applicable to the project)**	**Detail US$** **(for applicable items)**	**State Party Funds US$**	**Amount requested to the World Heritage Fund US$**	**Other sources US$**	**Total US$**
Organization • venue • office expenses • secretarial assistance • translation • simultaneous interpretation • audio-visual equipment • other	US$ __ / day for __ days = US$ __ US$ __ US$ __/ day for __ days - US$ __ US$ __ / page for __ pages = US$ US$ __ / hour for __ hours = US$ US$ __ / day for __ days = US$ __ US$ __				
Personnel / consultancy service (fees) • international expert • national expert • coordinator • other	US$ __ / week for __ weeks = US$ _ US$ __ / week for __ weeks = US$ _ US$ __ / week for __ weeks = US$ _ US$ __ / week for __ weeks = US$ _				
Travel • international travel cost • domestic travel costs • other	US$ __ US$ __ US$ __				
Daily subsistence allowance • accommodation • board	US$ __ / day for __ persons = US$ __ US$ __ / day for __ persons = US$ __				
Equipment • ……. • …….	US$ __ / unit for __ units = US$ __ / unit for __ units =				
Evaluation, Reporting and Publication • evaluation • reporting • editing, layout • printing • distribution • other	US$ __ US$ __ US$ __ US$ __ US$ __ US$ __				
Miscellaneous • visas • other	US$ __ for __ participants = US$ __ US$ __				
TOTAL					

b) Specify whether or not resources from the State Party or other sources are already available or when they are likely to become available.

_____

_____

16. IN KIND CONTRIBUTIONS FROM THE STATE PARTY AND OTHER AGENCIES

a) National agency(ies)

_____

_____

b) Other bi/multi-lateral organizations, donors, etc

_____

_____

17. AGENCY(IES) RESPONSIBLE FOR THE IMPLEMENTATION OF THE PROJECT

_____

_____

18. SIGNATURE ON BEHALF OF STATE PARTY

Full name _____

Title _____

Date _____

19. ANNEXES

_____ (number of annexes attached to the request)

EXPLANATORY NOTES

<table>
<tr><th></th><th>INTERNATIONAL ASSISTANCE APPLICATION FORM</th><th>EXPLANATORY NOTES</th></tr>
<tr><td>1.</td><td>STATE PARTY</td><td>Name of the State Party presenting the International Assistance request</td></tr>
<tr><td>2.</td><td>TITLE OF THE PROJECT</td><td></td></tr>
<tr><td>3.</td><td>TYPE OF ASSISTANCE

<table>
<tr><th></th><th>Emergency Assistance</th><th>Preparatory Assistance</th><th>Conservation and Management*</th></tr>
<tr><td>Culture</td><td></td><td></td><td></td></tr>
<tr><td>Nature</td><td></td><td></td><td></td></tr>
<tr><td>Mixed</td><td></td><td></td><td></td></tr>
</table>

* Please note that « Conservation and Management » now includes the previous categories :
- Training, Research Assistance
- Technical Cooperation
- Assistance for education, information and awareness raising</td><td>See Paragraph 241 of the Operational Guidelines for details.

Indicate the type of assistance you are requesting, as well as the type of heritage covered by the project.

Please, tick only one box in the table.
For example:

- Training project on rock paintings:
<table>
<tr><th></th><th>Emergency Assistance</th><th>Preparatory Assistance</th><th>Conservation and Management</th></tr>
<tr><td>Culture</td><td></td><td></td><td>X</td></tr>
<tr><td>Nature</td><td></td><td></td><td></td></tr>
<tr><td>Mixed</td><td></td><td></td><td></td></tr>
</table>

- Preparation of a nomination file for a mixed property:
<table>
<tr><th></th><th>Emergency Assistance</th><th>Preparatory Assistance</th><th>Conservation and Management</th></tr>
<tr><td>Culture</td><td></td><td></td><td></td></tr>
<tr><td>Nature</td><td></td><td></td><td></td></tr>
<tr><td>Mixed</td><td></td><td>X</td><td></td></tr>
</table>

- Emergency assistance request following a tropical storm which affected a protected forest area:
<table>
<tr><th></th><th>Emergency Assistance</th><th>Preparatory Assistance</th><th>Conservation and Management</th></tr>
<tr><td>Culture</td><td></td><td></td><td></td></tr>
<tr><td>Nature</td><td>X</td><td></td><td></td></tr>
<tr><td>Mixed</td><td></td><td></td><td></td></tr>
</table></td></tr>
<tr><td>4.</td><td>PROJECT LOCATION

a) Will the project be implemented at a World Heritage property?
□ - yes □ - no
If yes, give the name of the property</td><td></td></tr>
</table>

	b) Will the project include a field component? □ - yes □ - no If yes, where and how? c) If the project is being implemented at a World Heritage property, indicate whether it will also benefit other World Heritage properties, and if so which ones and how?	
5.	**TIMEFRAME FOR THE IMPLEMENTATION OF THE PROJECT** **(indicate whether estimated or fixed)**	Indicate the proposed starting date for the project as well as its duration.
6.	**THE PROJECT IS:** □ local □ national □ sub-regional involving a few States Parties from a region □ regional involving most States Parties from a region □ international involving States Parties from different regions If the project is national, sub-regional, regional or international, please indicate the countries/properties which will participate/benefit from the project.	If other countries benefit from the project, please state whether their support for the project has been obtained. Also note if a transboundary property is involved.
7.	**JUSTIFICATION OF THE PROJECT**	
	a) Explain why the project is needed (for Emergency Assistance, please fill in item 8 below <u>instead</u>)	Set out the problems or issues to be discussed/addressed. This should include, where appropriate, the degree of urgency of the activities to be undertaken where appropriate. If relevant, give details, in no more than 2 pages, of ascertained or potential threat to the property(ies). Explain how the project contributes to the implementation of: - decisions of the World Heritage Committee;

		- recommendations of international expert missions undertaken at the request of the Committee, Chairperson or UNESCO; - recommendations of the Advisory Bodies; - recommendations of UNESCO World Heritage Centre or other UNESCO Divisions; - management plans for the property; - recommendations from previous activities supported by the World Heritage Fund. Clearly indicate which documents you are referring to (World Heritage Committee's decision number, Mission dates, etc…)
	b) List all supporting documents submitted, if applicable.	Whenever possible, support the justification with documentary evidence, such as reports, photographs, slides, maps, etc...
8.	**FOR EMERGENCY ASSISTANCE ONLY**	
	a) Describe the actual or potential threat/danger affecting the property	Emergency Assistance funds will not be automatically granted after a major disaster has occurred. This type of assistance will be provided only in cases when an imminent danger related to a natural or human-made disaster is threatening the overall Outstanding Universal Value of a World Heritage property and its authenticity and/or integrity, to prevent or at least significantly mitigate its possible negative impact on the property. Emergency Assistance may also be provided to assess whether or not imminent danger is present, for example as a result of a major disaster. When, on the contrary, due to a disaster, a certain loss of heritage has already taken place, but there is no more imminent threat or risk that needs to be addressed as a matter of urgency, other forms of assistance would appear to be more appropriate (e.g. conservation and management assistance).

<table>
<tr><td></td><td>b) Indicate how it might affect the property's Outstanding Universal Value</td><td>In establishing priorities for granting Emergency Assistance, consideration will be given to whether the threat/danger to be addressed has the potential, if not mitigated, to affect the Outstanding Universal Value of the World Heritage property and its authenticity and/or integrity.</td></tr>
<tr><td></td><td>c) Explain how the proposed project will address the threat/danger</td><td>Proposals for funding under the Emergency Assistance programme should set out how the scope of the project and its activities will assess the threat/danger to the World Heritage property and show how it will be effectively mitigated.</td></tr>
<tr><td>9.</td><td>OBJECTIVE(S) OF THE PROJECT

Clearly set out the specific objectives of the project</td><td>What are the objectives you want to achieve through the implementation of this particular project?</td></tr>
<tr><td>10.</td><td>EXPECTED RESULTS</td><td></td></tr>
<tr><td></td><td>a) Clearly state the results expected from the project proposed.</td><td>The expected results should be concrete and measurable. Each expected result will be measured by a set of indicators (see Paragraph 10b).</td></tr>
<tr><td></td><td>b) Define the indicators and means of verification which can be used to assess the achievements of these results:

<table><tr><td>Expected Results</td><td>Indicators</td><td>Means of verification</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table></td><td>Indicators are used to measure the results achieved and to determine the progress towards the objective of the project. They are based on the expected results defined in Paragraph 10, and will serve as the base for the evaluation of the project after its completion.

These indicators should be objective, measurable and expressed in quantifiable terms such as numeric values, or percentages.

For example:

Preparatory Assistance

Objective:
To prepare a complete nomination file for submission to the World Heritage Centre.</td></tr>
</table>

Expected Results	Indicators	Means of Verification
The completed nomination file submitted to the World Heritage Centre by 1 February 200x.	• Nomination submitted by the deadline	• Postal record of sending the file • Report from the WHC/POL to the State Party
The completed management plan to be submitted along with the nomination file	• Management plan submitted by the deadline	• Postal record of sending the file • Report from the WHC/POL to the State Party
The nomination file is judged complete by the World Heritage Centre and Advisory Bodies	• Successful examination by the World Heritage Centre and Advisory Bodies for completeness	• Letter from the World Heritage Centre to the State Party informing them the file is considered complete

Emergency Assistance

Objective:
To stabilize the structure of a building that has just been damaged due to flooding or an earthquake.

Expected Results	Indicators	Means of Verification
The structure of the building would have been stabilized	• Emergency structural problems identified • Plans for emergency works finalized • Temporary stabilization measures carried out	• Report of a structural engineer on the emergency state of the structure • Costed proposal for emergency works to be carried out • Final report of the stabilization work implemented
Plans for further conservation work would have been developed for future implementation	• Overall structural analysis carried out • Costed plans for further necessary conservation work prepared	• Report of a structural engineer on the overall state of conservation of the structure • Costed proposal for necessary conservation works to be carried out

Conservation and Management Assistance

Objective:
To improve management at a property inscribed on the World Heritage List with special attention to community involvement

Expected Results	Indicators	Means of Verification
An integrated management plan for the property	• Setting up of a management planning team for the development of the management plan with participants from the necessary sectors including the local community • Completion of a Statement of Outstanding Universal Value for the property • Analysis of the conservation and management problems affecting the property • Existence of clear objectives and strategies for achieving them	• Monthly reports of the management planning team meetings • Discussion papers produced by team members of each of the key issues faced in the management of the property • Final management plan document
A management committee including some members of the local community	• Appointment of members of the management committee including at least two members of the local community • At least 3 regular monthly meetings of the Management Committee	• Statutes and rules of procedure for the Management Committee approved by appropriate authorities • Monthly reports of the Management Committee
Management plan approved with appropriate legal status	• Approval by the local government authority	• Decree placed in the "National Gazette" establishing the management plan as a local regulation.

11. WORK PLAN (including specific activities and timetable)

Activities	*Timeframe (in months)*						
Activity							
Activity							
Activity							
Activity							

Describe the work plan of the activity(ies) to be undertaken with specific reference to the expected results mentioned in Paragraph 10 above. Indicate dates, duration of each activity. For meetings and training activities, tentative programmes should be provided including the themes, issues and problems to be discussed.

For example:

For Expected Result No. 1:

Activities	*Timeframe (in months)*						
Activity							
Activity							
Activity							
Activity							

For Expected Result No. 2:

Activities	*Timeframe (in months)*						
Activity							
Activity							
Activity							
Activity							

12. EVALUATION AND REPORTING (to be submitted to the World Heritage Centre within three months after the implementation of the project is completed)

Final Report:
The final report should be prepared by the authority/person in charge of the implementation of the project.
The final report should be structured according to the expected results defined in Paragraph 10.

Evaluation:
The evaluation should focus on the results achieved and their impact on (for example):
- the inscription of a property on the World Heritage List following a preparatory assistance,
- the Periodic Report and the State of conservation,
- the removal of a property from the List of World Heritage in danger following an emergency assistance,
- the implementation of the *World Heritage Convention*, including its Strategic Objectives ("4Cs") and other

		strategies (e.g. Global Strategy, …), - the national and/or local institutions, - the capacity building of local staff, - the awareness raising of the general public, - the participants to the project, - attracting other resources, - etc… Indicate who will be responsible for the evaluation of the project.
13.	**PROFILES OF SPECIALISTS, TRAINERS, TECHNICIANS AND/OR SKILLED LABOUR, IF THE PROJECT FORESEES THE PARTICIPATION OF SUCH PEOPLE (if the identity of the specialists, trainers, technicians, and/or skilled labourers is already known, please state their names and include a brief CV if possible)**	Indicate the precise field of specialization and the work to be undertaken by each specialist as well as the duration required. The World Heritage Centre and the Advisory Bodies are available to recommend resource persons / trainers, should the State(s) Party(ies) concerned so request. Please include the names of any specialists, if already known, who will be taking part in the project and send a short CV if possible as an annex to the request form.
14.	**KEY TARGET AUDIENCES, INCLUDING PROFILES OF TRAINEES / PARTICIPANTS, IF THE PROJECT FORESEES THE PARTICIPATION OF SUCH PEOPLE**	Indicate the target groups and beneficiaries of the project, their professions, institutions, or field(s) of specialization.
15.	**BUDGET BREAKDOWN**	
	a) Provide, in the following table (in United States dollars), a detailed breakdown of costs of the individual elements of the project including, if possible, unit costs and show how these will be shared between the different funding sources:	Indicate in the table the breakdown of all expenses related to the project, also indicating the cost-sharing between the various donors (State Party, World Heritage Fund, others).
	(i) Organization	Items within this section could include the cost of a venue, office expenses, secretarial assistance, translation, simultaneous interpretation, audio-visual equipment, or other organizational costs necessary for the successful implementation of the project.
	(ii) Personnel and Consultancy Services	Items within this section could include the cost of international experts, national

		experts, a local or international coordinator, or other personnel necessary for the successful implementation of the project.
	(iii) Travel	Items within this section could include the cost of international or domestic travel necessary for the successful implementation of the project.
	(iv) Daily Subsistence Allowance	Items within this section could include the cost of accommodation, meals, and incidentals necessary for the successful implementation of the project.
	(v) Equipment	Items within this section could include any equipment necessary for the successful implementation of the project.
	(vi) Evaluation, Reporting and Publication	Items within this section could include the cost of evaluation, reporting, editing and layout, printing, distribution, and other costs necessary for the successful implementation of the project.
	(vii) Miscellaneous	Items within this section could include the cost of visas or other small costs that are necessary for the successful implementation of the project.
	b) Specify whether or not resources from the State Party or other sources are already available or when they are likely to become available	If the resources are not already available, indicate whether they will be before the beginning of the project.
16.	**IN KIND CONTRIBUTIONS FROM THE STATE PARTY AND OTHER AGENCIES**	
	a) National agency(ies)	Specify in detail
	b) Other bi/multi-lateral organizations, donors, etc	Specify in detail
17.	**AGENCY(IES) RESPONSIBLE FOR THE IMPLEMENTATION OF THE PROJECT**	Please provide the name, title, address and all contact details of the person/agency(ies) who will be responsible for the implementation of the project as well as those of any other participating agencies.

		Please, indicate whether the legislative and administrative commitment of the State Party is available for the project (see Paragraph 239d of the *Operational Guidelines*).
18.	**SIGNATURE ON BEHALF OF STATE PARTY**	Full name Title Date
19.	**ANNEXES**	In this section, list the number of annexes attached to the request and titles of each annex.

EVALUATION CRITERIA OF THE ADVISORY BODIES FOR INTERNATIONAL ASSISTANCE REQUESTS

The following considerations are to be taken into account by the Advisory Bodies, World Heritage Centre, and the relevant Decision-maker (the Chairperson of the World Heritage Committee, the World Heritage Committee or the Director of the World Heritage Centre) when assessing International Assistance requests.

These items do not constitute a checklist, and not every item will be applicable to every International Assistance Request. Rather the appropriate items are to be considered together in an integrated manner in making balanced judgments concerning the appropriateness of allocating the limited financial support available through the World Heritage Fund.

A. Eligibility requirements

1. Is the State Party in arrears for payment of its contribution to the World Heritage Fund?
2. Is the request coming from an authorized organization/institution of the State Party?

B. Priority considerations

3. Is the request from a State Party on the list of the Least Developed Countries (LDCs), Low Income Economies (LIEs), Small Island Developing States (SIDS) or post-conflict countries?
4. Is the property on the List of World Heritage in Danger?
5. Does the request further one or more of the Strategic Objectives of the World Heritage Committee (Credibility, Conservation, Capacity building, and Communication)?
6. Does the request respond to needs identified through the Periodic Reporting process at the property and/or regional levels?
7. Is the request linked to a regional or sub-regional capacity building programme?
8. Is there a capacity building aspect to the activity (no matter what type of assistance sought)?
9. Will the lessons learned from the activity provide benefits to the larger World Heritage system?

C. Considerations linked to the specific content of the proposed activity

10. Are the objectives of the request clearly stated and achievable?
11. Is there a clear work plan for achieving the results, including a timeline for its implementation? Is the work plan reasonable?
12. Does the agency/organization responsible for implementing the proposal have the capacity to do so, and is there a responsible person identified for ongoing contacts?
13. Are the professionals proposed to be used (whether national or international) qualified to carry out the work being requested? Are there clear terms of reference for them, including adequate period of their involvement?
14. Is the involvement of all relevant parties taken into account in the proposal (for example stakeholders, other institutions, etc.)?
15. Are the technical requirements clearly expressed and are they reasonable?
16. Is there a clear plan for reporting the results and for continued monitoring, including appropriate indicators for success?
17. Is there a commitment of the State Party for appropriate follow-up after the activity is completed?

D. Budgetary / Financial considerations

18. Is the overall budget reasonable for the work that is proposed to be carried out?
19. Is the budget detailed sufficiently to ensure that the unit costs are reasonable and in line with local costs and/or UNESCO norms and rules as appropriate?
20. Does the request act as a catalyst (multiplier) for other funding (are other sources of funding, either cash or in-kind clearly specified)?

E. Considerations for specific types of International Assistance

a) Emergency Assistance Requests

21. Does the threat or disaster covered by the request conform to the definition of an emergency within the *Operational Guidelines* (unexpected phenomena)?
22. Can the proposed intervention be carried out with reasonable safety for those involved with its implementation?
23. Does the intervention respond to the most critical issues related to the protection/conservation of the property?

b) Preparatory Assistance Requests

For requests for preparation of nomination files

24. Is the property on the State Party's Tentative List?
25. Does the State Party already have properties inscribed on the World Heritage List? If yes, how many?
26. Is the type of property proposed for World Heritage listing un-represented or under-represented in the World Heritage List?
27. Is sufficient attention paid to necessary elements, such as the preparation of the management plan, comparative analysis, Statement of Outstanding Universal Value, mapping, etc.?
28. Is sufficient attention given to community involvement?

For requests for preparation of Tentative Lists

29. Is the process designed to include all the necessary stakeholders and points of view?
30. Are both natural and cultural heritage professionals proposed to be involved?
31. Is the State Party new to the *World Heritage Convention*?
32. If the request is for harmonization of Tentative Lists, are representatives from all the necessary States Parties in the region or sub-region involved?

For requests for preparation of other types of assistance

33. If the request is for the preparation of a request for other assistance, is the need for the eventual request well documented?

c) Conservation and Management Assistance Requests

For requests for conservation work or the preparation of a management plan

34. Is the property on the World Heritage List?
35. Is the work being proposed a priority for protecting or safeguarding the property?
36. Does the work being proposed conform to best practice?

For requests for training activities

37. Is it clearly related to the implementation of the *World Heritage Convention*?
38. Does it take place on a World Heritage property or involve a visit/case study of a World Heritage property?

39. Does it involve those responsible for conservation at a World Heritage property as trainees or resource persons?
40. Does it respond to well-defined training needs?
41. Are the training methods appropriate to ensure that the learning objectives will be met?
42. Does it strengthen a local and/or regional training institution?
43. Is it linked with practical applications in the field?
44. Is there a provision for disseminating results and related training materials to other organizations in the World Heritage system?

For requests related to scientific research

45. Can it be demonstrated that the subject matter is of a priority nature for better protection and safeguarding of World Heritage properties?
46. Can it be demonstrated that the results will be concrete and applicable widely within the World Heritage system?

For requests for educational or awareness activities

47. Will it help make the *World Heritage Convention* better known or create a stronger interest in it amongst the target audience?
48. Will it create a greater awareness of the different issues related to the implementation of the *World Heritage Convention*?
49. Will it promote more involvement in *World Heritage Convention* related activities?
50. Will it be a means of exchanging experiences or stimulate joint educational and information programmes, especially amongst school children?
51. Will it produce appropriate awareness materials for the promotion of the *World Heritage Convention* for use by the target audience?

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BACK

UNESCO

מדריך לתוכנית זיכרון עולם של אונסקו

תכנית זיכרון עולם

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פרק III מבנה, ניהול מעקב וניטור

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1: מאגר/מרשם ארצי הרשימה הטנטיטיבית

2: תבנית המועמדות

3: תבנית ההגשה למאגר הארצי

4: הנחיות כלליות להגשת מועמדות

5: אינדיקטורים לתכנית ממשק וניהול

6: נהלי השימוש בלוגו ובשם של זכרון עולם (באנגלית).

7: הוועדה הישראלית לזכרון עולם

תרגום ועריכה: דניאל בר-אלי – מזכ"ל הוועד הישראלי לאונסקו

הדפסה: חדוה עמר – מזכירות אונסקו

I. מטרות, הגדרות ושימושים

1. החזון

- התיעוד של הזכרון העולמי שייך למורשת האנושות כולה ויש להגן עליו תוך כיבוד והכרה של המנהגים התרבותיים הקשורים למורשת זו.

2. מטרות

לתעד את:

- הזכרון הקולקטיבי של המורשת התרבותית האנושית הכתובה / הוויזואלית / האודיו-ויזואלית
- ההישגים והמורשת של העבר למען הדורות הבאים

להגביר את:

- המודעות לשימור הזכרון העולמי ולאפשר נגישות אוניברסלית אליו.

3. החשיבות

חשיבות ל"זכרון עולם" מתבטאת במישור ה-

- לאומי
- אזורי
- בינלאומי

4. ציוני דרך

- 1992 – נוסדה התכנית ע"י אונסקו
- 1993 - הוקמה הוועדה המייעצת הבינ"ל
  - הוכנה תכנית הפעולה
  - נקבעו עקרונות והנחיות פעולה
  - הוכנה רשימת מצאי של ספריות וארכיונים בסיכון
  - הוכנה רשימת מצאי של מורשת קולנועית בסיכון
- 1995 - נוסד מאגר "זכרון עולם" באונסקו

5. הנחות עבודה

- לשמש פלטפורמה לידע ומידע שנוצר ע"י האנושות.
- לכלול אוספים של "זכרון עולם" בעלי חשיבות אוניברסלית יוצאת מהכלל, מעבר לגבולות הזמן והתרבות, הדורשים שמירה לדורות הבאים.
- להכיר בתיעוד מורשת של מיעוטים אתנים או תרבויות רב-לאומיות של מדינות.
- להתייחס לתיעוד מכל סוג - פפירוס, חימר, קולי ודיגיטלי.
- להכיר ללא הבדל בין מורשת חדשה לישנה.
- להתייחס ברגישות והוגנות לאינטרסים, זכויות יוצרים, נאמני ובעלי הזיכרון הרלוונטים לשימור.
- להבהיר כי הבורות, וחוסר תשומת-לב הם הגורמים המונעים את השימוש באמצעים טכנולוגיים לשימור.

6. הסיכונים הצפויים ל"זכרון עולם" נובעים מ-

- מניעים פוליטיים
- מלחמות
- אסונות טבע
- מדיניות שימור נאותה

7. הנגישות לזכרון עולם תלויה בקיומם של

- ספריות
- ארכיונים
- מוזיאונים

א. הנגישות נועדה

- לאפשר ולפתח שימור של "זכרון עולם" מתועד בטכניקות מתאימות
- לשפר ולהגביר את המודעות לקיומה ולחשיבותה של "זכרון עולם" מתועד
- לאפשר נגישות לכלל הציבור ולחוקרים.

8. החומרים מהם עשויה המורשת - סינתטים, טבעיים, אורגניים - נתונים להשפעות

א. טבעיות

- אי-יציבות כימית והתפוררות
- אקלים
- אסונות טבע (שריפות / הצפות)
- הדרדרות טבעית מתמשכת
- גניבות ותאונות

ב. מעשה ידי אדם

- מדיניות שימור (ספורדית / חלקית / לא מקצועית)
- יכולות וכישורים מקצועיים לא מספקים של כוח אדם
- מסחר לא חוקי
- אחסון לא מתאים

ג. טכנולוגיה

- שיקולים מסחריים ללא היבטי שימור.

ד. כלכליים

- מחסור בתקציבים / הקצאות לא מספקות.

9. הקשר של "זכרון עולם" לתכניות אחרות של אונסקו

- אמנת האג להגנה על נכסי תרבות בזמן מלחמה (1954).
- האמנה למניעת ואִסור סחר, יבוא יצוא והעברה של בעלות על פריטי תרבות (1970).
- המלצות לשמירה והצלה של תמונות נעות (1980).
- המלצה לשמירה על תרבות ופולקלור מסורתיים (1989)
- המגן הכחול – הגנה על מורשת תרבות בסכנה בגין פגעי טבע או מעשי ידי-אדם (1996).
- ההמלצות להגנה על יצירות בעל-פה ולא מוחשיות (1989).
- האמנה למורשת עולמית (1972).
- הקוד האתי לארכיון אודיו-ויזואלי (1998).

10. אתיקה

- שימור התיעוד נועד: לא לסלף, לא לבצע מניפולציה, לא לזייף, לא להשחית, לא לעוות, לא לשנות שלא עפ"י כוונות היוצרים.
- לגופים שונים העוסקים בשימור ונגישות לתיעוד יש קוד אתי (ארכיונים, ספריות, אודיו-ויזואל).
- הקוד נועד לכבד ולבנות אמון רגיש לגבי זכרון עולם, זכויות יוצרים, הסכמים עם תורמים, לקוחות התיעוד, שקיפות ויושרה ציבורית.
- אחריות המשמרים באה להגן ולנהל "זכרון עולם" ללא ניגוד אינטרסים.

11. הגדרה ל"זכרון עולם" על-פי

- מסמכים כתובים בחומרים שונים
- סימנים
- קול או תמונה
- תוצר של תהליך דיגיטלי
- "הגירה" מחדש של המסמכים

12. תפקידי המורשת "זכרון עולם"

- הכרחי להעביר מידע לנשא חדש גם אם יש חשש שחלק מהטקסט יאבד.
- אין הבחנה בין מסרים ציבוריים או פרטיים גם אם הסדרי הנגישות שונים לגבי כל-אחד מהם.

א. המידע מתבצע ברישום

- עט, דיו, עפרון, ציור, הדפס, דפוס, מפות, מוסיקה.

ב. נשא המידע מתבטא ב -

- נייר, פפירוס, עלים, טקסטיל, אבן, אלקטרוני, וירטואלי, דיגיטלי, ספרתי, טייפ, אודיו-ויזואלי

ג. המסמכים עשויים להיות

- בודדים, אוסף, ארכיון.

13. בעלי עניין ב"זכרון עולם"

- הזכרון יכול להיות בנאמנות או בשמירה מוסדית ולא מוסדית.
- הקונטקסט התרבותי, המנהגים והמסורת בו נוצר.

14. אסטרטגיות לפעולה

- זיהוי - תיעוד זכרון עולם בעל ערך אוניברסלי (בלי למעט בחשיבות המקומית, האזורית, הבינ"ל).
- שיפור המודעות - עדיפות לאוספים בסכנה.
- שימור - מימון ע"י המדינה ולא על-ידי אונסקו.
- נגישות - שיפור הנגישות הטכנולוגית לציבור.
- סטטוס - מעמדן של רשימות מאגר מקומיות.

15. שימור ונגישות

א. שימור

- תהליך השימור יתייחס לאופי החומר, מהותו ומידת הסיכון לאובדן התיעוד.
- הצעדים הנדרשים להבטיח שימור כוללים: נגישות למסמכים ותיעוד למניעת הדרדרות של הנשא המקורי.
- האמצעים הטכניים הם: הדרכה, הכשרה וחינוך עפ"י סטנדרטיים מקצועיים בינ"ל.

ב. תיעוד

- בקרה ואחזקה - קטלוג, רשום מצאי, איחזור, תיוג.
- סביבה אחסונית - מוכנות לסיכונים: טמפרטורות, לחות, אור, זיהום אוויר, חיידקים, מבנה ובטיחות.
- מניעה יעילה וריפוי - תהליכים וטכניקות למזעור נזקים.
- שימור המקור - הגנה על היושרה פירושה שמידע לא אבד וניתן לשמרו ולשחזרו בעתיד גם אם העותקים אינם משתווים באיכותם למקור.
- אחסון במבנה - נשאי מידע שונים (כתוב, אלקטרוני, וידיאו, דיגיטלי) דורשים לא רק אחסון סביבתי שונה אלא גם שיטות טיפול, ניהול ושימור שונים. לכן, יש להתעדכן בטכנולוגיות חדישות להעברת מידע.
- העברת תכנים - כדי לאפשר נגישות אוניברסלית ולהפחית את עומס השימוש במקור, המסמך חייב להישמר במעבר לפורמט תיעודי אחר כדי להימנע מאיבוד תכנים במעבר, בייחוד במעבר לפורמט דיגיטלי או מיקרופילם.

ג. "זכרון עולם" כתוב בסיכון

- שימור ארוך טווח: רצוי להימנע מ"הפתוי" לפתור את בעיית הנגישות קצרת-טווח כדי לא לפגוע באפשרות לשימור ארוך-טווח של מסמך מקורי (ללא עותק) ולמנוע בכך נזק בלתי הפיך.

ד. שותפים לפעולה

- שיתוף פעולה - חילופי ידע, ניסיון ומומחיות נחוצים והכרחיים. יתרון יחסי שפותח ע"י גוף מסויים עשוי לחסוך משאבים עבור אחרים.
- ידע מסורתי - אמצעי שימור אפקטיביים של אוספים תלויים בהקשר התרבותי. טכניקות ושיטות מודרניות יכולות להשלים אמצעי שימור אלו.
- סטנדרטים מקצועיים - הם אינדיקציה לחשיבות של ספריות וארכיונים המיוחסת להם ע"י ממשלות. הכשרה מקצועית צריכה לטפל בכל תחומי השימור מהבסיסי ועד לספציפי והייחודי ביותר.

ה. הנגשה

- עקרונות לנגישות - נגישות קבועה ל"זכרון עולם" הכתוב היא הזכות לדעת היכן? וכיצד ניתן לאתר אותה?
- נגישות אוניברסלית ל"זכרון עולם" כתוב - תלויה גם בכללים והתנאים של זכויות יוצרים אך יש להימנע מאילוצים מלאכותיים.
- נגישות פיזית ל"זכרון עולם" כתוב - לא תמיד אפשרית, בעיקר בגין המרחק ולכן הטכנולוגיה הדיגיטלית מאפשר נגישות בעלות נמוכה.
- מאגר "זכרון עולם" של אונסקו - מאפשר נגישות תמידית באמצעות האינטרנט.

ו. פרסום והפצה

- מוצרים והפצה - מסיבות שונות הנגישות למידע באינטרנט לא אפשרית לכולם. לכן יש מוצרים או תעשיות אחרות המספקות צורך זה (הוצאות לאור/אודיו ויזואליות/אינטרנט).
- פרסום ושיפור מודעות - העבודה השוטפת של מוזיאונים, ארכיונים אינה מובנת מאליה והיא זקוקה לתמיכה ולהגברת המודעות באמצעות פרסום על מצב האוספים החשובים ברמה הלאומית והבינ"ל.

ז. חינוך והכשרה

- חינוך הציבור - באמצעות הצגה מתמדת ופתוחה שלה גם באינטרנט.
- הכשרה מקצועית: ברמה גבוהה בינ"ל, אזורית ומקומית של אוצרים, ארכיונאים, ספרנים ומידענים.

II. תהליך ההגשה

1. הגדרות

א. מאגר לאומי - "זכרון עולם" שאושר ע"י הוועדה הלאומית.

ב. מאגר אזורי - "זכרון עולם" העומד בקריטריונים והמופיע ברשימה הלאומית ואושר ע"י הוועדה האזורית.

ג. מאגר בינ"ל - "זכרון עולם" העומד בקריטריונים ואושר ע"י אונסקו.

- תהליכי האישור והבחירה האזוריים והלאומיים ישקפו את התהליך הבינ"ל.

2. הקריטריונים לזכרון עולם

א. אותנטיות

- האם זהו הנשא המקורי?
- האם נקבע זיהוי מהימן?

ב. ייחודיות שלא ניתנת להחלפה

- האם אובדן או הדרדרות המסמך מהווה נזק ל"זכרון העולם"?
- האם יש משמעות והשפעה של המסמך מעבר לזמן ולמקום?
- האם יש השפעה (חיובית/שלילית) של המסמך על ההיסטוריה האנושית?

ג. החשיבות היא יחסית ולכן על כל מסמך לעמוד באחד או יותר מהתנאים הבאים:

- זמן - גילוי חדש וראשוני מסוגו.
- מקום - מקום היצירה וחשיבותה למהלך היסטורי.
- אנשים - הקונטקסט החברתי-תרבותי בה נוצרה היצירה האישית או הקולקטיבית המשקפת התנהגות אנושית, חברתית, תעשייתית, אמנותית או פוליטית.
- הנושא - מבטא התפתחות היסטורית או אינטלקטואלית במדעים שונים (חברה, טבע, אמנות וסיפור).
- צורה וסגנון - הערך האסתטי, הסגנוני והלשוני היוצא מן הכלל כדוגמה או טיפוס של הצגה ומנהג של פורמט נשא היצירה.

ד. תנאים הכרחיים:

- נדירות - האם זו יצירה נדירה המהווה דוגמא לדומות לה בזמנה?
- אותנטיות/יושרה - האם היצירה שלמה/חלקית? האם נפגעה או שונתה?
- סיכון - האם היצירה בסיכון? או דורשת שמירה מתמדת?
- תכנית ממשק - האם יש תכנית ממשק (הגנה) המשקפת את חשיבות היצירה?

ה. משמעות חברתית / רוחנית / קהילתית*

- מושג זה הינו דרך נוספת לבטא את המשמעות והחשיבות של התיעוד במונחים רוחניים או ערכים מקודשים.
המושג מאפשר לקהילה לבטא את הקשר הרגשי שלה למסמכים ולתיעוד על תרומתם לזהות והלכידות החברתית הקהילתית שלה.
- ישום קריטריון זה חייב לשקף משמעות חיה בעלת משמעות עבור האנשים החיים כיום.
- כאשר האנשים / העם / קהילה אינה מעריכה את המורשת שלה בזכות המשמעות הרוחנית / חברתית והקהילתית שלו מאחר ואינה קיימת הוא מאבד את החשיבות הייחודית הזו שיש לו ערך וחשיבות היסטורית.

* אושר ע"י הוועדה המייעצת הבינ"ל (2007).

3. מאגר זכרון עולם

א. המאגר יהיה מאוזן מבחינת -

- בעלות פרטית, אישית, ציבורית או לאומית וישקף תקופות היסטוריות.
- השימוש במרכיבים טכנולוגים מדעיים בשימור.

ב. מגישי מועמדות

- הגשת המועמדות תתבצע ע"י המדינה. על בסיס הצעות המומלצות ע"י הוועדה הישראלית לזכרון עולם (הוועד הישראלי לאונסקו).
- במקרים ש"זכרון עולם" הכתוב מפוזר בין מדינות ניתן להגיש מועמדות משותפת ע"י יותר ממדינה אחת.
- תינתן עדיפות למורשת בסיכון.
- "זכרון עולם" כתוב אינו נבחן על-פי ערכים של זמן או אסתטיקה בלבד.
- על הוועדה (הישראלית) לזכרון עולם, למפות את האוספים החשובים ביותר עבור המדינה ולסייע בהגשתן.

4. היבטים משפטיים / ניהוליים

א. רישום במאגר הלאומי או של אונסקו לא משפיע על מהות הבעלות או השימושים בו. אין כל מגבלות ואילוצים על הבעלים או הנאמנים שלו או על אונסקו. יחד עם זאת, הרישום מבטא את העניין של אונסקו ומחייב שימור של "זכרון עולם" הכתוב.

ב. תנאים מוקדמים לרישום

- אישור רשמי וחוקי שאין בעיה משפטית, חוזית או נסיבות תרבותיות שיעמידו בסיכון את היושרה או השמירה על מורשת כתובה.
- הוכחה ברורה של תכנית יישומית לשימור ולהגנה על המורשת הכתובה.

5. מועמדות לרישום בזכרון עולם

א. "זכרון עולם" הוא נכס של כלל האנושות והוא משתרע על-פני תקופות היסטוריות באזורים שונים בעולם. בחלקו הוא שייך, חוקית, לאנשים פרטיים או לארגונים ציבוריים או למדינות.

ב. מבחינה היסטורית, האנושות התברכה ב"זכרון עולם" מגוון ומתוחכם הנגזר מתהליכי שימור היסטוריים (מסורתיים), מודרניים (אלקטרונים) בעיקר של תרבות הרוב המאפילה על תרבות המיעוט. לכן, מבחינה זו המאגר חייב להיות מאוזן.

ג. למועמדויות של זכרון עולם בסיכון יש מגבלת זמן - אחת לשנתיים (2 עבור כל מדינה).

ד. הגשת מועמדות דורשת מהבעלים מחויבות לשמירה והתחייבות שאין כל מניעה משפטית, חוזית או נסיבות תרבותיות שיעמידו את היושרה או ההגנה עליה בסיכון.

ה. נדרשת הוכחה לתכנית ממשק (הגנה) שכל מרכיבי השימור הפיזי, זכויות היוצרים, ואלמנטים תרבותיים אחרים העשויים להגביל הנגישות, טופלו ונפתרו ואין כל מניעה לנגישות הציבור אליה. הרישום עצמו מסייע לשימור.

ו. הנגישות מתבטאת ב-3 מישורים:

- אימות החשיבות האוניברסלית, היושרה וההגנה עליה (זהו תנאי הכרחי ומינימלי).
- הפקה מחדש.
- ציבורית, פיזית, דיגיטלית או כל צורה אחרת כולל דוגמאות.
- כאשר המורשת הכתובה קיימת באופנים שונים (ספרים, סרטי קולנוע), בשפות שונות ובנוסחים שונים, הרישום יהיה של העבודה עצמה ולא של עותק כזה או אחר. לצורך כך יוגדרו הקריטריונים המתאימים לעותקים אחרים של העבודה, כפי שידרש.

ז. הגשת מועמדות כזו תביא בחשבון את השונות והמיוחדות של המועמדות על-ידי המדינה בהתבסס על הגורמים הבאים:

- התאמה מלאה לקריטריונים של ההכרזה.
- מורשת בסיכון.
- ייצוג חסר של פריטים במאגר זכרון עולם.

ח. הגשות של המועמדויות תתבצענה על-פי התבנית שנקבעה (נספח 2).

6. הגשת מועמדויות

מזכירות אונסקו תפעל לפי הנוהל הבא:

- רישום ואישור קבלת המועמדות.
- בדיקת שלמות המועמדות ומסמכים נלווים.
- העברת המועמדות לבדיקת ועדת משנה.
- הודעה על קבלת המועמדות והכנת מצגת לתקשורת.
- אישור מנכ"ל אונסקו.

7. חלוקת תפקידים בהערכת המועמדויות

א. המועצה הבינ"ל - אחראית לקבלת החלטות בהסתמך על המלצות ועדות המשנה.

ב. מזכירות - אחראית לניהול, הערכת השלמות של המועמדות לקביעת לו"ז.

ג. ועדת המשנה - אחראית להערכה יסודית ומעמיקה של המועמדות; להצגת המלצות למועצה הבינ"ל (IAC) לאישור או דחייה של המועמדות.

ד. המתודולוגיה מתייחסת לקריטריונים שצויינו לעיל וכוללת הערכה של מומחים תוך השוואה בינ"ל למועמדויות אחרות דומות בעולם.

ה. הוועדה תשתמש בשירותי ייעוץ של ארגונים בינ"ל רלוונטיים.

ו. המלצות הארגונים המייעצים יתייחסו לקריטריונים תוך זיהוי של נושאים משפטיים ומינהליים.

ז. ההערות תועברנה למגיש המועמדות לעדכון לפני קבלת ההחלטה ע"י המועצה הבינ"ל (IAC).

ח. המלצת הוועדה הבינ"ל (IAC) תכלול את ההנמקות לאישור או דחיית המועמדות.

8. הוצאה מהמאגר

ניתן להוציא ממאגר "זכרון עולם" אם וכאשר:

א. חלה הדרדרות במסמך או האותנטיות שלו נפגמה, כך שהוא כבר לא עומד בקריטריונים.

ב. קיים מידע או הערכה חדשים הקובעים שהמועמדות אינה ראויה.

- ארגון או המועצה הבינ"ל (IAC) יכול ליזום תהליך כזה בפנייה למזכירות.
- המזכירות תיידע ותבקש את תגובת מגישי המועמדות ולאחר מכן תמליץ אם להשאיר, להוציא או לדרוש תיקונים ותודיע על כך למגיש המועמדות.

9. "זכרון עולם" אבוד או חסר

א. בכל מדינה יש "זכרון עולם" אבוד או חסר ולכן יש לבנות מאגר/מרשם/מצאי של מורשת זו שאינה נגישה. המאגר מעניק פרספקטיבה בקונטקסט המתאים, זאת במטרה להגן על המורשת הקיימת.

ב. המאגר יקדיש מקום למורשת אבודה או חסרה, שאם הייתה קיימת היתה מופיעה בו.

1. מורשת אבודה - חומר שלא שרד אך תועד באופן מהימן.
2. מורשת חסרה - מורשת שלא ידוע מקום הימצאה ולא ניתן לאשר זאת.

ג. הקריטריונים של זכרון עולם רלוונטים במקרה כזה בשינויים הבאים:

- מאחר ואין בעלות ברורה על מורשת אבודה / חסרה אין צורך בהקשר משפטי, היסטורי ותרבותי.
- נושאי השימור, הניהול והנגישות אינם רלוונטיים למועמדות כזו.
- יש לתאר באופן מלא כיצד אבדה מורשת כתובה זו.
- מאחר והחומר לא נגיש ולכן גם הרישום אינו יכול להיות מדויק, אלא להיות מוצג במונחים כלליים ובדרך הטובה ביותר.
- כל אחד יכול להגיש מועמדות מעין זו ללא מגבלות, באמצעות הוועד הישראלי לאונסקו.
- אונסקו יכול ליזום מועמדויות כאלו.

III. מבנה, ניהול מעקב וניטור

1. מבנה וניהול "זכרון עולם"

לתכנית 3 רמות ניהול וביצוע:

א. המועצה המייעצת (IAC)

- חברים בה 14 מומחים המתמנים על-ידי מנכ"ל אונסקו.
- המועצה קובעת את הנוהל, המדיניות ומנחה את עבודת ועדות המשנה.

ב. ועדות משנה

- לשכה - (הרכב: יו"ר, סגני יו"ר). קובעת את סדר היום, שימוש בלוגו, הקשר עם ועדות מקומיות.
- טכנית - מגדירה ומפתחת מדריכי מידע לגבי שימור ובנוסף מייעצת בנושאים טכניים.
- שווק - מקדמת מדיניות לשפור המודעות הציבורית ומגייסת משאבים.
- רישום - מעריכה את המועמדויות בסיוע ארגונים מייעצים וממליצה בפני ICA.

ג. מזכירות - סקטור המידע באונסקו מספק שירותי מזכירות לתכנית.

2. מורשת בסיכון

- הנחיות אלו אינן רלוונטיות למורשת הנמצאת בסכנה בגין נסיבות פוליטיות, פיזיות (שימור), מלחמות ושימוש פרטי.
- כאשר ידוע על מורשת הנמצאת בסכנה, על המדינה ליזום תהליכים לשימורה.

3. קרן "זכרון עולם"**

- מטרת הקרן לסייע בהשגות יעדי התוכנית.
- משאבי הקרן באים מאונסקו וממקורות חוץ-תקציביים.
- הקרן תסייע לשימור, לנגישות, להכשרה ולהעלאת מודעות (שווק ויחסי ציבור).
- המועצה המייעצת תכין קריטריונים להקצאות ותסייע בהכנת מועמדויות.

* הקרן נועדה בעיקר למדינות מתפתחות.

4. ועדות לאומיות

א. על כל מדינה להקים ועדה מקומית לאומית לניהול, יזום, זיהוי ומיפוי של אוספים בעלי חשיבות מקומית ובינ"ל.

ב. הוועדה בין היתר תפקידיה:

- תיזום הכנת מאגר והגשת מועמדויות לאונסקו.
- תגדיר בחקיקה אוספים מקומיים ונכסים לאומיים
- תגדיר סמכויותיה ותפקידיה והקשר לארכיבים, מוזיאונים וספריות.
- תיידע את הציבור ותקדם מודעות ציבורית.
- תדווח באופן שוטף לוועד הישראלי לאונסקו.
- נספח 5 מגדיר את תפקידי הוועדה הלאומית לזכרון עולם.

ג. שימוש בשם ובלוגו של "זכרון עולם" (נספח 7)

לוגו ושם

- זכויות היוצרים של הלוגו והשם של זכרון עולם הם של אונסקו.
- המועצה הבינ"ל פיתחה הנחיות לשימוש בלוגו (נספח 7).
- בקשות רשמיות לשימוש בלוגו יש להגיש בכתב לוועד הישראלי לאונסקו.
- השימוש ניתן לתקופה מוגבלת ובהקשר של ספציפי.
- בכל מקרה יופיע שם המדינה בתחתית הלוגו עם סמלים אחרים.

זיהוי וביקורת

- שימוש בלוגו יינתן גם לספרים ופורמטים אלקטרוניים.
- גיוס משאבים באמצעות הלוגו ישמש, גם לצורך קידום מאגר "זכרון עולם" המקומי.

5. חסויות

א. חסויות מקומיות - ניתן להעניק חסויות ותמיכה לפעילויות ופרוייקטים כדי לקדם את מטרות התכנית עפ"י נהלי הוועד הישראלי לאונסקו.

ב. חסויות בינ"ל - לפעילויות מסויימות ניתן לקבל גם חסויות מטעם המועצה הבינ"ל לזכרון עולם בתיאום עם הוועד הישראלי לאונסקו.

ג. משאבים - יש לגייס ממקורות שונים.

6. מפגשי המועצה הבינ"ל

א. המועצה נפגשת אחת לשנתיים. ועדות המשנה נפגשות לפי הצורך.

ב. המועצה מארגנת מפגשים בינ"ל או אזוריים עבור יו"רי ועדות מקומיות.

ג. באמצעות אתר האינטרנט של התכנית ניתן לקבל מידע מגוון, מקורות וחומרים העשויים לשרת את הוועדה המקומית. (www.unesco.org/ci/wmp)

7. ניטור ומעקב**

א. המועצה חייבת בדווח שוטף על:

- פעילויות ותוכניות רלוונטיות.
- אחזקת המאגר.
- ניטור ושימור של אוספים.
- מעקב אחר שימוש בלוגו זכרון עולם.

ב. לכל מועמדות תהיה תכנית ניטור (תנאי הכרחי ולא מספיק).

8. הקשר לתכניות משיקות באונסקו

- המלצות ליצירות בעל-פה (1989).
- האמנה למורשת תרבותית וטבעית עולמית (1972).
- האמנה למורשת תרבותית תת-ימית (2001).
- האמנה למורשת תרבותית לא-מוחשית (2003).

9. קשרים עם ארגונים לא-ממשלתיים

- ארגונים לא ממשלתיים הם תשתית הכרחית של מומחיות אוצרות, מדיניות וייעוץ טכני. מעורבות ארגונים אלו נחוצה בכל הקשור לפיתוח וקידום המועמדות ברמה המקומית, הלאומית והבינ"ל.

10. מימון, שיווק וגיוס משאבים

א. מימון ושיווק

- הקצאת משאבים - על המדינה לפעול להקצאה מתאימה לגופים העוסקים בארכיונים, מוזיאונים וספריות.
- על הגוף הממשלתי האחראי לתקצב באופן הולם ולאורך זמן את המוסדות הנ"ל כחלק ממדיניות הממשלה.

ב. גיוס משאבים

- גיוס משאבים יעשה ע"י כל גוף בנפרד למימון פעילותם. (המועצה הבינ"ל)
- על התרומות לא להשפיע על איכות האוספים המופיעים במאגר הלאומי.
- נחוץ שיתוף פעולה בין הארגונים והממשלה בגיוס משאבים לשימור ודיגיטציה של המורשת הכתובה והאודיו-ויזואלית או כל מורשת אחרת.
- על הארגונים המגישים מועמדויות מוטלת אחריות לגיוס משאבים נוספים בהתאם לצורך.

** מתבצע גם ברמה המקומית.

נספח 1: מאגר / מרשם ארצי
הרשימה הטנטטיבית - Tentative List (T.L.P)

הרשימה הטנטטיבית היא מאגר / מרשם / ארצי של אוספים קיימים העומדים בקריטריונים של אונסקו (הפרמטרים ל-T.L.P מנוסחים ב"הנחיות הכלליות").

הבקשות מוצעות לרישום בזיכרון העולם הישראלי יכללו תקציר (2-4 עמודים) של הפרטים הבאים:

- שם האוסף
- הסבר של חשיבות משמעות המורשת התיעודית של האוסף (ראה את תהליך הצעת המועמדות);
- תמצית תכנית הניהול-הממשק והסבר של הסוגיות שיטופלו לצורך פיתוח, שימור והגנה;
- תיאור המצב הפיזי הנוכחי של האוסף;
- תיאור מידת הסיכון שהאוסף נתון בו ואופיו;
- תיאור ההצעה והתוצאות הצפויות – פרטים מדויקים לגבי הסטנדרטים שיש להקפיד עליהם והאסטרטגיה שיש להפעיל כדי להשיג את התוצאה;
- אישור תקציבי למימון העלויות הכרוכות בהגשת המועמדויות.

התהליך נבדק על ידי הוועדה הלאומית לזיכרון העולם הישראלית בחסות הוועד הישראלי לאונסקו. רצוי שיוזם ההצעה ייוועץ בוועד הישראלי בכל מקום שאפשר לעשות כך.

נספח 2: תבנית המועמדות***

חלק א - מידע חיוני

1. תקציר

- הדגש את האופי, הייחודיות והמשמעות של המורשת התיעודית המועמדת.
- **ההגשה באנגלית**

2. פרטי מגיש המועמדות

2.1 שם (אדם או ארגון)

2.2 הקשר למורשת התיעודית המועמדת

2.3 איש (אנשי) קשר

2.4 פרטי התקשרות (כתובת, טלפון, פקס, דוא"ל)

3. זיהוי ותיאור של המורשת התיעודית

3.1 שם ופרטי זיהוי של הפריטים המועמדים

3.2 תיאור

תיאור המורשת התיעודית

4. הצדקה להכללה / הערכה לפי קריטריונים

- עיין ב'הנחיות הכלליות' כדי לזהות הקריטריונים למועמדות (נספח 3).

יש לענות על כל אחת מהשאלות.

4.1 האם הצדקת האותנטיות מבוססת?

4.2 האם המשמעות העולמית, הייחודיות, והיותה של המורשת לא ניתנת להחלפה מבוססת?

4.3 האם המועמדות עומדת באחד או יותר מהקריטריונים של (א) זמן (ב) מקום (ג) אנשים (ד) נושא (ה) צורה וסגנון?

הסבר כל קריטריון שנבחר.

4.4 האם קיימות בעיות של נדירות, שלמות, איום וניהול במועמדות זו?

*** ניתן להעזר באתר האינטרנט של זיכרון העולם (www.unesco.org.webword/mdm).

5. מידע משפטי

5.1 הבעלים של המורשת התיעודית (שם ופרטי התקשרות)

5.2 האפוטרופוס של המורשת התיעודית (שם ופרטי התקשרות, אם שונים מאלה של הבעלים)

5.3 מעמד משפטי:

(א) קטגוריה של בעלות

(ב) נגישות

(ג) סטטוס זכויות יוצרים

(ד) אדמיניסטרציה אחראית

(ה) גורמים אחרים

6. תכנית ניהול-ממשק

6.1 האם יש תכנית ניהול-ממשק למורשת תיעודית זו? כן/לא. הסבר!

- צרף את התכנית, אם אין תכנית-ממשק, אנא צרף פרטים נוספים על אחסון החומרים והאפוטרופסות עליהם.

7. התייעצויות

7.1 ציין פרטי התייעצויות בדבר מועמדות זו עם (א) הבעלים של המורשת (ב) האפוטרופוס (ג) 'ועדת זיכרון עולם' של הוועד הישראלי לאונסקו.

חלק ב - מידע משני

המידע להלן לא יובא בחשבון בהחלטה אם לרשום מורשת תיעודית או לא ב'רישום זיכרון עולם', אבל הוא ייכלל במסד הנתונים כמידע נוסף. אפשר שמקצת המידע יילקח מתכנית הניהול-הממשק (סעיף 6 לעיל).

8. הערכת סיכון

8.1 פרט את האופי וההיקף של האיומים כלפי מורשת תיעודית זו.

9. הערכת שימור

9.1 פרט את הֶקשר השימור של המורשת התיעודית.

חלק ג – הגשה

מגיש המועמדות הוא:

(שם) .....

(שם הארגון) .....

(כתובת) .....

(טלפון) .....

(טלפון נייד) .....

(דוא"ל) .....

(חתימה) ..... (תאריך) .....

נספח 3: תבנית ההצעה להגשה למאגר/ מרשם הארצי

מסמך זה מיועד הן לרישום מורשת כתובה במאגר/מרשם הישראלי של זיכרון עולם והן לרישום מורשת תיעודית בסיכון.

זיהוי המורשת התיעודית

1. **כותרת ושם ההצעה**
2. **הצהרה על המשמעות הבינ"ל - אוניברסלית/ לאומית/ מקומית**
3. **המצב הפיזי הנוכחי**
4. **האם המורשת נתונה בסיכון. ציין את הסיכונים ודרכי ההתמודדות.**
5. **נגישות**
   - רמות הנגישות ופירוט המגבלות הקיימות והפוטנציאליות
   - מעמד זכויות יוצרים
   - ביבליוגרפיה, כולל זמינות בשפות אחדות

6. **ניהול המורשת התיעודית**

· האחראי להכנת תכנית עבודה, ארגון צוותי עבודה, עריכת מחקרים טכניים וכו'.

שם:

מוסד:

כתובת:

טלפון: טלפקס: דוא"ל:

7. **מדינות אחרות הקשורות למורשת:**

- יש לציין את שמות המדינות בעלות עניין או נגיעה להצעה

8. **בעלי עניין**

- ציין שמות כל בעלי העניין המשתתפים בפרויקט.

9. **משך ביצוע תכנית העבודה:**

- ציין מספר חודשים/שנים

10. **תאריך תחילת העבודה:**

- ציין חודש/שנה

תיאור ההצעה ותוצאות צפויות

1. תיאור ההצעה (תקציר)

אנא תאר בקצרה את ההצעה וציין את מאפייניה המרכזיים, המוטבים, פעילויות, מוצרים או שירותים שיופקו ואופן השימוש בהם, קווים כלליים לתכנון הטכני, השלבים התפעוליים וכל עובדה רלוונטית אחרת, כולל:

- פעולות שימור נדרשות: חומרים, שיטות וסטנדרטים לפעולה
- כישורי כוח אדם ודרישות הכשרה
- שותפים / בעלי עניין.
- היקף שיתוף הפעולה בקרב המדינות המשתתפות

יש לצרף תיאור מפורט ומקיף.

2. תוצאות צפויות

- יש לכמת ככל האפשר את תוצאות העבודה הצפויות ולספק נתונים בעניין מוטבי הפרויקט (כגון המספר המשוער של משתמשים, מודרכים, משתתפים) והצמיחה הצפויה בשנים הראשונות.
- יש לתאר את התוצרים והשירותים שיופקו (פרסומים, מסמכים דיגיטליים, תקליטורים, פיתוח אתרי אינטרנט, ערכות הדרכה, ייעוץ, סיוע), יש לציין במיוחד:
- אסטרטגיה שיווקית
- מוצרים ובעלותם
- ניהול ארוך טווח של מוצרים
- הפצה של מוצרים והקצאת הכנסות

דרישות: משאבי אנוש וציוד

3. משאבי האנוש הנדרשים מתכנית 'זיכרון עולם' של אונסקו.

- האם יש צורך במומחים בין-לאומיים? ציין את סוגי המומחיות והפרופיל הנדרש. ציין מספר חודשי עבודה. ('זיכרון עולם' תוכל לספק רק מומחים לטווח קצר).

4. הציוד הנדרש

- צרף רשימת ציוד ואספקה לצורך שימור וכן רשימת ציוד מחשב הכוללת סורקים, חבילות תוכנה לשיפור הנגישות.

תכנית עבודה (ממשק)

- תאר את שלבי העבודה וציין תאריך התחלה של כל שלב, משך השלב, שיטות העבודה ופרקי הזמן לצורך הערכת התוצאות.
- ציין את תכנית ההערכה של התוצאות לאחר השלמת כל שלבי העבודה.

נספח 4: הנחיות כלליות להגשת המועמדות

השלב הראשון הוא להגיש בקשה להיכלל במאגר/מרשם הארצי הרשימה הטנטטיבית הישראלית (נספח 3). רצוי ליצור קשר עם הוועד הישראלי לאונסקו כבר בהתחלה כדי לקבל סיוע בהכנת המועמדות.

השלב השני הוא פיתוח של המועמדות והגשתה למזכירות הוועדה ל'זיכרון העולם'. אם מדובר במורשת תיעודית הנמצאת בכמה אתרים, או אם יש לה כמה בעלים או מעניקי חסות, יש לכלול את הפרטים המלאים של כל רכיב, בעלים או מעניק חסות בהגשת המועמדות.

- להלן מדריך המתאר צעד אחר צעד את מילוי טופס הגשת המועמדות לתכנית 'זיכרון עולם'. הגשת מועמדויות לרישום עשויה לחייב מידע נוסף.

חלק א – מידע חיוני

1. תקציר

זהו 'חלון הראווה' של המועמדות: סיכום קצר המתאר את המורשת התיעודית ואת הסיבות התומכות בה; חשוב לתמצת את המידע החיוני.

2. מגיש הצעת המועמדות

סעיף זה נועד למידע על מקור המועמדות.

2.1 יש לציין פרטים של האדם/ האנשים או הארגון/ הארגונים המציעים את המועמדות. (שם, כתובת, טלפון, טלפון נייד, דוא"ל).

2.2 יש להסביר את הרקע של מגיש המועמדות וכיצד הוא קשור למועמדות. כך למשל, אפשר שמגיש המועמדות יהיה בעל תפקיד אחראי בספרייה או בארכיונים המחזיקים את המורשת התיעודית האמורה בבעלותם; אפשר גם שמדובר באדם פרטי המתעניין במורשת מבחינה מחקרית.

2.3 יש לציין מי אחראי על תהליך הגשת המועמדות.

2.4 יש לציין את הפרטים כדי לאפשר יצירת קשר מיידי.

3. זהות ותיאור של המורשת התיעודית

3.1 להלן פרטים האמורים להיכלל במועמדות:

- שם מלא ותאריכים של ההצעה;
- שם וכתובת מלאים של פרטי הבעלים והאפוטרופוס – מוסד או יחיד;

3.2 התיאור צריך להיות מקיף ככל האפשר. עליו לכלול:

- תיאור ומלאי, ובהם סיווג קטלוגי/ מדריך או גישה דומה למידע;
- פרטים ביבליוגרפיים ופרטי רישום;
- מקור התיעוד – כיצד ומתי הושג החומר ושולב בחומר שבידי הארגון;
- ניתוח או הערכה של המצב הפיזי – תיאור של הסדרי אחסון, אבחון, אחזור ומצב השימור;
- תיעוד חזותי – צילומים או סרט וידאו של המורשת התיעודית ואופן אחסונה;
- ביבליוגרפיה: יש לרשום מקורות שפורסמו המתארים את המורשת התיעודית;
- ממליצים: יש לציין שמות, כישורים ופרטי הקשר של מומחים או ארגונים עצמאיים המסוגלים לחוות דעת מקצועית על המשמעות והמקור של המורשת התיעודית.

4. קריטריונים להצדקה

- יש לשקול את הקריטריונים לבחירה המוצגים ב'הנחיות הכלליות' ולספק הצדקה מלאה להצעת המועמדות לרישום. ייתכן שיתבררו פרטים נוספים בעת ההערכה של הצעת המועמדות.

4.1 אותנטיות: יש להסביר – מדוע המורשת התיעודית אותנטית? האם האותנטיות מסתמכת על מקור מבוסס היטב או על בדיקת מומחה שהראתה שהוא אמיתי?

4.2 משמעות עולמית, ייחודיות והיעדר תחליף: יש להסביר – מדוע או כיצד המורשת משמעותית וייחודית כל כך? עד כמה יהיו חמורות תוצאות אבדנה? האם אפשר להוכיח שהיא עומדת במבחני ההשפעה כפי שהוגדרו כאן?

4.3 (א) זמן (ב) מקום (ג) אנשים (ד) נושא (ה) צורה וסגנון: הם קריטריונים החלים על המורשת התיעודית. לפחות אחד מהם חייב לחול עליה. יש להסביר כל אחד מהקריטריונים הרלוונטיים.

4.4 סוגיות של נדירות, שלמות, איום וניהול-ממשק: יש להבהיר בקשר לכל אחת מסוגיות אלו מהם ההקשרים החשובים בהערכת המועמדות.

4.5 המשמעות חברתית / רוחנית של המועמדות עבור הקהילות

5. מידע משפטי

5.1 ו-5.2 קורה לעתים שאפוטרופוס המורשת התיעודית אינו הבעלים. עם הגשת המועמדות חיוני לקבוע את זהות שניהם.

5.3 כמו כן יש הכרח לבסס כך את המעמד המשפטי המלא של המורשת התיעודית:

(א) קטגוריה של בעלות: האם הבעלות על המורשת התיעודית פרטית, של מוסד ציבורי או של תאגיד מסחרי?

(ב) נגישות: האם יש גורמים המגבילים את נגישות הציבור לחומר?

(ג) מצב זכויות יוצרים: האם חלק כלשהו או כל המורשת התיעודית נתונים לזכויות יוצרים?

האם אפשר לזהות את בעל(י) זכויות היוצרים ואת הזכאות(זכאויות) שלהם?

(ד) ניהול אחראי: מי אחראי משפטית לשמירת החומר, וכיצד מיושמת אחריות זו?

(ה) גורמים אחרים: האם יש נושאים אחרים שצריך להביאם בחשבון? למשל, האם מוסד כלשהו מחויב על פי חוק לשמר את המורשת התיעודית המוצגת במועמדות זו?

6. תכנית ניהול-ממשק

6.1 יש לספק תקציר של פרטי תכנית הניהול למורשת התיעודית ולצרף העתק של התכנית.

- תכנית ממשק וניהול תכלול (נספח 4):
- הצהרה על משמעותה של המורשת התיעודית
- המדיניות והנהלים בכל הקשור בגישה ובשימור ואת תקציב השימור
- מומחיות השימור הזמינה והמתקנים הזמינים
- תחזוקת הסביבה הפיזית שהחומר נמצא בה (כגון איכות האוויר, הטמפרטורה והלחות, אופן האחסון על מדפים, האבטחה)
- אסטרטגיית מוכנות למקרי אסון.
- אם אין תכנית ממשק וניהול יש להסביר:

  האם הדבר נובע מהיעדר כישורים, מתקנים או מחסור בכספים?

  אופי האחסון הנוכחי ואת סביבת השמירה של המורשת התיעודית.

7. התייעצות

7.1 התייעצות לפני הגשת מועמדות מחזקת אותה ומונעת בלבול או עיכוב. בדרך כלל מתייעצים התייעצות מוקדמת עם הבעלים או האפוטרופוס של המורשת התיעודית, אלא אם יש סיבות מיוחדות שלא לעשות זאת.

- מומלץ מאוד להתייעץ עם 'ועדת זיכרון העולם' של הוועד הישראלי לאונסקו.

חלק ב - מידע משני

מידע זה אינו מובא בחשבון בהחלטה אם לכלול את הצעת המועמדות ברישום. הוא מספק בעיקר ידע הֶקשרי חשוב לתכנית, במיוחד אם המורשת התיעודית נתונה באיום.

8. הערכת הסיכון

8.1 יש לשים לב במיוחד ל"הנחיות הכלליות" ולתאר את הסיכונים או האיומים, למשל:

- מצב פוליטי בתוך המדינה ומחוצה לה;
- התנאים הסביבתיים בתוך מבנה האחסון ומחוץ לו (למשל, בסמוך למגדל חשמל, נוכחותם של מזהמים באוויר);
- תנאים פיזיים של החומר (למשל, שיטת האחסון, איכות האריזה);
- היעדר תקציב שימור מספיק;
- ההיקף והאופי של הנגישות.

9. הערכת שימור

9.1 יש לפרט את הֶקשרי השימור של המועמדות;

- מצבה הפיזי הנוכחי;
- תולדות השימור שלה;
- מדיניות השימור הנוכחית (כולל זמינותם של מתקנים וצוות מיומן);
- האדם/הארגון האחראי על השימור.

חלק ג – אחסון

פרטים על אחסון האוסף נדרשים לצורך הרישום.

נספח 5: אינדיקטורים לתוכנית ממשק וניהול

- באופן אידאלי, תכנית ניהול וממשק למורשת תיעודית כתובה היא רכיב אחד מתכנית כוללת של ניהול השימור לספרייה, לארכיון או לארגון אחר שבו המסמך, האוסף מאוחסנים.
- יש לפתח תכנית ניהול וממשק למועמדות היעודית ותכנית כוללת לניהול השימור בארגון.
- על התכנית אסטרטגיות נאותות לשמר ולספק נגישות למורשת זו.

להלן רשימת אינדיקטורים של גורמים להכללה בתכנית הממשק והניהול. המידע שב"הנחיות הכלליות" יעזור בפיתוח התכנית.

- הצהרה על משמעות המורשת התיעודית לפי קריטריונים
- מדיניות נגישות ונהלים
- פרטים על תקציב השימור
- נהלים ומדיניות של שימור כדי לשלוט בסביבה הפיזית – דהיינו, איכות האוויר, הטמפרטורה, הלחות, רמות האור, המדפים, האחסון, האבטחה, תחזוקת הבניין, טיפול הצוות והמשתמשים וטכניקות של תצוגה.
- נהלים ומדיניות אלו צריכים להביא בחשבון את המשמעות, המצב הפיזי והשימוש הנדרש במורשת התיעודית.
- טיפולי שימור שיושמו, ובהם פרטים על גישה למומחיות שימור ומתקני שימור מקצועיים
- מניעת אסון ותכנית שיקום
- כוח אדם מקצועי וצוות השימור, כישוריו, הדרכה ופיתוח של יכולות מקצועיות
- תיאור האופן שבו פעילות השימור משולבת בפעילות הניהול הכללית של הארגון.
- תקציבים.

Oslo 13.02.2007
Version 2.1

נספח 6:

Guidelines for licenses to use the Memory of the World logo

This note is to discuss the principles in using the Memory of the World Logo or Emblem. These principles will have to be contained within the general principles of the UNESCO, but take into account the special purposes of the Memory of the World programme. It is suggested that a right to use the logo will be available for two main reasons:

- To indicate that the documentary object is entered upon the Memory of the World register
- To associate a company or an organisation with the objectives of the Memory of the programme, and for an economic consideration.

Restricting the use of the logo becomes an important element in defending the value of the logo to a sponsor. At the same time, the logo should be associated directly with the documentary heritage included in the Memory of the World register(s), it is by this association with valuable and outstanding examples of the world's documentary heritage that the primary value of the logo is created.
These guidelines have to be co-ordinated with the general policy for the protection and use of the name, acronym and logo of UNESCO.

What is to be protected?

The object of the protection is the Memory of the World logo. It has not been decided which *versions* of he logo should be defined. It is suggested that there should be three versions – on the international, regional and national level.
The form of the logo for these three versions would have to be decided. It is suggested that the international level logo.
For the regional and national versions, the logos of UNESCO and the Memory of the World are accompanied by a *text* indicating the version.
One may consider whether these ranges of logos are sufficient, or whether one would like to introduce special classes. In some cases "gold" licenses are awarded to a strictly limited number of sponsors.
One may want to introduce something similar in this licensing scheme in order to offer a special status to international sponsors making an exceptional contribution to the Memory of the World programme.

The object of protection is the:

1. Memory of the World logo (international t version accompanied with the UNESCO logo).
[Reproduction of correct linked logo]

2. UNESCO linked logo with Memory of the World logo (regional version accompanied with the name of the regional committee)
[Reproduction of correct linked logo]

3. Memory of the World logo (national version accompanies with the name of the national commission)
Reproduction of correct linked logo]

Using the logo by regional or national committees

It is suggested that regional or national committees may use the logo for their own documents. This does not imply the authority to negotiate licences, see sect. 4.

2. Use by regional or national committees
When a regional or national committee has been established and recognised by UNESCO (for regional committees) or the national commission (for national committee), this committee may use the logo appropriate (see sect 1) for its own activities.
This permission may be revoked by the UNESCO at any time.

Using the logo for documentary heritage part of the Register(s)

There are foreseen three different types of registers corresponding to the international, regional and national levels. Documentary heritage is entered into one of the registers; this process is outside the scope of these guidelines.
The use of the logo should be permitted by the documentary heritage included in the register; at the same time one should take care to restrict the use of the logo, not to inflate its commercial value.
A principle of "close association" is suggested for the use of the logo for registered documentary heritage.
This imply that the logo can be used for a document on display, but not the institution itself – the manuscript of Ibsen's "A Doll's House" may be displayed in a case bearing the logo, but the National Library, being the host to the manuscript, may not use the logo more generally, for instance for its entrance hall, on general stationary *etc.*
Likewise, the principle will guide the use of the logo for publicity or other material – the logo may only be used in presentations of the documentary heritage itself.
Only the host institution will be permitted to use the logo for publications – for instance a scholar analysing the documentary heritage will not be permitted to include the logo in a paper, monograph, text-book *etc.*
For publishing on the web, the same principles apply.
For the web, care also should be taken to secure the logo in a way which makes it difficult to copy from the site, and be used by third parties outside the control of the Memory of the World programme. .
One may consider procedures in which UNESCO may decide or guide such use, and one may consider responsibility or liability of the host institutions in cases of use violating these principles.

3. Principle of close association
Documentary heritage included in a register may be associated with the appropriate logo. The logo may only be used in as close association to the registered heritage as circumstances allow, and should not be generally associated with the host institution, its general facilities *etc.*

For documentation, the logo may be used in presentations, discussions and analysis of the material by the host institution.

The host institution is permitted to use the appropriate logo for its own website when presenting the documentary heritage. For web sites, the logo should be appropriately secured against copying.

Licences to third parties to use the logo

It is believed that sponsors to the Memory of the World programme may be motivated by a licence to use the logo for associating itself with the objectives of the programme.
This requires setting out who negotiate such a license.
It is suggested that authority to negotiate licenses is distributed among the three levels of the programme foreseen – the national commissions, the regional organisations and the international level. Next, it has to be indicated who or how economic consideration for the use of the logo is to be decided.
There is believed to be pragmatic factors relevant for this apart from the three different levels.
One obvious factor would be the importance and nature of the documentary heritage.
Another obvious factor would be the relation between the documentary heritage and the activity of the sponsor.
A third would be the goodwill the sponsor perceives may be gained in the community to which the documentary heritage belongs.
A fourth factor may be the nature of the contribution by the sponsor – it will typically be money, but may be goods or services in kind, for instance related to the preservation of the documentary heritage or the facilities in which it is preserved, production of digital copies, making the documentary heritage accessible to the public, *etc.*
It is suggested that such pragmatic factors best can be assessed on the level to which the contribution is made.
Therefore the authority to decide on the appropriate consideration is proposed to reside with the level granting the license.
Nevertheless, UNESCO may want to consider guiding principles in order to harmonise the considerations between the different authorised organisations.
The license should also always be limited.
Such limitations may be of different kinds, but the license should always be limited in *time*.
A maximum of four years is suggested, corresponding to the term of the
International Advisory Committee to the Memory of the World programme.
This may be perceived as somewhat long, but one should take into account that the sponsor may need time to prepare the utilisation of the logo.
Limitations of other kinds should be considered, like the type of exploitation or the type of goods, services or activities the logo may be associated by the sponsor.
UNESCO may want to inform the sponsor of the more general conditions of the license, contained in these guidelines.
The authorised organisation should therefore always include these guidelines in an annex to the licence.

4. Authority to negotiate licenses

1. Use of the international logo can only be licensed by UNESCO.

2. On the recommendation of the International Advisor Committee, UNESCO may authorise a regional committee to licence the use of the regional logo.

3. On the recommendation of a national UNESCO commission, UNESCO may authorise a national committee to license the use of the national logo.

4. Consideration to be paid by the sponsor is decided by the organisation authorised to grant the licence.

5. The license should always be limited in time, the maximum period should be four years. The license may also be limited to what material, events *etc* the sponsor may associate the logo, and may specify what for what goods, services, activities *etc* the sponsor may utilise the logo.

6. These guidelines should always be annexed to a contract, as well as the general directive for the use of the name, acronym, logo and Internet domain names for UNESCO.

Notifications *etc*

In order to exercise a minimum control of the exploitation of the logo, there needs to be principles of notification. It would seem appropriate if the licenses were made available to UNESCO, and that a summary report was presented to the International Advisory Board for its bi-annual meetings.

5. Notification
On concluding a license, a copy should as soon as possible be made available to the UNESCO.
A report summarising the licenses concluded since its last meeting should be presented to the International Advisory Board.

Intervention by UNESCO

One may consider whether there is necessary to have a safety valve in order to let UNESCO check that the license is in line with guidelines and other elements of UNESCO policy.
There are several ways of doing this, but one has to bear in mind that a contract is entered between an authorised organisation and the sponsor.
Though UNESCO may through its general authority direct the activity of the authorised organisations, it has no authority over the sponsors, and no authority to intervene in contracts legally concluded.
To ensure control, one may re-consider whether the organisations should be authorised to contract for licenses, and that a contract only became binding on the confirmation of UNESCO.
Another alternative would be to delay the effect of the contract until UNESCO was notified, and has had sufficient time to react if the contract contains element not desired.
The latter alternative implies less bureaucracy.
This may still be deemed less than sufficient for controlling the use of the logo.
In the case of an authorised organisation contracting a lenience in breach of the principles in these guidelines, it will be a matter of the law governing the contract whether the contract will be valid.

6. Intervention
A contract shall not take effect until three months after the authorised organisation has notified UNESCO of the license.

Role of the International Advisory Board

According to the proposed guidelines, the International Advisory Board will have a report for its bi-annual meetings on the licenses negotiated by the authorised organisations since its last meeting. It is presumed that the International Advisory Board in this way will gain insight into the operation of the licensing scheme. On the basis of such experience, the International Advisory Board may decide to advice UNESCO to revise the guidelines. Revised guidelines may then be adopted by the UNESCO, and made applicable to future licenses negotiated by the authorised organisations.

Jon Bing

נספח 7: הוועדה הישראלית לזיכרון עולם

א. שם

הוועדה הישראלית לזיכרון עולם (ISMOWC)

ב. תפקידים

- שימור הזיכרון ההיסטורי-תרבותי הישראלי;
- הכנת מרשם/מאגר של אוספים ישראליים (רשימה טנטטיבית);
- ניהול מעקב וניטור תהליך הרישום וההגנה על האוספים;
- שיתוף פעולה עם ארגונים ממשלתיים ולא ממשלתיים לקראת פיתוח מרשם ישראלי;
- העלאת המודעות לקידום תכנית 'זיכרון העולם'.
- עידוד הגשת הצעות מועמדויות של מורשת תיעודית, קבלתן והערכתן;
- תיאום הגשת מועמדויות לרישום של 'זיכרון העולם';
- עידוד וגיוס תמיכות וחסויות – (ממשלתית ופרטיות) ליישום פרויקטים ופעילויות ספציפיות של 'זיכרון העולם';
- שמירה על קשר עם מזכירות התכנית הבינ"ל באונסקו.

ג. חברות

- הוועדה תכלול עד 25 חברים.
- הרכבה יבטא את השונות התרבותית הישראלית.
- חברים ייבחרו על בסיס מומחיותם בתחום ועל סמך יכולתם לתרום להשגת יעדי התכנית.
- לכל ארגון יהיה נציג אחד.

ד. איוש הוועדה:

1) נציגי ארגונים לא ממשלתיים

- קהילת הארכיבאות (כתובה)
- קהילת האודיו-ויזואלית
- קהילת הספריות
- קהילת המוזיאונים
- מומחים לשימור
- ארגוני שימור למוסדות מורשת תרבותית (לא מוחשית)
- ארגוני פולקלור
- מוסדות להשכלה גבוהה

2) **נציגי משרדי ממשלה**
- מינהל תרבות
- משרד החינוך
- הוועד הישראלי לאונסקו

ה. תקופת כהונה
- הוועדה תמונה לתקופה של ארבע שנים, עם אפשרות להארכה לתקופות נוספות.

ו. בעלי תפקידים
- יו"ר הוועד הישראלי לאונסקו ימנה את יו"ר הוועדה, סגנו והחברים.

ז. תפעול הוועדה
- הוועד הישראלי לאונסקו יספק שירותי מזכירות לוועדה.

ח. תקציבים/ מימון/ גיוס משאבים
- הוועדה תגייס את תקציבה (מינהל תרבות), והוא ישמש בעיקר להגברת המודעות לתכנית ולקידומה.
- המשרד הממשלתי הרלוונטי יממן את הפעילות השוטפת של הוועדה ואת תהליך הגשת המועמדויות לאונסקו.
- הוועדה תתאם לפי הצורך פרויקטים או משימות.

י. רישום אוספי 'זיכרון עולם'
- הוועדה תמליץ בפני הוועד הישראלי לאונסקו על אוספים ישראליים מתאימים לרישום בתוכנית הבינ"ל של אונסקו.
- הוועדה תבצע את רישום האוספים של מורשת ישראלית, והוועד הישראלי לאונסקו או גוף מטעמו ינהל את המאגר.
- אתר הוועד יספק גישה אלקטרונית למאגר.

יא. מפגשי הוועדה
- יתקיימו לפחות שתי פגישות בשנה במשרדי הוועד הישראלי לאונסקו.

מניין / פורום להחלטה
- נוכחות חצי מהחברים תיחשב לצורך קבלת החלטות.

סיכומי פגישות
- לכל פגישה יירשם סיכום, והוא יעמוד לרשות הציבור על-ידי המזכירות והוועד הישראלי לאונסקו.

דיווח

- דוח שנתי על פעילויות הוועדה יוגש למזכירות הוועד הישראלי לאונסקו.

ועדות משנה

- ועדות משנה יוקמו על פי הצורך.

BACK

עקרונות לשימור

מדיניות והנחיות

לניהול בר-קיימא של הסביבה ההיסטורית

אנגליה

BACK

פתח דבר

ניהול בר-קיימא של הסביבה ההיסטורית מסתמך על עקרונות, כללי מדיניות ברורים והנחיות המבוססות על עקרונות אלה, וכן על איכות ההחלטות הנגזרות מיישומם העקבי. בתחילת המאה ה-21 אנו זקוקים למסגרת תפיסתית ברורה ומקיפה למושג השימור; כדי להטמיע נוהלים מיטביים, בהינתן הרפורמה המתקרבת בחקיקה והצורך בנוהלי עבודה אחידים יותר. עקרונות, כללי מדיניות והנחיות אלה לניהול בר-קיימא של הסביבה ההיסטורית פותחו בדיון והתייעצות מקיפים, הן בתוך המורשת האנגלית והן בקרב מומחים לסביבה היסטורית. ומעבר לכך, היעד העיקרי בפיתוח העקרונות, כללי המדיניות וההנחיות הינו לחזק את אמינות ועקביות ההחלטות המתקבלות ע"י רשות המורשת האנגלית, שיפור השקיפות באמצעות קביעת מסגרת לדיון בחקר מקרים . הצלחתנו תימדד לפי היקף הטמעתו של מסמך זה.

במשך הזמן, ובשילוב עם הרפורמה בחקיקה, אנו מקווים כי המסמך יסייע ביצירת מסגרת פרוגרסיבית אשר תחולל שינוי בסביבה ההיסטורית בעלת מטרה ברורה ליישום בר-קיימא של השימור.

לורד ברוס-לוקהארט

יו"ר

רשות המורשת האנגלית

אפריל 2008

תוכן עניינים

רקע

השימוש במסמך

הקדמה

מטרות

מושגים ורעיונות

ההקשר ומסמכי מדיניות אחרים

תאום עם חקיקה קיימת ומוצעת

עקרונות שימור

עקרון 1: הסביבה ההיסטורית כמשאב משותף

עקרון 2: יש לאפשר לכל להשתתף במאמץ לשמור על הסביבה ההיסטורית

עקרון 3: הבנת חשיבות "המקום" הינה חיונית

עקרון 4: מקום בעל חשיבות חייב להיות מנוהל על מנת לשמר את ערכיו

עקרון 5: החלטות מחוללות שינוי חייבות להיות סבירות, שקופות ועקביות

עקרון 6: לתיעוד וללימוד מטעויות יש חשיבות מכרעת

הבנת ערכי המורשת

- ערך עדותי: פוטנציאל ה"מקום" לספק ראיות לפעילות אנושית בעבר.
- ערך היסטורי: הדרכים בהן בני-אדם, אירועים והיבטי חיים בעבר מסוגלים להתחבר באמצעות "מקום" מסוים להווה, על פי רוב, ערכים היסטוריים נוטים להיות ערכים אילוסטרטיביים או אסוציאטיביים.
- ערך אסתטי: הדרכים בהן אנשים זוכים לגירוי חושי ואינטלקטואלי כתוצאה מהאינטראקציה עם ה"מקום".
- ערך קהילתי: המשמעויות המוקנות ל"מקום" מסוים עבור האנשים הקשורים לו, או עבור בעלי החוויה והזיכרון הקולקטיביים

הערכת ערכי מורשת

- מבוא –
- הבנת ה"מרקם" והיסטוריית ה"מקום"
- זהה מי מעריך את ה"מקום" ומדוע הוא עושה כן
- מזג ערכי מורשת מזוהים ל"מרקם" ה"מקום"
- בחן את החשיבות היחסית של ערכים אלה
- שקול את התרומה של עצמים ואוספים קשורים
- בדוק את התרומה של הסביבה וההקשר
- השווה את ה"מקום" למקומות אחרים החולקים ערכים דומים
- בטא את חשיבות ה"מקום"

ניהול שינויים למקומות בעלי חשיבות

- מבוא
- בדוק האם קיים בנמצא מידע מספיק
- שקול את ההשפעות על אותנטיות ושלמות האתר
- התייחס לקיימות
- בחן את כושר ההפיכות הפוטנציאלי של שינויים
- ערוך השוואה בין האפשרויות הקיימות וקבל החלטה
- יישם אמצעים מקלים
- נטר, עקוב והערך התוצאות

נהלי מדיניות והנחיות לשימור מורשת אנגלית

- הקדמה
- תחזוקה וניהול שוטפים
- עדכון תקופתי
- תיקונים

- התערבות להעמקת ההיכרות עם העבר
- פעולות שחזור
- עבודות חדשות וביצוע שינויים
- שילוב השימור עם אינטרסים ציבוריים אחרים
- פיתוח המקום לצורכי כלכלת המקום

מסקנה

יישום העקרונות

הגדרות

1. .אופן השימוש במסמך זה

2. רשות המורשת האנגלית מפרטת במסמך זה גישה לקבלת החלטות והצעה להנחיות בדבר היבטיה של הסביבה ההיסטורית האנגלית. כדי להבטיח עקביות במילוי תפקידה כיועצת ממשלתית סטטוטורית בנושא הסביבה ההיסטורית.

3. כמוסבר **בהקדמה** נמנענו מלהשתמש בטרמינולוגיה הרווחת במסגרות מורשתיות קיימות. ולכן , אימצנו את המונח "מקום" עבור כל חלק מן הסביבה ההיסטורית אותו ניתן לתפוש כבעל זהות ייחודית.

עקרונות שימור מעניקים מסגרת מקיפה לניהול בר-קיימא של הסביבה ההיסטורית:

עיקרון 1: הסביבה ההיסטורית כמשאב משותף

עיקרון 2: יש לאפשר לכל להשתתף במאמץ לשמור על הסביבה ההיסטורית

עיקרון 3: הבנת חשיבות ה"מקום" הינה חיונית

עיקרון 4: מקום בעל חשיבות חייב להיות מנוהל על מנת לשמר את ערכיו

עיקרון 5: החלטות מחוללות שינוי חייבות להיות סבירות, שקופות ועקביות

עיקרון 6: יש חשיבות מכרעת לתיעוד וללימוד מטעויות

4. אנו מגדירים את המונח *שימור* (עיקרון 4.2) כתהליך ניהול השינויים ב"מקום" בעל חשיבות בסביבתו המקורית בדרכים אשר תשמורנה במידה הטובה ביותר על ערכי המורשת הגלומים בו, תוך השקעת מאמצים לזהות הזדמנויות לחשיפתם או לחיזוקם של ערכים אלו עבור הדורות הקיימים והבאים.

5. **הבנת ערכי המורשת** מתארת מגוון של *ערכי מורשת*, המחולק לארבע קבוצות, אשר עשויות להיות מקושרות למקומות השונים.

- ערך עדותי: פוטנציאל ה"מקום" לספק ראיות לפעילות אנושית בעבר.
- ערך היסטורי: הדרכים בהן בני-אדם, אירועים והיבטי חיים בעבר מסוגלים להתחבר באמצעות "מקום" מסוים להווה, על פי רוב, ערכים היסטוריים נוטים להיות ערכים אילוסטרטיביים או אסוציאטיביים.
- ערך אסתטי: הדרכים בהן אנשים זוכים לגירוי חושי ואינטלקטואלי כתוצאה מהאינטראקציה עם ה"מקום".
- ערך קהילתי: המשמעויות המוקנות ל"מקום" מסוים עבור האנשים הקשורים לו, או עבור בעלי החוויה והזיכרון הקולקטיביים.

6. **הערכת ערכי מורשת**– מתארת תהליך להערכת *חשיבות המורשת* הגלומה ב"מקום" כלשהו:

- הבנת ה"מרקם" וההיסטוריה ההתפתחותית של ה"מקום"
- זיהוי האוכלוסייה עבורה ה"מקום" חשוב והסיבות לחשיבותו עבורה
- קישור ערכי מורשת מזוהים ל"מרקם" ה"מקום"
- בחינת החשיבות היחסית של אותם ערכים מזוהים
- בחינת תרומתם של חפצים ואוספים הקשורים ל"מקום"
- בדיקת התרומה הניתנת ע"י הסביבה וההקשר של ה"מקום"
- השוואת ה"מקום" עם מקומות אחרים בעלי ערכים דומים
- ביטוי לחשיבות ה"מקום"

7. **הכנסת שינויים למקומות בעלי חשיבות**– מסבירה כיצד ליישם את *העקרונות* **בקבלת החלטות** בנושא שינויים למקומות חשובים על-ידי:

- מתן מענה לשאלה האם קיים מידע מספק על מנת להבין את השפעות השינוי הפוטנציאלי
- בחינת ההשפעות על אותנטיות ושלמות ה"מקום"
- מתן התייחסות לקיימות של ה"מקום"
- בחינת ההפיכות הפוטנציאלית של השינויים
- השוואת האפשרויות השונות וקבלת ההחלטה
- יישום הקלות
- ניטור, מעקב והערכת תוצאות.

8. **נהלי מדיניות והנחיות לשימור מורשת אנגלית**, מערכת של *נהלי מדיניות* ספציפיים של סוגים מסוימים ומקובלים של פעולות, ולאחריהן שורת *הנחיות* רלוונטיות בדבר פרשנות נהלים אלה. בעוד שלכמה מנהלי מדיניות אלו ישנה מערכת יחסים הדוקה עם עקרונות מסוימים, חשוב כי אלה יפורשו בהקשר *העקרונות* כמכלול. נהלי מדיניות אלו, אשר על פיהם מחויבת רשות המורשת האנגלית לפעול, קובעים כי:

9. שימורם של מקומות חשובים מבוסס על **מערכת הולמת של תחזוקה וניהול שוטפים.**

10. **חידוש תקופתי** של יסודות מסוימים ב"מקום" חשוב, אשר יועדו ל"מקום" או אשר גלומים בו, מהווה פעולה רצויה על פי רוב, להוציא כאשר צפויים להיגרם נזקים מסוימים לערכי המורשת אשר לא ניתן יהיה לתקנם לאורך זמן.

11. **תיקונים** הינם היבט הכרחי בשמירה על ערכי המורשת הקיימים ב"מקום" חשוב, ומומלץ לבצעם בנסיבות הבאות:

א. קיים מידע מספק אשר מאפשר הבנה מעמיקה את השפעת ההצעות על חשיבות ה"מקום";

ב. ניתן להדגים, בהתבסס על ניסיון העבר, כי ההשפעות ארוכות-הטווח של ההצעות תהינה חיוביות, או כי ההצעות אינן מתוכננות כך שהן תמנענה הצעות לפתרונות אלטרנטיביים במועד מאוחר יותר;

ג. ההצעות מתוכננות כדי למנוע או למזער את הנזק הנגרם, "מקום" שהפעולות הנדרשות לשימור ערכי מורשת מסוימים נוטות להתנגש אחת עם השנייה.

12. **פעילות התערבותית** במקומות חשובים המיועדת בעיקר להעמקת הבנת העבר, הכוללת אובדן חומרי של ערכים ועדויות, צפויה על פי רוב להתקבל כאשר:

א. שימור של ה"מקום" (in situ) אינו ישים במידת הסביר;

ב. ניתן להוכיח כי העמקת הידע הפוטנציאלי

- לא ניתנת למימוש באמצעות טכניקות בלתי-הרסניות;
- איננה צפויה להתממש ב"מקום" אחר אשר הריסתו הינה בלתי-נמנעת;
- צפויה לגבור באופן מכריע על אובדן המשאב המקורי.

מדיניות זו תיושם במחקר חפירות.

13. **פעילות שחזור** ב"מקום" מסוים הינה מקובלת כאשר:

א. ערכי המורשת של היסודות אשר ישוחזרו גוברים באופן מכריע על הערכים אשר יאבדו;

ב. העבודה המוצעת מוצדקת על-בסיס עדויות חותכות בדבר ההיסטוריה ההתפתחותית של ה"מקום", והיא מבוצעת בהתאם לעדויות אלה;

ג. המתכונת הנוכחית בה קיים המקום איננה תוצאה של אירוע בעל חשיבות היסטורית;

ד. העבודה המוצעת מתייחסת למתכונותיו של ה"מקום" בעבר;

ה. השלכות התחזוקה של פעולת השחזור המוצעת מוגדרות כבנות קיימא;

14. **עבודה חדשה או תיקונים** ב"מקום" חשוב יהיו מקובלים על פי רוב כאשר:

א. קיים מידע מעמיק מספק המאפשר הבנת השפעות של ההצעה על חשיבות ה"מקום";

ב. ההצעה לא תגרום לפגיעה חומרית בערכי ה"מקום", אשר, אם תתאים, יחוזקו או ייחשפו;

ג. ההצעות תשאפנה לאיכות עיצוב וביצוע שיגבירו את ערך ה"מקום" בהווה ובעתיד;

ד. ניתן להדגים, בהתבסס על ניסיון העבר, כי ההשפעות ארוכות-הטווח של ההצעות תהינה חיוביות, או כי ההצעות מתוכננות כך שהן לא תמנענה פתרונות אלטרנטיביים במועד מאוחר יותר.

15. שינויים אשר **יזיקו לערכי המורשת של "מקום" חשוב** יידחו, אלא אם כן:

א. מוכח כי השינויים נדרשים או כדי לאפשר את הקיימות של ה"מקום", או כדי לעמוד ביעד מדיניות או צורך ציבורי;

ב. אין כל אמצעים אלטרנטיביים ישימים אשר באמצעותם ניתן לעשות כן מבלי לגרום לנזק;

ג. הנזק צומצם למינימום העולה בקנה אחד עם מימוש היעד;

ד. הוכח כי התועלת הציבורית הצפויה עדיפה באופן מכריע על הנזק שייגרם לערכי ה"מקום", מתוך התייחסות לגורמים הבאים:

- חשיבותו היחסית של ה"מקום",
- ההשפעה על אותה חשיבות,
- התועלות ל"מקום" עצמו ו/או לקהילה הרחבה או לחברה בכללותה.

16.פיתוח המיועד להבטיח את עתידו של "מקום" חשוב לא יתאפשר, אלא אם כן:

א. הפיתוח לא יזיק חומרית לערכי המורשת ב"מקום" או לסביבתו;

ב. הפיתוח יוצר פיצול ניהולי המזיק ל"מקום";

ג. הפיתוח יאפשר את עתידו ארוך הטווח של ה"מקום" וכן, ככל שישים, את המשך שימושו למטרה חיובית;

ד. הפיתוח הינו הכרחי לפיתרון בעיות הנובעות מצרכיו הטבעיים של ה"מקום", וזאת להבדיל מפיתרון בעיותיו של הבעלים הנוכחי או כאשר הפיתוח נועד למטרות רווח;

ה. לא ניתן להשיג מימון מספק מאף מקור אחר;

ו. הוכח כי היקף הפיתוח הינו ההיקף המינימאלי הנדרש כדי להבטיח את המשך עתידו של ה"מקום" וכי אופיו ממזער את הנזק הנגרם לאינטרסים ציבוריים אחרים;

ז. התועלת הציבורית הנובעת מהבטחת עתידו של נכס מורשת באמצעות פיתוח ה"מקום" עדיפה באופן מכריע על החסרונות הנובעים מהפרת נהלי מדיניות ציבוריים אחרים.

לסיום: הצהרה כללית בנושא **יישום *העקרונות***, מתוך הכרה כי ערכי המורשת הטבעית והתרבותית של מקומות חשובים, לרבות אלו המשתקפים בצורות נוף, חייבים בניהול במקביל, תוך עידוד מערכות יחסים איתנות בין אינטרסים של מורשת תרבותית וטבעית. לבסוף, אנו מפרטים רשימה של **הגדרות** מפתח חיוניות.

הקדמה

מטרות

18 הסביבה ההיסטורית חיונית עבור המורשת התרבותית האנגלית ועבור זהותה, ולכן היא משאב שיש לשמור לתועלת הדור הנוכחי והדורות הבאים. יעדה של רשות המורשת האנגלית במסמך זה - להציג גישה לקבלת החלטות ולהציע הנחיות על כלל היבטיה של הסביבה ההיסטורית, וליישב בין ההגנה על סביבה זו לבין הצרכים הכלכליים והחברתיים והשאיפות של האנשים היושבים בה.

19 *עקרונותשימור*, *מדיניות והנחיות* מיועדים בעיקר לסייע להבטחת עקביות הגישה ובמילוי תפקיד הרשות למורשת אנגלית כיועץ ממשלתי סטטוטורי בנושא הסביבה ההיסטורית באנגליה. בפרט, הם תורמים לאתגר של קידום ההגנה על אתרי המורשת על-ידי גישה משולבת לקבלת החלטות ובהתבסס על תהליך משותף. *העקרונות* נסמכים על המסגרת המשולבת להגנת מורשת אשר הוצעה בנייר הלבן *"הגנת המורשת* עבור המאה ה-21" *(מרץ 2007)*, אך יישומם אינו תלוי בהם.

20 *העקרונות* נועדו לחזק את גישת רשות המורשת האנגלית בניהול הסביבה ההיסטורית כמכלול, לרבות סוגיית הקשר עם הקהילה, הלימוד והגישה אשר נדונות בעיקרון 2. *המדיניות וההנחיות* תשמשנה להנחות את סגל עובדי הרשות ביישומם במהלך מילוי תפקידה בתהליך הפיתוח, ובניהול אתרים היסטוריים המצויים בתחום סמכותה. אנו מקווים, כמובן, כי כמו עבור כל מסמך הנחיות אחר, *העקרונות* ייבחנו וישמשו רשויות מקומיות, בעלי נכסים, קבלנים ויועציהם. בבוא העת, *העקרונות*, *המדיניות וההנחיות* ייתמכו בהנחיות נוספות פרטניות ומעמיקות יותר העוסקות בהצעה או "מקום", הנחיות רשות המורשת האנגלית תתעדכנה באופן שוטף.

21 מושגים ורעיונות

21 פעילות הזיהוי, ההגנה הפורמאלית והשימור של היבטים מסוימים בסביבה ההיסטורית התפתחה בנתיבים מקבילים, על ידי דיסציפלינות מקצועיות שונות. המחסור במינוח "בדרגה גבוהה" משותף היווה מחסום לביטוי עקרונות משותפים, ולשימוש בהם למטרת פיתוחה של גישה משולבת יותר. על כן נמנענו בכוונה מן המינוח ה"ייעודי" המשמש כרגע בחקיקה או בנוסח המדיניות הציבורית העוסקות בנושאי מורשת, כגון 'בניין רשום' ו"אנדרטה מתוכננת'. אנו משתמשים במילה ""מקום"" כדרך לתאר כל חלק מן הסביבה ההיסטורית, לרבות מתחת לקרקע או הים, אשר אנשים (ועל אחת כמה וכמה בעלי מקצוע) תופסים כבעל זהות ייחודית, על אף שאנו מזהים כי אין מונח אידיאלי המסוגל לכסות כל דבר החל מספינה טרופה וכלה בשטחי נופים.

22 המונח **"מקום"** אינו מתייחס רק למתחם פיסי, אלא כולל גם את כל המאפיינים אשר עשויים לתרום ל"תחושת מקום". הוא כולל בחובו גם את הרעיון לפיו מקומות, מכל גודל החל מעמוד ספינה וכלה במבנה, אזור היסטורי, עיירה או חבל-ארץ, חייבים בהבנה ובניהול ברמות שונות למטרות שונות; וכי מיקום גיאוגרפי פרטני עשוי להיות מורכב מכמה "מקומות" חופפים המוגדרים ע"י מאפיינים שונים. באופן דומה, הרחבנו את רעיון ה**""מרקם""**, המשמש על פי רוב כדי לתאר את החומר ממנו בנוי מבנה כלשהו, לכדי הכללת כל המרכיבים החומריים של מקומות, לרבות גיאולוגיה, שכבות ארכיאולוגיות, מבנים ובניינים במקומות אלה וכן צמחייה הגדלה בתוכם ומעליהם.המונח **"ייעוד"** מתייחס לכל הכרה פורמאלית בערך מורשת, לרבות תיעוד, הכללה ברשימה, תכנון והכרזה.

23 גישתנו רואה את שילוב של הגנת מורשת טבעית ותרבותית וכן, חשוב מכך, נמנעת מן הקביעה כי *העקרונות* עוסקים רק במקומות אשר עוברים את סף החשיבות המסוים הנדרש לקביעת "ייעוד" בינלאומי, ארצי או מקומי פורמאלי. מעבר לייעודי מורשת, במסגרת הרחבה יותר של ניהול סביבתי ותכנון מרחבי, הבנת ערכי המורשת במקום מסוים עשויה, עבור

בעליו, הקהילה המקומית וקהילות בעלות העניין רחבות יותר, חייבת להיראות כבסיס לקבלת החלטות שקולות בדבר עתיד המקום.

24 ניהול בר-קיימא של מקום מתחיל מן ההבנה ומן ההגדרה כיצד, מדוע ובאיזה מידה טבועים במקום ערכי מורשת תרבותית וטבעית; ובקיצור חשיבותו של המקום. שידור מסר של חשיבות זו לכל בעלי העניין במקום, ובפרט אלו אשר פעולותיהם עשויות להשפיע עליו, הינה הכרחית אם על כולם לפעול מתוך מודעות לערכי המורשת הטבועים בו. רק באמצעות הבנת חשיבותו של מקום ניתן להעריך כיצד האיכויות של הערכים הינן פגיעות לנזק או לאובדן. הבנה זו צריכה להוות בסיס לפיתוח וליישום אסטרטגיות ניהוליות (לרבות תחזוקה, חידוש מחזורי ותיקונים) אשר ישמרו במידה היעילה ביותר על ערכי המורשת של המקום בסביבתו הטבעית. כל החלטה בנושא שימור נדרשת להתבסס על הבנת השפעתה הצפויה על חשיבות ה"מרקם" ועל היבטים רלוונטיים אחרים של המקום.

25 הגדרת המונח "שימור" כוללת את שמירת ערכי המורשת. הניהול של מקומות חשובים, הפעולה מוגדר כ-"לשמר", אף אם נקבל את הגדרתה המשפטית הקיימת, 'להימנע מלגרום כל נזק', הינה רק היבט אחד הנדרש לשמירה על ערכי מורשת. רעיון "ייעוד" מתחם שימור, עם דרישה "לשמר או לשפר", מכיר בפוטנציאל לשינוי חיובי במקומות חשובים, אשר יאפשרו לחשוף ולחזק את הערך המצוי בהם. הפעולה המוגדרת כ-"לשמור" כוללת הן שימור והן שיפור ככל שיאפשרו זאת ערכי המקום. שינוי מתוכנן מאפשר השבחת ערכים קיימים ואף להוסיף ערכים חדשים למקומות, וכן לחולל את הצורך בהגנה על ערכי המורשת המבוססים שלהם. כך ישאף כל דור להעשיר את סביבתו ההיסטורית.

ההקשר למסמכי מדיניות אחרים

26 *הצהרת המדיניות המתוכננת לפיתוח בר-קיימא* (2005)[1] כוללת את היעד המפורש "להגן ולהשביח את הסביבה הטבעית וההיסטורית". ב*עקרונות, מדיניות והנחיות* כאן, נספק הנחיות מפורטות לשמירת הסביבה ההיסטורית במסגרת המדיניות הממשלתית המקובלת.

[1] ראה פסקאות 5, 17-18

ובפרט, את אותם עקרונות כלליים והישימים לסביבה ההיסטורית בכללותה המבוססים על המסמכים הבאים: *ההנחיות לתכנון מדיניות* (Planning Policy Guidance note) 15 *תכנון והסביבה ההיסטורית* (Planning the Historic Environment) (1994) הנחיות לתכנון מדיניות 16 *ארכיאולוגיה ותכנון* (Archeology and Planning) (1990). כמו כן, המסמך כאן מספק מבנה בו ניתן ליישם כללי מדיניות והנחיות אחרות מטעם רשות המורשת האנגלית. *המדיניות וההנחיות* תעודכנה כדי להתייחס ולשקף חקיקה ומדיניות ממשלתית חדשה עם הופעתן, ולאור הניסיון המעשי ביישומן.

27 ברמה הבינלאומית[2], העקרונות משקפים רבים מן ההנחות הטבועות באמנת המורשת העולמית, הקוראת להעניק לכל אתרי המורשת הטבעית והתרבותית תפקיד בחיי הקהילות. העקרונות עולים בקנה אחד גם עם אמנת גרנדה בדבר הגנת המורשת האדריכלית האירופית ועם אמנת וולטה בדבר הגנת המורשת הארכיאולוגית ואמנת הנוף האירופית, אשר אושררו ע"י הממלכה המאוחדת. לאמנה אחרונה זו השפעה, ולו רק לאור הגדרת המושג "נוף": 'אזור, כפי שהוא נתפס ע"י בני-אדם..., ולאור התייחסות לצורך לבחון ערכי תרבות ברי-קיימא במסגרת ניהול הנופים, וכן את חשיבות מעורבות הציבור בתהליך זה.

תאום עם חקיקה קיימת ומוצעת

28 הנייר הלבן *"הגנת המורשת* עבור המאה ה-21" (מרץ 2007) הציע לקיים תיעוד ארצי אחיד עבור בניינים ואתרים היסטוריים בעלי חשיבות אדריכלית, היסטורית או ארכיאולוגית מיוחדת, שתכלול את כל אותם מקומות המצויים לפי שעה; ברשימת הבניינים הסטטוטורית בעלי חשיבות אדריכלית או היסטורית מיוחדת וברשימת האנדרטאות המתוכננות, את הרשימות הבלתי-סטטוטוריות של פארקים וגנים היסטוריים ושל שדות קרב ואת רשימת אתרי המורשת העולמית (אף

[2] אמנה בדבר הגנת המורשת העולמית התרבותית והטבעית (אונסקו, 1972)
אמנה בדבר הגנת המורשת האדריכלית האירופית (גרנדה: המועצה האירופית, 1985, ETS 121)
האמנה האירופית בדבר הגנת המורשת הארכיאולוגית (וולטה, המועצה האירופית, 1992, ETS 143)
אמנת הנוף האירופית (פירנצה: המועצה האירופית, 2000, ETS 176)

כי אלה האחרונים לרוב מוגדרים בצורה זו מכוח הסכמה בינלאומית). **'נכס היסטורי'** הינו מונח מקוצר המוצע עבור מקומות רשומים, אם כי 'נכסים היסטוריים' ימיים יוותרו מחוץ למערכת זו. אזורי (מתחמי) שימור ימשיכו להיות מוגדרים ברמה המקומית, במקביל לייעודים מקומיים בלתי-סטטוטוריים, ומרבית המשאב הארכיאולוגי ימשיך להיות מנוהלים מכוח מדיניות, להבדיל מ"ייעוד".

במערכת הרישום הארצית החדשה, המוצעת, **'נימוקים ליעוד'** יפרטו מדוע כל אחד מן **"הנכסים ההיסטוריים"** מצויים מעל לסף הדרישות ל"ייעוד" עבור 'ערכם 'האדריכלי, ההיסטורי או הארכיאולוגי'. הבסיס ל"ייעוד" בהכרח יהיה כבול לערכים ספציפיים תחת כותרות אלו, המתייחסות ישירות לקריטריונים מוסכמים לבחירתם. הבסיס הסטטוטורי ל"ייעוד" יהיה, עם זאת, רחב מספיק כדי לאמץ את מרבית הערכים המזוהים ע"י עקרונות אלו הנדרשים להילקח בחשבון בניהול של מקומות חשובים.

הערכת פגיעה בשוויוניות

הארגונים ציבוריים נדרשים על פי חוק להבטיח כי תוכניותיהם, נהלי המדיניות הננקטים על-ידם, ופעילותם אינם יוצרים אפליה בלתי הוגנת כלפי קבוצה המוגנת ע"י חקיקה שוויונית. זוהי אחריותם של הארגונים ציבוריים אלו אשר עבורם אנו מספקים ייעוץ להבטיח כי הם ביצעו את כל הערכות הפגיעה בשוויוניות הרלוונטיות, ככל שאלה יידרשו במהלך הייעוץ של רשות המורשת האנגלית.

נספח א': עקרונות שימור

1 הסביבה ההיסטורית כמשאב משותף

1.1 סביבתנו מכילה תיעוד ייחודי ודינמי של פעילות אנושית. היא עוצבה ע"י אנשים אשר הגיבו לסביבה אותה ירשו, והיא מגלמת את השאיפות, הכישורים וההשקעה של דורות העבר.

1.2 בני-אדם מעריכים סביבה היסטורית זו כחלק ממורשתם התרבותית והטבעית. היא משקפת את הידע, האמונות והמסורת של קהילות שונות ומגוונות. היא מעניקה ייחודיות, משמעות ואיכות למקומות בהם אנו חיים, ומספקת תחושה של המשכיות ומקור לזהות. זהו נכס חברתי וכלכלי ומקור ללמידה ולהנאה.

1.3 כל דור חייב, על כן, לעצב ולשמר את הסביבה ההיסטורית בדרכים אשר יאפשרו לאנשים להשתמש, ליהנות ולהניב תועלת ממנה, וזאת מבלי לסכן את יכולתם של הדורות הבאים לעשות כן.

1.4 ערכי מרושת מייצגים עניין ציבורי במקומות, ללא תלות בבעלי האתרים. השימוש בחוק, במדיניות ציבורית ובהשקעה ציבורית מוצדק על מנת להגן על העניין הציבורי.

1.5 יש לאפשר ייעוץ וסיוע ממקורות ציבוריים על מנת לסייע לבעלי נכסים לשמור על ערכי המורשת הקיימים בתחום בעלותם.

2 יש לאפשר לכל להשתתף במאמץ לשמור על הסביבה ההיסטורית

2.1 יש להעניק לכל אחד את ההזדמנות לתרום את חלקו לערכי המקומות השונים ולהשתתף בהחלטות בדבר עתידם, תוך שימוש באמצעים זמינים, נגישים ומבוססים.

2.2 הלמידה הינה כלי מרכזי לשמירה על הסביבה ההיסטורית. היא מעצימה את מודעות הציבור, הבנתו ומורשתו, לרבות הדרכים השונות בהן ערכיה נתפשים ע"י קהילות ודורות שונים. היא מעודדת השתתפות מושכלת ופעילה בשמירה על הסביבה ההיסטורית.

2.3 על המומחים להשתמש בבקיאותם ובכישוריהם כדי לעודד ולאפשר לאחרים ללמוד להעריך ולשמר את הסביבה ההיסטורית. הם משחקים תפקיד מפתח בזיהוי, הפצת ושמירה הערכים המוסכמים הטבועים במקומות השונים, ובסיוע לציבור לשפר ולבטא את הערכים אותם הוא מייחס למקומות השונים.

2.4 קיימת חשיבות מכרעת לפיתוח, לשמירה ולהפצה של ידע מומחים וכישורים הנדרשים לשמירה על הסביבה ההיסטורית.

3 הבנת חשיבות "המקום" הינה חיונית

3.1 כל חלק קבוע מן הסביבה ההיסטורית בעל זהות ייחודית הנתפש ע"י בני-אדם יכול להיחשב כמקום.

3.2 החשיבות של מקום כוללת את כל ערכי המורשת התרבותית והטבעית המגוונים אותם מייחס לו הציבור, או שמניעים אותו להגיב. ערכים אלה נוטים לגבור בעוצמתם ובמורכבותם לאורך זמן, ככל שההבנה מעמיקה וככל שמתפתחת תפישת הציבור את המקום.

3.3 על מנת לזהות את חשיבותו של מקום, יש תחילה להבין את המרקם שלו, וכיצד ומדוע הוא השתנה לאורך זמן; ולאחר מכן יש לבחון:

- עבור מי המקום הינו בעל חשיבות ומדוע
- כיצד ערכים אלו מתייחסים ל"מרקם" המקום
- מהי חשיבותם היחסית
- האם חפצים קשורים תורמים למקום
- מהי התרומה של הסביבה והקשרה למקום
- כיצד ניתן להשוות את המקום למקומות אחרים בעלי ערכים דומים.

3.4 הבנה וביטוי הערכים והחשיבות של מקום חיוניים לקבלת החלטות מושכלת בדבר עתידו. רמת החשיבות האמורה תקבע איזו, אם בכלל, הגנה, לרבות מכוח סמכות סטטוטורית, יש לעגן בחוק ובמדיניות.

4 מקום בעל חשיבות חייב להיות מנוהל על מנת לשמר את ערכיו

4.1 שינויים בסביבה ההיסטוריים בלתי-נמנעים, והם נגרמים עקב תהליכים טבעיים, הבלאי הנוצר עקב השימוש בה ותגובות החברה לשינויים חברתיים, כלכליים וטכנולוגיים.

4.2 שימור הוא התהליך ניהול השינויים במקום חשוב בסביבתו המקורית בדרכים אשר ישמרו במידה הטובה ביותר את ערכי המורשת הטבועים בו, תוך חיפוש אחר הזדמנויות לחשוף ולחזק ערכים אלו לטובתם של הדורות הנוכחי והבאים.

4.3 השימור מושג באמצעות כל בעלי העניין, המבינים את חשיבותו של המקום, והמשתמשים בהבנה זו על מנת:

- לשפוט כיצד ערכי המורשת בו פגיעים לשינוי
- לנקוט בפעולות ולהציב מגבלות נדרשות על מנת לשמר, לחשוף ולחזק ערכים אלו
- לגשר בין אפשרויות השימור השונות, אם פעולה לשימור ערך מורשת אחד עלולה להתנגש עם פעולה לשימור ערך מורשת אחר
- להבטיח כי המקום שומר על אותנטיות - אותם יסודות ותכונות אשר משקפים ומגלמים במידה הרבה ביותר את ערכי המורשת הקשורים במקום זה.

4.4 פעולות הננקטות כנגד השפעות מזיקות הנובעות משינוי טבעי, או כדי למזער את הסיכון מפני אסון, נדרשות להתבצע בזמן, ובהתאם לחומרת וסבירות ההשלכות המזוהות, ובאופן בר-קיימא.

4.5 ניתן להצדיק פעולות התערבות ככל שאלה מעצימות את הבנת העבר, חושפות או מחזקות ערכי מורשת מסוימים במקום, או הנדרשות על מנת לשמר ערכים אלו לתועלת הדורות - הנוכחי והבאים, ככל שהנזק הנגרם עקב פעולות אלה פחותים באופן מובהק מן התועלות שלהן. .

4.6 על עבודות חדשות לשאוף לאיכות תכנונית וביצועית לה בעלות ערך הן עתה והן בעתיד. אין פירוש הדבר שיש לבכר או להימנע מעבודות בשיטות מסורתיות או חדשניות, אך יש להעניק לקחת בחשבון את חשיבות המקום בסביבתו המקורית.

5 החלטות מחוללות שינוי חייבות להיות סבירות, שקופות ועקביות

5.1 החלטות מחוללות שינוי בסביבה ההיסטורית דורשות מומחיות, ניסיון וכושר-שיפוט במסגרת תהליך עקבי ושקוף המונחה ע"י מדיניות ציבורית.

5.2 טווח ועומק ההבנה, ההערכה והמעורבות הציבורית חייבים להיות מספקים על מנת להשכיל ולהצדיק את ההחלטה המתקבלת, אך עליהם להיות יעילים גם מבחינת הקצאת המשאבים להבטחתם. יש לנקוט במידתיות במהלך קביעת בקרות סטטוטוריות.

5.3 יש למזער הניגודים האפשריים בין שימור ערכי המורשת במקום מסוים ובין אינטרסים ציבוריים חשובים אחרים על-ידי חיפוש אמצעים מזיקים פחות כמענה לאינטרסים אלו.

5.4 מקום שלא ניתן להימנע מניגוד עניינים כלשהו, העדיפות המוענקת לערכי המורשת במהלך קבלת ההחלטה חייבת להימדד בהתאם לחשיבות המקום ולהשפעתה הצפויה עקב השינוי המוצע.

6 לתיעוד וללימוד מטעויות יש חשיבות מכרעת

6.1 קיימת חשיבות רבה לשמירה על תיעוד נגיש להצדקות הניתנות עבור החלטות ופעולות הנגזרות מהן, כדי שניתן יהיה לשמור על התיעוד המצטבר של התרחשויות במקום חשוב בעבר, וכדי להבין כיצד ומדוע חשיבותו השתנתה לאור השינויים אשר התבצעו בו.

6.2 מנהליהם של מקומות חשובים נדרשים לנטר, להעריך ולהגיב באופן שגרתי על השפעות השינויים, ולהשתמש בממצאי הניטור כדי לבצע החלטות מושכלות באופן דומה, על הארגונים ציבוריים לנטר ולהגיב להשפעות על הסביבה ההיסטורית הנגרמות עקב תוכניות ומדיניות.

6.3 כאשר קיימת אפשרות לאובדנו החלקי או המלא של מקום, בין אם כתוצאה מהחלטה או כתוצאה מתהליך טבעי בלתי-נמנע, יש לממש את פוטנציאל המקום לספק מידע נוסף על

העבר. הדבר דורש מחקר וניתוח נתונים, ולאחר מכן תיעוד והפצת הממצאים ברמה אשר משקפת את חשיבות המקום.

6.4 כאשר אובדן, כגון זה, נגרם באופן ישיר כתוצאה מהתערבות אנושית, על אלו הצפויים ליהנות מן השינוי לבחון את עלותה של עבודה זו, או על אלה אשר תפקידם ליזום שינוי כגון זה מתוך מטרה לקדם אינטרס ציבורי.

פרק זה מכיל הגדרות המשמשות במובן מסוים או טכני*

שינוי (alteration) - עבודה המיועדת לשנות את ייעודו או חזותו של מקום

אותנטיות (authenticity) - התכונות המשקפות באופן המהימן ביותר והמגלמות במידה הרבה ביותר את ערכי המורשת הקשורים במקום מסוים.

שימור (Conservation) - תהליך ניהול שינויים במקום בעל חשיבות בסביבתו המקורית בדרכים אשר תשמורנה במידה הטובה ביותר על ערכי המורשת הגלומים בו, תוך השקעת מאמצים לזהות הזדמנויות לחשיפתם או לחיזוקם של ערכים אלו עבור הדורות הנוכחי והבאים.

אזור (מתחם) שימור (Conservation Area) - אזור (מתחם) בעל עניין אדריכלי או היסטורי מיוחד, אשר קיים רצון לשמר או לשפר את אופיו או את חזותו, המוגדר בהתאם למה שעתה מפורט תחת סעיף 69 לחוק התכנון (בניינים רשומים ואזורי שימור) - 1990 (Planning (Listed Buildings and Conservation Areas) Act)

הקשר (Context) - כל מערכת יחסים בין מקום למקומות אחרים, הרלוונטי לערכיו של אותו מקום

"ייעוד" (Designation) - ההכרה בערכי מורשת מסוימים הקשורים במקום מסוים, על-ידי הענקת מעמד פורמאלי עבורו לפי חוק או על פי מדיניות המיועדים לשמר את אותם ערכים

"מרקם" (Fabric) - ההרכב החומרי ממנו מורכבים מקומות, הכולל את הגיאולוגיה, השכבות הארכיאולוגיות והמבנים והצמחייה של אותו המקום.

מורשת (Heritage) - כל אותם משאבים שירשנו והמוערכים ע"י בני-אדם מסיבות שונות מעבר לתועלתם המעשית גרידא

מורשת, תרבותית (Heritage, Cultural) - נכסים שבני-אדם מזהים ומעריכים כהשתקפות וביטוי של היקף ידיעותיהם, אמונותיהם ומסורתם, המתפתחים ושל הבנתם את האמונות והמסורות של אחרים

מורשת, טבעית (Heritage, Natural) - סביבות, מינים, מערכות אקולוגיות, מתחמים גיאולוגיים וטופוגרפיות, לרבות אלו המצויים בתוך ומתחת למים, להם מייחסים בני-אדם חשיבות

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* ערכי מילון אוקספורד למילים אלו ישימים עבורן גם כן.

סביבה היסטורית (Historic Environment) - כל אותם היבטים סביבתיים הנובעים מן האינטראקציה בין בני-אדם ומקומות לאורך זמן, לרבות כל השרידים הפיסיים של פעילות בני-אדם בעבר, בין אם אלה חשופים ובין אם קבורים, וכן צמחיה אשר נשתלה או נוהלה במכוון

תיעוד הסביבה ההיסטורית (Historic Environment Record) - מאגר נתונים ציבורי מבוסס מפה, המיועד בעיקר לסייע בניהול הסביבה ההיסטורית

שלמות (Integrity) - שלמות / כנות / יושרה

התערבות (Intervention) - כל פעולה אשר יש לה השפעה פיסית על "מרקם" המקום

תחזוקה (Maintenance) - עבודה שגרתית הנדרשת באופן סדיר על מנת לשמור שלמותו של "מרקם" המקום

מהותי (Material) - דבר רלוונטי ובעל חשיבות משמעותית, דורש התייחסות

שינוי טבעי (Natural Change) - שינוי אשר מתקיים בסביבה היסטורית ללא התערבות אנושית, והעשוי להידרש לתגובה ניהולית מסוימת (בפרט פעולות תחזוקה או פעולות שחזור תקופתיות) וזאת על מנת לשמר את חשיבותו של מקום

חפץ (Object) - כל מה שאינו (לפי שעה) קבוע או מוטמע בתוך מבנה המקום, אך הקשור לו מבחינה היסטורית

מקום (Place) - כל חלק מסביבה היסטורית, בכל קנה-מידה, שיש לו זהות ייחודית הנתפשת ע"י בני-אדם

לשמר (Preserve) - לשמור מפני נזק[3]

מידתיות (Proportionality) - התכונה לפיה דבר קשור, במידה מתאימה, לדבר אחר מבחינת גודלו, מידתו או תכונותיו הנמדדות האחרות

ציבורי (Public) – הנוגע, הנעשה עבור והמשמש את כלל בני-האדם

חידוש (Renewal) - פירוק רחב-היקף והחלפה של רכיב כלשהו במקום, במקרה של מבנים, הטעמה שגרתית מחדש של יחידות שלמות

[3] הפרשנות המשפטית אשר נקבעה ב- South Lakeland DCecretary of State for the Environment and Rowbotham [1992] 2 L.P.R. 97

תיקון (Repair) - עבודה הנעשית מעבר לתחום התחזוקה, שנועדה לתקן נזקים הנגרמים עקב בלאי, נזק או שימוש, לרבות התאמות מזעריות הנועדות להשיג תוצאה בת-קיימא, אך אשר אינה מערבת שחזור או שינויים

שחזור (Restoration) - השבתו של מקום למצב קדום ידוע, על בסיס ראיות מובהקות וללא שימוש בתצורות משוערות

הפיך (Reversible) - שניתן להחזירו לקדמותו

שקוף (Transparent) - נגיש לעיון הציבור

רקע (Setting) - הסביבה בה נחווה המקום, הקשרו המקומי, החובק מערכות יחסים בהווה ובעבר עם הנוף הקרוב לו

חשיבות [של מקום] (Significance [of a place]) – כל ערכי ומושאי המורשת התרבותית והטבעית של מקום, אשר מוגדרים במסגרת הצהרת החשיבות

מקום חשוב (Significant Place) - מקום בעל ערך/י מורשת

לקיים (Sustain) - לקיים על, לטפח ולאשר תקפות

בר-קיימא (Sustainable) - בעל יכולת לעמוד בדרישות ההווה וזאת מבלי לפגוע ביכולת לענות על צרכי העתיד

ערך (Value) - היבט בעל חשיבות או משמעות, המיוחס ע"י בני-אדם לאיכויותיו השונות של המקום

ערך, אסתטי (Value, aesthetic) - ערך הנובע מן הדרכים בהם אנשים נחשפים לגירויים חושיים ואינטלקטואליים מן המקום

ערך, קהילתי (Value, communal) - ערך הנובע מן המשמעויות המוקנות למקום עבור האנשים המתקשרים אליו בחוויותיהם ובזיכרונם הקולקטיבי.

ערך, עדותי (Value, evidential) - ערך הנובע מן הפוטנציאל של מקום מסוים להניב עדויות המלמדות על פעילות אנושית בעבר

ערך, היסטורי (Value, historical) - ערך הנובע מן הדרכים בהם אנשים, אירועים והיבטי חיים בעבר יכולים להתקשר באמצעות מקום אל ההווה

שיפוט מבוסס-ערך (Value-based judgment) - הערכה המשקפת את הערכים של האדם או הקבוצה המבצעת אותה

נספח ב': הגנת וניהול אתרי מורשת עולמית באנגליה

המורשת האנגלית - הנחיות

תוכן עניינים

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1 דברי הסבר

1.1 אתרי מורשת עולמית הינם מקומות בעלי ערך אוניברסאלי יוצא דופן, המוכרים ככאלה לפי אמנת אונסקו משנת 1972 בדבר הגנת אתרי המורשת העולמית התרבותית והטבעית (אמנת המורשת העולמית) (http://whc.unesco.org/en/convention/). כמדינה חברה באמנה, הממלכה המאוחדת נדרשת להגן, לשמר להציג ולמסור לדורות הבאים את אתרי המורשת העולמית בתחומיה הן כאן והן מעבר לים. הדבר ממומש לרוב באמצעות מערכת תכנון מרחבית. שינויים מהותיים, נעשים באנגליה, למערכת התכנון להגנת אתרי מורשת בכלל, ולהגנת אתרי מורשת עולמית בפרט. הנחיות אלו תומכות ומעצימות את התכנון סביב אתרי מורשת עולמית.

1.2 הנחיות מתמקדות בעיקר בנושא הגנת וניהול אתרי מורשת עולמית. הם אינם מכסים את תהליך הגשת המועמדות או את האתרים החדשים להכללה ברשימת אתרי מורשת עולמית. כמו כן, אינן עוסקות בפעילויות חינוכיות באתרי מורשת עולמית שכן אלו נופלים מחוץ לתהליך התכנון.

1.3 אתרי מורשת עולמית עשויים לשחק תפקיד של קוהיסיביות חברתית ויכולים לסייע בהעצמת תחושת הגאווה. כמו כן, הם יכולים להוות מוקד לתיירות ולצמיחה כלכלית מחודשת, אם כי היקף מימושו של פוטנציאל זה, באופן חלקי, תלוי ביכולת "השווק" של אתר מורשת עולמית.

1.4 לאחר זיהוי אתרי מורשת עולמית, ההנחיות מכסות את ההקשר הבינלאומי והלאומי. הן בוחנות את תפקיד מערכת התכנון והאסטרטגיות הקהילתיות בנות-הקיימא בהגנת אתרי מורשת עולמית והשימוש בר-הקיימא בהם, מסבירות את תפקיד והכנת תוכניות ניהול לאתרי מורשת עולמית ואת אופן המגעים המתקיימים עם מרכז למורשת עולמיית של אונסקו.

2. מהם אתרי מורשת עולמית?

2.1 אתרי מורשת עולמים הם מקומות בעלי ערך אוניברסאלי יוצא מן הכלל, המוכרים על פי האמנה למורשת עולמית. בשנת 2007 היו 851 אתרי מורשת עולמית, החל משונית המחסום הגדולה (Great Barrier Reef), החומה הסינית ובית האופרה בסידני ועד סטונהנג'. אלה יכולים להיות טבעיים, תרבותיים או מעורבים (תרבות וטבע).

2.2 אתרי מורשת עולמית המוצעים ע"י מדינה, נדרשים להערכת הארגונים המייעצים הבינלאומיים לאמנה כדי להכלל ברשימת אתרי המורשת העולמית של אונסקו. על מנת להכלל ברשימה, על אתר לעמוד באחד או יותר מעשרת הקריטריונים (שישה תרבות, ארבעה טבע) שנועדו לקבוע ערך אוניברסאלי, ולעמוד בדרישות האותנטיות ו/או השלמות,ולהיות בעלי מערכת/מנגנון והגנה משפטית וניהולית, כדי להגן על ערכה האוניברסאלי,.בטרם ניתן יהיה להציע אתר, עליו תחילה להיכלל ברשימה הטנטטיבית ע"י מדינה. זוהי רשימת אתרים אשר המדינה עשויה להציע ממנה מועמדות אתר להכרזה במשך תקופה של חמש עד עשר שנים.

2.3 ערך אוניברסאלי מוגדר ע"י הוועדה למורשת עולמית של אונסקו כחשיבות תרבותית ו/או טבעית שהיא כה יוצאת דופן שהיא מעבר לגבולות לאומיים ובעלת חשיבות עבור דורות ההווה והעתיד של האנושות. מורשת כגון זו מהווה מורשת עולמית אשר החובה להגן עליה מוטלת על הקהילה הבינלאומית. הוועדה הגדירה קריטריונים לאתר מורשת בעל ערך אוניברסאלי.

3. ההקשר הבינלאומי

אמנת המורשת העולמית

3.1 אמנת המורשת העולמית ידועה בעיקר בשל רשימת המורשת העולמית. למעשה, אמנה זו עוסקת בשימור אתרי מורשת תרבותית וטבעית.

האמנה:

- מפרטת את התנאים לזיהוי מקומות בעלי ערך אוניברסאלי והכללתם ברשימת המורשת העולמית;

- דורשת מכל מדינה חברה לזהות, להגן, לשמר, להציג ולמסור מקומות כגון אלה עבור הדורות הבאים;
- דורשת מכל מדינה לאמץ נהלי מדיניות אשר יעניקו לאתרי מורשת תרבותית וטבעית באופן כללי תפקיד בחיי הקהילה; לשלב את הגנתה במסגרת תכנון מקיף; להעמיד אמצעים משפטיים, מדעיים, טכניים, אדמיניסטרטיביים וכלכליים מספקים לזיהוי, הגנה, שימור, הצגה ושיקום מורשת זו; ואת השירותים המתאימים לצורך כך.;
- מתאמת מערכת לשיתוף פעולה בינלאומי להגנה על המורשת העולמית;
- מציעה מערכת ניטור על מצב המורשת העולמית, בהתייחס לרשימת אתרי המורשת העולמית בסיכון ובדבר הוצאה של אתרים מרשימת אתרי המורשת העולמית במקרים בהם אבד הערך האוניברסאלי בהם.
- מסמיכה את האסיפה הכללית של המדינות החברות לאמנה למנות את חברי ועדת המורשת העולמית ומסדירה את שיעור דמי החבר השנתיים לקרן המורשת העולמית;
- ממנה את ועדת המורשת העולמית הבין-ממשלתית כגוף המבצע של האמנה, אשר חבריה משתייכים למדינות החברות באמנה;
- מגדירה את שלושת הארגונים המייעצים לאמנה; איקומוס, אי.יו.סי.אן, איקרום
- מארגנת את מזכירות הוועדה במסגרת של אונסקו; וכן
- קוראת לקיום פעילויות חינוכיות ותוכניות לימוד המיועדות לקידום המודעות למורשת עולמית ולאיומים הנגרמים לה.

ועדת המורשת העולמית

3.2 יישום האמנה מתבצע על ידי הוועדה למורשת עולמית המורכבת מ-21 חברים המייצגים 187 מדינות החברות והנבחרים באסיפה דו-שנתית לתקופה של עד 6 שנים. הוועדה נפגשת מדי שנה והיא זוכה לייעוץ במהלך פגישותיה משלושת הארגונים המייעצים. משלחות וארגונים לא ממשלתיים כמו, מומחים והארגונים בינלאומיים אחרים רשאים להשתתף בפגישות אלה כמשקיפים.

3.3 הוועדה האחראית ליישום האמנה. תפקידיה העיקריים הינם:

- לקבוע ולעקוב אחר יישום האסטרטגיה של האמנה למורשת עולמית;
- להחליט על הכרזת והכללת אתרים ברשימת המורשת העולמית;

- לנטר את מצב השימור של אתרי מורשת עולמית באמצעות ניטור פעיל ודיווח תקופתי ולהחליט האם יש להעביר אתרים לרשימת אתרי המורשת העולמית בסיכון ואף אם יש להסיר אותם מרשימת המורשת העולמיתת;
- לטפל בבקשות לסיוע בינלאומי;
- להעלות המודעות למורשת העולמית ולקדם פעילויות חינוכיות.

3.4 הוועדה מפרסמת מעת לעת הנחיות תפעוליות ליישום אמנת המורשת העולמית (Operational Guidelines for the Implementation of the World Heritage Convention). המהדורה העדכנית ביותר פורסמה בינואר 2005 (http://whc.unesco.org/en/guidelines/). ההנחיות נועדו לפרש את סעיפי האמנה ולהסביר כיצד ניתן ליישמם על בסיס יומיומי.

הארגונים המייעצים

3.5 הוועדה מקבלת ייעוץ מקצועי משלושה ארגונים המוזכרים באמנה:

- ICCROM - מרכז הבינלאומי ללימוד שימור ושחזור של נכסי תרבות (רומא) (The International Centre for the Study of the Preservation and Restoration of Cultural Property (The Rome Center) - ICCROM), אשר תפקידו העיקרי הוא לבצע תוכניות הכשרה;
- ICCROM - מועצת האנדרטאות והאתרים הבינלאומית (International Council of Monuments and Sites), אשר תפקידיה העיקריים לבצע הערכת מועמדויות של אתרי תרבות ולדווח על מצב השימור של נכסי תרבות ברשימה;
- IUCN - ארגון השימור העולמי (World Conservation Union), אשר תפקידיו העיקריים הם להעריך את מועמדויות אתרי טבע, ולדווח על מצב השימור של נכסי טבע ברשימה.

3.6 ככלל שלושת הארגונים מייעצים בנושאים אסטרטגיים והכנת חוו"ד לסיוע בינלאומי, ובאפשרותם להיעזר בניסיונם של ארגונים אחרים ככל שיידרש.

מרכז מורשת עולמית

3.7 מזכירות הוועדה מעוגנת במרכז מורשת עולמית של אונסקו, בפריז (http://whc.unesco.org).

4 ההקשר הלאומי

4.1 הממלכה המאוחדת הצטרפה לאמנת המורשת העולמית בשנת 1984 ובתחומיה 27 אתרי מורשת עולמית (17 אתרים באנגליה). אתרים אלה שונים במידה יוצא מן הכללת מבחינת גודלם וטיפוסם, החל מאתרים ארכיאולוגיים ועד לבתי-כפר רחבי-מימדים והפארקים הצמודים להם וכן מרכזים עירוניים ואתרים הממחישים את תפקידה התיעושי של אנגליה. ישנו אתר טבע אחד (חוף דורסט ודבון המזרחית (Dorset and East Devon Coast), הנכלל ברשימה הודות לערכו הגיאולוגי. כמו כן, מספר הבעלים ובעלי החזקה של מקום שונה, לדוגמה, החל מארמון בלנהיים (Blenheim Palace) המצוי בבעלות יחיד ועד לבת' (Bath) עם אלפי בעלים ובעלי חזקה.

4.2 הממלכה המאוחדת עובדת בצמוד עם אונסקו בנושאים רבים לרבות תחום המורשת העולמית. קיימת משלחת בריטית קבועה לאונסקו. המחלקה הראשית המטפלת באמנת המורשת העולמית היא מחלקת התרבות, התקשורת והספורט (Department for - DCMS Culture Media and Sport), הפועלת בתיאום עם עמיתיה בממשלה הסקוטית, ממשלת האסיפה הוולשית והמחלקה הסביבתית של צפון אירלנד, אשר בידיהם סמכות מצומצמת בנושאי מורשת טבעית ותרבותית, וכך גם עם משרד המשפטים, המייצג את מדינות החסות של הממלכה, ומשרד החוץ והקהילייה (Foreign and Commonwealth Office), האחראי לשטחי הממלכה מעבר לים.

4.3 מחלקות ממשלתיות אחרות באנגליה מחזיקות בתפקידים הנוגעים ליישום אמנת המורשת העולמית; המחלקה לקהילות לרשויות מקומיות (Department for Communities and Local Government) מכסה את נושא התכנון המרחבי ואת תפקידי הרשויות המקומיות. מחלקת הסביבה, המזון ועניני הכפר (Department for Environment, Food and Rural Affairs - DEFRA) אחראית, באמצעות "Natural England" (אנגליה הטבעית) על אתרי מורשת עולמית טבעית באנגליה. מחלקות אחרות כגון משרד הביטחון אחראיות על היבטים שונים בניהול באתרי מורשת עולמית אנגליים מסוימים.

4.4 ברמה האזורית, הן משרדי הממשלה האזוריים והן סוכנויות הפיתוח האזוריות יכולות לשחק תפקיד חשוב בנושא מורשת עולמית באמצעות אסטרטגיות מרחביות אזוריות וההענקת מימון לאתרי מורשת עולמית פרטניים.

4.5 ברמה המקומית, תפקיד הרשויות המקומיות הינו חיוני ורב-מימדי. אלה אחראיות לתכנון המרחבי באזוריהם בניהול ובקידום התיירות וכבעליהם, במקרים מסוימים, של חלקים מאתרי המורשת העולמית.

4.6 מבנים דתיים מהווים חלק עיקרי מאתרי מורשת עולמית רבים. ועדת "מרקם" הקתדרלות (Cathedrals Fabric Commission) אחראית על פיקוח אחר ביצוע התיקונים ופעילויות הפיתוח בקתדרלות המפעילות מערכת בקרה עבור כנסיות קהילתיות. מנזר וסטמיניסטר, לאור מעמדו כ"נכס מלכותי ייחודי" (Royal Peculiar), אינו נדרש לכל פיקוח.

4.7 הממשלה רשאית להתייעץ עם הארגונים שונים בנושאי מורשת עולמית.

4.8 הוועד הלאומי של הממלכה המאוחדת לאונסקו הוא המתאם את מדיניות ופעילויות הקשורים לאונסקו. כגוף בלתי-תלוי, הוועד יועץ עיקרי לממשלת הממלכה המאוחדת, מה שמתיר לו לעבוד בממלכה המאוחדת, מול ארגוני חינוך, מדע, תרבות, תקשורת ומידע, במטרה לממש את חזון אונסקו לקידום מטרות של שלום, הבנה הדדית ופיתוח אנושי שוויוני ובר-קיימא.

4.9 רשות המורשת האנגלית הינה הגוף המייעץ לממשלה בנושאי הסביבה ההיסטורית. תפקידיה של הרשות כוללים: הבנת ושימור הארכיאולוגיה הקרקעית והתת-ימית; מבנים, אתרים ואזורים היסטוריים; נופים מעוצבים והיבטים היסטוריים של הסביבה הנושקת להם, וכן ניהול אחוזה בעלת למעלה מ-400 נכסים היסטוריים. רשות המורשת האנגלית היא הגוף המייעץ העיקרי למשרד התרבות, התקשורת והספורט בכל הקשור למורשת עולמית.

4.10 רשות המורשת הטבעית - (Natural England) נוסדה ע"י הממשלה בשנת 2005 למען אנשים, מקומות וטבע, להעצים את המגוון הביולוגי, הנופים ואת חיי הטבע באזורים כפריים, עירוניים, חופיים וימיים; לקדם נגישות, פנאי ורווחה ציבורית; וכן לתרום לאופן בו מנוהלים משאבים טבעיים כך שאלה יוכלו לשמש לתועלת הציבור הן בהווה והן בעתיד. לרשות יש תפקיד ייחודי מבחינת אתר המורשת הטבעית היחיד הקיים באנגליה, חוף דורסט ודבון

המזרחית. כמו כן, היא האחראית לניטור אופן התנהלות ה-SSSI באתרי מורשת עולמית אחרים וממלאת תפקיד מרכזי בקבלת ובהענקת מענקים חקלאיים-סביבתיים.

4.11 יש, כמו כן, מספר ארגונים בלתי-ממשלתיים בעלי מעורבות מיוחדת בענייני מורשת עולמית. הן ה-ICOMOS והן IUCN מקיימים וועדים ארציים. ICOMOS מספק ייעוץ בנושא אתרי מורשת עולמית ויישום אמנת המורשת העולמית מכוח הסכם אשר נחתם עם רשות המורשת האנגלית. בסמכות להגיב על יוזמות תכנוניות אשר עלולות להשפיע על אתרי מורשת עולמית והוא עושה זאת באופן בלתי-תלוי ביחסיו עם רשות המורשת האנגלית.

4.12 פורום המורשת העולמית ברשויות המקומיות (LAWHF - Local Authority World Heritage Forum) הינו רשת של רשויות מקומיות בממלכה המאוחדת אשר בתחומן האדמיניסטרטיבי מצוי, באופן חלקי או מלא, אתר מורשת עולמית או אתר מורשת עולמית טנטטיבי. הפורום קיים על מנת לסייע לרשויות המקומיות למלא את תפקידן בהגנה, שימור והצגת אתרי מורשת עולמית בממלכה המאוחדת.

5 הגנת וניהול אתרי מורשת עולמית באנגליה

5.1 אתרי מורשת עולמית אנגליים הינם נכסים גדולים המצויים לרוב בבעלות משותפת. בשנת 1994,הנחייה PPG15 קבעה פרמטרים בסיסיים להגנת הערך האוניברסאלי ושימוש בר-קיימא באתרי המורשת העולמית האנגליים. הגישה האנגלית מבוססת על השימוש במערכת התכנון המרחבי להגנת אתרי מורשת עולמית ופיתוח תוכניות לניהול מורשת עולמית בגישה הוליסטית לניהול. לכלל אתרי המורשת העולמיים האנגליים יש עתה תוכנית ניהול. יש חשיבות מכרעת למעורבות יעילה ופעילה מצד כל בעלי העניין המהותיים, לרבות בעלי הנכסים של המחזיקים באתרים וקהילות מקומיות.

5.2 יסודות מפתח של הגישה האנגלית להגנת ולניהול אתרי המורשת:

- הגדרת נכס ספציפי כאתר מועמד מורשת עולמית (מבנים רשומים, אנדרטאות עתיקות מתוכננות, פארקים וגנים, מתחמי שימור, אזורים בעלי יופי טבעי יוצא מן הכלל);
- אתרי מורשת עולמית מהווים שיקול מועדף בכל דיון תכנוני;

- על הרשויות המקומיות לקבוע נהלי מדיניות בתוכניותיהן המקומיות על מנת להגן על הערך האוניברסאלי היוצא מן הכלל, על האותנטיות ועל השלמות של אתרי המורשת העולמית;
- על כל אתר מורשת עולמית להפעיל תוכנית ניהול מוסכמת;
- מחויבות סמכות מקומית;
- קבוצת היגוי של בעלי העניין באתר ותמיכת השותפים העיקריים;
- תיאום יעיל, המתבצע לרוב ע"י מתאם אשר מונה לכך.

6 אתרי מורשת עולמית במערכת התכנון

הצהרות מדיניות תכנונית / הנחיות (PPS/PPG)

http://www.planningportal.gov.uk/England/professionals/en/1020432881271.html

6.1 הנחיות PPG15 ו-PPG16 קובעות את מדיניות הליבה הארצית בנושא שימור הסביבה ההיסטורית שאתרי מורשת עולמית הם חלק ממנה. (המדיניות הממשלתית בנושא אתרי מורשת עולמית מפורטת בפרסום (Circular) המצורף להנחיות אלו]. כמו כן, מתבצעים התייעצויות ציבוריות על מדיניות ורגולציה ממשלתית בתחומי אתרי המורשת העולמית. אלה מפורטים להלן:

6.2 PPS1 – ההנחייה לפיתוח בר-קיימא (Delivering Sustainable Development) - מפרט את נהלי המדיניות התכנונית הממשלתית העיקריים בנושא הפיתוח בר-הקיימא באמצעות מערכת התכנון.

"הממשלה מחויבת להגנת ולהשבחת איכות הסביבה הטבעית וההיסטורית, הן באזורי הכפר והן באזורים העירוניים. על מדיניות התכנון להגן ולהעצים את איכות, אופי וערך הקיים באזורי הכפר והעיר בכלל. יש להעניק רמת הגנה גבוהה לנופים עירוניים וטבעיים בעלי ערך גבוה ביותר, לסביבות טבע ולמשאבי טבע. לאתרים בעלי "ייעוד" לאומי ובינלאומי יש להעניק רמת הגנה גבוהה ביותר".

6.3 ההנחייה -PPS22 - 'אנרגיה מתחדשת':

"רשות התכנון לפיתוח אנרגיה מתחדשת הצפוייה להשפיע לרעה על אתר בעל חשיבות בינלאומית טבע ותרבות (אזורים מוגנים מיוחדים, אזורי שימור מיוחדים, אזורי RAMSAR

ואתרי מורשת עולמית) תינתן רק לאחר שתתבצע הערכה המוכיחה כי שלמותו של האתר לא תיפגע לרעה עקב יישום התכנון".

תקנות יידוע (Call In Regulations)

6.4 צו תכנון העיירות והכפרים (התייעצות) המוצע 2008 יישם את מחויבות הממשלה להטמיע דרישות פרסום ויידוע עבור פיתוח ספציפי המשפיע על אתרי מורשת עולמית. לפי צו זה, על הרשויות המקומיות להפנות למזכיר המדינה כל הצעת פיתוח המשפיעה על אתרי מורשת עולמית שהרשות המורשת האנגלית התנגד לה, וזאת בתנאי שהתנגדות זו לא הוסרה. "פיתוח אתר מורשת עולמית" פירושו פיתוח אשר עלול לפגוע לרעה בערכו האוניברסאלי, בשלמותו, באותנטיות ובחשיבותו או סביבתו, לרבות הבאזור החיץ או שווה ערך לאזור החיץ.

תקנות אחרות

6.5 אתרי מורשת עולמית מוגדרים כ"אזורים רגישים" מכוח תקנות **סקר השפעה על הסביבה** (EIA - Environmental Impact Assessment). סקר השפעה סביבתית עבור הצעות לפיתוח והצעות לתשתית בתחומי אתרי מורשת עולמית חייבים לקחת בחשבון את השפעתו על האתר ועל ערכו האוניברסאלי. המיקום בתוך אתר המורשת העולמית חייב להילקח בחשבון ע"י הרשויות המקומיות במהלך סינון הצעות הפיתוח והתשתית לצרכי סקר ההשפעה הסביבתית.

6.6 הצעות פיתוח בתחומי אתרי מורשת עולמית דורשים **הצהרות תכנון וגישה** (Design and Access Statements).

פקודת הפיתוח הכללי המותר (General Permitted Development Order - GPDO)

6.7 אתרי המורשת העולמית נוספו לסעיף 1(5) קרקע לפקודת הפיתוח הכללי המותר. סעיף זה מגביל את זכויות הפיתוח המותר בתחומי אתרי מורשת עולמית והוא מיועד לפקח על ביצועם של שינויים זעירים אשר לאורך זמן עלולים לשחוק את ערכו האוניברסאלי ואופיו של האתר.

6.8 לרשויות מקומיות מוקנית הסמכות להורות מכוח סעיף 4 להגביל צורות פיתוח אחרות בתחומי אתרי מורשת עולמית, בעוד שרשויות המינראליים רשאיות מכוח סעיף 7 להגביל את זכויות הפיתוח המותרות לכריית מינראליים.

הצעת החוק להגנת המורשת (Heritage Protection Bill)

6.9 הצעת החוק להגנת המורשת (המצוי כרגע בשלבי טרום-חקיקה), לכשיתקבל, יהווה ההכרה הסטטוטורית הראשונה מסוגה העוסקת באתרי מורשת עולמית, עקב הכללתם במרשם הנכסים ההיסטוריים. כמו כן, החוק ידרוש מאתרי המורשת העולמית להיכלל ברישום הסביבה ההיסטורית של הרשויות המקומיות. אתרי מורשת עולמית כמו כן ייהנו מן האפשרות להיכלל [לפחות באופן חלקי] בהסכמי שותפות באתרי מורשת (Heritage Partnership Agreements) (ראה http://www.culture.gov.uk/Reference_library/Publications/archive_2008/pub_drafthpb.htm)

הנחיות רשות המורשת האנגלית

6.10 רשות המורשת האנגלית מפרסמת מעת לעת מסמכי הנחיות ומדיניות בנושא הגנת וניהול הסביבה ההיסטורית. כיועץ עיקרי של הממשלה בנושאי האמנה למורשת עולמית, רלוונטיות בכל אתרי מורשת עולמית שיסייעו בקבלת החלטות מושכלות..

6.11 באפריל 2008, פרסמה רשות המורשת האנגלית את "עקרונות השימור" (ראה http://www.english-heritage.org.uk/server/show/ConWebDoc.13556) שהיווה נושא להתייעצות ציבורי מקיף ורחב-היקף. עקרונות אלה מנחים את עבודת רשות המורשת האנגלית. העקרונות מפרטים את המסגרת בה מבצעת רשות המורשת האנגלית את הערכותיה. הם מגדירים גישה לקבלת החלטת והנחיות בנושא היבטי הסביבה ההיסטורית האנגלית. יש שישה עקרונות עיקריים:

עקרון 1: הסביבה ההיסטורית כמשאב משותף

עקרון 2: יש לאפשר לכל להשתתף במאמץ לשמור על הסביבה ההיסטורית

עקרון 3: הבנת חשיבות המקום הינה חיונית

עקרון 4: מקום בעלי חשיבות חייב להיות מנוהל על מנת לשמר את ערכיו

עקרון 5: החלטות מחוללות שינוי חייבות להיות סבירות, שקופות ועקביות

עקרון 6: לתיעוד ולימוד מטעויות יש חשיבות מכרעת

6.12 שימור מוגדר כתהליך ניהול השינויים במקום בעל חשיבות בסביבתו המקורית בדרכים אשר תשמורנה במידה הטובה ביותר על ערכי המורשת הגלומים בו, תוך השקעת מאמצים לזהות הזדמנויות לחשיפתם או לחיזוקם של ערכים אלו עבור הדורות הקיימים והבאים.

6.13 העקרונות מזהים מגוון של ערכי מורשת אשר עשויים לייחס למקום, והם:

- ערך עדותי: פוטנציאל המקום לספק הוכחות לפעילות אנושית בעבר.
- ערך היסטורי: הדרכים בהן בני-אדם, אירועים והיבטי חיים בעבר מסוגלים להתחבר באמצעות מקום מסוים להווה על פי רוב, ערכים היסטוריים נוטים להיות ערכים אילוסטרטיביים או אסוציאטיביים.
- ערך אסתטי: הדרכים בהן אנשים זוכים לגירוי חושי ואינטלקטואלי כתוצאה האינטראקציה עם המקום.
- ערך קהילתי: המשמעויות המוקנות למקום מסוים עבור האנשים הקשורים לו, או עבור בעלי החוויה והזיכרון הקולקטיביים.

6.14 העקרונות מגדירים תהליך להערכת חשיבות ערכי המורשת במקום מסוים:

- הבנת ה"מרקם" וההיסטוריה ההתפתחותית של המקום
- זיהוי האוכלוסייה עבורה המקום חשוב והסיבות לחשיבותו עבורה
- קישור ערכי מורשת מזוהים ל"מרקם" המקום
- בחינת החשיבות היחסית של אותם ערכים מזוהים
- בחינת תרומתם של חפצים ואוספים הקשורים למקום
- בדיקת התרומה הניתנת ע"י הסביבה וההקשר של המקום
- השוואת המקום עם מקומות אחרים בעלי ערכים דומים
- ביטוי חשיבות המקום

6.15 העקרונות מסבירים כיצד **לבצע החלטות** בנושא שינויים במקומות חשובים ע"י:

- מתן מענה לשאלה האם קיים מידע מספק על מנת להבין את השפעות השינוי הפוטנציאלי
- בחינת ההשפעות על אותנטיות ושלמות המקום
- מתן התייחסות לקיימות של המקום
- בחינת ההפיכות הפוטנציאלי של השינויים
- השוואת האפשרויות השונות וקבלת ההחלטה
- יישום הקלות
- ניטור, מעקב והערכת תוצאות.

6.16 דבר זה, תואם לגישה ממוקדת - הערך של האמנה למורשת עולמית ולצורך להגדיר את ולהגן על ערכם האוניברסאלי, האותנטיות והשלמות של אתרי מורשת עולמית.

6.17 העקרונות מפרטים את נהלי המדיניות המיושמים ע"י רשות המורשת האנגלית במסגרת ניהול ותחזוקה שוטפים, חידוש תקופתי של מרכיבים מסוימים, תיקונים, התערבויות להוספת ידע, שחזור, הוספת עבודות חדשות וניהול שינויים בעלי פוטנציאל לנזק ומתן היתר לפיתוח במקומות חשובים.

6.18 ההנחיות בנושא מבנים גבוהים מטעם רשות המורשת האנגלית/CABE כולל אתרי מורשת עולמית ואת סביבתם כחלק מן הקריטריונים לפיהם יש להעריך הצעות פיתוח להקמת מבנים גבוהים.

6.19 רשות המורשת האנגלית, מקיימת התייעצות בנושא מתודולוגיית "לראות את המורשת בנוף" (Seeing the Heritage in the View). זוהי מתודולוגיה להערכת חשיבות ערכי מורשת בנופים ועליה להיות רלוונטית במיוחד לאתרי מורשת עולמית. (ראה http://www.english-heritage.org.uk/server/show/ConWebDoc.13380).

7 השימוש במערכת התכנון להגנת אתרי מורשת עולמית

7.1 אתרי מורשת עולמית מוגנים בעיקר באמצעות מערכת התכנון המרחבית. רשויות תכנון אזוריות, מרחביות או מחוזיות משחקות תפקיד מרכזי בניהול שינויים, בהגנתם ובשמירתם של אתרי מורשת עולמית בתחומן. המערכת הינה מונחית תוכנית. ומאז חוק התכנון והרכש המחייב (Planning and Compulsory Purchase Act), תלויה בהיררכיה של הנחיות ארציות, אסטרטגיות מרחביות אזוריות ומסגרות פיתוח מקומיות הקובעות את המדיניות ובהתאם לכך רשויות מקומיות קובעות את ביצוע התכנון. אנדרטאות עתיקות ומבנים רשומים באתרי מורשת עולמית מוגנים על בסיס "ייעוד" ספציפי. אתרי מורשת עולמית, בחלקם או במלואם, עשויים ליהנות מההגנה המוענקת ע"י "ייעוד" אחר, כגון: פארקים לאומיים, אזורים בעלי יופי טבעי יוצא דופן, פארקים וגנים רשומים ואזורי שימור.

7.2 בנוגע לבקרת היתר תכנון, יש להבטיח הגנה מספקת לאתרי מורשת עולמית ולסביבתם, לרבות של אזור חיץ מוגדר, ע"י הכללת נהלי מדיניות ומיפוי מתאימים הן באסטרטגיות המרחביות האזוריות והן במסגרות הפיתוח המקומיות, אשר יחדיו מרכיבות את תכנית הפיתוח עבור כל רשות מקומית. במהלך תקופת המעבר למערכת התכנון החדשה, נהלי מדיניות מתאימים מתוכניות מקומיות ישנות חייבים "להישמר" על מנת להבטיח את הגנתם של אתרי מורשת עולמית במהלך תקופת המעבר.

7.3 מטרת נהלי המדיניות בתוכנית פיתוח כוללת את הצורך להגן על הערך האוניברסאלי (ouv), לרבות המהמנות, שבגינם נכלל האתר ברשימת אתרי המורשת העולמית. ה-auv נקבע ע"י הוועדה למורשת עולמית של אונסקו, וניתן לשנותו רק מכוח החלטת וועדה. קיים הכרח לפקח על הפיתוח בסביבת כל אתר מורשת עולמית, לרבות אזור חיץ, על מנת להגן על הערך האוניברסאלי, לרבות אוטנטיות ושלמות.

7.4 הרקע לאתר מוגדר במסמך ה"עקרונות לשימור" של רשות המורשת האנגלית כ"הסביבה בה נחווה המקום, הקשרו המקומי, החובק מערכות יחסים בהווה ובעבר עם הנוף הקרוב לו". ניתן להגדיר דבר זה, בהתאם למפורט בתוכנית אתר המורשת העולמית, למטרת שמירת המורשת העולמית, כאותו אזור מסביב לאתר המורשת העולמית (לרבות אזורי חיץ) בהם לפיתוח עלולה להיות השפעה מזיקה על אתר המורשת העולמית. [רשות המורשת האנגלית תפרסם הנחיות מפורטות יותר בעוד זמן קצר בנושא הרקע של נכסים היסטוריים].

7.5 רשויות התכנון עשויות ליזום פרויקטים בהן ייקבע אילו מן הנופים באתר מורשת עולמית מכיל במידה הרבה ביותר את הערך האוניברסאלי באתר. לרוב, הדבר יכלול סקר בסיס בו חשיבות המורשת תיבחן ותוערך. סקר זה ייחשף לביקורת ציבורית (לונדון, לדוגמה, מפתחת הנחיות ספציפיות).

7.6 רצוי שלאתרי מורשת עולמית יהיה אזורי חיץ. אזורים אלה מומלצים, בהתאם לצורך, לפי ההנחיות התפעוליות של אונסקו (UNESCO Operational Guidelines). אזור חיץ מוגדר שם כאזור המקיף אתר מורשת עולמית, עם מגבלות חוקיות משלימות המוטלות על השימוש והפיתוח בתחומו וזאת על מנת להעניק שכבת הגנה נוספת לאתר מורשת עולמית. דבר זה ימומש באמצעות מערכת התכנון באותה הדרך עבור אתר המורשת העולמית עצמו. אזורי חיץ יתבדלו מאתר המורשת העולמית, אשר עשוי להיות גדול באופן משמעותי. אתרי מורשת עולמית ואזורי החיץ שלהם חייבים להיות מזוהים בבירור במפות פיתוח מקומיות ובתוכניות האסטרטגיה המרחבית האזורית. על כל הגבולות להיקלט במערכת הגיאוגרפית למיפוי ממשלתי (Government Mapping Geographical System) (MAGIC), להימסר לידי רשות המורשת האנגלית ולידי ארכיון הסביבה ההיסטורית של הרשות המקומית הרלוונטית או ה-SMR. שינויים בגבולות אתרי המורשת העולמית ואזורי החיץ שלהם יכולים להתבצע רק ע"י וועדת מורשת עולמית של אונסקו על פי בקשה המוגשת על ידי המדינה (ראה סעיף 10).

7.7 קיימת חשיבות רבה לכך שנהלי המדיניות המתאימים ייכללו באסטרטגיית הליבה של מסגרת הפיתוח המקומית. ניתן להשלים את אסטרטגיית הליבה באמצעות מגוון מסמכים אחרים, לרבות תוכניות פעולה ומסמכי תכנון נוספים. אלה עשויים להתייחס לנושאים תימטיים וייחודיים לאתר, אשר ביכולתם להרחיב את המדיניות או להעניק פרטים נוספים לנהלי מדיניות במסמך תכנית פיתוח. לגבי אתר טבע ספציפי, ייתכן ויהיה זה נאות להוסיף לנהלי מדיניות הקיימים באסטרטגיית הליבה במסגרת תוכניות פעולה אזוריות (area action plans - AAPs) או למסמכי עזר לתכנון (supplementary planning documents - SPDs). יש חשיבות מכרעת לכך שהן תוכניות הפעולה האזוריות והן מסמכי העזר לתכנון נוגעים ישירות למדיניות הקיימת בתוכנית הפיתוח. בהינתן הצורך להגן על אתרי מורשת עולמית, יש לכלול

נהלי מדיניות מתאימים ככל שיידרש במסגרות הפיתוח המקומיות של רשויות התכנון הגובלות באתר המורשת העולמית, ואלו הגובלות בתחום הרשות בה ממוקם האתר.

7.8 ייתכן ורשויות התכנון המקומיות תבקשנה לבחון האם הוראות סעיף 4 או סעיף 7 עשויות להוות אמצעי מתאים לשיפור ההגנה על אתרי מורשת עולמית. עליהן יהיה להביא בחשבון את הצורך לבחון סוגיות מורשת עולמית במהלך התייעצות בדבר הצורך בביצוע סקר השפעה סביבתית.

הטיפול בהצעות פיתוח

7.9 שינויים בתחום אתר מורשת עולמית הם בלתי-נמנעים, ולו רק כתוצאה מחלוף הזמן, ואלה עשויים להיות ניטראליים או מועילים בהשפעותיהם על הערך האוניברסאלי, על האוטנטיות ועל השלמות של אתרי המורשת העולמית. השפעתם של הצעות פיתוח על אתרי מורשת עולמית עלולות לעתים להזיק לערכם האוניברסאלי. הצעות כגון אלה עלולות לייצר מחלוקות חריפות והן דורשות טיפול קפדני וזהיר.

7.10 יש חשיבות רבה לבחינת השפעתה של כל הצעת פיתוח על הערך האוניברסאלי. לגבי הצעות רבות, הדבר ניתן למימוש בדרישה לסקר השפעה סביבתית עבור פיתוח משמעותי המוצע באתר מורשת עולמית. יש לבחון סוגיות אלו במסגרת הצהרת תכנון וגישה (design and access statement). בכל מקרה הצפוי להיות בעל השפעה מהותית על ערכו האוניברסאלי, על מהמנותו ועל שלמות של אתר מורשת עולמית, יש לקיים ייעוץ מקדים עם רשות התכנון המקומית ועם רשות המורשת האנגלית, במשרד האזורי הרלוונטי, על מנת להבטיח כי כל ההשלכות מובנות במלואן ומוצגות במפורש בחומר ההסברתי מצורף. על מציעי התוכנית לפרט את השפעת ההצעה על הערך האוניברסאלי ולתאר בפירוט כיצד הם מאמינים שהשפעות אלה תהינה קבילות בהקשר של הגנת ערכו האוניברסאלי היוצא מן הכלל, אותנטיותו ושלמותו של האתר.

7.11 בבדיקת בקשות פיתוח באתרי מורשת עולמית או באזור החיץ, על רשויות התכנון המקומיות לבחון היטב את ההשפעה הצפויה על הערך האוניברסאלי היוצא מן הכלל, האותנטיות והשלמות של האתר סגל רשות המורשת האנגלית במשרד האזורי המתאים

לייעץ במקרים בהם צפויה השפעה מהותית על הערך האוניברסאלי היוצא מן הכלל, האותנטית והשלמות של אתר המורשת העולמית.

7.12 הוועדה למורשת עולמית של אונסקו ביקשה מהמדינות ליידע אותה בכל הקשור לביצוע שחזורים או התערבויות רחבות-היקף אשר עלולות להשפיע על הערך האוניברסאלי היוצא מן הכלל של אתרי מורשת עולמית. הוועדה ביקשה לקבל הודעה מראש בהקדם האפשרי וזאת על-מנת שהוועדה תוכל לסייע בזיהוי פתרונות מתאימים כדי להבטיח את שמירתו המלאה של הערך האוניברסאלי היוצא מן הכלל. התהליך העלה מספר בעיות מהותיות מבחינת הגדרת פיתוח הצפוי לגרום להשפעה שלילית על הערך האוניברסאלי היוצא מן הכלל ומבחינת התזמון, וזאת מפני שוועדת המורשת העולמית מתכנסת רק פעם אחת מדי שנה. במקרים מסוימים, ייתכן ויהיה זה לנכון לעיין בהצעות מסוימות עוד בטרם אלה מוגשות לבחינת רשויות התכנון.

7.13 ההחלטה האם להפנות או שלא להפנות הצעות פיתוח לאונסקו תתקבל ע"י משרד התרבות (DCMS). תחילה, הם יפנו לקבלת ייעוץ מטעם רשות המורשת האנגלית ומומלץ כי רשויות התכנון ייוועצו בהקדם עם רשות המורשת האנגלית במשרד האזורי הרלוונטי בכל אותם מקרים בהם צפויה השפעה פוטנציאלית מהותית על הערך האוניברסאלי היוצא מן הכלל. יש לבחון את האפשרות להעביר לבחינתה של הוועדה למורשת עולמית של אונסקו את כל אותן הצעות הפיתוח שבגינן מבקשת רשות המורשת האנגלית להתייחס להן עקב השפעה צפויה על הערך האוניברסאלי היוצא מן הכלל. כמו כן, רשות המורשת האנגלית תייעץ ל-DCMS בעניינם של כל אותם מקרים, בשלב מוקדם יותר בפיתוח, שייתכן ויש להפנותם לוועדה (ראה גם סעיף 10).

8 אסטרטגיות קהילתיות ברות-קיימא (Sustainable Community Strategies - SCS)

8.1 צו הממשלה המקומית משנת 2000 הטיל על הרשויות המקומיות את החובה להכין אסטרטגיות קהילתיות לקידום או לשיפור הרווחה הכלכלית, החברתית והסביבתית בתחומן, ולתרום למימוש של פיתוח בר-קיימא בתחומי הממלכה המאוחדת. החוק העניק לרשויות סמכויות חדשות ורחבות שבאמצעותן תוכלנה לשפר ולקדם את הרווחה המקומית כאמצעי אשר יסייע להן לקדם אסטרטגיות אלה. במקרים מסוימים, הרשויות המקומיות עשויות להכין תוכניות קהילתיות מקומיות במסגרת אסטרטגיה רחבה יותר.

8.2 על אסטרטגיה קהילתית בת-קיימא לענות על ארבע יעדים:

- לאפשר לקהילות מקומיות (בהתבסס על אתר גיאוגרפי ו/או אינטרס) לבטא את שאיפותיהן, צרכיהן וסדר עדיפויותיהן.
- לתאם את פעילות המועצה ואת פעילות הארגונים הציבוריים, הפרטיים, ההתנדבותיים והקהילתיים אשר פועלים במסגרת מקומית;
- למקד ולעצב את הפעילות הקיימת והעתידית של אותם ארגונים כך שאלה יוכלו למלא ביעילות את צורכי ושאיפות הקהילה; וכן
- לתרום למימוש פיתוח בר-קיימא הן ברמה המקומית והן ברמה הרחבה יותר, עם מטרות ועדיפויות מקומיות הנוגעות, ככל שישים, ליעדים אזוריים, ארציים ואף בינלאומיים.

8.3 על אסטרטגיה קהילתית ברת-קיימא להכיל ארבעה מרכיבי יסוד:

- חזון ארוך-טווח עבור האזור המתמקד בתוצאות הצפויות
- תוכנית פעולה המזהה עדיפויות לטווח הקצר ופעילויות אשר תתרומנה למימוש תוצאות ארוכות-טווח;
- מחויבות משותפת ליישום תוכנית הפעולה והצעות למימוש יעד זה;
- העמדת הסדרים לניטור ויישום תוכנית הפעולה, לבדיקה תקופתית של האסטרטגיה הקהילתית בת-קיימא ולתהליך הדיווח לקהילות המקומיות.

(ראה "הכנת אסטרטגיות קהילתיות: ייעוץ ממשלתי לרשויות מקומיות, המחלקה לקהילות ולרשויות מקומיות

(http://www.communities.gov.uk/publications/localgovernment/preparingcommunitystratgies

8.4 ישנם קשרים מתודולוגיים ברורים בין אסטרטגיית פיתוח בת-קיימא לבין האופן שבעלי העניין מפתחים תוכניות ניהול של אתרי מורשת עולמית בהשתתפות קהילות מקומיות וקהילות בעלות עניין אחרות. לעתים יהיו תחומי עניין משותפים. על חלק מנהלי המדיניות בתוכניות הניהול לאתרי מורשת עולמית לשקף נהלי מדיניות הקיימים באסטרטגיות קהילתיות בנות-קיימא וייתכן שחלקם ישפיעו על פיתוחן של אסטרטגיות אלה. הקשר של מערכת יחסים זו תלוי באופי, בבעלות ובגודל אתר מורשת עולמית וכן בתחום המכוסה ע"י האסטרטגיה הקהילתית בת-קיימא הרלוונטית.

9 תוכניות ניהול אתר מורשת עולמית

9.1 פעילות שימור יעילה נשענת על ניהול שינויים מוצלח. שימורו של כל אתר מורשת עולמית הוא מרכיב חיוני, אך אין מניעה מהחלת שינויים כאשר על האתר להתאים את עצמו לצרכי החברה בהווה. ניהול יעיל של אתר מורשת עולמית ידרוש זיהוי וקידום השינוי אשר ישמר וישפר את הערך האוניברסאלי היוצא מן הכלל, האותנטיות והשלמות של האתר, וכן התאמה או צמצום השינויים אשר עלולים להזיק לערך זה.כמו כן, קיים צורך לפתח נהלי מדיניות לשימור בר-קיימא באתר לתועלת הקהילה והכלכלה המקומיים.

9.2 שימושים אלו עשויים להיות כלכליים, למשל, לצרכי תיירות באמצעות התאמתו של בניין או אזור היסטורי למטרה חדשה. שימושים אלו יכולים להיות חברתיים, למשל, השימוש באתר היסטורי כנקודה מרכזית בחיי הקהילה המקומית או כאתר לקיום פעילות חינוכית. קיימת לגיטימציה מלאה לכך שאתר מורשת עולמית ישמש למטרות אלה, וזאת בתנאי שהדבר נעשה בדרכים אשר אינן מזיקות לערכו האוניברסאלי היוצא מן הכלל. השימוש בעקרונות לשימור של רשות המורשת האנגלית עשוי לסייע בהערכתן של הצעות כגון אלה.

9.3 יש חשיבות רבה לכך שהשינויים באתר יהיו מתוכננים ותתפתח תחרות בין השימושים לאותו מתחם. הוועדה למורשת עולמית של אונסקו מציינת כי כל אתר מורשת עולמית חייב לפעול על פי מערכת ניהול מתאימה אשר תפרט כיצד ניתן לתחזק את הערך האוניברסאלי היוצא

מן הכלל, האותנטיות והתקנות של האתר, תורמת עדיפות שישפרו מעורבות מימוש יעד זה. "ההנחיות התפעוליות" של הוועדה מכירות בעובדה כי מערכת ניהול יעילה תיושם בהתאם לאופי האתר וכן בהתאם למערכת המשפטית הקיימת במדינה הרלוונטית. הנחיות אלה קובעות שניהול יעיל דורש מחזוריות של פעולות ארוכות-טווח ויומיומיות אשר מטרתן להגן, לשמר ולהציג את ערכי האתר.

9.4 ההנחיות כאן ממליצות על יסודות משותפים של מערכת ניהול יעילה:

א. הבנה הדדית מקיפה את פרטי המתחם מצד כלל בעלי העניין בו

ב. מחזור תכנון, יישום, ניטור, הערכה ומשוב

ג. מעורבות השותפים ובעלי העניין

ד. הקצאת משאבים הכרחיים

ה. פיתוח והכשרת כוח-אדם מקצועי

ו. תיאור שקוף ונגיש של פעולת מערכת הניהול

9.5 מרבית אתרי המורשת העולמית באנגליה הינם מורכבים וגדולים ולרוב מצויים בבעלות משותפת. כמו כן, ייתכנו הארגונים רשמיים רבים בעלי עניין באתר. תוכניות ניהול אתר מורשת עולמית מיועדות לפתור אתגרים פוטנציאליים כגון אלה ולהשיג את האיזון המתאים בין **שימור, גישה ופרשנות,** ובין **האינטרסים של הקהילה המקומית והשימוש הכלכלי בר-קיימא** של האתר. יש לנסח תוכניות ניהול אתר מורשת עולמית על בסיס תכנון של צוות היגוי המורכב מבעלי העניין העיקריים בכל אתר. אלו ישתנו בהתאם לאתר, אך על כל מקרה עליו לכלול את: נציגי הבעלים, הרשויות המקומיות לרבות מועצות הקהילה, DCMS, רשות המורשת האנגלית (או אנגליה הטבעית במקרה של אתרי טבע) והארגונים רשמיים אחרים או ארגונים בלתי-ממשלתיים בעלי עניין באתר. ICOMOS UK לרוב מהווה חבר בקבוצת היגוי אלו. ראש הצוות משתנה בהתאם לאופי האתר אך לרוב הוא מנוהל ע"י הרשות המקומית הרלוונטית או ע"י בעל הנכס העיקרי של האתר.

9.6 ככל שניתן, על תוכניות אפשריות להתבסס על הסכמה לערב את כלל בעלי העניין בכל אתר, ועליהן להיות בכפוף להתייעצות ציבורית. יש לזהות את מנגנוני היישום והמשאבים הנדרשים לביצוע התוכניות. צוות ההיגוי ותוכנית הניהול יעילים במידה רבה כאשר יש מתאם

לאתר מורשת עולמית. עבור אתר מורכב, פונקציה זו תדרוש משרה מלאה. עבור אתרים בעלי בעלות יחיד, פונקציית התאום יכול להיות משולב בתפקידים אחרים.

9.7 אונסקו והארגונים המייעצים ממליצים כי תוכניות ניהול אתר המורשת העולמית יכללו **חזון** כללי עבור האתר, **יעדים ארוכי-טווח** ל-30 השנים הבאות ו**נהלי מדיניות** ל-5 השנים הקרובות. החזון והיעדים מעניקים רצף ארוך-טווח בו ניתן לפתח נהלי מדיניות יעילים. תקופה של חמש או שש שנים היא בקירוב התקופה הארוכה ביותר בו ניתן לתכנן מראש ביעילות ובמידה כלשהי של וודאות. על בסיס נהלי מדיניות אלה, קיימת סבירות ראויה לפיתוח תוכניות עבודה שנתיות.

9.8 תוכניות ניהול אתר מורשת עולמית מוצלחות תתמקדנה בזיהוי, שימור ובשימוש בר-קיימא של ערכי האתר ובפרט בערך האוניברסאלי היוצא מן הכלל, האותנטיות והשלמות שלו. על מנת לממש תוצאה מוצלחת, קיים הכרח לברר את הפרטים הבאים:

- **מה קיים באתר;** תיאור האתר המכסה את כלל היבטיו, לרבות שימושיו, אשר אינו מוגבל באותם היבטים אשר מעניקים לו את ערכו האוניברסאלי היוצא מן הכלל;
- **מה חשוב באתר ומדוע;** זיהוי ערכי האתר באמצעות ניתוח התיאור. כלל הערכים חייבים בזיהוי ובמידת הצורך בתעדוף מתאים. על מרכיב זה להתמקד בערך האוניברסאלי היוצא מן הכלל כפי שהוחלט ע"י הוועדת למורשת עולמית של אונסקו, אך עליו גם לזהות ערכי אתר ארציים, אזוריים ומקומיים אחרים. ייתכן ומומלץ לפעול בהתאם למתודולוגיה הנגזרת מן העקרונות לשימור של רשות המורשת האנגלית;
- **מהן נקודות התורפה של ערכים אלה;** זיהוי האופנים (ובפרט מבחינת ערכו האוניברסאלי היוצא מן הכלל, האותנטיות והשלמות של האתר) בהם האתר פגיע וכן את אותן הדרכים בהן ניתן לשפרם ולנצלם באופן בר-קיימא;
- **מהי המדיניות בה יש לנקוט על מנת להגן על ערכי האתר;**
  - פיתוח נהלי מדיניות שמטרתם לספק מענה לאותן נקודות תורפה ולשפר את אופי האתר ואת שימושו בר-הקיימא, לרבות פעילויות חינוכיות ונגישות;

- **כיצד ניתן ליישם ולנטר את נהלי המדיניות;** זיהוי הדרכים בהן ניתן ליישם את התוכניות וההסדרים לניטור ולבדיקת יעילותה.

9.9 זוהי אותה מתודולוגיה בסיסית המשמשת עבור תוכנית שימור אך בגירסה מורחבת זו היא כוללת הצעות לשימור תועלתי בר-קיימא. תוכנית ניהול אתר מורשת עולמית תהיה ברמה גבוהה יותר ומפורטת פחות בהשוואה לתוכנית שימור. תוכנית שימור עשויה להתווסף לתוכנית ניהול אתר מורשת עולמית עבור חלקים מסוימים באתרים מורכבים, כגון מקבצי הריסות מסוימים או מבנים פרטניים.

9.10 ייתכן ויהיה זה לנכון לקבץ את נהלי המדיניות השונים תחת ארבע כותרות:

הגנת הערך האוניברסאלי היוצא מן הכלל של האתר: הגנתו של האתר כוללת את מניעתן של אותה פעילות העלולה להזיק לערכו האוניברסאלי היוצא מן הכלל, לאותנטיותו ולשלמותו של האתר, הן בתחומי האתר עצמו והן באמצעות השפעות הפיתוח על סביבתו, לרבות אזור החיץ שלו.

שימור האתר: השימור מתייחס לפעולות חיוביות הנדרשות לשימור ולשיפור האתר. אלה עשויות לכלול עבודות כגון: תיקון מבנים והריסות, שינויים בטיפול חקלאי כדי להגן על שטחים ארכיאולוגיים קבורים או עבודות נוף לשיפור סביבת האתר.

השימוש באתר: שימוש בר-קיימא באתר הוא הדרך הטובה ביותר לשמרו. דרך השימוש באתר תלויה באופיו הייחודי. מה שמתאים במרכז עירוני יהיה שונה בתכלית בהשוואה לדרישה הקיימות באתר ארכיאולוגי. בכל אתר יש להבטיח תנאים מתאימים למבקרים בו. על שימוש בר-קיימא באתר להתמקד באופן עיקרי בשימור ערכו האוניברסאלי היוצא מן הכלל, אותנטיותו ושלמותו. יש לתכנן וליישם את כל מיזמי הפיתוח בסביבת האתר מתוך התייחסות מתאימה לדרישה זו. עם זאת, ישנה חשיבות לכך שכל שימוש באתר יהיה בר-קיימא מבחינה כלכלית.

נהלי מדיניות לשימוש באתר כוללים לא רק את ניצולו הכלכלי אלא גם את פעילות החינוך, הנגישות והשיווק.

ניהול האתר: נהלי מדיניות ברורים ליישום התוכנית הינם הכרחיים לביצועה היעיל. יש חשיבות מכרעת לכך שכל בעלי העניין באתר יהיו מעורבים בתהליך הניהול. תהליך זה חייב לאפשר לכל האינטרסים הנוגעים לדבר להתבטא במהלך הגשמת האיזון בין השימור,

הנגישות ושימוש בר-קיימא באתר, לרבות לצרכי תיירות, ובין האינטרסים של הקהילה המקומית.

9.11 חשיבותו של התהליך בו מפותחות ומיושמות התוכניות השונות חשוב במידה שווה לתכניהן של תוכניות אלה. באופן עקרוני, פיתוחה של התוכנית יידרש לשלושה שלבים תכנוניים:

- **הכנת טיוטת תוכנית בהשתתפות כל בעלי העניין באתר;** הדיון וההשתתפות בתהליך זה חיוני לפיתוח קונצנזוס בדבר נהלי המדיניות הקיימים בתכנית. התייעצות ציבורית בעניין טיוטת התוכנית הינו המרכיב האחרון של שלב זה, אם כי ייתכן ויש מקום לכנס פגישות והתייעצויות ציבוריות במהלך תהליך ההכנה.
- **פרסום ואימוץ התוכנית המוסכמת מצד כל בעלי העניין העיקריים;** זהו שלב מרכזי בתהליך שכן הוא מציג תוכנית עבודה וחזון מוסכם והכוונה עבור ניהול האתר.
- **יישום;** ללא אמצעים מוסכמים ליישום, לתוכנית יהיה ערך מועט. מן ההכרח שתוטל האחריות ליישום התוכנית ולהובלתה. על מתאם התוכנית להיות אחראי לבדיקה, לניטור ולדווח על יעילות התוכנית באופן סדיר.

9.12 אתרי מורשת עולמית רבים מושפעים מאסונות טבעיים או מעשה ידי-אדם. הוועדה למורשת עולמית של אונסקו ביקשה שתוכניות הניהול תכלולנה הערכה של ההשפעה הפוטנציאלית של שינויי האקלים ושל הסיכון הצפוי מפני שיטפונות, שריפות ומקרי חירום אחרים ולהכין אסטרטגיות למזעור נזקים אלו, ככל שיידרש, מבחינת אתר מורשת העולמית ובין היתר, גם עבור אוספיהם. מומלץ כי צוות היגוי יפעל בשיתוף עם הרשות הרלוונטית לשעת חירום ועם מתכנני תשתית החירום המחוזיים והמקומיים ותעודדנה את בעלי הנכסים בתחומי אתר מורשת עולמית לבחון הסדרים משל עצמם. רשות המורשת האנגלית, וועדת המוזיאונים, הספריות והארכיונים עשויים להעניק ייעוץ מועיל בעניין זה.

9.13 תוכנית ניהול יעילה חיונית לפעילות שימור מוצלחת וכן לשימוש בר-קיימא ותועלתי של אתרי מורשת עולמית. באופן עקרוני, לתהליך אופי מחזורי. הצלחתה של תוכנית חייבת בבדיקה על בסיס תקופתי (למשל, במרווחים של 5 שנים) ועל התוכנית לעבור תיקונים בהתאם לממצאי תהליך הניטור. יש חשיבות מכרעת לביצוע מחקר וניתוח נתונים מתמשך המתמקדים בהיסטוריה ובחשיבותו של האתר ושל אופי השימוש בו, שכן רק באמצעות

עבודה כגון זו ניתן יהיה לחדד את הגדרת האתר כמתחם בעל חשיבות ועל ידי כך לשפר את נהלי המדיניות הקבועים בתוכנית. הבנה משופרת מאפשרת למנהל האתר לשפר את פרשנותו לטובת המבקרים בו.

9.14 תוכנית ניהול היא מסמך חיוני לניהול אתר מורשת עולמית. מרכז מורשת עולמית ממליץ כי נהלי מדיניות רלוונטיים בהן יהוו שיקולים עקרוניים במהלך הכנת תוכניות וקבלת החלטות וכי יש להעניק התייחסות מלאה לתוכניות הניהול במהלך ניסוחן של אסטרטגיות עיקריות ומסמכים אחרים הרלוונטיים למסגרת הפיתוח המקומית. ייתכן שבמקרים מסוימים צריך לפתח את הפרק בתוכנית הניהול העוסק בבקרה על פיתוח כדי לאמצו במסגרת מסמך פיתוח מקומי. לכן, יש חשיבות לחשיפה להתייעצות ציבורית מלאה. לאחר תום התהליך, על ההארגונים המעניקים להן תוקף לאמץ או לקדם את תוכניות הניהול.

9.15 יש ותוכנית ניהול כפופה להוראות הצו האירופי 2001/42/EC (European Directive) בנושא הערכת ההשפעות של תוכניות מסוימות על הסביבה (צו ההערכה הסביבתית האסטרטגית - the Strategic Environmental Assessment (SEA) Directive). הוראות לקביעת תחולתו של הצו ופרטי הדרישות הקבועות בו, מופיעים ב"חוברת ההדרכה המעשית ליישום צו ההערכה הסביבתית האסטרטגית" (A Practical Guide to the SEA Directive") אשר פורסם בספטמבר 2005.

http://www.communities.gov.uk/documents/planningandbuilding/pdf/practicalguidesea.pdf)

10. מעורבות הוועדה למורשת עולמית של אונסקו באתרי מורשת עולמית

10.1 כפי שצוין לעיל, הוועדה למורשת עולמית של אונסקו עשויה להיות מעורבת בפעילותם של אתרים בדרכים שונות. **כל ההתקשרות עם מרכז מורשת עולמית, הארגונים המייעצים ועם הוועדה מתבצעת באמצעות משרד התרבות DCMS, לגבי אתרים בהתאם לצורך.**

10.2 קיימים שינויים מסוימים באתרי מורשת עולמית המחייבים את אישור הוועדה למורשת עולמית. שינויים אלה מתייחסים:

- לשינוי הגדרת הערך האוניברסאלי היוצא מן הכלל של אתר המורשת העולמית; הדבר דורש הגשת מועמדות מחדש, ותהליך הערכה מלא לאתר;
- להוספת קריטריונים חדשים לאתר מורשת עולמית מוכרז; הדבר דורש הגשת מועמדות מחדש ותהליך הערכה מלא לאתר.
- לשינויים בגבולות אתר מורשת עולמית; שינויים מזעריים ניתנים למימוש באופן פשוט יחסית. שינויים משמעותיים מחייבים הגשת מועמדות מחדש ותהליך הערכה מלא לאתר;
- להוספת אזור חיץ או שינויים בגבולות אזור חיץ קיים; בעוד שאזורי חיץ אינם מהווים חלק מאתר המורשת העולמית, הוועדה דורשת לאשר הצעות כגון אלה.

10.3 הצורך בפעולות כגון אלה עשוי להתגלות במהלך תיקון תוכנית הניהול או כתוצאה מדיווח תקופתי (ראה סעיף 10.9 להלן). על צוות ההיגוי להגיש הצעות לבדיקת DCMS אשר תקבע האם יש להגישן לוועדת מורשת עולמית. בטרם תעשה זאת, על המחלקה להתייעץ עם רשות המורשת האנגלית. מומלץ, שצוות ההיגוי יתייעץ עם רשות המורשת האנגלית ועם המחלקה בטרם אלה תתחלנה בעבודתן על תיקונים כגון אלה, שכן המחלקה אינה צפויה לתמוך בהגשות הדורשות מועמדות מחדש הכרוכות בתהליך ארוך ויקר. לפי שעה, מועמדויות חדשות כגון אלה שוללים כמו כן מועמדויות של אתרים חדשים באותו מחזור של פעילות הוועדה.

10.4 במקרה של אתר בין מדינתי, כל הצעות לשינוי הפריטים לעיל חייב להיות מאושר ע"י הרשויות הארציות האחראיות לחלקיו הלא-בריטים של האתר.

10.5 הוועדה למורשת עולמית מעורבת בניטור מצב השימור של אתרי מורשת עולמית. המדינות מתבקשות ליידע את מרכז מורשת עולמית בדבר אירועים משמעותיים (כגון אסונות טבע) שמשפיעים על האתרים. הוועדה מבקשת מן המדינות ליידע את מרכז מורשת עולמית בדבר פעולות שחזור רחבות-היקף או בדבר פיתוחים חדשים אשר עלולים להשפיע על ערכו האוניברסאלי היוצא מן הכלל של האתר. המרכז מקבל לידיו התכתבויות מצדדים שלישיים העוסקות במצב השימור של אתרי מורשת עולמית.

10.6 ללא קשר למקור המידע, באפשרות המרכז לפנות בבקשה למידע נוסף, ככל שיידרש, מהמדינה. המידע מועבר לארגון המייעץ הרלוונטי לקבלת חוו"ד מתאימה. ככל שיידרש, המרכז יכין דוח מצב שימור ויציג אותו בפגישה השנתית של הוועדה. הוועדה יכולה לייעץ למדינה הרלוונטית,ובאפשרותה לדרוש מידע נוסף ממנה ולשגר משלחת שתבחן את הסוגיות הרלוונטיות. במקרים חמורים במיוחד, הוועדה רשאית לכלול את האתר ברשימת "אתרי מורשת עולמית בסיכון", או כאשר היא סבורה כי ערכו האוניברסאלי היוצא מן הכלל של האתר אבד, ביכולתה להסירו כלל מרשימת אתרי המורשת העולמית (ראה "הנחיות תפעוליות", פסקאות 168-198).

10.7 התייחסות לנושא הודעות בדבר פיתוח מוצע מטעם המדינה מופיע לעיל. במקרים של אסון טבע או אחר, מתאם האתר נדרש ליידע את המחלקה ואת רשות המורשת האנגלית בהקדם האפשרי. המחלקה תדון עם רשות המורשת האנגלית והמתאם בשאלה האם יש להגיש דוח ואם כן, איזה מידע חייב להיכלל בו.

10.8 כאשר מרכז המורשת העולמית דורש מידע מהמדינה, DCMS תעביר את הבקשה לאתר הרלוונטי ולרשות המורשת האנגלית בהקדם האפשרי על מנת לקבל את המידע הנדרש כדי לנסח תגובה מתאימה. באופן דומה, לאחר שהוועדה למורשת עולמית של אונסקו קיבלה החלטה בדבר אתר מסוים, DCMS יידע את האתר בדבר ההחלטה ותסכם עמם את המענה המתאים. אם הוועדה תחליט לשגר משלחת למקום, DCMS תטפל בהסדרים הנדרשים מול האתר.

10.9 הוועדה למורשת עולמית כמו כן בודקת כל אתר מורשת עולמית על בסיס מחזורי. תהליך זה, הידוע כתהליך הדיווח התקופתי, התבצע באירופה במהלך השנים 2004 ו-2005. הדוח האירופי התקופתי צופי להתקיים במהלך השנים 2011 ו-2013.

BACK

עקרונות לשימור אתרי מורשת בסין

איקומוס סין

אוקטובר 2000

BACK

עקרונות לשימור אתרי מורשת בסין

מבוא

סין היא מדינה המורכבת מקבוצות אתניות רבות; זו מדינה רחבת-מימדים, בעלת היסטוריה ארוכה ומסורת תרבותית רצופה. הודות למספרם הרב של שרידי המורשת, קיימת האפשרות להרכיב תמונה ברורה של התהוותה והתפתחותה של התרבות הסינית. אתרים אלה מספקים ראיות מהן ניתן ללמוד על ההיסטוריה הסינית וכן בסיס על פיו ניתן להעצים את הזהות הלאומית ולקדם פיתוח בר-קיימא של התרבות הלאומית.

השלום והפיתוח מהווים נושאים מרכזיים בחברה העכשווית. ההבנה של אתרי מורשת מקדמת את הדיאלוג התרבותי בקרב המדינות וחבלי הארץ השונים וכן משרתת את אינטרס השלום העולמי וההתפתחות המשותפת. אתריה המרהיבים של סין הינם מוקדי מורשת לא רק של הקבוצות האתניות השונות היושבות במדינה, אלא גם מהווים מקור עושר עבור כל האנושות; הם שייכים לא רק לדור הנוכחי, אלא אף במידה רבה יותר לדורות העתיד. על כן, זוהי חובתנו המשותפת להוריש אתרים אלו לדורות העתיד במלוא הדרם ובשלמותם.

מאמציה של סין לפתח רעיונות ונוהגים מודרניים לשמירת אתרי מורשת החלו בשנות ה-30. מאז הקמתה של הרפובליקה העממית של סין, היא הצליחה לשמור על אתרי מורשת רבים שהיו מצויים בסכנת השמדה מוחלטת, בד בבד, פיתחה תיאוריות והנחיות לשימור התואמים לנסיבות הלאומיות. הממשלה הלאומית קידמה את "חוק הרפובליקה העממית של סין להגנה על שרידי תרבות" (Law of the People's Republic of China on the Protection of Cultural Relics) וכן תקנות וחוקים נלווים. מסמך "העקרונות לשימור אתרי מורשת בסין" (Principles for the Conservation of Heritage Sites in China), נוסח בהתבסס על חוקים ותקנות אלה, וכן שאב מן "הצ'רטר הבינלאומי לשימור ולשחזור אנדרטאות ואתרים (צ'רטר ונציה) – המייצג ביותר בתחום זה.

"העקרונות לשימור אתרי מורשת בסין" הינם הנחיות מקצועיות בתחום החקיקה והתקנות הנוגעים לשימור אתרי מורשת והם מספקים הנחיות לשימור באתרים אלו, ומפרטים את הקריטריונים העיקריים להערכת תוצאות מאמצי השימור. עקרונות אלה מכילים ביאור מקצועי לסעיפים הרלוונטיים בחקיקה ובתקנות הלאומיות בסין הנוגעות לאתרי המורשת.

א. עקרונות שימור כללייםסעיף 1: עקרונות אלה משמשים כהנחיות לשימור עבור כל האתרים המוגדרים כאתרי מורשת.

אתרי מורשת הינם השרידים הפיזיים הקבועים אשר נוצרו במהלך ההיסטוריה האנושית בעלי חשיבות; הם כוללים אתרים והריסות ארכיאולוגיים, קברים, מבנים מסורתיים, מקדשי מערות, תחריטי אבן, כתובות, מצבות אבן ופטרוגליפים, מקומות מודרניים ועכשוויים ומבני הנצחה, ורובעים היסטוריים (כפרים או עיירות), בשילוב עם מרכיבי המורשת המקוריים שלהם, אשר מוגדרים רשמית כאתרים מוגנים.

סעיף 2: מטרת עקרונות אלה היא להבטיח נוהג נאות בשימור אתרי המורשת.

המונח שימור מתייחס לכל אותם אמצעים המיושמים על מנת לשמר את השרידים הפיזיים של אתרים אלה ושל סביבתם ההיסטורית. מטרת השימור היא לשמור על שלמות המרכיבים של אתר המורשת ולתעד עבור דורות העתיד את האינפורמציה ההיסטורית שלו ואת ערכיו. השימור בפועל כולל טיפול בנזקים אשר נגרמו עקב תהליכים טבעיים ופעולות אנושיות וכן מניעת הידרדרות נוספת במצב האתר, תוך שימוש באמצעים טכניים וניהוליים. כל אמצעי השימור חייבים בהקפדה על עקרון השמירה על המצב ההיסטורי הקיים באתר.

סעיף 3: ערכי המורשת של אתר כלשהו מורכבים מערכיו ההיסטוריים, האומנותיים והמדעיים.

סעיף 4: השימוש באתרי המורשת לטובת החברה מחייב שיקול דעת זהיר. אין לגרוע בכל צורה שהיא מערכי האתר לטובת רווח קצר-טווח.

סעיף 5: על השימור להתבצע בהתאם לתהליך הדרגתי.

כל שלב בתהליך חייב להתאים לחקיקה ולתקנות הרלוונטיות ובהקפדה על דרישות תקן מקצועיות. יש לקיים התייעצות עם קבוצות בעלי עניין רלוונטיות. הערכת חשיבותו של אתר מסוים תהווה שיקול מתועדף לאורך כלל התהליך.

סעיף 6: ביצוע מחקר הינו חיוני לכל היבטי השימור.

כל צעד בתהליך השימור חייב להתבסס על ממצאי מחקר.

סעיף 7: יש לשמור ולתחזק מאגר נתונים הניתנים לאימות.

מאגר זה יכלול את כלל שיטות התיעוד ההיסטורי והעכשווי, ותיעוד מפורט עבור כל שלב ושלב של תהליך השימור.

סעיף 8: יוקם מבנה ארגוני איתן, בלתי-תלוי וקבוע.

ברמת האתר, סמכותם של ארגוני הניהול תזכה לגיבוי חוקי. כלל העוסקים במלאכת השימור יזכו להכשרה ייעודית ולהסמכה רק לאחר השלמת מבחני בקיאות מתאימים. יש לקבוע נוהל לפיו וועדת מומחים תעיין בכלל ההיבטים החשובים של תהליך השימור. חברי וועדה זו יהיו מומחים ובעלי כישורים מקצועיים רלוונטיים וניסיון מעשי רב.

ב. תהליך השימור

סעיף 9: שימור אתרי המורשת הינו תהליך בעל שישה שלבים, המתבצעים לפי הסדר הבא: (1) **זיהוי וחקר**; (2) **הערכה**; (3) **הצהרה פורמאלית על ההגנה של האתר וסיווגו**; (4) **הכנת תוכנית אב לשימור**; (5) **יישום תוכנית האב לשימור**; וכן (6) ב**דיקה תקופתית של תוכנית האב**. ברמת העיקרון, **לא תותר חריגה משלבים אלו**.

סעיף 10: תהליך זיהוי הבדיקה של אתרי המורשת כולל סקירה כללית והכנת רשימת מצאי רחבת-היקף; ביצוע בדיקה מעמיקה יותר של אתרים נבחרים; ביצוע בדיקה מפורטת של האתרים החשובים ביותר. בדיקות אלה חייבות לבחון את כל השרידים והשיירים ההיסטוריים ואת המסמכים הרלוונטיים, וכן את הסביבה המיידית של אתרים אלה.

סעיף 11: תהליך ההערכה כולל:

- קביעת ערכי האתר, מצב השימור וההקשר הניהולי התואם את צרכיו.
- ההערכה כוללת ניתוח של רישומים היסטוריים וביצוע בדיקות בשטח של מצב האתר הנתון.
- אתרים ארכיאולוגיים אשר נתגלו לאחרונה עשויים לדרוש ביצוע חפירות בקנה-מידה מצומצם על מנת להשלים את הערכתם; ניתן לבצע חפירות אלה רק לאחר קבלת ההיתרים הנדרשים לפי החוק.

סעיף 12: בהתבסס על ממצאי ההערכה, ההצהרה הפורמאלית בדבר הגנה על אתר וסיווגו חייבים להתבצע ברמה הממשלתית הרלוונטית.

כל האתרים אשר הוצהרו כישויות מוגנות כפופים ל-4 תנאים קדם - חוקיים:

תיחום גבולות האתר;

שילוט האתר המצהיר על מעמדו של האתר כישות מוגנת רשמית; יצירת מאגר נתונים לרישום פרטי האתר;

מינוי של ארגון או אדם האמון על ניהול האתר.

יש לקבוע אזור חיץ על מנת לפקח על הפיתוח המתבצע מסביב לתחום האתר על מנת לשמור על המרחב הטבעי והתרבותי.

סעיף 13: הכנת תוכנית האב לשימור חייבת להתבסס על ממצאי ההערכה.

תוכנית האב חייבת ראשית לקבוע מטרות ייעוד עיקריות, בשילוב האמצעים לשימור המתאימים למימושן. תוכנית אב טיפוסית תכלול אסטרטגיות לארבעת המרכיבים הבאים: **אמצעים לשימור**, **שימוש הולם, קיום מיצגים ופרשנות של ממצאי האתר וניהול.** בהתבסס על תוכנית האב ניתן יהיה להכין תוכניות מפורטות למרכיבים באתר. כל תוכניות האב לשימור, ובפרט אלו עבור רובעים היסטוריים (כפרים או עיירות), חייבים בתאום הדוק עם התוכנית המקומית הרשמית לפיתוח. לאחר השלמת הליכי האישור לתוכניות אב לשימור

אלה בהתאם לקבוע בחוק, תוכניות אלה תוטמענה בתוכניות הפיתוח האורבאניות או הכפריות המקומיות.

סעיף 14: על מנת ליישם את תוכנית האב לשימור, יש לפתח תוכניות ביצוע מפורטות. תוכניות ביצוע המפותחות למטרות שימור חייבות לעמוד בתקנים הממשלתיים לתוכניות התערבות. פיתוחן חייב להתאים לחקיקה ולתקנות הרלוונטיות, ועליהן לזכות לאישור בטרם יישומן. במסגרת תוכנית האב יש לפתח תוכניות ביצוע לפרשנות של ממצאי האתר ולחינוך הציבור.

סעיף 15:תוכנית האב לשימור חייבת בניטור תקופתי על מנת להעריך את יעילותה הכוללת ולהפיק לקחים מן הניסיון המצטבר במהלך ביצוע התוכנית. אם מתגלים ליקויים או מתעוררים תנאים חדשים בשטח, אזי יש לתקן את תוכנית האב המקורית בהתאם.

סעיף 16:תוכנית האב לשימור ותוכניות הביצוע להתערבויות מהותיות חייבות בבדיקה ובהערכה ע"י וועדת מומחים בעלי הכשרה מתאימה.

סעיף 17:הניהול היומיומי חיוני לכל אחד מהיבטי שימור אתרי מורשת. החובה העיקרית של מנהלי האתר היא לבצע במועד פעילות למניעת איומים פוטנציאליים ונזקים לניוון האתר. ההנהלה כמו כן אחראית להמשך שיפור איכות המוצגים **ופרשנות** הממצאים ועבור תיעוד, איסוף ושמירת המסמכים הרלוונטיים. על ההנהלה להבטיח כי יישום התוכניות יתאים לדרישות תוכנית האב לשימור המאושרת.

ג. עקרונות שימור

סעיף 18:השימור מתבצע בשטח האתר בלבד. רק בנסיבות בהן קיימים איומים טבעיים בלתי-נשלטים או כאשר מבוצעת תוכנית פיתוח רחבת-היקף בעלת חשיבות לאומית אזי יש לשקול את העתקת מקום עבודות השימור, שיועברו לאתר אחר תוך שמירה על שלמותם ההיסטורית. העתקת מרכיבי האתר תתאפשר רק לאחר קבלת אישור בהתאם לקבוע בחוק.

סעיף 19: יש לבצע התערבות מינימאלית במרכיבי האתר. למעט ביצוע עבודות תחזוקה שגרתיות, אין לבצע כל התערבות במרכיבי מבנה או אתר אשר אינם מצויים בסכנה ממשית של נזק חמור. על ההתערבות להתבצע רק כאשר אין כל חלופה אחרת ועליה להיות מצומצמת ככל הניתן. מטרות השימור ואמצעי הניהול העיקריות הן שימור מצבו של האתר והאטת קצב התנוונותו.

סעיף 20:ביצוע תחזוקה שגרתית הינו האמצעי הבסיסי והחשוב ביותר לשימור. יש לפתח תוכנית תחזוקה שגרתית על מנת לבצע ניטור סדיר, זיהוי וסילוק איומים פוטנציאליים ותיקון נזקים מזעריים.

סעיף 21: יש לשמר את השרידים הפיזיים בתנאיהם ההיסטוריים וללא אובדן הראיות. הכבוד לחשיבות השרידים הפיזיים ינחה כל פעולת שחזור; שיירים ושרידים של אירועים ובני אדם חשובים חייבים בשימור. אין לאפשר לכל התערבות טכנית להרע את המשך הטיפול בעצמים המקוריים. אין על ממצאי ההתערבות לגרום לשינויים מהותיים בהשוואה לעצם המקורי טרם

הטיפול בו או לעצם אשר טופל קודם לכן, אך בכל מקרה יש להבדיל בין העצם המטופל לעצם המקורי. יש לקיים מאגר נתונים מפורט עבור כל פעולות השחזור ולהקפיד על הטבעת סימון קבוע המכיל את פרטי תאריך ההתערבות המבוצעת.

סעיף 22: יש לבחור את הטכניקות והחומרים בהתבסס על דרישות השימור. יש לשמר טכנולוגיות ומעשי אומנות ייחודיים ומסורתיים. ניתן להשתמש בטכניקות ובחומרים חדשים רק לאחר ביצוע ניסויים והוכחת יעילותם. בכל פנים לא יותר השימוש בטכניקות ובחומרים אשר יזיקו לאתר.

סעיף 23: יש להקפיד על קריטריונים אסתטיים מתאימים. הערך האסתטי של אתר מסוים נובע מהאוטנטיות ההיסטורית. שינויים במצב ההיסטורי של האתר לא יתאפשרו מכוח שיקולים קוסמטיים או על מנת להשיג את שלמות מרכיבי האתר.

סעיף 24: יש לשמר את הסביבה של אתרי המורשת. נופים טבעיים ותרבותיים המהווים חלק מסביבת האתר תורמים לחשיבותו ויש לשלבם במאמצי השימור. מרכיבים, בסביבת האתר, המהווים סכנה פוטנציאלית או אשר משפיעים לרעה על הנוף חייבים להילקח בחשבון. יש לשפר את הפיקוח והניהול של סביבת האתר ולהציע אמצעים מתאימים לשימור ולניהול האתר בהתאם לצרכים שזוהו בו.

סעיף 25: אין לבצע שחזור לבניין אשר איננו קיים עוד. רק מקרים שקיבלו אישור מיוחד ישוחזרו במקום. הדבר עשוי להתקיים רק כאשר קיימות ראיות מוצקות אשר אומתו ע"י מומחים. יש לפתוח במאמצי השחזור רק לאחר תום הליך האישור בהתאם לחוק ולאחר שניתנה רשות לעשות כן. את המבנים שעברו שחזור יש לסמן באופן ברור.

סעיף 26:במהלך חפירות ארכיאולוגיות יש לדאוג לשמר את השרידים הפיזיים של האתר. יש להגיש תוכנית מעשית לשימור האתר – במהלך ולאחר ביצוע החפירות – עבור כל האתרים בהם מתוכננת חפירה. תוכניות חפירה ושימור חייבות להיות מוגשות כמקשה אחת. לאחר אישורן, שתי התוכניות חייבות בביצוע מקביל. חפירות למטרות הצלה כמו כן דורשות תוכנית לטיפול בחומרים ובממצאים הנחשפים באתר.

סעיף 27:מניעת אסונות וההיערכות לקראתם דורשות הערכה מקיפה של הסכנות הקיימות באתר והמאיימות על ביטחון המבקרים בו. תוכניות מפורטות לחילוץ ומענה בשעת אסון חייבות בתכנון מתאים. יש לקבוע מגבלות עבור מספר המבקרים במבנים ובאתרים ציבוריים על מנת למנוע צוואר בקבוק. תינתן עדיפות גבוהה להעמדת מתקנים וציוד המיועדים למניעת אסונות. קיים איסור מפורש לנקוט בכל פעילות באתר אשר עשויה לסכן את מבקריו.

ד. התערבויות לשימור

סעיף 28: התערבות שימורית הינן אמצעי טכני לטיפול בנזקים ובניוון בתחום האתר וסביבתו. הטיפול כולל ארבע קטגוריות: **תחזוקה שוטפת** (29); **הגנה וחיזוק פיזיים (30); פעילויות שחזור מזעריות (31); ופעילויות שחזור רחבות-היקף** (32). יש להגדיר יעדים ברורים עבור כל פעולת התערבות וכן להשתמש בשיטות ובחומרים אשר נבדקה והוכחה יעילותם. יש לתעד ולשמור את כל האמצעים הטכניים המשמשים את מאמצי השימור.

סעיף 29:התחזוקה השוטפת הינה האמצעי המונע נזקים עקב השפעותיהם המצטברות של תהליכים טבעיים ופעולות אנוש; אמצעי זה הינו ישים עבור כלל האתרים. יש לערוך תוכנית תחזוקה מתאימה, אשר תכלול ניטור ותיעוד מתמשך של בעיות פוטנציאליות, וליישמה בהתאם לתקנים הרלוונטיים.

סעיף 30:אמצעים למיגון ולחיזוק פיזי מיועדים למניעת או לצמצום נזקים לאתר או למבנה. אין לאפשר לאמצעים אלה לפגוע במרקם המקורי של האתר וכן ככל הניתן עליהם לשמר את אופיו הטבעי של סביבתו. עבור מבני מיגון חדשים יש לתכנן תוכנית בניין פשוטה, מעשית ובלתי-פולשנית ככל הניתן. מבני מיגון אשר כמו כן משמשים כמוזיאונים או כמרכזים לפרשנות נדרשים להעניק עדיפות ראשונה לנושאי המיגון בתחומם.

סעיף 31: מאמצי שחזור מזעריים הם אמצעי התערבות אשר ניתן לנקוט בהם וזאת בתנאי שאין מתקיימת כל הפרעה במבנה המקורי, אין תוספת של רכיבים חדשים, והמצב הקיים במבנה אינו משתנה באופן מהותי. סוג זה של התערבות על פי רוב כרוך בתיקון רכיבים מסוימים באתר אשר נפגמו, שזזו ממקומם או שקרסו; תיקון מספר קטן של מרכיבים ניזוקים; והסרת תוספות מאוחרות יותר אשר אינן בעלות חשיבות. יש לשמור על תיעוד מפורט של כל הרכיבים אשר הוספו או הוסרו מן האתר.

סעיף 32: מאמצי שימור רחבי-היקף הינם פעולות התערבות המשפיעות באופן משמעותי על המרקם המקורי של האתר. הם כוללים השבת מבנה למצב יציב תוך שימוש בחומרים מחזקים חיוניים וכן תיקון או החלפת רכיבים שניזוקו או חסרים. יש לשקול היטב את ההחלטה לבצע שחזור תוך פירוק מבנה באתר. כלל הבעיות המתגלות במהלך תהליך הפירוק חייבות בפעולות מתקנות מתאימות על מנת לייתר את הצורך בהמשך טיפול במרכיבי האתר למשך תקופת זמן משמעותית. על פעולות השחזור, ככל הניתן, לשמר את שרידי ושאריותיהן של תקופות בעלות חשיבות. הן העיצוב והן החומרים מהם מורכבים המרכיבים החלופיים חייבים להיות עקביים עם הראיות אשר שרדו במרקם של האתר. רק אותם תכנים או רכיבים אשר צפויים להינזק במהלך עבודת השחזור יפורקו או יועברו ממקומם; לאחר תום השחזור, יש להשיבם למצבם ההיסטורי. העתקת רכיבים ממקום, שאושרה, שייכת לקטגוריית פעולות ההתערבות.

סעיף 33:פעולות שחזור באתר מהוות אמצעי יוצא דופן אשר ננקט רק בנסיבות חריגות. אם ניתן אישור לבצע פעולות שחזור בתחומי האתר, יש להעניק עדיפות לשימור ההריסות השרידות וזאת מבלי לגרום להן לנזק בזמן התהליך. מאמצי השחזור חייבים להתבסס על ראיות ישירות. לא תותר פעולת שחזור המבוססת על השערות בלבד.

סעיף 34: הטיפול בסביבת האתר הוא אמצעי רחב-היקף כדי למנוע נזקים עקב תהליכים טבעיים ופעולות אנושיות, לחשיפת המצב ההיסטורי באתר וכן לסיוע בתכנון השימוש המתאים באתר. הטיפול בסביבת האתר לרוב כרוך בפעולות הבאות: הסרת מבנים מסוכנים ופסולת אשר משפיעים לרעה על נוף האתר; הגבלת פעילויות תעשייתיות וחברתיות אשר עלולות להזיק לאתר, סילוק מזהמים סביבתיים מזיקים; העמדת מתקנים לשירות הציבור המבטיחים את ביטחון האתר והמבקרים; ותכנון נוף האתר. יש להעמיד את מבני השירות רחוק ככל שניתן מן האזור העיקרי באתר. מתקנים המשמשים לתערוכות ולשירות המבקרים באתר חייבים להיות משולבים בעיצוב הכולל של האתר ויש למקמם בקרבת מקום. תכנון הנוף יבוצע מתוך מטרה לשחזר את האתר למצבו ההיסטורי תוך הימנעות מפגיעה במרכיביו; אין להטמיע קונספטים ותפיסות עיצוביות של גינון ותכנון נוף עכשוויים.

סעיף 35: בנסיבות שגרתיות, יש לקבור מחדש אתרים ארכיאולוגיים, הריסות וקברים אשר נחפרו. – לאחר שהושלם המחקר הנדרש בעניינם – וזאת על מנת לשמר את האתר ולמנוע מעשי-גניבה בתחומיו. עם זאת, בנסיבות מיוחדות, ניתן להעניק אישור עבור אתר חפירה להישאר חשוף לאחר תום תהליך השימור. במקרים כאלה מצבו הקיים של האתר חייב בשימור קפדני וכן, מלבד ביצוע פעולות תחזוקה שוטפת, יש לשמור על רמת ההתערבות מזערית באתר ככל הניתן. רק רכיבים אשר לא ניתן לשמרם בתחום האתר יוסרו וישומרו במיקום אחר.

ה. עקרונות נוספים

סעיף 36: עקרונות נוספים שלהלן כמו כן הינם ישימים למטרת שימור המצב והסביבה ההיסטורית באתרי הנצחה בהם התקיימו מאורעות היסטוריים בעלי חשיבות.

סעיף 37: כמו כן, ניתן לעשות שימוש בעקרונות אלה במהלך פיתוח הנחיות שימור עבור נופים תרבותיים והיסטוריים באזורי נוף ייעודיים וב"ערים מפורסמות בעלות ערך היסטורי ותרבותי", וכן עבור אתרים תת-מימיים.

סעיף 38: עקרונות אלה נוסחו ואומצו ע"י China ICOMOS ואושרו לפרסום פומבי ע"י המנהל הארצי למורשת התרבות. China ICOMOS הינה האחראית לפירוש עקרונות אלה ולנספחיהם. אם יבוצעו תיקונים בעקרונות אלה, יש לנקוט בנהלים הקיימים.

1 חשיבות עקרונות השימור באתרי מורשת בסין

1.1 רקע לניסוח העקרונות לשימור אתרי מורשת בסין, להלן "העקרונות".

1.1.1 השימוש בשיטות ובקונספטים מודרניים לשימור אתרי המורשת בסין החל בשנות ה-30, כאשר, בהנחייתם של אדריכלים מקצועיים, מספר מבני מורשת עברו פעולות שחזור. מאז שנות ה-50 ועד שנות ה-90, מספר מיזמי השימור והשחזור גבר באופן משמעותי. עושר הניסיון שהצטבר במהלך תקופה זו אפשר את פיתוחן של תיאוריות שימור מסוימות אשר הוכיחו עצמן ראויות להמשך מחקר בעניינן. הגיעה העת הנכונה להתבסס על ניסיון זה על-ידי קביעת מערכת עקרונות ייעודית לסין למטרת שימור אתרי מורשת עליהם מסכימים מרבית המומחים הנוכחיים.

1.1.2 סין פרסמה את "חוק הרפובליקה העממית של סין להגנה על שרידי תרבות" ואת תקנותיו היישומיות. משרדי הממשל המקומיים והארציים חוקקו חוקים ותקנות בדבר ניהול אתרי מורשת והתערבויות לשימור. עם זאת, היה קיים הצורך לפירוש חוקים ותקנות אלה כפי שהם ישימים בפועל, וכן בנושא ההנחיות המתאימות בעניינם עבור שימור אתרי מורשת.

1.1.3 בעוד סין יוצרת סביבה חברתית,כלכלת השוק מתעצמת, אתגרים חדשים ניצבים בפני השימור במדינה ועבור הערכים היסודיים של אתרי המורשת. יש להרחיב את קונספט השימור, תוך שמירה על עקרונותיו הבסיסיים. קיימת חשיבות מכרעת לקיומן של הנחיות ברורות לפעילות השימור ולשימור אתרי המורשת בסין באופן בר-קיימא.

1.1.4 מאז מלחמת העולם השנייה, פעילות השימור הפכה לסוגיה מהותית עבור הקהילה הבינלאומית. מומחים בעלי מקצוע הקימו ארגונים בינלאומיים המיועדים לטיפול בכלל היבטי השימור, ומדינות רבות חתמו על אמנות שימור בינלאומיות שונות. מספר מדינות אף קבעו תקנות שימור משל עצמן בהתאם לנסיבותיהן הארציות הפרטניות. כמדינה החתומה על אמנת אונסקו בדבר הגנה על אתרי מורשת עולמית (UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage) וכחברה ב-ICOMOS, על סין לתרום גם היא לפיתוח תיאוריית השימור הבינלאומית.

1.2 מטרת העקרונות

1.2.1 העקרונות מהווים מערכת של הנחיות מקצועיות לשימור אתרי מורשת. כל אלו העובדים בשימור אתרי מורשת, לרבות עובדי ציבור וחברי הנהלה, עובדי מחקר, סוקרים, אנשי תכנון, בינוי, חינוך, ותקשורת, הינן כפופים לעקרונות, לנהלים מקצועיים ולכללי אתיקה.

1.2.2 העקרונות קובעים קריטריונים להערכת כלל עבודות השימור. נהלי השימור חייבים להתאים בקפידה לתקנות והתניות רלוונטיות בחוק. העקרונות כמו כן מהוות הבסיס להערכת תוכניות מקצועיות ולהערכת תוצאות ביצוען.

1.2.3 מחלקות הבינוי העירוני, הנהלת הקרקעות והשיכון, והיחידה לטיפול באסונות והגנה סביבתית, ניהול פארקים וגנים ומחלקות המטפלות בענייני דת ובסוגיות אתניות, כן עשויות להשתמש בעקרונות כבסיס לטיפול בסוגיות הנוגעות לאתרי מורשת.

1.3 תוקפם של העקרונות

1.3.1 העקרונות נוסחו ואומצו ע"י הוועדה הסינית של ICOMOS

1.3.2 לאחר אישור ופרסום העקרונות ע"י המחלקה הממשלתית הארצית האחראית לאתרי מורשת, תהליך השימור אליו מתייחסים העקרונות יחייב את כל מחלקות המנהלה והניהול של אתרי המורשת.

1.3.3 בסקירת ובאישור תוכניות אב לשימור וכן סקירת ואישור תוכניות ההתערבות הטכנית שלהן, או בטיפול במחלוקות הנוגעות לנושאי שימור, המחלקות האחריות למנהל אתרי המורשת רשאיות להשתמש בעקרונות כבסיס להכרעתן בנושא.

1.3.4 העקרונות עשויים להנחות את פעילויות השימור באתרי המורשת שהציבור מוזמן לבקר ולהשתתף; הציבור רשאי להשתמש בעקרונות כמדד לאיכות עבודת שימור אתרי המורשת.

BACK

הנחיות לשימור אתרי המורשת הבנויה

שוויץ

BACK

הוועדה השוויצרית הפדראלית לשימור אתרי מורשת

ה"הנחיות לשימור אתרי המורשת הבנויה בשוויץ" הן העקרונות הקובעים את עבודת הוועדה השוויצרית הפדראלית לשימור אתרי מורשת, ובפרט את דוחות המומחים שלה. פרסום זה מיועד למומחים בכל התחומים הרלוונטיים וכן לבעלי נכסים, אדריכלים, מדינאים ושאר בעלי עניין. פרסום זה נועד לשפר את הבנת טיבם של אתרי המורשת הבנויה ולהציג את האמצעים המתאימים לשימורם ארוך-הטווח.

הנחיות לשימור אתרי המורשת הבנויה בשוויץ

הערות מקדימות

שימורם של אתרי המורשת הבנויה כדיסציפלינה וכתחום פעילות כולל חקר תיאורטי, אמצעים מעשיים ומנהלתיים להגנת ולתחזוק נכסים תרבותיים נייחים. אתרי המורשת הבנויה הינם אובייקטים ואתרים אשר חשיבותם לציבור הרחב טמונה בהיותם עדות לפעילות אינטלקטואלית קדומה, ליצירה אומנותית או לחיים חברתיים בעבר.

במשך למעלה ממאה שנים, הרשויות הפדראליות היו אחראיות לשימור אתרי המורשת הבנויה. כל דור מעלה שאלות חדשות מבחינת המתודולוגיות (למשל, שחזור האתרים) ועליו להתמודד עם נסיבות ורגולציה חדשים (למשל, הגבלות על המימון הממשלתי).

כל מספר דורות, מתבצעים ניסיונות לקבוע הנחיות תמציתיות ונגישות לכל בנושא שימור אתרי המורשת הבנויים. המסמך האחרון מסוג זה פורסם לפני למעלה מ-50 שנים.[1]

בפגישה מיום 21.1.2004, הוועדה השוויצרית הפדראלית לשימור **אתרי אנדרטות** החליטה על כן לערוך דו"ח בדבר מצבו הקיים של מאגר הידע בנושא זה. מונתה **קבוצת עבודה** והוטל עליה לערוך טיוטה אשר כותרתה: "הנחיות לשימור אתרי המורשת הבנויה בשוויץ".[2] לאחר התייעצות עם יועציה הקבועים וראשי סוכנויות המורשת הקנטוניות לאחר דיון פנימי סופי, הוועדה בפגישתה מיום 22.3.2006 אימצה את ההנחיות[3].

ההנחיות ישימות לאתרי המורשת הבנויה מכל תקופה, לרבות אתרי חפירות ארכיאולוגיות, תחזוק, שימור ושחזור מבנים, כמו כן נכללו , עם זאת, דרישות לחפירות מדעיות והצלת ממצאים ארכיאולוגיים שאינן זוכים בדרך כלל להתייחסות; כמו כן, אין ההנחיות מתייחסות לעיבוד וטיפול באובייקטים ניידים המועברים למוזיאונים.

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[1] תרגום המסמך המקורי בגרמנית מבוסס על טיוטה מאת London Translators Ltd. אשר נערכה ע"י Christine Blauer Bohm ו-Jurg Keller.

[2] קבוצת עבודה זו, אשר נוהלה ע"י Bernhard Furrer, פעלה בהשתתפות Francois Guex, Nina Mekacher, George Morsch (עד לסוף 2004), Beatrice Sendner.

[3] הרכב הוועדה השוויצרית הפדראלית לשימור **אתרי מורשת אתרי מורשת** בשנים 2004-2006: Bernhard Furrer (נשיא) Francois Guex (סגן-נשיא), Beatrice Sendner (סגן-נשיאה), Nina Mekacher (מזכירה מדעית), חברים: Michele Antipas (מאז מאי 2005), Leza Dosch, Ivano Gianola, Michel Huaser (עד סוף 2004), Christian Heydrich (עד סוף 2004), Stefan Hochuli (מאז שנת 2005), Dorothee Huber, George Morsch (עד סוף שנת 2004), Eduard Muller, Christian Renfer (עד מאי 2005), Doris Warger (מאז 2005), Karin Zaugg Zogg (מאז 2005), Bernard Zumthor (מאז 2005).

המסמך מיועד למומחים שוויצרים מכל התחומים הרלוונטיים. עם זאת, עליו להעניק לבעלי נכסים, אדריכלים, מדינאים ולבעלי עניין סיוע והצעות אשר מטרתם לשפר את הערכת אתרי המורשת הבנוייה ואת האמצעים הנדרשים לשימורם ארוך-הטווח.

הצ'רטרים והאמנות הבינלאומיות הבאים מהווים בסיס לשימור המורשת בשוויץ: "הצ'רטר הבינלאומי לשימור ולשחזור אנדרטות ואתרים – ונציה 1964"; ה"צ'רטר לגנים ונופים היסטוריים – פירנצה 1981"; ה"צ'רטר לשימור עיירות ואזורים אורבאניים היסטוריים – וושינגטון 1987"; ה"צ'רטר להגנת ולניהול המורשת הארכיאולוגית – לוזאן 1990"; "אמנת ה-3.10.1985 להגנת אתרי המורשת האדריכליים של אירופה" – גרנדה; "האמנה האירופאית מיום 16.1.1992 בדבר הגנת המורשת הארכיאולוגית – וולטה."[4]

Bernhard Furrer

נשיא

[4] הנוסח הרשמי של הצ'רטרים והאמנות הבינלאומיים מופיעים באתרים הבאים:
http://conventions.coe.int/Treatyhttp://www.international.icomos.org/charters`

1. מהי המורשת הבנויה?

אתרי המורשת הבנויה הינם אובייקטים נייחים מן העבר שהחברה מייחסת לה חשיבות עדותית באמצעות תפיסה קוגניטיבית

1.1 זיכרון אנושי

לאדם קיים צורך בסיסי לזיכרון דברים המבוסס באופן יסודי על מקומות ועל אובייקטים.

האדם זקוק לזיכרון, כיחיד וכחבר בקהילה, כבסיס לעיצוב העתיד. כלל האלמנטים העדים לעבר מהווים את הזיכרון הקולקטיבי של האנושות. זיכרון זה כולל את אובייקטים ניידים ונייחים וכן עדויות מופשטות כגון שפה, מוזיקה ומסורת.

מזכרות חומריות משחקות תפקיד מכריע בבניית הזיכרון האינדיבידואלי והקולקטיבי. לאדם קיימת זיקה למזכרות חומריות אלה ולשימורן ע"י הקהילה.

מעצם קיומם הפיזי, אובייקטים נייחים חשופים לציבור ומלווים את חיי האדם באופן אינטנסיווי ביותר. הם שומרים על חיוניותם התמידית של הזיכרונות הקשורים בהם. לא ניתן להתעלם מאובייקטים אלו או להניחם בצד, אך הם עלולים ליפול קורבן להתעלמות.

1.2 אתרי מורשת בנויה עדות לעבר

אתרי המורשת הבנויה מהווים אובייקטים נייחים המשמשים כעדות לאירועי העבר. הם עשויים לשמש כעדויות לפעילות אנושית רבגונית, להתפתחויות ולאירועים היסטוריים, יצירה אומנותית, מוסדות חברתיים והישגים טכנולוגיים.

לא רק אובייקטים המתעדים היבטים היסטוריים חיוביים חייבים בשימור, אלא גם תזכורות למעשי אי-צדק ולסבל העבר וכן גם אוביקטים אשר חשיבותם איננה מוסכמת על-ידי הכלל.

1.3 אופיין החומרי של אתרי המורשת הבנויה

אופיים של אתרי המורשת הבנויה נקבע על פי התוכן הגלום בהם, המהווה עדות לאותנטיות.

על מנת לאפשר לדור הנוכחי ולדורות הבאים להכיר ולפרש את אתרי המורשת הבנויים בכל מורכבותם, קיים צורך לשמר את אותנטיות המורשת, דהיינו, את שלמות מצבם החומרי, ואת יכולתם ללמדנו על העבר. שימור האותנטיות מהווה התנאי המקדים להערכה מעמיקה מחדשת ומתמדת של אתרי המורשת הבנויה.

רק כאשר האובייקט איננו ניזוק מבחינת מרכיביו החומריים ההיסטוריים, ניתן לפרשו כביטוי לנסיבות היסטוריות מסוימות ורק אז ניתן לאמת פרשנות זו.

מקום שהאובייקט איבד את מרכיביו החומרים ההיסטוריים, אזי הוא מאבד בלי תקנה את ערך המורשת הגלום בו.

מקום שהאובייקט איבד את מרכיביו החומרים ההיסטוריים, הוא מאבד בלי תקנה את ערך המורשת הגלום בו

1.4 ערכם של אתרי המורשת הבנויה כעדות היסטורית

הערך העדותי של אתרי המורשת הבנויה נקבע ע"י מספר גורמים.

הערך העדותי של אובייקט מוערך לפי מספר מימדים כולל: חשיבות תרבותית, שימוש היסטורי, הקשר לאישים מסוימים ולקהילה, איכותו המבנית או האסתטית והמעמד בתחום יישוב או נוף מסוימים.

אובייקטים מן העבר הלא רחוק עשויים להיות בעלי חשיבות אשר הוקנתה לה בזמנים קדומים יותר. המרכיבים העתיקים יותר של אובייקט אינם בהכרח בעל ערך רב יותר מרכיבים צעירים יותר; שחזורים מוקדמים יותר כמו כן עשויים להיות בעלי חשיבות היסטורית ועל כן יש להכיר בהם ולהתייחס אליהם בהתאם.

ערך המורשת הגלום באובייקט קיים באופן עצמאי מרישומו במצאי כלשהו או מאזכורו בכתבים מדעיים.

בלאי מתקדם הקיים באובייקט כלשהו אינו משפיע על ערך המורשת הטבוע בו.

הערך העדותי המוענק ע"י האובייקט איננו ניתן לשחזור לכשעצמו, ואף באמצעות תחליף באיכות יצירתית גבוהה.

1.5 *הצורה הפיזית של המורשת הבנויה*

ייתכן ויתקיים שוני בצורתם של אתרי המורשת הבנויה השונים.

אתרי המורשת הבנויה מהווים אובייקטים אינדיבידואליים, חלקים מאובייקט מסוים, קבוצות של אובייקטים וכן אתרים ונופים תרבותיים. סביבת אתר המורשת הינה בעלת חשיבות להבנת משמעותו הנכונה.

הערך העדותי של אובייקט נגזר מכל רכיביו הפנימיים; במקרה של בניין, הן המרכיב הפנימי והן המרכיב החיצוני בו.

האובייקטים הבאים מוגדרים כמורשת בנויה: בניינים ללא גג, מבנים אשר נחשפו במהלך חפירות ארכיאולוגיות וכן מבנים קבורים, אשר זוהו ע"י גלאים או באמצעות שיטות בלתי-פולשניות ואשר חשיבותם ידועה ברבים.

מבנים ארכיאולוגיים משוערים או קבורים למחצה בקרקע, וכן רכיבים סמויים של מבנים אינם, למותר לציין, ניתנים לתיאור מלא. הואיל והם אינם מהווים חלק מן **המודעות** הקולקטיבית, הם מצויים לעתים בסכנה משמעותית. הם חשובים במיוחד כמקורות עיקריים לעדויות מתקופות בהן היו קיימות עדויות כתובות מעטות, אם בכלל.

1.6 *תפיסת המורשת הבנויה*

אובייקט מן העבר הופך להיות חלק מן המורשת באמצעות תפיסה ופרשנות האדם.

כל עידן מזהה את מורשתו ומפרש מחדש את האובייקטים הקיימים בו. תפיסה זו מכילה את הסיכון מפני צמצום או מניפולציה בהתאם לפרשנות

העכשווית. מסיבה זו, האובייקטים חייבים להשתמר במצבם החומרי ההיסטורי המהותי, הדרך היחידה בה ניתן לייצר גישות חדשות בעניינם.

אובייקטים היסטוריים אשר קיומם משוער או מוכח עקב שימוש בשיטות היסטוריוניות, ארכיאולוגיות או מדעיות אך אשר לא ניתן, עם זאת, להעריך את טיבם ולפרשן באופן מלא, יוגדרו חרף זאת כאובקייטי מורשת.

2. הטיפול באתרי המורשת הבנויה

2.1 המורשת הבנויה כחלק אינטגראלי מהסביבה

ההגנה והשמירה על הסביבה משמשות כאמצעי לשימור המרכיבים הבסיסיים של הקיום האנושי. המורשת הבנויה הינה מרכיב חשוב בסביבה זו.

שימור הסביבה הבנויה כולל את הנצחת הישגי אבותינו, התייחסות לצרכי הדורות הבאים, השימוש המוגבל בנכסים ובאנרגיה, ובקצרה, כלל המאמצים להבטחת החיים בצוותא באזור מחייה נתונים.

2.2 המורשת הבנויה בהווה

המורשת הבנויה מהווה חלק ממתחם המחייה הקיים מהתרבות העכשווית.

באמצעות קיומה והשימוש בה, המורשת הבנויה משפיעה על ומסייעת לעיצוב החיים היומיומיים.

שימורה ושחזורה של המורשת הבנויה וכן, אם יקום הצורך, כל שינויים בה, מהווים חלק מן התרבות הקיימת. המורשת הבנויה, על כן, הופכת להישג עכשווי והיא עדה לנסיבות החברתיות ולהתפתחויות המודרניות.

2.3 חובות החברה

המורשת הבנויה מהווה חלק ממורשת האנושות. באמצעות המורשת, החברה מגנה ומחזקת את זהותה. היא מפתחת עמידות וסולידריות בקרב קבוצות חברתיות שונות, לרבות מיעוטים.

עקב החשיבות הרבה המוקנית לאתרי המורשת הבנויה, החברה אחראית לשמירתם ולשימורם הבלתי-מוגבל. דבר זה יושג באמצעות שיתוף פעולה עם

הבעלים, להם נמסרו האובייקטים השונים.

כדיסציפלינה, שימור המורשת הבנויה מפתחת את הבנת והערכת הציבור, היא מציעה דרכים שונות ולעתים סותרות כיצד להתייחס למורשת הבנויה.

2.4 חקר המורשת הבנויה

אחריותה של החברה לתעד ולחקור את המורשת הבנויה. ככל הניתן, על מחקר זה להתבצע בזהירות ובשיטות בלתי-פולשניות.

מחקר המורשת הבנויה כולל תיעוד סיסטמתי במצאי של סוגי אובייקטים שונים, מחקר תלוי אזור, סוג האובייקט, זמן וכו', ומחקר מעמיק בנושא אובייקטים מסוימים במהלך ביצוע מאמצי תיעוד. מחקר המורשת הבנויה מעשיר את הידע הקיים בתחומי מחקר מדעי אחרים המשמשים לבחינת התפתחויות לאורך תקופות זמן ארוכות יותר.

מחקר פולשני על אובייקטים היסטוריים ידועים, קבורים בקרקע או על מרכיבים סמויים הקיימים במבנים יתאפשר אך ורק על מנת לקבוע את ערכם העדותי ואת מידת ההגנה הנדרשת להם.

אם הריסתם של אתרי חפירות ארכיאולוגיות או של אובייקטים היסטוריים בלתי נמנעת, יש לחקור את האובייקטים האמורים ולתעדם תוך שימוש בשיטות המתאימות לכך.

2.5 זיהוי המורשת הבנויה

יש לחשוף ולפרסם אובייקטי מורשת.

אובייקט כלשהו זוכה לערך מורשתי לאור ההכרה בו והגדרת הערך העדותי והאותנטיות החומרית שלו. ערך המורשת קיים באופן בלתי תלוי בהסדרים מנהלתיים, כגון שמירתו במצאי.

יש ליידע את בעלי האובייקט ואת הציבור מוקדם ככל הניתן בדבר ערך המורשת של האובייקטים השונים. מיזמים ותהליכים עשויים לקחת בחשבון את פוטנציאל המורשת של האובייקט. עיקרון זה עלול להיות תלוי מקום שפרסום האובייקט מסכן את שלמותו.

זיהוי המורשת הבנויה מושג מכוח צווי שימור, יצירת מצאים, מפות, רשימות, פנקסים וכו'.

הערך הפרטני של אובייקט עשוי להיות מיוצג, מודגש ומפותח בדרכים שונות. לכן, לא ניתן לסווגו באמצעות בדיקה ערכית פשוטה; עם זאת, סיווג האובייקט עשוי לסייע בקבלת החלטות בתהליכים פוליטיים ומטרות מנהלתיות.

2.6 עקרונות משפטיים

כמו בכל פעילות ציבורית, שימורם של אתרי המורשת הבנויה דורש בסיס משפטי. יש להגדיר את הזכויות והחובות החלות על הציבור ועל בעלי האובייקטים.

על הציבור ובעלי האובייקטים להיות מודעים לתקנות המשפטיות המטפלות בייעוד המורשת הבנויה ובניהולה. ההנחיות המשפטיות חייבות לכלול התניות מתאימות ליישום אמצעי וחובות השימור. הדבר בתחום אחריותן של סוכנויות המורשת.

כעיקרון, העניינים הציבוריים השונים שווי ערך בדרגת חשיבותם. שקילת יעדי השימור השונים לעומת אינטרסים ציבוריים ופרטיים אחרים חייבת לקחת בחשבון את מאפייניו של כל מקרה לגופו. המשקל המוענק לאינטרסים השונים חייב להיות שקוף וחשוף לעיון הציבור.

2.7 עיקרון הנגישות

כל מידע הנרכש במהלך בדיקתו של אתר מורשת בנויה יונגש לעיון הציבור.

מצאים שהוכנו ע"י הרשויות הרלוונטיות חייבים להיות נגישים לעיון הציבור.

לציבור תוצאות המחקרים המתבצעים מטעם הרשויות חייבות להיות זמינות לציבור בשילוב המרכיבים המחקריים היסודיים. עם זאת, יש לציין מפורשות את זכויות הקניין הרוחני הרלוונטיות לפרטי מידע אלה.

3. התערבות במורשת הבנויה

3.1 בר קיימא עיקרון בר-קיימא תקף במקרים של פעולות התערבות באתרי המורשת הבנויה.

קיים פוטנציאל רב לפיתוח בר-קיימא בשימור ובשימוש באתרי המורשת הבנויה.

פעולות התערבות תוגדרנה כבנות-קיימא אם הן שומרות על כמה שיותר אופציות פתוחות עבור הדורות הבאים, הן מבחינת הטיפול באובייקט והן מבחינת הבנתו. עיקרון בר-קיימא נוגע לבחירת האמצעים בהם יש לנקוט לתחזוקת וניהול האובייקט.

עבור אתרים ארכיאולוגיים ידועים חלקית ומרכיבים סמויים במבנים, בר-קיימא פירושו, על פי רוב, כי ניתן לבצע מחקר בעניינם רק במידה הנדרשת לזיהוי האמצעים הנדרשים להגנתם. שימור הערך ההיסטורי כמשאב משמעותי ובלתי-מתחדש הינו בעל עדיפות גבוהה יותר בהשוואה להשבחה בת-קיימא הכלכלית או האקולוגית.

3.2 שימוש באתרים שימוש מתאים מסייע לשימור ארוך-טווח. כל שימוש באתרים חייב להתמקד בשימור ערכם ההיסטורי.

השימוש באובייקט מבטיח את המשך העניין בתחזוקתו ובהמשך מימונו. שימושו איננו מוגדר בהכרח במונחים כלכליים גרידא. ערכו הפנימי, הרלוונטיות האורבאנית/ הכפרית של האובייקט או הצגתו במוזיאון עשויים

להוות שימושים אפשריים.

השימוש המסורתי מייצג ערך אשר אין לזנוח אותו ללא נימוק משכנע. שימושים חדשים חייבים לכבד את אופי האובייקט.

החיפוש אחר שימוש קבוע עשוי להימשך זמן רב. אף על פי כן, יש לתחזק את שלמותו של האובייקט במהלך תקופה זו.

שימור ארוך-טווח של ערכו ההיסטורי של האובייקט יועדף על פני כל דרישה חדשה המתעוררת לפרקים, שנוטה להשתנות לעתים תדירות. יש לבחון את התאמת השימושים החדשים לצרכי האובייקטים. ככל שיידרש, השימושים החזויים לאובייקט חייבים לעבור התאמה או, במקרים מיוחדים, להידחות כליל.

3.3 תחזוקה שוטפת

טיפול שגרתי מהווה אמצעי השימור היעיל ביותר.

אמצעי תחזוקה מתאימים מאריכים את אורך חייו של האובייקט ומסייעים במניעת, או לכל הפחות דוחים את הצורך בעבודות שחזור. בטווח הארוך, פעילות תחזוקה קפדנית עשויה לתרום לצמצום עלויות השימור.

יש לבחון באופן תקופתי את יעילותם של אמצעים להגנה של אובייקטים ארכיאולוגיים או היסטוריים אשר זוהו אך לא נחשפו.

3.4 אמצעים זמניים

יש לנקוט באמצעים זמניים על מנת להבטיח את ההגנה על אובייקטים של מורשת המצויים בסיכון.

אובייקטים אשר שימורם והגנתם מוטלים בספק או אינו וודאי מצויים לרוב במצב בלתי יציב וקיים איום עליהם. עד אשר תתקבל החלטה בעניין המשך קיומם, יש להבטיח את שימורם באמצעות פעילות מעשית ונקיטת אמצעים מנהלתיים מתאימים.

3.5 מחקר טרם פעילות מתערבת

בטרם ינקט כל אמצעי, נדרש ידע נרחב על אובייקט המורשת.

כל מחקר המתבצע על אובייקט כלשהו יתייחס למידת הסכנה הנשקפת לאובייקט עקב ביצוע המחקר, מצבו הקיים בטרם פתיחת המחקר והאמצעים הצפויים לשמש את החוקרים בעבודתם.

המחקר חיוני הן לקביעת אמצעי שימור והן לקביעת אמצעים פולשניים; תוצאות המחקר מגדירות את האמצעים בהם יש לנקוט.

לכל הפחות, המחקר כולל תצפיות העוקבות אחר שינויים אשר חלו במהלך תקופה מסוימת; נזקים אשר נגרמו והסיבות להם; את בחינת הארכיונים הרלוונטיים וכן המסמכים הנוגעים למצבו החומרי הנוכחי של האובייקט.

3.6 שיתוף פעולה אינטרדיסציפ-לינרי

שאלות בנושאי שימור דורשות גישה אינטרדיסציפלינרית.

משימת שימור התכנים ההיסטוריים והאטת קצב ניוונם. לעתים הטענות הסותרות בדבר שימושו הנוכחי של אובייקט כלשהו, נוגעות למספר תחומים שונים, כגון שימור/שחזור, היציבות המבנית של הארכיטקטורה והתנאים הפיזיקאליים של האובייקט. על המומחים מוטלת האחריות לבצע מדידות רלוונטיות. הממצאים מתואמים באופן תקופתי לאורך התפתחות התכנון והביצוע של אמצעי השימור. החלטות הרות-גורל חייבות להתקבל בתאום עם כל המומחים המעורבים.

3.7 תוכנית ההתערבות

טרם תתחלנה פעולות ההתערבות, יש להסכים על תוכנית ואמצעים מחייבים.

לימוד ומחקר נושא האובייקט האמור מהווים תנאים מחייבים לניסוחה של תוכנית כגון זו. התוכנית מבארת את המרכיבים החשובים של האובייקט ואת התחומים בהם פעילות התערבותית הינה אפשרית; כמו כן, היא מגדירה את סוג השימוש וקובעת את האמצעים הנדרשים לפעולה. יש לבצע הערכה קפדנית של ההשלכות ארוכות-הטווח של יישומם או של אי-התערבות.

במהלך ההתערבות, על תוכנית ההתערבות לעבור בדיקה מתמשכת על-ידי חקר הנושא. יש לבצע התאמות בתוכנית על בסיס ממצאים חדשים הדורשים זאת או ככל שתתקיים דרישה להתאמות אלה על מנת לממש את התוצאות הרצויות לפי יעדי השימור.

3.8 הגנת התוכן ההיסטורי

שימור התכנים ההיסטוריים ממוקם בסדר עדיפות גבוה יותר בהשוואה לכל אמת מידה אחרת.

על אמצעי השימור לשנות את מצבו החומרי של האובייקט במידה המזערית ביותר האפשרית; מטרת אמצעים אלה להאט את קצב בלאי האובייקט וזאת

מבלי לשנות באופן משמעותי את הרכבו החומרי.

תחזוקה שימורית עדיפה על פני רכישת ידע נוסף באמצעות ביצוע מחקר או חפירות ארכיאולוגיות וכן על פני הצגת האובייקטים. שינויים חומריים באובייקט יותרו רק כאשר הוכח כי הם חיוניים להישרדותו ארוכת-הטווח.

3.9 תיעוד

כל פעולת התערבות חייבת להיות מלווה במסמכים מתאימים המתעדים את מאפייניו של האובייקט ואת האמצעים אשר ננקטו בגינו.

תיעוד האובייקט חייב לציין את מצב האובייקט לפני, במהלך ולאחר פעולת ההתערבות. עליו לכלול את המסמכים בהתבסס על אותם אמצעים המגדירים את תוכנית ההתערבות; כמו כן, תיעוד זה נועד להגדיר את הנימוקים התומכים בהחלטות המרכזיות בעניין האובייקט האמור.

על המסמכים להישמר בארכיון פומבי. כל מסקנה הנובעת ממחקר אשר התקיים בעניין האובייקט חייבת להתפרסם, במידת האפשר.

ההנחיות שלהלן תקפות עבור שימור תכני מורשת ארכיאולוגית, אם קיומם אינו מצוי בסכנה מיידית. סעיף 6.1 מתייחס לשאלות ספציפיות בנושא שימור מבנים ארכיאולוגיים על פני הקרקע.

4. תכנון ואמצעי

4.1 קדימות התכנים ההיסטוריים

יש להשקיע מאמץ על מנת להבטיח את הישרדות תכניהם של אובייקטי מורשת.

השמירה על שלמותם של תכנים היסטוריים זוכה לעדיפות על פני כל פעולת התערבות אחרת.

הניוון החומרי הנגרם במיוחד עקב השפעת גורמים סביבתיים ועקב השימוש באובייקטים אינו יכול להיעצר; יש למזערו ולפעול להאטתו. אין לעוות את שלמותם של אובייקטים ע"י הכנסת תוספות להם, שיפורים אסתטיים או השבחה חזותית.

4.2 הפיכות

על עבודת השימור והשחזור המתקיימת, ככל הניתן, לאפשר את הפיכות הפעולות הנעשות על האובייקט.

פעולת התערבות הינה הפיכה ככל שניתן להחזיר את האובייקט בשלב מאוחר יותר למצבו הקודם, וזאת מבלי לגרום לכל שינוי או תיקון למרקם המקורי של האובייקט. אמצעי תוספת עדיפים על פעולות התערבות המשנות את הרכבו החומרי של האובייקט. לעולם לא ניתן להבטיח הפיכות מוחלטת, אך יש לראות בה כעיקרון מנחה. התערבויות לשימור אשר השפעותיהן מוגבלות בזמן אך אשר ניתן לשוב ולחזור עליהן עונות לעיקרון ההפיכות.

4.3 מחקרים

בטרם תתבצע כל פעולת שימור ובמהלך העבודה עצמה, יש לבצע פעולות מחקר מתאימות על מנת להבטיח כי ניתן להגדיר את ההתערבות בהתאם למאפייניו החומריים והחזותיים של האובייקט (הנחיה 3.5 "מחקר טרם פעילות מתערבת").

פעולות מחקר עשויות לכלול את לימוד חומר המקור בארכיב, ביצוע בדיקות שטח, תצפיות וניתוח פרטי ונזקי המבנה וכן ניתוחי מצבים, אנליזות חומריות

וכיוצ"ב.

יש לבצע את פעולות המחקר באופן מתמשך במהלך עבודת השחזור על מנת לאפשר את הכללתם של אי אילו ממצאים חדשים בתוכנית ההתערבות.

בדיקות מבניות, שימוש בגלאים וביצוע ניתוחים חומריים ילוו בפעולת התערבות מינימאלית ככל הניתן ואין עליהם לגרום לכל נזק מהותי לתוכן ההיסטורי.

4.4 התערבות מינימאלית

יש למזער את היקף ועומק ההתערבות.

פעולות התערבות נרחבות ומעמיקות מובילות לשינויים מהותיים בתוכן ההיסטורי. ככל שההתערבות תגרום לפחות שינויים בתוכן ההיסטורי, כך יוותר ממנו לתועלת הדורות הבאים. השימוש בחומרים משמרים ושכבות למיגון מפני בלאי עשוי לסייע בהימנעות מפני פעולות התערבות מעמיקות יותר.

4.5 תיקון לעומת החלפה

יש לפעול על מנת לתקן, להבדיל מלהחליף, מרכיבים היסטוריים.

מטרת פעולת השחזור היא לשמר את האובייקט המקורי, לא ליצור חזות "אסתטית" מושלמת לפי קריטריונים עכשוויים. מסיבה זו, יש לאפשר הצגה של גיל האובייקט לאורך זמן וכן לשמור על הפאטינה של האובייקט ללא כל הפרעה (כדי שניתן יהיה לחשב את גילו).

יש לשמר את השכבות הצעירות יותר של אובייקטי המורשת. ניתן להסיר שכבות אלה רק אם הסרתן איננה משפיעה באופן משמעותי על ביוגרפיית האובייקט וכן רק כאשר שכבות אלה מוגדרות כבעלות חשיבות מעטה בעיניי מספר מומחים.

4.7 שימור/שחזור

למטרת שימורם או שחזורם של אובייקטי מורשת, על החומרים והטכניקות המשמשות לייעודים אלה להיות מבוססים ומוכחים.

במקרה של שיטות מודרניות, יש לוודא את בטיחותם והפיכותם על-פי חוו"ד של מומחים בלתי-תלויים, המסכימים לגישת סוכנות השימור.

תהליך זה כמו כן מסתמך על ניסיון מעשי רלוונטי.

שיטות מלאכה מסורתיות לרוב תואמות דרישות אלה.

4.8 טיפול נוסף

לאחר עבודת השימור או השחזור, על האובייקט להיבדק באופן תקופתי, וככל שיידרש, לעבור התערבויות נוספות.

מטרת הטיפול הנוסף לעכב את הצורך בפעולות שימור ושחזור נוספות ככל הניתן. הטיפול הנוסף ניתן בהתאם לתוכנית תחזוקה. חוזי תחזוקה, ביקורות תקופתיות מטעם הקבוצה האחראית עשויים להיות מיושמים למטרה זו. כל תצפית הנעשית לאחר ביצוע הטיפול הנוסף חייבת בתיעוד מתאים.

4.9 הסמכות לקבלת החלטות

במסגרת צוות התכנון, סוכנות המורשת מחליטה כיצד יש לשמור על התוכן ההיסטורי וכיצד יש להמשיך את הטיפול בו.

סמכות סוכנות המורשת, במונחי קבלת ההחלטות בנושאים שונים לרבות התוכן ההיסטורי של האובייקט, נגזרים ממטרתה הציבורית להגן ולשמר את תכני המורשת הבנויה.

סוכנות המורשת, בשילוב עם בעל האובייקט והאדריכל, אחראיים לקבלת כל ההחלטות הסובבות והנוגעות לאובייקטים השונים. ככלל, במסגרת צוות התכנון, סוכנות המורשת לוקחת על עצמה את האחריות לכלל ההחלטות הנוגעות לפעולות התערבות בתכנים ההיסטוריים, וככל הנדרש בשילוב עם בעלי עניין נוספים. בהתייחס להוספת חלקים חדשים לגוף האובייקט או לסביבתו, על סוכנות המורשת, בשילוב עם בעל האובייקט והאדריכל, לשאת באחריות ככל ששינויים אלה משפיעים על מרכיביו הפנימיים של האובייקט.

4.10 תהליכי אישור

במהלך תהליך האישור, על סוכנות המורשת להעריך את ההתערבות המתוכננת מטעם הרשות מקבלת ההחלטות.

במסגרת תהליך משפטי מחייב, מוטלת על סוכנות המורשת האחריות להערכת ההשלכות על ערך המורשת של האובייקט הנדון. להחלטת הסוכנות יש לצרף נימוק מוצדק אשר יהיה נהיר לכל.

הערכאה הפוליטית או השיפוטית תתייחס לדעת מומחים זו במהלך בחינתה את האינטרסים השונים הרלוונטיים. על החלטתה להיות מבוססת היטב.

4.11 תנאי הסביבה

יש לשמר את תכונות סביבתם של אובייקטי מורשת אשר קיים טעם להגן עליהם וכן את השפעת האובייקט על סביבתו.

בטרם מתקיימת פעולת התערבות בסביבת האובייקט, יש להגדיר את מרכיביה ההיסטוריים ואת השפעת האובייקט הנדון עליה.

יש להימנע או לתקן כל פעולת התערבות אשר בכוחה להשפיע על אופי הסביבה ההיסטורית של מורשת אובייקט, ועל-ידי כך לשנות את מערכת יחסיו עם מרכיבים בעלי חשיבות היסטורית או להשפיע לרעה על ראותו של האובייקט.

4.12 שיטות בנייה

אין ליישם שיטות בנייה לאובייקטי מורשת מבלי בדיקה קפדנית. יש לבחון כל מקרה לגופו. או שניתן יהיה לוותר באופן חלקי או מלא על יישומה של שיטה מסוימת, או שניתן יהיה למצוא דרכים לממש אותה באמצעים מתאימים.

השיטות השונות מיועדות לוויסות מקרים שגרתיים. מבני המורשת הבנויה, לעומת זאת, אינם מקרה רגיל ולכן אינם כפופים לשיטות מודרניות. המורשת הבנויה כפופה לתקנות המקצועיות ולשיטות שנוצרו באותן תקופות. אורך-חייה מוכיח את מידת הצלחתו של תהליך יצירה זה.

במקרים מסוימים, יש לשקול בקפידה את האינטרס הציבורי בשימורו הכולל של האובייקט ובתיקונים המאוחרים יותר המיועדים להתאימו לשיטה.

אם עמידה מלאה בדרישות השיטה תוביל להידרדרות מהותית בערכו של האובייקט, יש לשקול אפשרויות נוספות: ניתן לוותר על עמידה קפדנית בדרישות, או לחלופין לנקוט באמצעים מחייבים אחרים; השימוש באובייקט עשוי להשתנות או להיתחם במגבלות מסוימות, וכן ניתן יהיה לנקוט באמצעי זהירות ארגוניים.

5. השלמות

5.1 השלמות

השלמות הינה התערבות המיועדת לתיקון פגמים הנגרמים עקב בלאי ועקב התערבויות קודמות. עבודות כגון אלה חייבות לקחת בחשבון את מצבו אופיו של האובייקט.

השלמות משמשת לשיפור הצגתו ומצבו האסתטי של האובייקט. עליהן להוות חלק מן האחדות הכוללת. יש לסמן את ביצוען בעבר של ההשלמות באופן הולם.

5.2 תוספות

תוספות הינן אמצעים אשר מוגדרים כבלתי-נמנעים מטעמי שימוש, ייצגה, השפעה כוללת וכו'. הן עשויות שלא להשפיע על חלקיו המקוריים של האובייקט הן מבחינת התוכן ההיסטורי והן מבחינת אופיו של אובייקט המורשת.

תוספות לאובייקט ולסביבתו תפותחנה על בסיס ניתוח מצבו הקיים. מטרתן עשויה להיות להעניק תמיכה טכנית או פונקציונאלית לחלקיו השונים של האובייקט או עבור האובייקט כמכלול. כמו כן, ייתכן והן תידרשנה מטעמים דידקטיים.

תוספות הינם רכיבים העצמאיים חומרית מן האובייקט, אך להם קשר הדוק מבחינת צורה ותפקוד. על התוספות לשקף את חשיבותן. עליהן להתאים לאובייקט באופן טבעי וכן עליהן להיות מסומנות בבירור כמרכיבים בני-זמננו בעלי איכות גבוהה.

5.3 הרחבות

אם מתבצעת הרחבה באובייקט מורשת, אין בכך להשפיע על חלקיו ההיסטוריים הערכיים.

במהלך ביצוע הרחבתו של אובייקט, ניתן להחליף או לשנות את אותם חלקים אשר אינם מהווים רכיבים יסודיים באובייקט.

לא תותר כל התערבות בחלקים בעלי ערך היסטורי. יש להגדיר חלקים אלה בטרם עת ובאופן אשר אינו תלוי בהליך התכנון.

יש לשלב רכיבים חדשים וישנים לכדי יחידה חדשה לגמרי. ניתוח מקיף של תוכנו החומרי וחזותו של האובייקט מהווה תנאי מקדים ובסיסי לייצורם של חלקים חדשים. עליהם להתאים למתאר האובייקט ולהיות בעלי איכות פורמאלית גבוהה. על מנת לממש יעדים אלה, מומלץ לעתים לקיים תחרות ארכיטקטונית.

5.4 שחזורים

שחזורים הינם יצירות מחודשות של אובייקטים אשר עברו הרס חלקי או מלא. שחזורים הינם עבודות בעלות אותנטיות מפוקפקת ולכן בעייתיים ביותר.

שחזורים הם, במקרה הטוב, שכפול "מקורב" של מתאר האובייקט. הם מטשטשים את ההבדל בין אובייקט היסטורי מהימן לבין אובייקטים בעלי עיצוב "היסטורי". ההנחה לפיה ניתן לשחזר בקלות אובייקט כלשהו, חותרת תחת המחויבות הציבורית הנדרשת לשימור תכניו ההיסטוריים.

שחזור עשוי להיות לגיטימי כאקט ספונטאני הנובע מדאגת המשחזר עקב הצורך בביצוע תיקונים בחלקים נרחבים של המבנה ההיסטורי.

שחזור אשר התקיים זמן רב לאחר הריסת האובייקט או המבוסס על שרידים באיכות ירודה אינו מהווה מעשה שימור. עבודה כגון זו מהווה עדות תקופתית לכשעצמה, אך לא של אותה התקופה בה נוצר האובייקט המקורי. בארכיאולוגיה, שחזורים עשויים להיות שימושיים למטרות דידקטיות או ניסיוניות.

אנסטילוזיס, לפיה עושים שימוש עקרוני ברכיביו המקוריים של האובייקט. עם זאת, עשויה להיות מוגדרת כמעשה שחזור.

5.5 עותקים

עותקים משמשים לשכפול החזות החיצונית של אובייקט קיים וניתן להצדיק את קיומם במקרים חריגים.

עותקים עשויים לשמש להצלת המקור. כמו כן, הם עשויים לשמש למטרות דידקטיות. עותקים המהווים שכפולים זהים של המקור חייבים בסימון ברור המלמד על טיבם.

5.6 תת-מבנים נוספים

אובייקט מורשת נקבע לפי אתרו הספציפי. אין לבצע כל שינויים על גבי הקרקע עליה הוא מונח באמצעות קביעת תת-מבנים נוספים בתחומיה.

בנייתם של תת-מבנים מרתפיים נוספים מתחת לאובייקטי מורשת וביצוע חפירות בכיכרות היסטוריים, ובתחומי פארקים וגנים היסטוריים, הינם פעולות בעלות השפעה שלילית מתמשכת על ערכם כעדויות היסטוריות.[5]

5.7 העתקה

העתקה הינה שינוי מיקומם או עקירתם והעמדתם מחדש של מבנים באתר אחר. אין לבצע כל העתקה באובייקטי מורשת.

האובייקט מוגדר לפי מיקומו וסביבתו המקוריים מבחינת חזות, התפתחויות העבר והשפעות ההווה. ככלל, אין להעביר את האובייקט מסביבתו המקורית ולשחזרו במקום אחר.

ניתן לבחון את האפשרות להעתיק את האובייקט כברירה אחרונה, מקום שאין כל אפשרות אחר לשמר את שלמותו. אחדותו הכוללת של האובייקט איננה יכולה להישמר, שכן חיבורו למיקומו אבד במהלך ההעתקה. סוגי

[5] ראה מסמך המדיניות של FCMP "Unterirdische Bauten im historischen Bereich" (מבנים תת-קרקעיים באזורים היסטוריים) 2001, www.bak.admin.ch.

הבינוי אשר באופן מסורתי כרוכים בביצוע העתקה דורשים הערכה פרטנית.

ניתן להסיר חלקים מן האובייקטים ולשלבם מחדש במיקום מתאים מקום שלא ניתן לשמרם באתרם המקורי, למשל, עקב הריסת האתר.

6. אתרי מורשת ארכיאלוגים

ההנחיות שלהלן משלימות את הפרקים הקודמים ומתייחסות לצרכים פרטניים של פעולות השימור באתרי מורשת ארכיאולוגיים.

6.1 זיהוי אתרי מורשת ארכיאולוגיים

אתרים ארכיאולוגיים פוטנציאליים חייבים בפעולת זיהוי מתאימה באמצעות בדיקות שטח וחפירות מבחן.

יש לזהות אתרים ארכיאולוגיים באמצעות שיטות בלתי-פולשניות (בדיקות שטח) וחפירות מבחן. כל ידע הנרכש בשיטה זו ייכלל על גבי מפות ומצאים, העוברים עדכון שוטף. האמצעים המעשיים, המנהלתיים והתכנוניים להגנתם של אתרים אלה או כל אמצעים חלופיים אחרים ייקבעו על בסיס זה.

6.2 הצורך בחפירות ארכיאולוגיות

חפירות ארכיאולוגיות יבוצעו רק במקומות בהם התוכן הארכיאולוגי מצוי בסכנת הריסה עקב סיבות בלתי-נמנעות. כמו כן, תותרנה חפירות ארכיאולוגיות במקרים בהם יש ידע נרחב יותר בדבר היקף והרכב החומרים הארכיאולוגיים על הקרקע שיסייע לאתר בטווח הרחוק. חפירות למטרות לימוד ומחקר בלבד יותרו אך ורק במקרים חריגים ומבוססים היטב.

חפירות ארכיאולוגיות הורסות גם את ההקשר הסטרטיגרפי וגם של חלק מן הממצאים הנחפרים. על הסקרנות העכשווית לא למנוע מהדורות

הבאים את האפשרות לצבור תובנות חדשות הודות לשיטות חדשות אשר תזדמנה בעתיד.

6.3 חפירות מבודדות

כל התערבות בלתי-נמנעת בקרקע עשויה להתרחב על מנת לאפשר הבנה מדעית של הממצאים הנחשפים.

על פי רוב, יש להימנע מיצירת שוחות או בורות מבודדים. אלה לרוב אינם מעניקים כל אינדיקציה בנוגע לממצא ולמעשה הופכים זאת לבלתי אפשרי לזהות את הקשרו.

יש לשקול היטב ובאופן פרטני את השאלה האם קיים צורך או מומלץ להרחיב שוחות ובורות על מנת להשיג תובנה ברורה, על מנת להימנע מהפרעת הריבוד הארכיאולוגי, להימנע מחפירה בקנה-מידה מלא.

6.4 תיעוד מחקרים

ארכיאולוגיים

התיעוד משמש לשמירת המידע ההיסטורי אשר מקורותיו נהרסים במהלך המחקר עצמו.

מחקרים ארכיאולוגיים אינם ניתנים לשחזור. עובדה זו באופן בלתי נמנע מעמידה דרישות תקן גבוהות עבור תיעוד המחקר. עלות שמירת המסמכים בארכיב לצורכי ניתוח חייבת להילקח בחשבון במהלך תכנון התערבויות ארכיאולוגיות.

6.5 הערכה ופרסום

מחקרים ארכיאולוגיים

ממצאי המחקר הארכיאולוגי חייבים בהערכה ובפרסום ברבים. האינטרס המדעי ישתפר באותה מידה הן ע"י פרסום הממצאים והן על-ידי עבודת ההערכה והתיעוד הנלווה לה.

רק פרשנות מדעית של המבנים הנחפרים והמתועדים, הממצאים וכן פרסומי ממצאים אלה, התורמים לעבודה המדעית. עבודת חפירה בלתי-מפורסמת הינה על-פי רוב בעלת ערך מועט, אם בכלל, עבור המחקר המדעי.

ארגון פעולות השימור באתרי המורשת הבנויה בשוויץ

ה"הנחיות לשימור אתרי המורשת הבנויה בשוויץ" מציגות את העקרונות לפיהם מבססת הוועדה השוויצרית הפדראלית לשימור **אתרי מורשת** את עבודתה, ובפרט, את דוחות המומחים המפורסמים על-ידה. ניתן להבין וליישם פרקים נרחבים בהנחיות וזאת ללא תלות בהקשרם התרבותי, הפוליטית והארגוני.

עם זאת, קוראים אשר אינם בקיאים במערכת הממשל השוויצרית עשויים לבקש לדעת עוד על קווי המתאר הרחבים המכתיבים את "הקצאת התפקידים" בתוך עולם הארכיאולוגיה ושימור המורשת הבנויה השוויצרית. העקרונות יכולים להיות מוטמעים היטב במציאות.

בעלי נכסים ונציגיהם

בהתאם למסורת ולחקיקה השוויצרית, בעלי נכסים פרטיים וציבוריים נושאים באחריות המרכזית לשימור אתרי המורשת הבנויה. הם אחראיים לתחזוק ולשימור עדויות היסטוריות אלה ולעתים קרובות עסקו בעבודה זו בפועל במשך דורות. בנוסף לפעולותיהם, מחויבותם האידיאליסטית והכלכלית הינה תנאי הכרחי לשימור המורשת התרבותית.

מתכננים ושאר בעלי עניין מטעם בעלי הנכסים מחזיקים בהשפעה מכרעת על הצלחתה כל עבודת השימור. מידה רבה של ניסיון נדרשת על מנת לזהות בדיוק רב את מאפייני האובייקטים השונים, כדי לבחון מאפיינים אלה בשלב התכנון וכן על מנת להגן על התוכן ההיסטורי של האובייקטים במהלך התקדמות העבודה. קיימת חשיבות זהה מצד בעלי הנכסים להקרבת יעדים אישיים לטובת המשך מסירתם לדורות הבאים.

ארגונים בלתי-ממשלתיים

הארגונים הבלתי-ממשלתיים הרבים הפעילים בשימור אתרי המורשת מהווים תופעה שוויצרית ייחודית; ברמה הארצית, האזורית או המקומית; הם מהווים תרומה חיונית לשימור אתרי המורשת הבנויה ואתרים היסטוריים. הם מסייעים ליצירת במה רחבה עבור צרכים אלו בקרב האוכלוסייה. יתרה מכך, ארגונים פרטיים תומכים במידה רבה בעבודת המחקר ההיסטורי, האומנותי, האדריכלי ובעבודת המחקר הארכיאולוגי.

ארגונים אלה הינם עצמאיים פוליטית בתנאים מוקדמים מסוימים, הם מחזיקים בזכות המשפטית להגיש ערעורים כנגד החלטות המתקבלות בידי הרשויות. פירוש הדבר שהם מצויים במעמד המאפשר להם להטיל ספק בהחלטות המתקבלות ע"י גופים ממשלתיים ולהגיש ערעורים אלה לערכאות שיפוטיות, ככל שיידרשו לכך. מידת ההצלחה הגבוהה של תיקים משפטיים אלו מוכיחה כי צורת בקרה זו הינה הכרחית ויעילה.

אחריות

בסיס האחריות ברמות הממשל השונות מוגדר על פי סעיף 78 לחוקה השוויצרית הפדראלית: הקנטונים אחראיים להגנת הטבע והמורשת הבנויה, כולל הגנתם של הנופים, הערים, היישובים והמבנים ההיסטוריים וכן של אתרים ארכיאולוגיים. האינטגרציה הפוליטית, הארגון, הקצאת משאבי האנוש והמשאבים הכספיים, משתנים מקנטון לקנטון.

הקונפדרציה תומכת בקנטונים ומתערבת ככל שישנה בעיה אשר לא ניתנת לפיתרון עצמאי מטעמים פוליטיים, טכניים ו/או פיננסיים. על מנת לממש יעדיה השונים, הקונפדרציה לוקחת בחשבון את יעדי הגנת הטבע והמורשת הבנויה ומטפל ישירות בשאלות הקשורות בה.

שירותים המסופקים ע"י סוכנויות מורשת קנטוניות *(בפיקוח חקיקה קנטונית)*

הקנטונים מפעילים סוכנויות מורשת מתמחות, אשר נושאות באחריות לביצוע ההולם והיעיל של משימות חוקתיות ומשפטיות. מספר המומחים המוסמכים הממונים לביצוע משימות אלה תלוי במימדי הקנטון ובמספר האובייקטים בעלי ערך מורשתי בשטחו.

בקנטון בו הן פועלות, סוכנויות המורשת הקנטוניות אחראיות ליישום כלל האמצעים הקשורים במורשת הבנויה וארכיאולוגית, כגון עריכת מצאים, ליווי עבודות שחזור, מימון וארכוב וכן יחסי ציבור.

סוכנויות אלה משתפות עם משרד התרבות הפדראלי (Federal Office of Culture/FOC) כאשר אובייקטים מסוימים ממומנים או מוגנים ע"י הקונפדרציה או כאשר קיימות בעיות טכניות מסוימות הדורשות טיפול.

הקנטונים רשאים להקים וועדות מומחים ולהאציל סמכות זו לסוכנויות עירוניות מתמחות.

שירותים המסופקים ע"י הקונפדרציה השוויצרית *(בפיקוח החוק הפדראלי בדבר הגנת הטבע והמורשת ותקנותיו הרלוונטיות)*

משרד התרבות הפדראלי (FOC) הינו הרשות המוסמכת לשימור אתרי המורשת הבנויה והארכיאולוגית. המשרד מבטיח כי יעדי שימור המורשת נלקחים בחשבון במסגרת החקיקה כאשר מתממשת מטלה פדראלית.

הקונפדרציה תומכת בשימור המורשת על-ידי הקצאה כספית עבור מיזם השימור, לרכישה, לתחזוקה, למחקר ולתיעוד אתרים היסטוריים ואנדרטות תרבות. היא מסוגלת לתמוך בארגונים בעלי חשיבות לאומית ולסייע בהיבטי מחקר, חינוך ויחסי ציבור.

בהתאם לבקשת הקנטונים, משרד התרבותי הפדראלי ממנה מומחים, המסייעים ומייעצים לסוכנויות המורשת הקנטוניות ביישום האמצעים. בהתאם לבקשת הוועדה השוויצרית הפדראלית לשימור אנדרטות (FCMP), משרד התרבות הפדראלי ממנה מומחים בעלי ידע כיוצעים המספקים ייעוץ לוועדה ולמשרד התרבות הפדראלי.

משרד התרבות הפדראלי אחראי מול מזכירות הוועדה השוויצרית הפדראלית לשימור אנדרטות.

שירותים המסופקים ע"י הוועידה השוויצרית הפדראלית לשימור אנדרטות FCMP *(בפיקוח החוק הפדראלי להגנת הטבע והמורשת ותקנותיו הרלוונטיות)*

ה-FCMP הינה ועדה פדראלית מייעצת,למשרד הפנים הפדראלי בנושאים הקשורים לשימור אתרי המורשת הבנויה ואתרים ארכיאולוגיים. היא מייעצת גם בדבר יישום החוק הפדראלי ועריכת המצאי עבור אובייקטים בעלי חשיבות לאומית.

הוועדה מספקת חוו"ד מומחים לשאלות הנוגעות לשימור אתרי המורשת הבנויה ואתרים ארכיאולוגיים מטעם הרשויות הפדראליות – ובפרט כאשר מימושה של מטלה פדראלית עלול להשפיע לרעה על אובייקט כלשהו. בהתאם להסכמת הקנטון, הוועדה רשאית להזמין חוו"ד מומחים נוספות, אשר יש ואלה תתקבלנה מטעמה או מטעמם של צדדים שלישיים. לפי בקשת משרד התרבות הפדראלי, הוועדה מעניקה ייעוץ גם בנושא הקצאת משאבים כספיים.

הוועדה מעודדת שיתוף פעולה ודיאלוג מדעי בקרב כל בעלי העניין, ופועלת כדי לקדם את העבודה המעשית והתיאורטית בתחום.

BACK

תקנים והנחיות

לשימור מקומות היסטוריים בקנדה

BACK

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פתח דבר

התקנים וההנחיות לשימור המקומות ההיסטוריים בקנדה הם תוצר של שיתוף פעולה נרחב בקרב רשויות פדראליות, פרובינציאליות, טריטוריאליות ועירוניות, מומחים מקצועיים לשימור ומפתחי מורשת קנדים רבים.

התהליך הניח יסודות חשובים להתקדמות מיזם השימור בקנדה וגישה זו, המבוססת על מעורבות כלל בעלי העניין והצדדים הרלוונטיים, תמשיך לשמש את העדכונים התקופתיים של התקנים וההנחיות לשימור המקומות ההיסטוריים בקנדה ותתבטא בפרסומים העוסקים בשימור מקומות היסטוריים.

באמצעות שיתוף פעולה כלל-קנדי, ביכולתנו לחזק את פיתוח תרבות השימור בקנדה, אשר תמשיך להתבטא בכל אחת מן תחומי השיפוט וחבלי-הארץ השונים בארצנו.

פיתוח התקנים וההנחיות לשימור המקומות ההיסטוריים בקנדה התממש בהצלחה כה רבה לאור החזון, יכולת המנהיגות והשקדנות של עובד רשות הפארקים הקנדית, גורדון פולטון (Gordon Fulton), כמנהל וכמדריך, הוא סייע ביצירת כלי חדש ושימושי עבור קהילת שימור המורשת.

בשמה של רשות הפארקים הקנדית, הנני גאה לאמץ את התקנים וההנחיות לשימור המקומות ההיסטוריים בקנדה לשימוש מנהלי האתרים ההיסטוריים הלאומיים בקנדה וכן נכסי מורשת אחרים. ביחד עם שותפינו הרבים, נצעד קדימה לעבר תרבות שימור מחוזקת.

אלן לטורייל

מנכ"ל
רשות הפארקים הקנדית.

הקדמה ותודות

במהלך השנים, ההנחיות בנושא כיצד לשמר במידה הטובה ביותר את אתרי המורשת הבנויה חסרי-התחליף שלנו, ואת מגבלות השינויים המקובלים באתרים אלה, הוצגו במספר מסמכים (ראה ביבליוגרפיה). מערכת תקנים והנחיות מקובלת לשימור מקומות היסטוריים בקנדה, עם זאת, נותרה אתגר בלתי-ממומש. ביוני 2000, קבוצת עבודה לשימור מורשת ומומחי נדל"ן מן התעשייה, מארגוני מורשת בלתי-ממשלתיים, מרשויות עירוניות, פרובינציאליות וטריטוריאליות, וממחלקות ומסוכנויות פדראליות, התארגנה כדי להתמודד במחסור זה. מסמך זה הינו תוצר עבודתה של קבוצה זו.

כמו מרבית המסמכים הקודמים הקנדים, התקנים וההנחיות לשימור מקומות היסטוריים בקנדה שואבים השראה רבה ומבוססים באופן די ישיר על פרסומה התקדימי ממשלת ארצות הברית, "תקני שר הפנים לטיפול בנכסים היסטוריים, עם הנחיות לשימור, שיקום, שחזור ובנייה מחדש של מבנים היסטוריים" (1995) (The Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings). מסמך זה הינו מודל לבהירות ולמעשיות. קבוצת העבודה אשר פיתחה את התקנים וההנחיות הקנדים הללו לא מצאה שום סיבה מדוע לא להתבסס על מסמך זה, עם השינויים המתאימים לנסיבות הקנדיות. קבוצת העבודה מכירה תודה לשירותי השימור הטכניים של רשות הפארקים האמריקאית עבור סיועה ותמיכתה בשימוש ובהתאמת מסמך זה ובמסמך המקביל לו, "תקני שר הפנים לטיפול בנכסים היסטוריים, עם הנחיות לטיפול בנופים תרבותיים" (1996).
(The Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes)

קבוצת העבודה זכתה להתבסס על עבודתן המצוינת של מספר סוכנויות במדינה זו ומעבר לים. ובפרט, מכירה תודה מיוחדת למשרד העסקים הקטנים, התיירות והתרבות של קולומביה הבריטית על המסמכים: "עקרונות לשימור מורשת" (1989) - Principles of Heritage Conservation, "עקרונות והנחיות לשיקום" (1989) - Rehabilitation Principles and Guidelines; למשרד הפיתוח הקהילתי של אלברטה על המסמך "הנחיות לשיקום משאבים היסטוריים ייעודים" (1993) - Guidelines for the Rehabilitation of Designated Historic Resources; למשרד התרבות, המורשת והתיירות של מניטובה על המסמך "פיתוח אסטרטגיית שימור למבנה מורשת" (1994) - Developing a Conservation Strategy for a Heritage Building; למשרד האזרחות, התרבות והפנאי של אונטריו עבור המסמך "שמונה עקרונות מנחים בשימור נכסים היסטוריים" (1997) - Eight Guiding Principles in the Conservation of Historic Properties; ההנחיות והנוהלים לשימור אדריכלי של קרן מורשת אונטריו" (1988) - "the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation"; ל-Principes et criteres de restauiration et d'insertion: le " le ministere des Affaires culturelles du Quebec patrimoine architectural d'interet public au Quebec (1991); ל-la Ville de Quebec ול- le ministere de la Culture et des Communications du Quebec " Guide d'inervention: conserver et mettre en valeur le Vieux-Quebec" (1998); לעיר סנט ג'ון, ניו ברנסוויק, "סדרת הנחיות שימור מעשיות" (1990-96) - Practical Preservation Guidelines Series; למחלקת העבודות הציבוריות ושירותי הממשלה הקנדיים על המסמך "דרישות התקן לביצוע של ממשרד לענייני מבני המורשת פדראליים" (1996) - Federal Heritage Buildings Review Office Code of Practice; ל-Australia ICOMOS "צ'רטר בורה: Australia ICOMOS למקומות בעלי חשיבות תרבותית (1999); ומכון התקנים הבריטי על תקן בריטי מס' 7913:1998, "הנחיות בדבר עקרונות השימור של מבנים היסטוריים" (1998) Guide to the Principles of the Conservation of Historic Buildings, כולם סיפקו השראה למסמך זה.

התקנים וההנחיות לשימור מקומות היסטוריים בקנדה נכתבו תחת הנחייתה והכוונתה של קבוצת העבודה לתקני והנחיות שימור, אשר חבריה נידבו מזמנם וממומחיותם. Gordon W. Fulton כיהן כמנהל הפרויקטים של קבוצת העבודה וערך את טיוטת התקנים וההנחיות, אשר שימשה לאחר מכן להתייעצויות.

לאחר תום ניסוח **התקנים וההנחיות לשימור מקומות היסטוריים בקנדה**, 42 מיזמי פיילוט הושקו שמטרתם לבחון את השימוש בתקנים ובהנחיות. Pat Buchik, Robert Pajot ו-Eve Wertheimer השירות לשימור המורשת (Heritage Conservation Services) של מחלקת העבודות הציבוריות שיחקו תפקיד מפתח בתכנון, בתאום מיזמי הפיילוט ובהפצת תוצאותיה של עבודה זו עם קבוצת העבודה. ההערות אשר התקבלו כתוצאה ממיזמי פיילוט תרמו לשכלולו של מסמך זה.

עלינו להכיר תודה מיוחדת לחברי קבוצות העבודה ולאחרים אשר נידבו את התמונות שבבעלותם, המעטרים את מסמך זה.

פטר פרוד

מנהל
תוכנית המקומות ההיסטוריים
מועמת המנהלים של האתרים ההיסטוריים הלאומיים
רשות הפארקים הקנדיים

1. התקנים והעקרונות לשימור מקומות היסטוריים בקנדה

1.1 מטרת התקנים וההנחיות

המטרה המרכזית של **התקנים והעקרונות לשימור מקומות היסטוריים בקנדה** הינה להעניק **הנחיות מבוססות ומעשיות** למימוש נוהגי שימור מוצלחים. כל בעל עניין אשר מרצונו יפעל לפי תקנים והנחיות אלה יהנה מהנחיות ברורות ועקביות. המסמך לא בא להחליף את העוסקים בשימור או לספק הנחיות טכניות מפורטות המתאימות לכל סיטואציה. עם זאת, המסמך מציע הנחיות מכוונות תוצאות לסיוע בקבלת החלטות במהלך התכנון עבור, ההתערבות והשימוש ב"מקום" היסטורי.

המטרה השנייה של **התקנים וההנחיות לשימור מקומות היסטוריים בקנדה** - לפתח מערכת פאן-קנדית של תקנים והנחיות הניתנים לאימוץ ע"י רשויות פדראליות, פרובינציאליות, טריטוריאליות ואחרות ויכולים לשמש כמדד להערכת התערבויות שימור מוצעות. למשל, רשויות המאמצות את התקנים וההנחיות יכולות להשתמש בהם כדי להעריך שינויים מוצעים ל"מקום" היסטורי הכלול במרשם המקומות ההיסטוריים הקנדי. בנסיבות אלה, התקנים וההנחיות ישמשו כדי למדוד את ההתאמה לחקיקה הנוגעת **להגנה הסטטוטורית** של מקומות היסטוריים אלה. על מנת להתאים לחקיקה, על פרויקט לכבד ולשמר את ערך המורשת ואת האלמנטים מגדירי-האופי של "המקום" ההיסטורי, בהתאם להמלצות הקיימות בתקנים ובהנחיות ולפי קביעת הרשות המוסמכת, הן בשלב התכנון והן בתום העבודות.

המטרה השלישית באה לסייע לאנשים אשר בכוונתם לקבל **תמריצים כלכליים** לשימור. אימוץ התקנים וההנחיות עשויים להעניק בסיס לסקירת והערכת פרויקט השימור, השיקום או השחזור בטרם יתחיל הפרויקט, וכן פעם נוספת עם השלמתו. על מנת לזכות לאישור והסמכה לקבלת תמריצים כלכליים פדראליים, על פרויקט לעלות בקנה אחד **עם התקנים וההנחיות לשימור מקומות היסטוריים בקנדה**.

1.2 הגדרת מושגי מפתח

למונחים המשמשים מסמך זה קיימים משמעויות ספציפיות מאוד בהקשר של שימור המורשת והם מוגדרים כדלקמן:

אלמנטים מגדירי-אופי: החומרים, הצורות, המיקום, התצורה המרחבית, השימושים והאסוציאציות התרבותיות או המשמעויות התורמות לערך המורשת של "המקום" ההיסטורי, עליו יש להגן על מנת לשמר את ערך המורשת שלו.

שימור: כלל הפעולות או התהליכים המכוונים לשמירת האלמנטים מגדירי-האופי של משאב תרבותי, ובכך להבטיח את קיומו של ערך המורשת הטבוע בו ולהאריך את חייו הפיזיים. הדבר עשוי לכלול פעולות "שימור", "שיקום", "שחזור" או שילוב של הפעולות או התהליכים הנ"ל. בנייה מחדש או שחזור של משאב תרבותי שאבד מן העולם אינם נחשבים לפעולת שימור ועל כן אינם זוכים להתייחסות במסמך זה.

הנחיות: הצהרות המספקות הנחיה מעשית ביישום התקנים לשימור מקומות היסטוריים בקנדה. אלה מוצגים במסמך זה כפעולות מומלצות ובלתי-מומלצות.

ערך מורשת: החשיבות או המשמעות האסתטית, ההיסטורית, המדעית, התרבותית, החברתית או הרוחנית עבור דורות ההווה או העתיד. ערך המורשת של "מקום" היסטורי טבוע בחומריו, צורותיו, מיקומו, תצורתו המרחבית, שימושיו והאסוציאציות או המשמעויות התרבותיות מגדירי-האופי שלו.

"מקום" היסטורי: מבנה, בניין, קבוצת בניינים, רובע, נוף, אתר ארכיאולוגי או "מקום" אחר בקנדה אשר הוכרו באופן רשמי כ"מקום" היסטורי.

תחזוקה: פעולות שגרתיות, מחזוריות ובלתי-הרסניות הנדרשות להאטת קצב הבלאי של "מקום" היסטורי. התחזוקה כרוכה בביצוע ביקורת תקופתית; פעולות ניקוי שגרתיות, מחזוריות ובלתי-הרסניות; פעולות תיקון וגימור-מחדש זעירות; החלפת חומרים ניזוקים או בלויים אשר לא קיים ערך מעשי לשימורם.

התערבות מינימאלית: הגישה המאפשרת את העמידה ביעדים פונקציונאליים במסגרת יישום פעולות ההתערבות הזניחות ביותר.

תקנים: נורמות לשימור הולם של מקומות היסטוריים.

שיקום: הפעולה או התהליך המאפשרים המשך קיומו או שימוש עכשווי המתאים של "מקום" היסטורי או של אלמנט אינדיבידואלי בו, באמצעות פעולות תיקון, שינויים ו/או תוספות, תוך הגנת ערך המורשת הטבוע בו. השיקום עשוי לכלול החלפת אלמנטים היסטוריים חסרים. פעולה זו יכולה לכלול הצבת העתק מדויק של האלמנט החסר, או שהיא עשויה להתבטא בעיצוב חדש התואם לסגנון, התקופה והאופי של "המקום" ההיסטורי.

שחזור: הפעולה או התהליך המאפשרים לאור בחינה מדויקת, את שחזורו או הצגתו של "מקום" היסטורי או של אלמנט אינדיבידואלי בו, כפי שהיה נכון לתקופה ההיסטורית המגדירה את מהותו, תוך שמירת ערך המורשת הטבוע בו.
פעולות שחזור כוללות את הסרת האלמנטים ב"מקום" ההיסטורי השייכים לתקופות אחרות בעברו של "המקום" ואת בנייתם מחדש של אלמנטים חסרים השייכים לתקופה המשוחזרת. פעולות שחזור חייבות להתבסס על ראיות מוצקות וידע מעמיק של צורותיו הקודמים של "המקום" ושל החומרים המשוחזרים.

1.3 העקרונות מאחורי התקנים וההנחיות

שימור המורשת כולל: זיהוי, הגנה וקידום של האלמנטים היקרים לחברתנו. המונח "מורשת" עשוי לכסות מגוון רחב של עצמים פיזיים, החל מתחנת רכבת וכלה בגנים ובציורים, וגם ישויות בלתי-מוחשיות, כגון ידע מסורתי ושפה. המונח "שימור מורשת" (או "שימור היסטורי" באזורים מסוימים) מתקשר לרוב למאמצי השמירה על הסביבה הפיזית או "הבנויה", דהיינו, שימורם של נופים מוחשיים, מבנים, בניינים וחפצים אשר נוצרו במהלך ההיסטוריה של קנדה. בשלב מאוחר יותר, המונח מיוחס לשמירה על נכסים לא פיזיים המחברים את בני האדם ל"מקום", דהיינו, אסוציאציות הקשורות לשימוש, למשמעויות ולערכים התרבותיים או הרוחניים. **התקנים וההנחיות לשימור מקומות היסטוריים בקנדה** עוסקים הן בהיבטים הפיזיים של המקומות ההיסטוריים והן באסוציאציות המופשטות שלהם.

העקרונות היסודיים המצויים בבסיסם של נוהלי שימור יציבים באופן מסורתי נאספו ופורסמו ב"צ'רטרים". צ'רטרים אלה, החל מצ'רטר אתונה (1931), משקפים את מאמצינו המתמשכים להגדיר בבהירות הרבה האפשרית את הסיבות מדוע רעיון או פעולה כלשהי הינם טובים יותר בהשוואה לאחרים במהלך הטיפול במקומותינו ההיסטוריים השבריריים וחסרי-התחליף. כל אחד מן הצ'רטרים מגלם השקפת עולם או נטייה או התמקדות מסוימת כמו האסוציאציות התרבותיות המתבטאות בצ'רטר Burra האוסטרלי, למשל. עם זאת, קיימת בבסיסו של כל צ'רטר תשתית לוגית עקבית. תשתית זו מסוכמת כאן ומשקפת את השקפת העולם הנגזרת מן התקנים וההנחיות הבאים לאחריה. העקרונות מוצגים ברצף של פעולות מן "ההתחלה" אל ה"סוף"; החל מהבנת "המקום" ההיסטורי ועד לביצוע שינויים בו. עם זאת, האנשים המעורבים בשימור נדרשים מדי פעם לקחת מספר צעדים לאחור ולבחון מחדש את גישותיהם ולרכוש מידע נוסף לגביהם, שכן השימור, כתהליך מתמשך, הינו מחזורי מטבעו.

החלטות בדבר כל פעולת שימור המתבצעת על ערך המורשת של "מקום" היסטורי דורשות שיפוט איתן וזהיר על מנת לאזן בין הדרישות המתנגשות הנגזרות מן "המקום", תוך התמודדות עם כל בעלי העניין הרלוונטיים ובחינת הקריטריונים הפרטניים של האתר. עבודה מול מומחים מולטי-דיסציפלינאריים ובעלי עניין רלוונטיים הינה לרוב הכרחית במהלך תהליך קבלת ההחלטות.

א. הבנה
הבנה מקיפה של "המקום" ההיסטורי הינה שלב ראשון חיוני לכינון נוהלי שימור מוצלחים, אשר בדרך כלל מיושמות באמצעות מחקר תיעודי או בע"פ וביצוע בדיקות פיזיות את מאפייני "המקום". חשוב לדעת היכן טמון ערך המורשת של "המקום" ההיסטורי; כיצד הוא תואם פיזית ופונקציונאלית לסביבתו; ובאיזה מידה היה, עודנו ויהיה "המקום" בעל משמעות בעברו לקהילה הרחבה. תהליך הערכת "המקום" ההיסטורי, אם כן, מהווה שלב חשוב בתהליך הבנתו. התכנון עבור, השימוש וההתערבות ב"מקום" היסטורי חייב להתבצע לאור הבנה זו.

ב. תכנון
התכנון חייב להקדים כל פעולת התערבות ב"מקום" היסטורי. במילים אחרות, פעילות השימור חייבת להיות מתואמת ומשולבת עם מאמצי התכנון ופעילויות מכוונות-עתיד אחרות. התכנון הינו המנגנון המקשר בין ההבנה המעמיקה את "המקום" ההיסטורי עם פעולות התערבות המכבדות את ערך המורשת הספציפי הטבוע בו. במהלך התכנון, חשוב להקפיד על ראייה לטווח ארוך ועל ערך התמונה הגדולה, ולהימנע מדגש על אלמנטים מגדירי-אופי מסוימים על חשבון אחרים. על התכנון לכלול התחשבות ב**כל** הגורמים המשפיעים על עתיד "המקום" היסטורי, לרבות צרכי בעל הנכס, המשאבים הקיימים והמגבלות החיצוניות.

ג. השימוש
אם השימוש ב"מקום" היסטורי מהווה חלק מן ערך המורשת הטבוע בו, יש להתמיד בשימוש זה. אחרת, יש לזהות שימוש ב"מקום" ההיסטורי התואם לערך המורשת שלו. שימוש סביר – כלכלי, חברתי או סמלי – יבטיח במידה רבה יותר את הישרדותו ארוכת-הטווח של "המקום" ההיסטורי ותפחית או תמנע את הבלאי הנגרם מפעילויות סביבתיות ואנושיות. עקב השפעותיו היומיומיות של השימוש היומיומי ב"מקום" היסטורי, הביקורת, המעקב, הניטור והתחזוקה הסדירים המתאימים לנסיבות של "המקום", חייבים בתכנון וביישום הולם. יש לשמור על תיעוד מתאים ומתמשך, אשר יתעד את מצבו של "המקום" לאורך זמן. תיעוד זה יתווסף להבנה המעמיקה של "המקום" ההיסטורי. בנוסף, יש ליישם באופן המכבד את ערכי "המקום" תוכניות למענה בשעת חירום, מערכות ניטור ואמצעי מיגון אחרים, אשר יגנו על שלום "המקום" ובני-האדם השוהים בתחומו בעת אסון, כגון שריפה.

ד. התערבות
התערבויות ב"מקום" היסטורי, דהיינו, פעולות או תהליכים אשר בסופם מתבצע שינוי פיזי לאלמנטים המוחשיים, תכבדנה את ערך המורשת הטבוע בו. בכל התערבות, כפי שכתב הארכיאולוג הצרפתי Adolphe-Napoleon Didron בשנת 1839, "השימור עדיף על התיקון, התיקון עדיף על השחזור, השחזור עדיף על הבנייה-מחדש". תרומות חדשות חייבות לכבד את רוח והמהות העתיקה. מטרת השימור של "מקום" היסטורי הוא לעמוד ביעדים פונקציונאליים תוך כיבוד ערך המורשת והאלמנטים מגדירי-אופי שלו. גישת "התערבות מינימאלית" זו מהווה בסיס לנוהלי שימור מוצלחים. תרגום כוונות טובות לפעולות התערבות המכבדות את "המקום" והנחיות ברורות ומפורשות (המתבטאות בתכנון ומפרטים) חיוניים למימוש יעדים אלה.

1.4 מבנה המסמך

לתקנים וההנחיות לשימור מקומות היסטוריים בקנדה ארבעה פרקים עיקריים.
הפרק הראשון, "הקדמה", מתחיל עם **מטרת** התקנים וההנחיות, ולאחריו מופיעות **ההגדרות** של כמה ממונחי המפתח המשמשים אותם. לאחר מכן מופיע סיכום **העקרונות** היסודיים המהווים בסיס לנוהלי שימור מוצלחים אשר מהם נגזרים תקנים והנחיות שונים המופיעים במסמך זה. בסוף ההקדמה מופיע תיאור **מבנה** התקנים וההנחיות, וכן מבוארות **הוראות השימוש** במסמך זה.

בפרק השני, מוצגים **התקנים** לשימור. תשעה "תקנים כלליים" הישימים עבור מקומות היסטוריים מכל הסוגים ולטיפול המשמר - "שמירה". כמו כן, אלה נדרשים לשני טיפולים משמרים: "שיקום" ו"שחזור". יש שלושה תקנים נוספים הישימים אך ורק עבור טיפול שימור **"משקם"** ושני תקנים נוספים הישימים רק עבור טיפול שימור **"משחזר"**.

הפרק השלישי הינו פרק **ההנחיות** המיועדות לסייע ביישום התקנים במהלך הערכת העמידה ביעדי התקנים. לאחר הקדמה הדנה **ביישום** ההנחיות, ודיון כללי ב**חומרים חלופיים** ו**באיזון בין שיקולים אחרים**, מוצגות

ההנחיות הפרטניות עבור אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים, אשר בנפרד או יחדיו עשויים להוות חלק מ"מקום" היסטורי.

הפרק הרביעי כולל המלצות מפורטות עבור **שיקולים אחרים**, כגון: בריאות ובטיחות, נגישות, יעילות אנרגטית ויעדים אקולוגיים ועבור תוספות חדשות למקומות היסטוריים.

למספר מונחים המשמשים במסמך זה קיימות משמעויות מאוד צרות בהקשר שימור המורשת. מונחים אלה מוגדרים בהקדמה זו וכן נכללים **במילון המונחים**. לאחר מילון המונחים מפורטת ביבליוגרפיה (מדריך טכני) של ספרים ומראי-מקום שימושיים.

1.5 כיצד להשתמש בתקנים ובהנחיות

ההוראות להלן והטבלה המצורפת מתארים בקווים כלליים את הצעדים העיקריים לביצועו של פרויקט שימור מוצלח. המלצות ואזהרות חיוניות מופיעות בהדגשה.

א. זיהוי ערך מורשת ואלמנטים מגדירי-אופי

מותג החוזר על עצמו לכל אורכו של מסמך זה הוא הכבוד אותו יש לרחוש לערך התרבות ולאלמנטים מגדירי-האופי של "המקום". ערך המורשת של "מקום" היסטורי והאלמנטים מגדירי-האופי שלו לרוב מזוהים כאשר הוא מוכר באופן רשמי ע"י רשות או כאשר הוא מוצע צירופו למרשם המקומות ההיסטוריים הקנדי. אם האלמנטים מגדירי-האופי של "מקום" היסטורי לא זוהו, הצעד הראשון והחיוני בהחלט בכל פרויקט הינו **זיהוי ותיאור האלמנטים החשובים להגדרת ערך המורשת הכולל של "המקום" ההיסטורי.** חשיבותם של אלמנטים אלה לרוב מתבטאת ב"הצהרת חשיבות" או מסמך דומה.

ב. הגדרת הטיפול העיקרי

כל פרויקט שימור עשוי לכלול היבטים של יותר מטיפול משמר אחד, מומלץ ביותר **לקבוע**, **במהלך שלב התכנון, האם הטיפול מהווה פרויקט שמירה, שיקום או שחזור.** המיקוד המרכזי של הפרויקט וכן של ערכי המורשת של "המקום" ההיסטורי, עוד בשלבי התכנון הראשונים, יתרמו להצלחתו של פרויקט שימור עקבי ואחיד. לדיון בשאלה מתי יש להשתמש **בשמירה**, **בשיקום** או **בשחזור** כטיפול מרכזי (פרק 2, יישום התקנים).

ג. סקירת התקנים

התקנים, המהווים לב ליבו של מסמך זה, והעקרונות עליהם הם מתבססים, הינם בעלי חשיבות מכרעת לתהליך השמירה, השיקום או השחזור של "מקום" היסטורי באופן אחראי ועקבי. קיימת חשיבות, אם כן, לבחון את התקנים ואת העקרונות המקבילים להם לפני עיון בהנחיות. שימו לב שהתקנים הינם קשורים זה בזה, דהיינו, **העמידה בתקנים עבור כל סוג של טיפול פירושה עמידה בתנאי כל התקנים עבור אותו סוג טיפול,** ולא רק בחלקם. במילים אחרות, תקנים 1 עד 9 ישימים עבור פרויקט שמירה; תקנים 1 עד 12 עבור פרויקט שיקום ותקנים 1 עד 9 ו-13 עד 14 עבור פרויקט שחזור.

ד. שימוש בהנחיות על מנת לזהות את סוג המשאב והטיפול המתאימים

הבנה מעמיקה של "המקום" ההיסטורי והאלמנטים שלו חיונית ליישומם של נוהלי שימור מוצלחים. ככל שההבנה מעמיקה יותר, כך צפוי יותר כיבודו של ערך המורשת. ההנחיות אזי תמיד ממליצות על **תיעוד, זיהוי, סקירה וניתוח הצורה, החומרים והמצב** (והמטרה ומערכות היחסים הקיימות, ככל שישים) **של "המקום" ההיסטורי ושל האלמנטים שלו בטרם תחלנה עבודות הפרויקט.**

איזון סוגיות בריאותיות ובטיחותיות ואחרות עם יעדי השימור הינו היבט חשוב ביותר בכל פרויקט שימור. האתגר לרוב כרוך בעמידה בדרישות: נוהלי בטיחות אש, תקנים סיסמיים או תקנים לשימוש בכימיקלים, תוך מזעור ההשפעה השלילית על ערך המורשת הטבוע ב"מקום" ההיסטורי. סיכויי ההצלה של פרויקט שימור עשויים

להיות תלויים ביכולתו לאזן בין הדרישות הבריאותיות והבטיחותיות ובין יעדי שימור ערכי המורשת. על כן, דיון כללי בנושא העמידה בדרישות אלה תוך כיבוד ערך המורשת מופיע בתחילת פרק ההנחיות (איזון שיקולים אחרים). המלצות מפורטות בנושאים אלו בפרק 4, "שיקולים אחרים").

לאחר שפותחה הבנה מעמיקה של "המקום" ההיסטורי והאלמנטים שלו ולאחר שהוענקה התייחסות מתאימה לנושאים ישימים אחרים, הצעד הבא הינו **יישום ההנחיות המתאימות**. מבחינת סוגי המשאבים השונים, ההנחיות מחולקות לארבעה חלקים: אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים. על מנת להקל על השימוש בהן, ההנחיות עבור נופים ומבנים מחולקים לתת-פרקים נוספים, כגון צורות קרקע וחלונות.

הנחיות אלה, העוסקות בסוגי משאבים שונים לרבות האלמנטים הנפרדים, **אינן מיועדות לשימוש מבודד.** ייתכן וקיים ערך מורשת במערכת היחסים שבין אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים, ואין להתפשר על שימור ערכים אלה במהלך ביצוע פרויקט העוסק באלמנטים פרטניים של "מקום" היסטורי.

	זיהוי ערך מורשת ואלמנטים מגדירי-אופי שלו			
	בחירת הטיפול העיקרי	שמירה	שיקום	שחזור
	תקנים 1-9, 13, 14	תקנים 1-12	תקנים 1-9	בחינת התקנים
איזון שיקולים אחרים	הנחיות כלליות לשימור ולתיקון	החלפה הוספה		עקוב אחר ההנחיות בהתאם לטיפול הנבחר
		אתרים ארכיאולוגיים		ובהתאם לסוג המשאב
		נופים		
		בניינים		
		מבנים הנדסיים		

מבחינת הטיפולים השונים, כל אחד מפרקי ההנחיות במסמך זה מתחיל עם המלצות הנוגעות **לשמירה**, דהיינו, ייצוב, הגנה, תחזוקה ו/או הבטחת המשך קיומם של אלמנטים החשובים להגדרת ערך המורשת של "המקום" ההיסטורי. **על כל פרויקטי שימור להתבצע בהתאם להנחיות אלה.** עבור פרויקטים הדורשים טיפולים אחרים מלבד טיפול משמר, באפשרות מנהלי הפרויקט לפעול בהתאם להנחיות הנוספות עבור טיפול משקם או משחזר.

גישת ההנחיות לעבודה, לטיפולים ולטכניקות העולים בקנה אחד עם התקנים לשימור מקומות היסטוריים בקנדה מפורטות בטור **"מומלצות"**, המצוי בצד שמאל; אלו אשר אינן מופיעות בטור **"בלתי-מומלצות"** בצד ימין.

ה. התחלת עבודות הפרויקט

עבודת הפרויקט הינה שלב מכריע בתהליך השימור. קיימת חשיבות רבה להקצאת סגל מקצועי בעל כישורים מתאימים לביצוע העבודות, כשם שחשוב לקבוע את העבודה המתאימה ביותר אותה יש לבצע. בעוד שמתן הייעוץ לניהול פרויקטים ולפעילויות קשורות אינו מעניינו של מסמך זה, ניתן לומר בבטחה כי **חיוני להבטיח כי כל אלו**

המעורבים בעבודת השימור הממשית הינם בעלי מקצוע המחזיקים בכישורים ובהכשרה הנדרשים. עליהם להיות בקיאים בגישות שימור מיוחדות **ולהבין את היקף הפרויקט**. יתרה מכך, בעוד שפעולות התערבות משמעותיות עשויות להידרש במהלך פרויקט השימור, **ההשקעה ארוכת-הטווח הטובה ביותר ב"מקום" היסטורי הינה פעילות תחזוקה הולמת ומתאימה.**

2. תקנים לשימור מקומות היסטוריים בקנדה

התקנים לשימור מקומות היסטוריים בקנדה מיועדים לקידום נוהלי שימור אחראיים שיסייעו לשמירה על מקומותיה ההיסטוריים חסרי-התחליף של קנדה. הם מעניקים עקביות לעבודות; ובעוד שהם אינם טכניים או מכווני-מקרה, הם מספקים מסגרת לקבלת החלטות חיוניות במהלך הדיון בשאלה אילו אלמנטיבמקומות היסטוריים ניתנים לשמירה ואילו אלמנטים ניתנים לשינוי.

2.1 יישום התקנים

יש ליישם את התקנים עבור מקומות היסטוריים, אשר הוכרו (או עשויים להיות מוכרים) ע"י רשות מתאימה כבעלי ערך מורשת, דהיינו, בגין חשיבותם האסתטית, ההיסטורית, המדעית, התרבותית, החברתית או הרוחנית עבור דורות העבר, ההווה והעתיד. מקומות חשובים עשויים לכלול אתרים ארכיאולוגיים בעלי משאבים על או מתחת לפני הקרקע או מתחת למים, כגון שדות קרב וספינות טרופות; נופים מכל הסוגים או אלמנטים טבעיים ובנויים קשורים (למשל, פארקים עירוניים או אתרים אבוריג'ניים קדושים); מבנים (בתים פרטיים או רובעים עירוניים שלמים); עבודות הנדסיות או אתרי כרייה. כמו כן, ניתן ליישם התקנים עבור מבנים חדשים המצורפים או המצויים בקרבת "מקום", או הקשורים לכל אחד מסוגי המשאבים הללו. ניתן ליישמם בפרויקט שימור ספציפי במידה סבירה, תוך התייחסות לישימות הכלכלית והטכנית.

השימור בהקשר של תקנים אלו מתייחס לשמירה על ערך המורשת במקומות היסטוריים ולהארכת חייהם הפיזיים. שמירת ערך המורשת של "מקום" היסטורי מובטח בעיקר באמצעות פעולות התערבות, דהיינו, כל פעולה (או הימנעות מכוונת מפעולה) בעלת השפעה פיזית על האלמנטים המוחשיים של "מקום" היסטורי אשר אינן מטשטשות, מזיקות או הורסות אלמנטים מגדירי-אופי ב"מקום". אלה האחרונים כוללים את החומרים, הצורות, המיקום, התצורות המרחביות, השימושים והאסוציאציות או המשמעויות התרבותיות התורמים לערך המורשת של "המקום" ההיסטורי.

מומלץ לבחון את פעילות השימור תחת שלוש כותרות מובחנות: שמירה, שיקום ושחזור, מתוך הכרה כי פרויקט שימור נתון לרוב יכלול שילוב של פעילויות אלה.

א. שמירה

השמירה כוללת את ההגנה, התחזוקה והייצוב של הצורה, החומרים והשלמות הקיימים ב"מקום" היסטורי, או של אלמנט פרטני בו, תוך השמירה על ערך המורשת הטבוע בו. קיימים תשעה תקנים הנוגעים לשמירה, ויש ליישמם במהלך כל פרויקט שמירה.

מאחר שההגנה, התחזוקה והייצוב עומדים בבסיס כל פרויקט שימור, כל תשעת תקני השמירה חייבים להיות מיושמים בכל פרויקט שימור.

יש לשקול ביצוע פרויקט שעיקרו טיפול משמר כאשר (א) החומרים, האלמנטים והחללים ב"מקום" ההיסטורי נותרו עקרונית שלמים ועל כן ניתן לדלות מהם את המשמעות ההיסטורית מבלי לבצע עבודות תיקון או החלפה נרחבות; (ב) תיאור מהלך תקופה מסוימת בהיסטוריה של "המקום" אינו מתאים; (ג) שימוש חדש ומתמשך אינו דורש שינויים או תוספות נרחבים. השמירה נוטה להיות פעולת השימור הזהירה ביותר השומרת על ההרכב החומרי המקורי של "המקום" במידה רבה ביותר. ולכן טיפול זה מתאים במידה רבה ביותר כאשר ערכי המורשת

הנוגעים לחומרים הפיזיים של "המקום" הינם דומיננטיים ביותר. יש לפתח תוכנית פרויקט משמר בטרם תחלנה עבודות הפרויקט.

ב. שיקום

השיקום כולל התאמה רגישה של "מקום" היסטורי או של אלמנט פרטני בו לשימוש עכשווי מתמשך או מתאים, תוך הגנת ערך המורשת הטבוע בו. הדבר ממומש באמצעות פעולות תיקון, שינויים ו/או תוספות.

קיימים שלושה תקנים הנוגעים לשיקום, ואת כולם יש ליישם במהלך ביצוע פרויקט משקם, וזאת בנוסף לתשעת התקנים המשמרים הקודמים.

יש לשקול ביצוע פרויקט שעיקרו טיפול משקם כאשר (א) נדרשים תיקון או החלפה חיוניים של אלמנטים בלויים ב"מקום"; (ב) שינויים או תוספות ל"מקום" ההיסטורי הינם מתוכננים למטרת שימוש חדש או מתמשך ב"מקום"; וכן (ג) תיאור מהלך תקופה מסוימת בהיסטוריה של "המקום" אינו מתאים. פעילות השיקום עשויה להחיות את מערכות היחסים ההיסטוריות ועל כן היא מתאימה ביותר כאשר ערכי המורשת הקשורים ב"מקום" ההיסטורי הם הערכים הדומיננטיים בו. יש לפתח תוכנית פרויקט משקם בטרם תחלנה עבודות הפרויקט.

ג. שחזור

שחזור כולל חשיפה, חידוש או הצגת מצבו של "מקום" היסטורי או אלמנט פרטני בו, כפי שהוא הופיע במהלך תקופה מסוימת במהלך ההיסטוריה שלו, באופן מדויק ככל הניתן, תוך הגנת ערכי המורשת הטבועים בו.

קיימים שני תקנים הנוגעים לשחזור, ויש ליישם אותם במהלך ביצוע פרויקט משחזר, וזאת בנוסף לתשעת התקנים המשמרים הקודמים.

יש לשקול ביצוע פרויקט שעיקרו טיפול משחזר כאשר (א) חשיבות "המקום" ההיסטורי במהלך תקופה מסוימת בהיסטוריה שלו **עולה באופן משמעותי** על ההפסד הפוטנציאלי של חומרים קיימים, אלמנטים וחללים מסוימים מתקופות אחרות; (ב) קיימות עדויות פיזיות וכתובות או בע"פ אשר מאפשרות את ביצוע העבודה ברמת דיוק גבוהה; וכן (ג) אין מתוכננים שינויים ותוספות עכשוויים. ביצוע עבודות שחזור מתאים במידה רבה ביותר כאשר יש ערכי מורשת אסוציאטיביים או סמליים שטושטשו בחלוף השנים, אותם ניתן לחשוף באמצעות הסרות, תיקונים והחלפות בהתבסס על ראיות היסטוריות מפורטות. בטרם תחלנה עבודות הפרויקט, יש לבחור תקופה היסטורית מסוימת (דהיינו, תקופת השחזור) וכן להצדיקה, וכן יש לפתח תוכנית מתאימה לפרויקט שחזור.

מילת אזהרה: הסרתם של חומרים, אלמנטים וחללים עלולה לגרום לשינויים מהותיים ב"מקום" ההיסטורי. תוכנית השחזור, על כן, חייבת לכלול ניתוח מעמיק את ערכי המורשת הטבועים בתצורתו הקיימת של "המקום" ההיסטורי במסגרת הצדקת טיפול בעל פוטנציאל נזק זה.

2.2 התקנים

הגדרות למונחים המופיעים *בכתב נטוי* מופיעות בהקדמה. התקנים אינם מוצגים בצורה סדרתית או היררכית, ויש להעניק משקל זהה עבור כל אחת מהן. כל התקנים עבור כל סוג נתון של טיפול, אם כן, חייבים ביישום מקביל בפרויקטים השונים.

2.2.1 תקנים כלליים לכל הפרויקטים

א. שמר את ערך המורשת של "המקום" ההיסטורי. הימנע מהסרתם, החלפתם או לשנותם מהותית של אלמנטים מגדירי-האופי של "המקום" השלמים או הניתנים לתיקון. הימנע מהעתקת מיקומו של אלמנט ב"מקום" ההיסטורי כאשר מיקומו המקורי מהווה אלמנט מגדיר-אופי.

ב. שמר שינויים ב"מקום" היסטורי אשר, לאורך זמן, הפכו להיות אלמנטים מגדירי-אופי בזכות עצמם.

ג. שמר ערך מורשת תוך אימוץ גישה הקוראת להתערבות מינימאלית.

ד. הכרה בכל "מקום" היסטורי, בתיעוד פיזי של תקופתו ההיסטורית, מיקומו ושימושו. הימנע מיצירת תחושה כוזבת של התפתחות היסטורית עקב הוספת אלמנטים ב"מקום" המשויכים לנכסים ומקומות היסטוריים אחרים כדי למנוע משילוב מאפיינים באותו מתחם אשר מעולם לא התקיימו זה לצד זה.

ה. מצא שימוש ל"מקום" ההיסטורי אשר אינו דורש שינוי או אשר דורש שינוי מינימאלי לאלמנטים של מגדירי-האופי.

ו. הגן, וככל שיידרש, ייצב את "המקום" ההיסטורי עד לביצוע של פעולת התערבות נוספת. הגן ושמר על המשאבים הארכיאולוגיים הקיימים ב"מקום". כאשר ישנו פוטנציאל להפרעת המשאבים ההיסטוריים, נקוט באמצעים לצמצום נזק ואובדן מידע.

ז. הערך את המצב הקיים של והאלמנטים "המקום" מגדירי-האופי על מנת לקבוע את רמת ההתערבות הנדרשת. השתמש באמצעים העדינים ביותר האפשריים בכל התערבות. כבד את ערך המורשת במהלך ביצועה של כל פעולת התערבות.

ח. דאג לתחזוקתם הסדירה אלמנטים של "המקום" מגדיר-האופי. תקן האלמנטים מגדירי-אופי תוך חיזוק החומרים מהם הם עשויים, וזאת באמצעות טכניקות מוכרות לשימור. החלף באלמנטים תואמים כל חלק חסר או בלוי במידה ניכרת מן האלמנטים מגדירי האופי, אם ישנם בנמצא אבות-טיפוס שרידים.

ט. בצע כל פעולת התערבות הנדרשת על מנת לשמור על היות האלמנטים מגדירי האופי תואמים פיזית וויזואלית ל"מקום" ההיסטורי, וניתנים לזיהוי בבחינה מעמיקה. תעד כל פעולת התערבות על מנת לאפשר עיון עתידי בשינויים שנתבצעו.

2.2.2 תקנים נוספים הנוגעים לשיקום

י. יש להעדיף את תיקונם על החלפתם של אלמנטים מגדירי-אופי. כאשר אלו עברו בלאי נרחב מדי מכדי שיהיה ניתן לתקנם, וכאשר קיימות מספיק ראיות פיזיות למטרה זו, יש להחליפם עם אלמנטים חדשים התואמים לאותם אלמנטים במצבם התקין מבחינת צורה, חומרים ופרטים. כאשר אין בנמצא ראיות פיזיות מספקות, יש לדאוג לכך שהצורה, החומרים והפרטים של הרכיבים החדשים יתאמו לאופי "המקום" ההיסטורי.

יא. שמר את ערך המורשת ואת האלמנטים מגדירי האופי בזמן קביעתם של תוספות ל"מקום" ההיסטורי או במהלך כל מיזם בנייה חדש המתקיים בתחומו. דאג כי המיזם החדש הינו תואם פיזית וויזואלית וכפוף לסימון ומובחן מ"המקום" ההיסטורי.

יב. הכנס תוספות חדשות או בנה מבנים קשורים חדשים כך שהצורה והשלמות הבסיסיים של "המקום" ההיסטורי לא תפגענה כאשר המבנים החדשים יוסרו מן "המקום" בשלב מאוחר יותר בעתיד.

2.2.3 תקנים נוספים הנוגעים לשחזור

יג. יש להעדיף את תיקונים על החלפתם של האלמנטים מגדירי האופי מתקופת השחזור. כאשר קיים בלאי חמור מדי באלמנטים מגדירי-האופי מכדי שיהיה ניתן לתקנם וכאשר יש בנמצא ראיות פיזיות מספקות, החלף אותם ברכיבים חדשים התואמים את הצורות, החומרים והפרטים של גרסאות תקינות של אותם אלמנטים.

יד. החלף אלמנטים חסרים מן תקופת השחזור עם גרסאות חדשות אשר צורתן, החומרים מהם הן עשויות, ופרטיהן מבוססים על ראיות פיזיות, תיעודיות ו/או בע"פ מספקות.

3. הנחיות עבור אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים

ההנחיות לשימור, שיקום ושחזור אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים הוכנו על מנת לספק הכוונה המסבירה כיצד **התקנים לשימור מקומות היסטוריים בקנדה** ניתנים לפרשנות וליישום, המיועדים עבור בעלי נכסים, מנהלים ומפתחים של מקומות היסטוריים, בעלי מקצוע העוסקים בשימור וקבלנים. כמו כן, הם מיועדים עבור בוחני תוכניות בטרם ולאחר הטיפול, כאשר נדרשת מחויבת ההתאמה לתקנים ולהנחיות.

3.1 יישום ההנחיות

כפי שצוין קודם לכן, התקנים תוכננו כך שניתן יהיה ליישמם בכל המקומות ההיסטוריים הכלולים במרשם המקומות ההיסטוריים. ההנחיות: עם זאת, גם ישימות לסוגי משאבים ספציפיים. אתרים ארכיאולוגיים, נופים, בניינים ומבנים הנדסיים.

ההנחיות אינן מיועדות לספק ייעוץ פרטני לגופו של כל מקרה, או להתייחס לחריגות או לנסיבות נדירות. על כן, מומלץ להתייעץ עם בעלי מקצוע מוסמכים העוסקים בשימור בשלב מוקדם בתהליך תכנון הפרויקט. בעלי מקצוע אלה (אדריכלי שימור, מהנדסי שימור, אדריכלי שימור נוף, היסטוריוני שימור, היסטוריונים, ארכיאולוגים ואחרים) ניסיון בעבודה במקומות היסטוריים בהם טבועים ערכים רוחניים או ערכים מופשטים אחרים, יש להיוועץ במומחים מוכרים ומקובלים כי הם בקיאים בעניינים אלה.

ההנחיות לעבודה, טיפולים וטכניקות העולים בקנה אחד עם **התקנים לשימור המקומות ההיסטוריים בקנדה** מופיעים בטור ה"**מומלצות**" המצוי בצד שמאל. ההנחיות אשר אינן מופיעות בטור ה"**בלתי-מומלצות**" שבצד ימין.

ההנחיות מוצגות ברצף עולה, מן ההתערבות המשמעותית פחות אל ההתערבות המשמעותית יותר – החל מתיעוד, ועד לתחזוקה, לתיקון, להחלפת אלמנטים מגדירי-אופי. מאחר והיעד המפורש של התקנים הינו לשמר את אופיים של המקומות ההיסטוריים, על הפרויקטים להתמקד בפעילויות הראשונות המופיעות ברשימת ההנחיות, דהיינו, יישום סטנדרט "ההתערבות המינימאלית" ולפנות לביצוע הפעולות האחרונות ברשימה רק כאשר לא ניתן לעמוד ביעדים פונקציונאליים חיוניים בכל דרך אחרת.

א. שימור אלמנטים

ההנחיות תמיד מתחילות עם המלצה **לשמירת** האלמנטים החשובים להגדרת ערך המורשת הכולל של "המקום" ההיסטורי. ערך המורשת עשוי להיות מוגדר לפי צורתם ופרטיהם של חומרים פיזיים, כגון עץ ומתכת, והן לפי מפרטים מסוימים ב"מקום" ההיסטורי, כגון חלונות, צמחייה, מכונות ומערכות יחסים מרחביות, וכן גם לפי מערכות מבניות ומכאניות; ולפי שימושים ואסוציאציות תרבותיות הקשורות בו.

לאחר מכן, מופיעות ההמלצות בדבר **תיעוד** האלמנטים מגדירי האופי אותן יש ליישם בטרם מתחילות עבודות הפרויקט. כולל: זיהוי "המקום", הצורה והחומרים של אלמנטים אלו (תפקידם ואת מערכת היחסים ביניהם), ניתוח פרטיהם על מנת לרכוש הבנה מעמיקה את "המקום" ההיסטורי ואת האלמנטים השונים. על ההערכה הכוללת את מצבם הפיזי של האלמנטים להתחיל תמיד בשלב זה.

לאחר מכן, מוצגות ההמלצות **להגנה ולתחזוקה** של אלמנטים, בדגש על שימוש בשיטות בלתי-הרסניות ועל תחזוקה יומיומיות, עונתיות ומחזוריות. ההגנה מייצגת את פעילות ההתערבות המינימאלית ביותר. למשל, ההגנה כוללת את התחזוקה של חומר היסטורי באמצעות טיפולים כגון: הסרת חלודה, הסרת צבע מוגבלת וחידושם של ציפויי-מגן ישנים; קיצוץ עונתי, דישון וניקוי של כניסות ויציאות ניקוז; או התקנתם של גדרות, מערכות אזעקה ואמצעי מיגון אחרים.

לאחר מכן, באות המלצות **לשמירת** תקינותם של האלמנטים ואלה הניתנים לתיקון, וזאת להבדיל מסילוקם או מבנייתם מחדש.

המלצות בדבר **ייצוב** אלמנטים שבריריים ובלויים באות לאחר מכן. הדבר כרוך בחיזוק מבנה זמני, אמצעי מגן מפני יסודות הטבע וסילוקם של תנאים בלתי בטיחותיים, ככל שיידרש, עד אשר תתבצענה עבודות נוספות במתחם "המקום". מידה *מוגבלת* של **תיקון והחלפה** עשויה להיות סבירה בשלב זה עבור חלקים בלויים ביותר או חסרים באלמנט כלשהו, כאשר התיקון יתבצע תוך צמצום התוספות לחיזוק האלמנטים או תוך שימוש בחומרים מחזקים מוכרים היטב, או כאשר החלפת האלמנטים המתבצעת הינה "שווה" (דהיינו, כאשר הפרטים המחליפים הינם מאותו החומר ובעלי אותה הצורה ואותם הפרטים של קודמיהם), ככל שישנם בנמצא אבות-טיפוס שרידים.

כל פרק העוסק בשימור אלמנטים מסתיים בהמלצות להערכת המצב הפיזי הכולל את האלמנט לפיהן ניתן לקבוע האם נדרשת פעולה נוספת מלבד הגנה, תחזוקה ותיקון או החלפה מוגבלת של האלמנט.

ב. תיקון אלמנטים

כאשר המצב הפיזי של אלמנט מגדיר-אופי דורש יותר מפעילות הגנה, תחזוקה או תיקון או החלפה (שווה) מוגבלת, מומלץ על ביצוע פעולת **תיקון**. הנחיות בדבר התיקון של חומרים כגון חומרי בנייה, עץ ומתכת, מתחילות ברמת ההתערבות המועטה האפשרית, כגון הטלאה, הרכבה, איחוי, גיבוש או חיזוק או שדרוג מסוג אחר של אלמנטים אלו בהתאם לשיטות שימור מוכרות.

בפרויקטי שחזור, על פעילויות התיקון השונות להיות מתכוננות בהתאם למחקר וטיפולים עתידיים.

ג. החלפת אלמנטים

בשלב הבא בהיררכיית פעולות ההתערבות לשימור, לאחר פעולות התיקון, יש הנחיות עבור **החלפת** אלמנט מגדיר אופי, באופן חלקי ואם כולל (למשל, חזית חנות, גרם מדרגות פנימי או עץ סקויה חולה), כאשר קיימות ראיות פיזיות מספקות המתאימות לצורות, לחומרים ולפרטים של גרסה תקינה של אותו האלמנט. ההחלפה עלולה להידרש עקב בלאי או נזק מתקדם באלמנט, או כאשר הוא חסר בכלל. בכל המקרים בהם נדרשת החלפה, יש לשמר אלמנטים תקינים אשר עשויים להוות חלק מקבוצה גדולה יותר. לדוגמה, חלקים שרידים מכרכוב מבנה, מספר חלונות במפעל, או מספר שתילים בערוגת פרחים אותם ניתן להציל, וזאת אף אם האלמנט מגדיר האופי ניזוק במידה רבה. שמירתו ואף במידה מועטה תסייע בתיעוד היסטורי חשוב, תעניק נקודת התייחסות לעבודות נוספות ותעצים את עושרו של האתר.

ההנחיות לפעולות החלפה בפרויקטים לשיקום ולשחזור שונות במעט:

בפרויקט שיקום, החלפת אלמנט **קיים** שאין אפשרות לתקנו עשויה להתאים כאשר צורתו ופרטיו הבסיסיים עדיין ניכרים בו. החלפת אלמנט **חסר**, שניתן ללמוד את פרטיו באמצעות עדויות פיזיות, כתובות ובע"פ, גם כן אפשרית. (כאשר חסר אלמנט חשוב, החלפתו תמיד מומלצת בהנחיות אלו כדרך הפעולה הראשונה או המועדפת). הגישה לעבודות החלפה תלויה בגישה התכנונית הכוללת ובמטרות התכנוניות עבור "המקום" ההיסטורי, ובראש ובראשונה במימוש האיזון הוויזואלי והפונקציונאלי בין העבודות החדשות וה"מרקם" ההיסטורי השורד. במקרים מסוימים, הגישה התכנונית המועדפת תהיה ביצוע החלפה תואמת (באותה הצורה, באותם החומרים ובאותם הפרטים); במקרים אחרים, צורות, חומרים ופרטים חלופיים עשויים להתאים. בכלל המקרים, על ההחלפה לתאום וויזואלית ופיזית למרקם ולאופי "המקום" ההיסטורי. יתרה מכך, עליה להיות מובחנת ומסומנת ב"מקום"

ההיסטורי. אם ההחלפה הינה "תואמת", על העבודות המתבצעות להיות מסומנות רק לאחר בדיקה מקרוב; אחרת, יש לדאוג כי הן תהינה מובחנות בקלות על מנת להימנע מיצירת חזות היסטורית מטעה או שגויה.

בפרויקט שחזור, ההחלפה, ככלל, צריכה להיות שווה. **שחזור** צורות, חומרים, טקסטורות, גימורים, צבעים ופרטים קודמים, וכן דפוסים ומערכות יחסים, עשוי לסייע לשיקומו או לייצוגו של "מקום" היסטורי, כפי שהוא הופיע במהלך תקופה מסוימת בעברו. ההצלחה הינה בעיקר שאלה של דיוק, והדבר דורש תשומת לב קפדנית לעדויות הפיזיות, הכתובות והאוראליות הקיימות, וכן ניטור הדוק של תהליך יצירת ההעתק ההיסטורי. עבודת ההחלפה לרוב תהיה מובחנת רק לאחר התבוננות מקרוב, או חלק מתיעוד הפרויקט. מקור המידע (העדויות הפיזיות, כגון שיירי צבע, והעדויות הכתובות או האוראליות, כגון תמונות היסטוריות או ידע מסורתי) והיקף ההחלפה (איזו כמות הוחלפה והיכן היא הוחלפה) – חייבים בתיעוד נרחב. כאשר קיים חוסר בעדויות פיזיות, כתובות ואוראליות מספקות אשר באמצעותן ניתן להשיג מידת דיוק סבירה, אזי פעולת השחזור היא ככל הנראה אינה הטיפול המתאים באתר.

ד. הסרת אלמנטים קיימים מתקופות אחרות

בפרויקט שחזור, המטרה היא לייצג את חזותו של "המקום" ההיסטורי או רכיב מסוים בו כפי שהוא נראה במהלך תקופה מסוימת בעברו (לרוב הרכיב החשוב ביותר ב"מקום"). על כן, ניתנות הנחיות פרטניות כיצד **להסירו** או כיצד לשנות רכיבים קיימים כגון צורות נוף, חלונות-גג או חלונות אשר אינם מייצגים את תקופת השחזור. (מאחר ודבר זה עלול לגרום לשינויים משמעותים ב"מקום" ההיסטורי, על השחזור התבצע רק כאשר ערך המורשת במקור נוגע באופן ייחודי לתקופה בודדת בעברו). בטרם מתבצע שינוי או מתבצעת ההסרה של חומרים, רכיבים, חללים או גימורים כגון אלה מתקופות אחרות, יש לתעד את קיומם על מנת לסייע למחקר ולטיפולים עתידיים.

ה. שינויים/תוספות עבור שימוש חדש

בפרויקט שיקום, שינויים מסוימים ל"מקום" היסטורי עשויים להידרש על מנת להבטיח את המשך השימוש בו. כאשר זהו המצב, חשוב ביותר כי שינויים אלו לא יטשטשו, ישנו באופן קיצוני, או יהרסו חומרים, צורות, תצורות מרחביות, שימושים או אסוציאציות ומשמעויות תרבותיות מגדירי-אופי. שינויים הנדרשים לשימוש חדש זה עשויים לכלול את הרחבת מתחם החנייה הקיים, התקנת מערכות ניקוז נופיות, יצירת כניסות חדשות או בניית חלונות חדשים בתוספות מבנה חדשות, הכנסת קומה נוספת, התקנת מערכת מכאנית חדשה לחלוטין או יצירת אטריום או באר אור.

בניית של **תוספת** חיצונית חדשה ב"מקום" היסטורי עשויה להיתפש כחיונית עבור השימוש החדש בו, אך ההנחיות מדגישות כי יש להימנע מתוספות חדשות כגון אלה, ככל הניתן, ולשקול את הכנסתן *רק* לאחר שנקבע כי צרכים אלו אינם ניתנים למימוש על-ידי הכנסת שינויים בחללים פנימיים משניים (דהיינו, אלמנטים ב"מקום" אשר אינם מגדירי-אופי). אם, לאחר שנבחנו באופן מעמיק הפתרונות הפנימיים האפשריים, עדיין נמצא כי תוספת חיצונית הינה האלטרנטיבה האפשרית היחידה, יש לתכננה וליצורה כך שערך המורשת של "המקום" ההיסטורי אינו משתנה באופן קיצוני וכן להבטיח כי האלמנטים מגדירי-האופי אינם מטושטשים, ניזוקים או נהרסים. התוספת חייבת לתאום פיזית וויזואלית עם, להיות כפופה ל- ולהיות מובחנת מן "המקום" ההיסטורי, וזאת על מנת שלא ליצור חזות היסטורית כוזבת.

התוספות והשינויים במקומות היסטוריים מצוינים בפרקים מסוימים בהנחיות, כגון צורות נוף, גגות, מערכות מבניות וכו', אך הם זוכים להתייחסות מפורטת בפרק 4: "שיקולים אחרים", בסעיף "תוספות חדשות למקומות היסטוריים".

ו. חומרים חלופיים

יש להשתמש ככל הניתן בחומרים היסטוריים. חומרים חלופיים – מוצרים המשמשים לחיקוי חומרים היסטוריים – נדרשים לשמש רק לאחר שכל האופציות האחרות לתיקון ולהחלפה שווה נשללו. חומרים חלופיים לרוב משמשים רק כאשר החומרים או שיטות האומנות ההיסטוריים אינם קיימים עוד, כאשר החומרים המקוריים או הקיימים הינם באיכות גרועה או כאשר הם גורמים לנזק לחומרים המצויים בקרבתם, או כאשר ישנן תקנות פרטניות

האוסרות על השימוש בחומרים היסטוריים. יש להגביל את השימוש בחומרים אלו, שכן החלפתם של חומרים היסטוריים בקנה-מידה נרחב עלולה לסכן את שלמותו של "המקום" ההיסטורי.

ביצועיהם ארוכי-הטווח של חומרים חלופיים רבים אינם ידועים בוודאות. זויה הסיבה מדוע יש להשתמש ככל הניתן בחומרים היסטוריים. ב"מקום" לתקן ולצבוע מחדש את רכיבי העץ של מרפסת מגדירת-אופי זו (למעלה: מרפסת מקורית, למטה:מרפסת לאחר שינויים), מבנה העץ הקיים כוסה במתכת ובציפוי פיברגלס. הצבעים המקוריים אשר תאמו לחלונות העץ והפרטים השרידים, כגון בליטות עץ. חומרים הנחשבים לחומרי "תחזוקה מועטה" לרוב משמשים כתחליפים חדשים, וזאת חרף העובדה שהם עשויים להיות עמידים פחות בטווח הרחוק.

יש לבחון את כל האמצעים לתיקון חומרים היסטוריים או להחלפתם עם חומרים זהים בטרם תישקל האפשרות להשתמש בחומרים חלופיים. משום שישנם משתנים בלתי ידועים רבים הנוגעים לביצועיהם ארוכי-הטווח של חומרים חלופיים, אין לבחון את השימוש בהם בטרם יתבצע מחקר מעמיק על החומרים המוצעים, היצרן, המתקין, זמינות המפרטים והשימוש של אותם החומרים במצב או בסביבה דומים. לא ניתן להפריז בתיאור חשיבות ההתאמה לתכונות החזותיות והפיזיות של חומרים היסטוריים וכן, כתוצאה מכך, של מציאת פתרונות ארוכי-טווח מוצלחים.

בנסיבות מסוימות, חומרים חלופיים עשויים להתאים. כחלק מפרויקט שיקום, עיטורים חדשים תוכננו בהתבסס על שרידי העיטורים המקוריים. העיטורים המקוריים נוצרו מאלמנטים של מתכת מגולוונים אשר הולחמו יחדיו. הגרסה המשוקמת עשויה מפלטות אלומיניום.

4. איזון שיקולים אחרים

בפרויקט שימור, ייתכן והיה צורך לייצר איזון סביר בין בריאות ובטיחות, ניצול קרקע או תקנות אחרות ובין שימור האלמנטים מגדירי-האופי, החומרים, הצורות, התצורות המרחביות, השימושים והאסוציאציות או המשמעויות התרבותיות של "המקום" ההיסטורי. מימוש הדרישות המוכתבות ע"י תקנות, כגון חוקי-עזר ותקנות בנייה יכללו פתרונות יצירתיים שיסייעו גם לשמירת ערך המורשת של "המקום" ההיסטורי.

ההנחיות ממליצות כי התיקונים או השינויים לא ישנו באופן קיצוני, יטשטשו, יזיקו או יהרסו אלמנטים מגדירי-אופי במסגרת המאמצים לענות על הדרישות האחרות. על כן, פעולות כמו שדרוג סייסמי או צמצום השימוש בצבעי עופרת ובאסבסט ב"מקום" היסטורי דורשות יחס ממוקד על מנת להימנע מגרימת נזק לערך המורשת. בנוסף, שינויים ומבנים חדשים הנדרשים על מנת לעמוד בתנאים של נגישות אוניברסאלית חייבים לכבד את ערך המורשת ואת האלמנטים מגדירי-האופי של "המקום" ההיסטורי. אף טכניקות שימור מוכרות, אם אלה מיושמות באופן בלתי-הולם (כגון שטיפת מבנים חיצוניים כאשר קיימת אפשרות לירידת הטמפרטורות אל מתחת לאפס), עלולות לגרום ולהאיץ את הבלאי הפיזי של "המקום" ההיסטורי.

דיון כללי בדרכים להתמודדות עם סוגיות בריאות, בטיחות, נגישות, יעילות אנרגטית וצרכים אקולוגיים, תוך כיבוד ערכי המורשת של מקומות היסטוריים, מוצג להלן. המלצות מפורטות בעניינן של סוגיות אלה מופיעות בפרק 4, "שיקולים אחרים".

4.1 בריאות ובטיחות

במהלך ביצוע העבודות במקומות היסטוריים, קיים הכרח לבחון את השפעת העמידה בקודי הבריאות והבטיחות (בריאות ציבורית, בריאות תעסוקתית, בטיחות חיים, בטיחות אש, תקני בטיחות חשמל, רעידות אדמה, מבנים ובניינים) על ערך המורשת של "המקום" ההיסטורי. נדרש תיאום מיוחד עם נציגים רלוונטיים. מומלץ לדאוג לקבלת ההיתרים הנדרשים בשלביו המוקדמים של תהליך התכנון. לרוב קיים כורח להתבוננות מעמיקה יותר על "שפת" התקן, ולזיהוי מטרתו היסודית; מרבית התקנים המודרניים מתירים גישות אלטרנטיביות ומגוון סביר של דרכי פעולה על מנת להשיג עמידה בדרישות.

חומרים היסטוריים מסוימים (חומרי בידוד, צבעי עופרת וכו'), מכילים חומרים רעילים בעלי פוטנציאל סכנה לבני אדם. לאחר ביצוע מחקר וניתוח נתונים קפדני, תידרש מידה מסוימת של צמצום התכולות המסוכנות. כלל העובדים המעורבים בבידוד, תיקון או הסרת חומרים רעילים ידועים, נדרשים להכשרה מתאימה ועליהם ללבוש ציוד מגן אישי מתאים. לבסוף, יש לדאוג כי במסגרת התחזוקה המונעת והשגרתית במקומות היסטוריים אשר ידוע כי הם מכילים חומרים כגון אלה, ייכללו התראות ואמצעי-מיגון מתאימים.

4.2 נגישות

הענקת גישה כללית ורחבה לאתרי מורשת עבור בני אדם מכל הגילאים, תחומי העניין והיכולות – וההבטחה כי גישה זו מלווה בנוחות פסיכולוגית וכבוד הולמים – הינן יעד חברתי רצוי ביותר ועל כן לעתים תכופות אף מחייב. באופן כללי, הפתרונות המעניקים איזון מיטבי בין צרכי הנגישות ובין צורכי המורשת הם אלו המשדרגים את השימוש ב- ואת ערך הנכס עבור כולם. יש לתכנן ולבצע את העבודה בקפדנות וזאת כדי למזער את הנזק הנגרם לערך המורשת של "המקום" ההיסטורי ולאלמנטים מגדירי-האופי: היעד הוא להעניק את איכות הנגישות הגבוהה ביותר תוך גרימת ההשפעה המזערית ביותר על "המקום". על מנת לקבוע מהם הפתרונות המתאימים ביותר לבעיות הגישה, מומלץ להיוועץ בשלב מוקדם בתהליך התכנון עם מומחי נגישות ושימור, וכן עם משתמשים המושפעים מהם.

4.3 יעילות אנרגטית

אלמנטים מסוימים במקומות היסטוריים, כגון שוברי-רוח מיוערים, תריסי חלונות ומרפסות עשויים לשחק תפקיד בהגברת היעילות האנרגטית של "המקום". על כן, בטרם תתבצענה עבודות להתאמת או לשיפור היעילות האנרגטית של מקומות היסטוריים, יש תחילה לזהות ולהעריך אלמנטים קיימים ולהעריך את פוטנציאל שימור-האנרגיה הטמון בהם. כל החלטה לקדם אמצעים לחיסכון באנרגיה חייבת לכלול שלב בו העלות הסביבתית הכוללת של אמצעים אלו נשקלת אל מול העלויות הסביבתיות הכוללות של שמירת האלמנטים הקיימים. אם נקבע כי אמצעי השיפור הינם מתאימים, אזי עבודה זו תידרש להתבצע מתוך שאיפה להבטיח כי האלמנטים מגדירי-האופי של "המקום" אינם מטושטשים, ניזוקים או נהרסים.

4.4 שיקולים סביבתיים

שינויים המתבצעים על מנת לענות על דרישות סביבתיות, כגון ההגנה על מתחם הקינון של מין נדיר או בסכנת הכחדה – אסור שיגרמו לנזק או לאובדן ערך המורשת של "המקום" ההיסטורי והאלמנטים מגדירי-האופי. על מנת לקבוע את הפתרונות המתאימים ביותר ולעמוד ביעדים סביבתיים, מומלץ להיוועץ עם נציגים מתאימים בשלב מוקדם בתהליך התכנון. במקרה של דרישות לקידום איכות הסביבה, ייתכן ויהיה זה אפשרי לפתח מערכות, שיטות, כלים או טכנולוגיות או שווי-ערכן ליעילות משופרת לעומת אלו המפורטים בתקנות, ועל-ידי כך להימנע מנזק לאלמנטים מגדירי-אופי.

מילון מונחים

מספר הגדרות המופיעות במילון מונחים זה לקוחות מן הספר "ההיסטוריה האדריכלית של קנדה" (A History of Canadian Architecture) מאת Harold Kalman. הזכויות שמורות לבית הדפוס Oxford University Press Canada 1994, הודפס מחדש ברשות Oxford University Press Canada.

קשת (Arch): סידור מכאני של רכיבי בניין המשולבים יחדיו, לרוב לאורך קו עקום, כאשר הם נתמכים בעמודים תומכים, נציבי גשר או חומות, כך שהם מחזיקים את משקל המבנה ומתנגדים ללחץ המופעל עליו.

ארכיטרב (Architrave): כרכובים מסביב לכניסות כגון דלתות, חלונות וארובות ומיקומים מסוימים אחרים המשמשים להסוואת חיבורים מבניים או למטרות דקורטיביות.

אבן גזית (Ashlar): אבן אשר סותתה בריבוע וקושטה.

אטריום (Atrium): חצר פנימית הפתוחה להשפעות מזג האוויר; או חלל פנימי משמעותי, לרוב בעל אשנב חשוף לשמיים.

עליית גג (Attic): הקומה העליונה של מבנה, לרוב בעלת גובה מצומצם ובלתי גמורה.

סוכך (Awning): משטח נייד, מכוסה באריג ומשופע אשר בולט מן הקיר – לרוב מעל לדלת, חלון או חזית בניין – המספק הגנה מפני מזג האוויר. ראה גם חופה ואפיריון.

מעקה (Balustrade): גדר המורכבת מעמודים (בלוסטרות-Balusters) ומאחז ליד.

לוח עץ מקושט (Bargeboard): לוחות או עבודות עץ דקורטיביות אחרות המחוברות לדפנות או לקורות הרעפים של גג בעל גמלון; לעתים מכונה gingerbread.

לוח (Batten): לוח עץ דק ואנכי, הממוקם מעל חיבורים של לוחות עץ רחבים יותר על מנת להגן על החיבורים מפני מזג האוויר, השילוב מכונה מבנה "board-and-batten". ראה גם "siding".

קורה (Beam): רכיב מבני אופקי חיוני; ראה גם קורה תומכת (joist).

שולי דרך (Berm): סוללה או תלם של אדמה, משמשים לרוב כמחסום הגנתי.

זווית תומכת (Bracket): אלמנט, לרוב בעל צורה משולשת, הבולט מקיר או ממשטח אנכי אחר, התומך באלמנט אחר, כגון מרזב.

בונקר (Bunker): חלק ממערכת ביצורים הנבנה באופן חלקי או מלא מתחת לפני הקרקע.

חופה (Canopy): משטח מקובע אופקי, משופע או מקושת הבולט מן הקיר – לרוב מעל לדלת – על מנת להעניק הגנה מפני מזג האוויר. ראה גם סוכך ואפיריון.

כותרת עמוד (Capital): חלקו העליון והמקושט של עמוד, עמוד מרובע (pilaster) או עמוד-תומך (pier) או כל תמיכה אנכית אחרת.

חלון צרפתי (Casement): חלון הנפתח ע"י תלייה צידית.

פינה מלוכסנת (Chamfer): קצה נטוי או משופע.

אלמנטים מגדירי-אופי (Character-defining elements): החומרים, הצורות, המיקום, התצורות המרחביות, השימושים והאסוציאציות או המשמעויות התרבותיות התורמים לערך המורשת של "מקום" היסטורי, ואשר יש להגן עליהם על מנת לשמור על ערך המורשת.

ציפוי בשכבת מגן (Cladding): החומר החיצוני, הבלתי-מבני, המגן על קיר או מסגרת המבנה מפני מזג האוויר.

קרש (Clapboard): חיפוי או ציפוי שכבת מגן בלוחות משופעים המונחים במאוזן והחופפים בראשם ובתחתיתם, הממוקמים מחוץ לבניין בעל מסגרת עץ על מנת להגן עליו מפני מזג האוויר; פניו של כל לוח הינו אלכסוני לקיר (מכונה גם חיפוי משופע).

עמוד (Column): עמוד תמיכה זקוף בעל חלק עגול; אלמנט מפלדה או מברזל המונח אנכית גם כן מכונה עמוד.

בטון (Concrete): תערובת של מלט, אגרגט (לרוב חול וחצץ) ומים המתקשה כדי ליצור כוח דחיסה רב. לרוב כאשר משמש לבנייה הינו מעושר במוטות פלדה משובצים או רשת פלדה על מנת להעניק לו כוח מתיחות.

שימור (Conservation): כלל הפעולות או התהליכים המכוונים להגנת האלמנטים מגדירי-האופי של משאב תרבותי ועל ידי כך להגן על ערך המורשת שלו ולהאריך את חייו הפיזיים. הדבר עשוי לכלול "שמירה", "שיקום", "שחזור", או שילוב של פעולות או תהליכים אלה.

לוח פינתי (Corner board): אלמנטים אנכיים צרים המשמשים לתחימת הפינה בקיר; לרוב משמשים במבנים המצופים בלוחות ציפוי (shiplap) או חיפוי אופקי דומה.

כרכוב (Cornice): אלמנט אופקי בולט (לסילוק מים ולמטרות דקורטיביות) המצוי בראשו של בניין או בראשה של חזית חנות או אלמנט דומה (לעתים קרובות בטיח) המצוי בראש קיר בחדר.

נדבך (Course): שורה אופקית בודדת של לבנים, אבנים או חומר מחיצה אחר.

טיח גס (Crepi): טיח מסיד המשמש לציפוי מבני אבן, במיוחד בצרפת החדשה, על מנת להגן על החומה ועל חיבורי הטיח מפני מזג האוויר.

עיטור גגות (Cresting): מעקה דקורטיבי או שורה של עיטורים או אלמנט אחר בחלקו העליון של בניין, לרוב לאורך רכס או גג משופע.

כיפה (Cupola): אלמנט בחלקו העליון של גג, לרוב גלילי, בעל פתחים חופפים המצוי מתחת לגג מקומר.

קיר לא תומך (Curtain wall): קיר חיצוני המחובר למסגרת והמגן על הבניין מפני מזג האוויר; לקיר זה אין פונקציה מבנית והוא תומך אך רק במשקלו העצמי.

דנטיקולה (Dentil): בלוק קטן ומרובע בצורת שן, המשמש בשורה כאלמנט דקורטיבי בכרכוב.

חלון-גג (Dormer): חלון הבולט מגג משופע, עם גג קטן משל עצמו.

עבודות עפר (Earthworks): בארכיטקטורה צבאית, מבנה הגנתי הבנוי מעפר.

מרזב (Eave): הקצה הבולט בגג.

אקוסיסטמה (Ecosystem): המערכת הנוצרת מן כלל האינטראקציות שבין היצורים החיים בסביבה מסוימת לבין עצמם ולבין סביבתם.

אנטבלטורה (Entablature): האלמנט האופקי, לרוב מקושט, ממוקם ישירות מעל עמוד או תמיכה אחרת; בארכיטקטורה קלאסית, האנטבלטורה עשויה מארכיטרב, מרצועת-עיטור (frieze) ומכרכוב.

רצועה (Fascia): אלמנט גימור המכסה את פני המרזבים ובליטות הגג.

עיטור (בראש עמוד) (Finial): בליטה אורנמנטאלית המופיעה בראש גמלון, גג או אלמנט גבוה אחר.

מסגרת (Frame): השלד החיצוני של בניין.

רצועת עיטור (Frieze): החלק האמצעי של אנטבלטורה; או כל רצועה אופקית דקורטיבית

גמלון (Gable): החלק בצורת משולש של קיר המצוי מתחת לקצה של גג גמלוני.

גג גמלוני (Gabled roof): גג המשופע משני צידיו.

הנחיות (Guidelines): הצהרות המעניקות דרכים מעשיות ליישום התקנים לשימור מקומות היסטוריים. אלה מוצגות כפעולות מומלצות ופעולות בלתי-מומלצות.

צמחים עשבוניים (Herbaceous plants): צמחים בעלי גבעול רך ובלתי מעוצה.

ערך מורשת (Heritage value): החשיבות או המשמעות האסתטית, ההיסטורית, המדעית, התרבותית או הרוחנית עבור דורות העבר, ההווה והעתיד. ערך המורש של "מקום" היסטורי מתבטא באלמנטים מגדירי-האופי, צורותיו, מיקומו, תצורתו המרחבית, שימושיו והאסוציאציות או המשמעויות התרבותיות שלו.

גג ירך (Hipped roof): גג המשופע ב-4 צדדיו.

"מקום" היסטורי (Historic place): מבנה, בניין, קבוצת בניינים, רובע, נוף, אתר ארכיאולוגי או "מקום" אחר בקנדה אשר הוכר באופן רשמי כבעל ערך מורשת.

במידה תואמת (In kind): באותה הצורה, באותו החומר ובאותם הפרטים של האלמנט הקיים.

התערבות (Intervention): כל פעולה, להוציא השמדה או הריסה, אשר תוצאתה שינוי פיזי במאפיין של "מקום" היסטורי.

אינוקשוק (Inukshuk): גל-עד אבנים אינואיטי אשר מתארו מדמה באופן גס דמות אדם.

קורה תומכת (ברצפה) (Joist): אלמנט מבני אופקי שניוני, לרוב נתמך ע"י קורה בכל אחד מצידיו, אשר בעצמו תומך ברצפה, בתקרה או בגג.

פתח-אור (Lantern): מבנה-על בעל חלונות המצוי בראש גג או כיפת-גג; כיפה (Cupola) קטנה.

גג מנסרד (Mansard roof): גג המכיל שיפוע כפול, כאשר החלק התחתון יותר תלול מן החלק העליון; מכונה גם "גג קרסול" ("gambrel roof"), במיוחד כאשר הוא מהווה גג לאסמים.

אפיריון (Marquee): מבנה אופקי קבוע הבולט מקיר – לרוב מעל כניסה לתיאטרון – על מנת להעניק מקלט ממזג האוויר. ראה "סוכך" ו"חופה".

בנייה בלבנים (Masonry): מוצרי אבן, לבנים או מוצרי עפר אחרים המשמשים לבנייה.

תחזוקה (Maintenance): הפעולות השגרתיות, המחזוריות והבלתי-הרסניות הנדרשות להאטת קצב הבלאי של "מקום" היסטורי. התחזוקה כרוכה בביקורת שגרתית ותקופתית; פעולות ניקיון שגרתיות, מחזוריות ובלתי-הרסניות הקשורות בניהול משק-בית תיקונים מזעריים ופעולות לגימור-מחדש; החלפתם של חומרים ניזוקים, שבורים או בלויים אשר אין ערך מעשי בהצלתם (כגון זכוכית חלון שבורה); הסרת חלודה; גיזום מחזורי; דישון; וניקוי של כניסות או יציאות ניקוז.

התערבות מינימאלית (Minimal Intervention): גישה שמתירה מימוש יעדים פונקציונאליים אך ורק תוך התערבות הפיזית המזערית ביותר.

דפיסתיות (Moulding): אלמנט דקורטיבי מעוצב, לרוב רצועה אופקית, הבולט מעט משטח קיר.

מחיצה אנכית בחלון (Mullion): אלמנט דק וזקוף בתוך חלון או בין שני חלונות צמודים.

שדה ישן Old-field successional species: מיני צמחים אשר משגשגים באופן טבעי בשדות נטושים כשלב מקדים לפני ייעורם.

מעקה (Parapet): במבנה, חלק מן הקיר הבולט מעל הגג; במבצר, קיר נמוך או תל, העשוי לרוב מאבן או מעפר, אשר נוצר כדי להגן על חיילים.

טילוא (Patching): פעולת הסרת הפגמים ממשטחי עץ, אבן או בטון.

חיבור-חתיכות (Piecing-in): פעולת הכנסת חתיכות חלופיות הבאות במקום חלק חסר או בלתי ניתן לתיקון של חומר.

פדימנט (Pediment): הקצה בצורת משולש של גמלון, או האלמנט האורנמנטאלי המשולש הדומה לו, המוגדר לפי דפיסה (או שורה של דפיסות) לאורך שלושת קצותיו.

עמוד תומך (Pier): עמוד תומך זקוף בעל אלמנט מרובע או מלבני, לרוב עשוי מלבנים.

עמוד מרובע (Pilaster): תמיכה זקופה רדודה ומלבנית הקבועה בקיר והמשמשת בעיקר למטרות קישוט.

עמוד (Post): מילה גנרית המשמשת לתיאור תמיכה זקופה: עמוד-תומך הינו עמוד בעל אלמנט מרובע או מלבני, העשוי לרוב מלבנים; עמוד (Column) – בעל חתך מעגלי; אלמנט מפלדה או מברזל המוצב אנכית כמו כן מכונה עמוד (Column); עמוד מרובע (Pilaster) הינו תמיכה רדודה ומלבנית הקבועה בקיר ומשמשת בעיקר למטרות קישוט.

שמירה (Preservation): הפעולה או התהליך של הגנת, תחזוק ו/אוי ייצוב החומרים הקיימים, הצורה והשלמות של "מקום" היסטורי או של רכיב פרטני בו, תוך הגנת ערך המורשת הטבוע בו.

קורת רעפים (Rafter): במבני גג מעץ, אלמנט שיפוע עיקרי אשר מצוי לאורך ראש הגג ועד לרכס.

סוללה (Rampart): תל עפר רחב, לרוב בעל מעקה בראשו, הבנוי מסביב למבצר כדי לסייע בהגנתו.

שיקום (Rehabilitation): פעולה או תהליך המאפשר המשך שימוש עכשווי התואם ב"מקום" היסטורי או באלמנט מסוים בו, באמצעות פעולות תיקונים, שינויים ו/או תוספות, תוך הגנת ערך המורשת.

שחזור (Restoration): פעולה או תהליך של גילוי מדויק, הצלה או הצגה של מצבו של "מקום" היסטורי, או של אלמנט מסוים בו, כפי שהופיעו בתקופה מסוימת בעבר, תוך הגנת ערך המורשת.

רכס (Ridge): החלק העליון בגג, לרוב אופקי; או האלמנט המבני המצוי בראש הגג.

מסגרת שמשה (Sash): בחלון, מסגרת העץ או המתכת המחזיקה את הזכוכית.

גג חד-שיפועי (Shed roof): גג בעל שיפוע אחד בלבד; משמש גם כדי לתאר את הגג של חלון-גג שיש לו שיפוע אחד בלבד.

לוחות ציפוי (Shiplap): חיפוי או ציפוי של לוחות אופקיים בעל קצוות מחורצים היוצרים חיבור חופף, העוטפים מבנים בעלי מסגרת-עץ, או קיר אבן, על מנת להגן עליו מפני מזג האוויר; פניו של כל לוח מקבילים למישור הקיר (מכונה גם "drop siding")

חלון צדדי (Sidelight): חלון הממוקם לצד דלת, המהווה חלק מיחידת הדלת.

חיפוי (Siding): חומר חיפוי או ציפוי, המכסה מבנה בעל מסגרת-עץ על מנת להגן עליו מפני מזג האוויר, לעתים מכונה גם "רעפים"; **לוחות ציפוי** (Shiplap) הינם לוחות אופקיים בעלי קצוות מחורצים היוצרים חיבור חופף; פניו של כל לוח מקבילים למישור הקיר; **קרשים** (Clapboards) המכונים גם "חיפוי משופע" (beveled siding) הינם לוחות משופעים המונחים אופקית והחופפים בראשם ובתחתיתם; פניו של כל לוח ממוקמים באלכסון לקיר; חיפוי **"board-and-batten"** מורכב מלוחות אופקיים אשר חיבוריהם מכוסים ברצועות צרות (battens); ניתן להשתמש גם ברעפים כחיפוי, וכן גם חומרים מרוכבים כגון אספלט, אסבסט או חומרים סינתטיים, לרוב המחקים לבנים או רעפים; חיפוי מתכת או ויניל כמו כן משמשים למטרה זו.

אדן-חלון (Sill): אלמנט אופקי בתחתית חלון או קיר (לעתים מכונה לוח-אדן (sill plate)).

Soffit: חלקו התחתון של מרזב, קורה או אלמנט אחר.

משולש כרכוב הקשת (Spandrel): החלק בקיר שבין ראשו של חלון אחד ואדן-החלון שמתחתיו; או המשטח בעל צורת המשולש הממוקם בין שתי קשתות סמוכות.

איחוי (Splicing): פעולת החיבור של אלמנט קיים לאלמנט חדש על מנת לפצות על חולשתו של קצה ניזוק. איחוי של אלמנטים מבניים לחיזוק יציבות המבנה הינו דוגמה טיפוסית.

סטרטיגרפיה (Stratigraphy): הרכב וסידור השכבות הגיאולוגיות של האדמה באזור מסוים.

תקנים (Standards): נורמות לשימור הולם של מקומות היסטוריים.

יתד (Stud): במבני עץ, אחד משורה של תמיכות אנכיות.

טרה קוטה (Terra cotta): חמר אפוי המעוצב לרוב בדפיסה (שטנץ) אשר לרוב עובר זיגוג לאחר האפייה.

טרסה (Terrace): חלקת אדמה שטוחה, לרוב אלמנט בשורה של חלקות אדמה המסודרות כמדרגות לאורך שיפוע.

חווק (Transom): חלון קטן מעל לדלת או חלון אחר, לרוב נפתח ע"י סמך קבוע

קורה תומכת (Truss): מסגרת מבנית, העשויה או מעץ או ממתכת, המורכבת מיחידות עצמאיות הקשורות יחדיו בסידור משולש.

שובר-רוח (Windbreak): שורה של עצים או שיחים הנשתלים כדי לתת הגנה מפני הרוח וכן, לעתים תכופות, כדי למנוע סחף אדמה.

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Convention on Wetlands of International Importance especially as Waterfowl Habitat 1971

Ramsar, l2 February 1971
-Protocol, Paris, 3 December 1982

Depositary - Opened for Signature - Entry into force - Authoritative texts - Registration at the UN - States Parties - Declarations and Reservations - Territorial Application -

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The Contracting Parties,

Recognizing the interdependence of man and his environment;

Considering the fundamental ecological functions of wetlands as regulators of water régimes and as habitats supporting a characteristic flora and fauna, especially waterfowl;

Being convinced that wetlands constitute a resource of great economic, cultural, scientific and recreational value, the loss of which would be irreparable;

Desiring to stem the progressive encroachment on and loss of wetlands now and in the future;

Recognizing that waterfowl in their seasonal migrations may transcend frontiers and so should be regarded as an international resource;

Being confident that the conservation of wetlands and their flora and fauna can be ensured by combining far-sighted national policies with co-ordinated international action;

Have agreed as follows:

Article 1

1. For the purpose of this Convention wetlands are areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres.

2. For the purpose of this Convention waterfowl are birds ecologically dependent on wetlands.

Article 2

1. Each Contracting Party shall designate suitable wetlands within its territory for inclusion in a List of Wetlands of International Importance, herein- after referred to as 'the List' which is maintained by the bureau established under Article 8. The boundaries of each wetland shall be precisely described and also delimited on a map and they may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands, especially where these have importance as waterfowl habitat.

2. Wetlands should be selected for the List on account of their international significance in terms of ecology. botany, zoology, limnology or hydrology. In the first instance wetlands of international importance to waterfowl at any season should be included.

3. The inclusion of a wetland in the List does not prejudice the exclusive sovereign rights of the Contracting Party in whose territory the wetland is situated.

4. Each Contracting Party shall designate at least one wetland to be included in the List when signing this Convention or when depositing its instrument of ratification or accession, as provided in Article 9.

5. Any Contracting Party shall have the right to add to the List further wetlands situated within its territory, to extend the boundaries of those wetlands already included by it in the List, or, because of its urgent national interests, to delete or restrict the boundaries of wetlands already included by it in the List and shall, at the earliest possible lime, inform the organization or government responsible for the continuing bureau duties specified in Article 8 of any such changes.

6. Each Contracting Party shall consider its international responsibilities for the conservation, management and wise use of migratory stocks of waterfowl, both when designating entries for the List and when exercising its right to change entries in the List relating to wetlands within ils territory.

Article 3

1. The Contracting Parties shall formulate and implement their planning so as to promote the conservation of the wetlands included in the List, and as far as possible the wise use of wetlands in their territory.

2. Each Contracting Party shall arrange to be informed at the earliest possible time

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if the ecological character of any wetland in ifs territory and included in the List has changed, is changing or is likely to change as the result of techno- logical developments, pollution or other human interference. Information on such changes shall be passed without delay to the organization or government responsible for the continuing bureau duties specified in Article 8.

Article 4

1. Each Contracting Party shall promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the list or not, and provide adequately for their wardening.

2. Where a Contracting Party in its urgent national interest, deletes or restricts the boundaries of a wetland included in the List, it should as far as possible compensate for any loss of wetland resources, and in particular it should create additional nature reserves for waterfowl and for the protection, either in the same area or elsewhere, of an adequate portion of the original habitat.

3. The Contracting Parties shall encourage research and the exchange of data and publications regarding wetlands and their flora and fauna.

4. The Contracting Parties shall endeavour through management to increase waterfowl populations on appropriate wetlands.

5. The Contracting Parties shall promote the training of personnel competent in the fields of wetland research, management and wardening.

Article 5

The Contracting Parties shall consult with each other about implementing obligations arising from the Convention especially in the case of a wetland extending over the territories of more than one Contracting Party or where a water system is shared by Contracting Parties.

They shall at the same time endeavour to co-ordinate and support present and future policies and regulations concerning the conservation of wetlands and their flora and fauna.

Article 6

1. The Contracting Parties shall, as the necessity arises, convene Conferences on the Conservation of Wetlands and Waterfowl.

2. These Conferences shall have an advisory character and sha1l be competent inter alia:
(a) to discuss the implementation of this Convention;
(b) to discuss additions to and changes in the List;
(c) to consider information regarding changes ii the ecological character of wetlands included in the List provided in accordance with paragraph 2 of Article 3;
(d) to make general or specific recommendations to the Contracting Parties regarding the conservation, management and wise use of wetlands and their flora and fauna;
(e) to request relevant international bodies to prepare reports and statistics on matters which are essentially international in character affecting wetlands.

3. The Contracting Parties shall ensure that those responsible at all levels for wetlands management shall be informed of, and take into consideration, recommendations of such Conferences concerning the conservation, management and wise use of wetlands and their flora and fauna.

Article 7

1. The representatives of the Contracting Parties at such Conferences should include persons who are experts on wetlands or waterfowl by reason of know-ledge and experience gained in scientific, administrative or other appropriate capacities.

2. Each of the Contracting Parties represented at a Conference shall have one vote, recommendations being adopted by a simple majority of the votes cast, provided that not less than half the Contracting Parties cast votes.

Article 8

1. The International Union for the Conservation of Nature and Natural Resources shall perform the continuing bureau duties under this Convention until such time as another organization or government is appointed by a majority of two-thirds of all Contracting Parties.

2. The continuing bureau duties shall be, inter alia:

(a) to assist in the convening and organizing of Conferences specified in Article 6;
(b) to maintain the List of Wetlands of International Importance and to be informed by the Contracting Parties of any additions, extensions, deletions or restrictions concerning wetlands included in the List provided in accordance with paragraph 5 of Article 2;
(c) to be informed by the Contracting Parties of any changes in the ecological character of wetlands included in the List provided in accordance with, paragraph 2 of Article 3.1
(d) to forward notification of any alterations to the List, or changes in character of wetlands included therein, to aIl Contracting Parties and to arrange for these matters to be discussed at the next Conference;
(e) to make known to the Contracting Party concerned, the recommendations of the Conferences in respect of such alterations to the List or of changes in the character of wetlands included therein.

Article 9

1. This Convention shall remain open for signature indefinitely.

2. Any member of the United Nations or of one of the Specialized Agencies or of the

International Atomic Energy Agency or Party to the Statute of the International Court of Justice may become a party to this Convention by:
(a) signature without reservation as to ratification;
(b) signature subject to ratification followed by ratification;
(c) accession.

3. Ratification or accession shall be effected by the deposit of an instrument of ratification or accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as 'the Depository').

Article 10

1. This Convention shall enter into force four months after seven States have become Parties to this Convention in accordance with paragraph 2 of Article 9.

2. Thereafter this Convention shall enter into force for each Contracting Party four months after the day of its signature without reservation as to ratification, or its deposit of an instrument of ratification or accession.

Article 11

1. This Convention shall continue in force for an indefinite period.

2. Any Contracting Party may denounce this Convention after a period of five years from the date on which it entered into force for that Party by giving written notice thereof to the Depository. Denunciation shall take effect four months after the day on which notice thereof is received by the Depository.

Article 12

1. The Depository shall inform all States that have signed and acceded to this Convention as soon as possible of:
(a) signatures to the Convention;
(b) deposits of instruments of ratification of this Convention;
(c) deposits of instruments of accession to this Convention;
(d) the date of entry into force of this Convention;
(e) notifications of denunciation of this Convention.

2. When this Convention has entered into force, the Depository shall have it registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter.

In WITNESS WHEREOF, the undersigned, being duly authorized to that effect, have signed this Convention.

Done at Ramsar this 2nd day of February 1971, in a single original in the English, French, German and Russian languages, in any case of divergency the English text prevailing, which shall be deposited with the Depository which shall send true copies thereof to an Contracting Parties.

Depositary :

UNESCO

Opened for Signature :

Belgium	19 March 1975
El Salvador	14 May 1998
Finland	19 April 1973
Germany (Federal Republic of)	28 November 1974
Iran	25 August 1972
Ireland	14 February 1975
Italy	10 January 1975
Netherlands	7 July 1975
Pakistan	17 November 1975
Portugal	15 July 1976
Switzerland	21 February 1974
Union of Soviet Socialist Republics	13 February 1974
United Kingdom	6 September 1973

Entry into force :

21 December 1975, in accordance with Article 10

Authoritative texts :

English

Registration at the UN :

17 February 1976, No. 14583

States Parties

List in alphabetical order

List in chronological order

Declarations and Reservations :

Bulgaria
(Translation) 'The Government of the People's Republic of Bulgaria considers it

necessary to state that Article 9 of the Convention restricts the possibility of some States to become parties to it and contradicts the universally recognized principle of the sovereign equality of States.' (See letter LA/Depositary/1975/5 of 21 November 1975)

Denmark
(Translation) '. ..in spite of the great importance attached by the Danish Government to the Vadehavet (a marshy maritime plain situation in the southern part of the west coast of Jutland) as a wetland, it has decided not to include the Vadehavet for the time being in the above-mentioned List.
'This decision has been taken on account of the negotiations under way between the Governments of the Kingdom of Denmark and the Federal Republic of Germany concerning the construction of an advanced dyke in that area, and also on account of the trilateraI negotiations between the Governments of Denmark, the Netherlands and the Federal Republic of Germany concerning a special agreement for the protection of the Vadehavet. The Danish Government is convinced, however, that the Vadehavet, or certain parts thereof, should be included in the aforesaid List once the above-mentioned negotiations have been concluded.' (See letter LA/Depositary /1977/27 of 30 December 1977.)

Germany (Federal Republic of)
'The Federal Republic of Germany in becoming a party to the Convention interprets and understands the provisions of this Convention as being of a nature not to prevent measures to be taken to protect the population of the regions concerned against floods nor to interfere with well-established rights the inhabitants of these regions may have.' (See letter LA/Depositary/1976/13 of 21 June 1976)

Hungary
'Article 9 of the Convention, which restricts the freedom of certain countries to become Parties to the Convention, contradicts the generally accepted principle of the sovereignty of States.' (See letter LA/Depositary/1979/12 of 13 Ju1y 1979)

Syrian Arab Republic
"Accession to this Convention shall not under any circumstances be taken to mean that Syria recognizes Israel or establishes with it any relations that may derive from the provisions of this Convention". (See letter LA/Depositary/1998/05)

Union of Soviet Socialist Republics [at the time of signature]
(Translation) 'The Government of the Union of Soviet Socialist Repub1ics deems it necessary to declare that the provisions of Article 9 of the Convention. restricting the possibi1ity of some countries becoming Parties to it, contradict the universally recognized principle of the sovereign equa1ity of States.' (See letter CL/2365 of 28 May 1974.)
In its instrument of ratification, the Government of the Union of Soviet Socialist Republics indicated that it ratified the Convention whi1e maintaining that declaration. (See 1etter LA/Depositary/1976/18 of 31 December 1976.)

Territorial Application :

Notification by	Date of receipt of notification	Extension to
Netherlands	12 October 1983	The Kingdom in Europe and the Netherlands Antilles (see LA/DEP/1983/32)
-	16 January 1986	Aruba (see note 1)
New-Zealand	13 July 1976	Cook Islands (including Niue) Tokelau Islands (see letter LA/Depositary/1976/23 of 13 October 1976)
United Kingdom	5 January 1976	United Kingdom of Great Britain and Northern Ireland, Antigua, Bailiwick of Jersey, Belize, Bermuda, Cayman Islands, Falkland Islands and dependencies (see note 2), Gibraltar, Montserrat, Pitcairn Islands, St Helena and dependencies, Solomon Islands, Turks and Caicos Islands, Brunei (see letter LA/Depositary/1976/5 of 9 February 1976)
-	10 May 1979	Hong Kong (see letter LA/States Parties/1976/16 of Il July 1979) (see note 3)
-	8 September 1998	Bailiwick of Guernsey and British Indian Ocean Territory
-	28 June 2002	United Kingdom Sovereign Base Areas of Dhekelia and Akrotiri (see letter LA/Depositary/2002/30)

Notes :

(1) Notification of the Netherlands (16 January 1986, Letter LA/DEP/1986/5): The island of Aruba, which is at present still part of the Netherlands Antilles, will obtain internal autonomy as a country within the Kingdom of Netherlands as of 1 January 1986. Consequently the Kingdom will from then on no longer consist of two countries, namely the Netherlands (The Kingdom in Europe) and the Netherlands Antilles (situated in the Caribbean region), but will consist of three countries, namely the said two countries and the country of Aruba. As the changes being made on 1 January 1986 concern a shift only in the internal constitutional relations within the Kingdom of the Netherlands, and as the Kingdom as such will remain the subject under international law with treaties are concluded, the said changes will have no consequences in international law regarding to treaties concluded by the Kingdom which already apply to the Netherlands Antilles, including Aruba. These

treaties will remain in force for Aruba in its capacity of country within the Kingdom. Therefore these treaties will as of 1 January 1986, as concerns the Kingdom of the Netherlands, apply to the Netherlands Antilles (without Aruba) and Aruba. Consequently the treaties referred to in the annex, to which the Kingdom of the Netherlands is a party and which apply to the Netherlands Antilles, will as of 1 January 1986 as concerns the Kingdom of the of the Netherlands apply to the Netherlands Antilles and Aruba.

(2) With regard to this declaration by the United Kingdom, the Government of Argentina, by a communication dated 26 July 1976, contested the mention, in the instrument deposited by the United Kingdom, of the Malouines Islands, the South Georgia Islands and the South Sandwich Islands under the erroneous denomination of 'Falkland Islands and dependencies' and their being presented as part of the overseas territories which the United Kingdom administrates, and it declared that this mention in no way affected the Argentine Government's rights over these islands, which are an integral part of its territory and which are under forceful occupation by a foreign power, a situation concerning which the General Assembly of the United Nations, by Resolutions 2065(XX) and 3160(XXVIII) noted a conflict of sovereignty over the archipelago and asked that negotiations be opened immediately between the Argentine Republic and the occupying State in order to find a definitive solution to that conflict. (See letter LA/Depositary/1976/25 of 18 November 1976.)

(3) By a communication dated 6 August 1979, the Government of the United Kingdom made it known that: 'The United Kingdom's interpretation of paragraph 2 of Article 10 is that the Convention will come into force for Hong Kong from 10 September 1979.' (See letter LA/States Parties/1979/19 of 12 October 1979.)

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Resources for:

Governments
Scientists
Journalists
Civil Society
Business Persons
Children and Youth

Rio Declaration on Environment and Development

The United Nations Conference on Environment and Development,

Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of cooperation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national

jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental

needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and

better meet the needs of the majority of the people of the world.

Principle 6

The special situation and needs of developing countries, particularly the

least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries

acknowledge the responsibility that they bear in the international pursuit to sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9

States should cooperate to strengthen endogenous capacity-building for sustainable development by

improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10

Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities

in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and development context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12

States should cooperate to promote a supportive and open international economic system that would

lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13

States shall develop national law regarding liability and compensation for

the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of

environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22

Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23

The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24

Warfare is inherently destructive of sustainable development. States shall therefore respect

international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25

Peace, development and environmental protection are interdependent and indivisible.

Principle 26

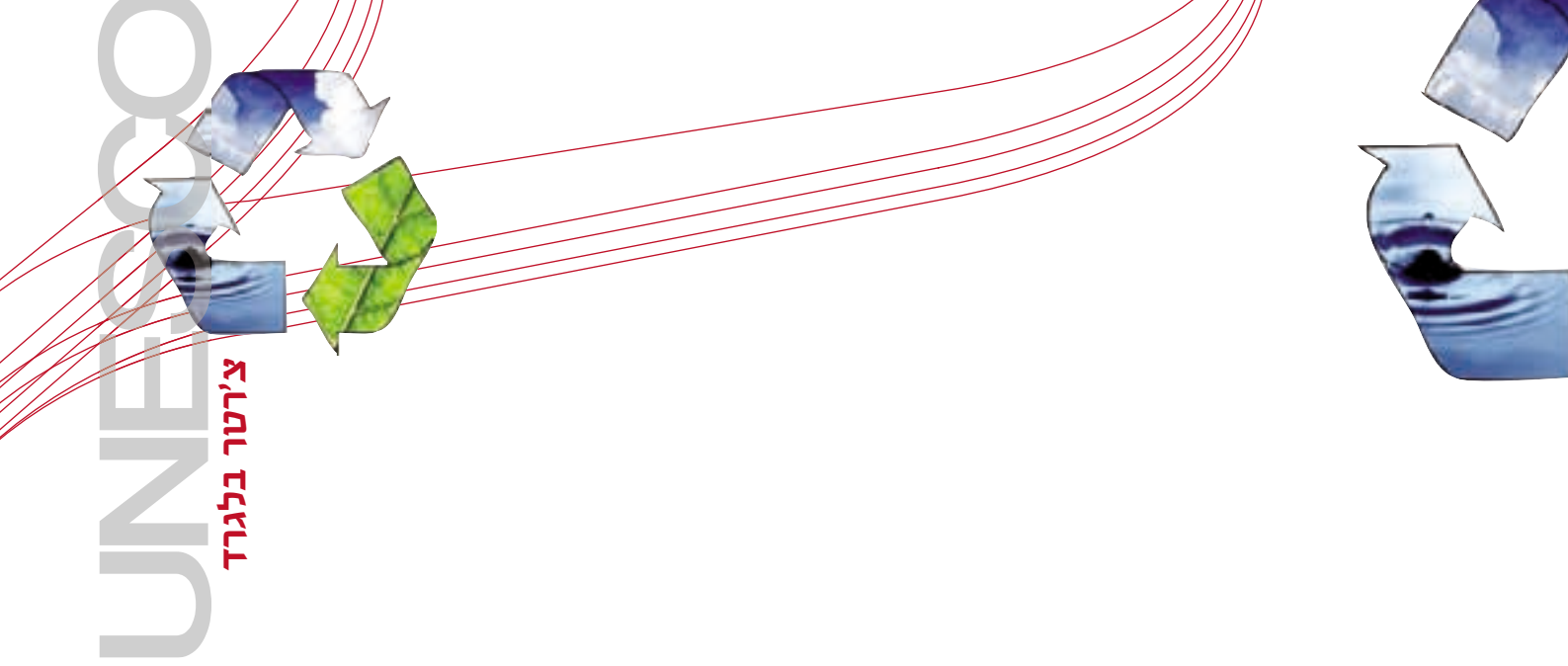
States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27

States and people shall cooperate in good faith and in a spirit of partnership in the fulfilment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

Source: Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972

(United Nations publication, Sales No. E.73.II.A.14 and corrigendum), chap. I.



צ'רטר בלגרד
מסגרת עולמית לחינוך לסביבתיות

תורגם על-ידי הוועד הישראלי לאונסקו

BACK

בבלגרד אומצה פה אחד הצהרה, כפופה לשינויים בפגישות אזוריות בהמשך, המנסחת את המסגרת ואת העקרונות המנחים לחינוך עולמי לסביבה. הצהרת 'צ'רטר בלגרד'.

בני דורנו עדים לצמיחה כלכלית חסרת תקדים ולקִדמה טכנולוגית. צמיחה וקִדמה אלו, אף שהן יוצרות יתרונות לרבים הן גורמות גם לתוצאות חברתיות וסביבתיות חמורות. אי-השוויון בין עשירים לעניים בין האומות ובתוכן הולך וגדל; ובמובנים מסוימים יש עדויות להתפוררות הולכת וגוברת של הסביבה הפיזית בקנה מידה עולמי. מצב זה, אף שמספר קטן יחסית של אומות הן הגורמות העיקריות לו, משפיע על כלל האנושות.

הצהרת האו"ם ל"סדר כלכלי בין-לאומי חדש' מעלה על נס מושג חדש של פיתוח; מושג המביא בחשבון את סיפוק הצרכים והרצונות של כל אזרח על פני כדור הארץ, של חברות רבות ומגוונות ושל האיזון וההרמוניה בין האנושות לבין הסביבה. מה שנדרש הוא מיגור הסיבות הבסיסיות לעוני, רעב, אנאלפביתיות, זיהום, ניצול ושליטה. הדפוס הקודם של התמודדות עם בעיות מכריעות אלו על בסיס מפוצל כבר אינו ניתן ליישום.

הכרחי שאזרחי העולם יתעקשו לנקוט אמצעים שיתמכו בסוג צמיחה כלכלית שלא יהיו לה השלכות מזיקות על אנשים ושבשום אופן לא תפגע בסביבתם ובתנאי החיים שלהם. צריך למצוא דרכים להבטיח ששום אומה לא תגדל או תתפתח על חשבון אחרת ושהצריכה של שום אדם לא תגבר על חשבונם של אחרים. יש לפתח את משאבי העולם בדרכים שיביאו תועלת לכל האנושות ויספקו את הפוטנציאל לשפר את איכות החיים כולה.

אנו זקוקים לקוד מוסרי עולמי חדש – קוד מוסרי שתומך בעמדות והתנהגויות של יחידים ושל חברות ויעלה בקנה אחד עם מקומה של האנושות בתוך הביוספרה; שיכיר ויגיב ברגישות ליחסים המורכבים והמשתנים תדיר בין האנושות לבין הטבע ובקרב בני האדם. שינויים משמעותיים חייבים להתרחש אצל כל אומות העולם כדי להבטיח את סוג הפיתוח הרציונלי שינחה את האידאל העולמי החדש הזה, שינויים שיכוונו לעבר חלוקה הוגנת של

משאבי העולם ויספקו ביתר הגינות את צורכיהם של בני האדם כולם. סוג זה של פיתוח יחייב גם צמצום מרבי בנזקים לסביבה, שימוש בחומרי פסולת למטרות פרודוקטיביות ותכנון של טכנולוגיות שיאפשרו להשיג יעדים כאלה. מעל לכול יחייב את הביטחון בשלום נצחי המבוסס על דו-קיום ושיתוף פעולה בין אומות שיש להן מערכות חברתיות שונות זו מזו. אם יוגבלו התקציבים הצבאיים ותצומצם התחרות בייצור נשק, אפשר יהיה להקצות מחדש משאבים ניכרים כדי להיענות לצורכיהם של בני האדם. היעד הסופי צריך להיות התפרקות מנשק.

גישות חדשות אלו לפיתוח ולשיפור של הסביבה קוראות לשנות את סדר העדיפויות הלאומיות והאזוריות. יש לערער על מדיניות שנועדה לשפר ככל האפשר את התפוקה הכלכלית בלי להתייחס להשלכותיה על החברה ועל המשאבים הזמינים לשיפור איכות החיים. בטרם אפשר יהיה לחולל שינוי זה בסדרי העדיפויות יצטרכו מיליוני בני אדם לשנות בעצמם את הקדימויות

שלהם ולקבל עליהם קוד מוסרי עולמי – אישי וייחודי – ולהפגין בכל התנהגויותיהם מחויבות לשיפור איכות הסביבה ולחייהם של אנשי העולם.

הרפורמה בתהליכים חינוכיים ובמערכות חינוכיות היא נקודה מרכזית בבניית הקוד המוסרי החדש של הפיתוח ושל הסדר הכלכלי העולמי החדש. ממשלות וקובעי מדיניות יכולים להורות על שינויים, ואפשר שגישות פיתוח חדשות יתחילו לשפר את מצב העולם, אך אם בני הנוער בעולם לא יזכו לחינוך מסוג חדש, יהיו כל אלה פתרונות לטווח הקצר בלבד. חינוך כזה יחייב יחסים חדשים ופרודוקטיביים בין תלמידים למורים, בין בתי ספר לקהילות וכן בחברה ובמערכת החינוך בכלל.

המלצה 96 של ועידת שטוקהולם לסביבת האדם קראה לפיתוחו של חינוך לסביבתיות – אחד הרכיבים המכריעים במתקפה כוללת על משבר הסביבה העולמי. חינוך חדש לסביבה חייב להיות בעל בסיס רחב ומקושר היטב לעקרונות היסוד שתוארו בהכרזת האו"ם על הסדר הכלכלי הבין-לאומי החדש.

בתוך הקשר זה יש להניח את היסודות לתכנית חינוכית-עולמית לסביבה שתאפשר לפתח ידע חדש וכישורים חדשים, ערכים וגישות, במסגרת תנופה לקראת איכות טובה יותר של הסביבה ולקראת איכות חיים גבוהה יותר לדורות ההווה והעתיד החיים בסביבה זו.

מטרות ויעדים

א. מטרת הפעולה הסביבתית:

לשפר את מערכת היחסים האקולוגיים, של האנושות עם הטבע ושל בני האדם אלו עם אלו.

שני יעדים מרכזיים נובעים ממטרה זו:

1. כל מדינה, בהתאם לתרבותה, תבהיר לעצמה את המשמעות של מושגי יסוד כגון 'איכות חיים' ו'אושר אנושי' בהקשר של הסביבה הכללית ותרחיב את ההבהרה וההערכה לתרבויות אחרות, מעבר לגבולותיה הלאומיים של כל מדינה.
2. לזהות אילו פעולות יבטיחו את השימור והשיפור הפוטנציאליים האנושיים ולפתח רווחה חברתית ואישית הרמונית לסביבה הביו-פיזית ולסביבה מעשה ידי אדם.

ב. מטרת החינוך הסביבתי:

לפתח אוכלוסייה עולמית מודעת ואכפתית לסביבה ולבעיותיה, בעלת הידע, הכישורים, העמדות, ההנעה והמחויבות לעבוד הן יחד הן בנפרד למען פתרונות לבעיות ההווה ולמניעת בעיות חדשות.

ג. יעדי החינוך הסביבתי היא לסייע ליחידים וקבוצות חברתיות;

1. מודעות: לזכות במודעות ורגישות לסביבה הכוללת ולבעיות הקשורות בה;
2. ידע: לרכוש הבנה יסודית של הסביבה הכוללת, הבעיות הקשורות בה, הנוכחות, התפקיד והאחריות האנושית לסביבה;
3. גישה: לרכוש ערכים חברתיים, תחושות חזקות של אכפתיות כלפי הסביבה והנעה להשתתפות פעילה בהגנה עליה ובשיפורה;
4. כישורים: לרכוש את הכישורים לפתרון בעיות סביבתיות;
5. כושר הערכה: להעריך את האמצעים הסביבתיים ואת התכניות החינוכיות במונחים של גורמים אקולוגיים, פוליטיים, כלכליים, חברתיים, אסתטיים וחינוכיים;
6. השתתפות: לפתח תחושה של אחריות ודחיפות בכל הקשור בבעיות סביבתיות, כדי להבטיח פעולה הולמת לפתרון בעיות אלו.

ד. קהל יעד:

קהל היעד העיקרי של החינוך לסביבתיות הוא הציבור בכלל ומערכת החינוך בפרט;

1. החינוך הפורמלי: תלמידי גן חובה, חינוך יסודי, חינוך תיכוני והשכלה גבוהה, ואף מורים ואנשי מקצוע בתחום הסביבה המשתתפים בהכשרה ובהשתלמויות;
2. החינוך הבלתי-פורמלי: בני נוער ומבוגרים – בין יחידים בין באופן קולקטיבי, מכל מגזרי האוכלוסייה; משפחה, עובדים, מנהלים ומקבלי החלטות בתחומים סביבתיים ושאינם סביבתיים.

ה. עקרונות מנחים לתכניות חינוך סביבתיות:

1. הבאה בחשבון של הסביבה כולה – טבעית ואנושית, אקולוגית, פוליטית, כלכלית, טכנולוגית, חברתית, תחיקתית, תרבותית ואסתטית;
2. התפרסות על פני כל החיים, הן בתוך בית הספר הן מחוצה לו;
3. גישה בין-תחומית;
4. הדגשת השתתפות פעילה במניעה ופתרון של בעיות סביבתיות;
5. בחינת בעיות סביבתיות מרכזיות מנקודת מבט עולמית וייחוד תשומת לב מספקת להבדלים אזוריים;
6. התמקדות במצבים הסביבתיים בהווה ובעתיד;
7. בחינת כל הפיתוח והצמיחה מנקודת מבט סביבתית;
8. קידום הערך והצורך בשיתוף פעולה מקומי, לאומי ובין-לאומי בפתרון בעיות סביבתיות.

BACK

THE MALTA DECLARATION ON CULTURAL TOURISM: ITS ENCOURAGEMENT AND CONTROL

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The Europa Nostra Congress, held in Malta from 16 - 20 May 2006, having considered the issue of "Cultural Tourism: Its Encouragement and Control", subsequently endorsed the following Malta Declaration pledging Europa Nostra to encourage the practical realisation of its principles on a European-wide basis through the European Union Institutions and the Council of Europe mechanisms.

DEFINING Cultural Tourism as that form of domestic and international tourism whose object is, among other aims, the discovery and enjoyment of historic monuments and sites focusing on the built (immovable and movable) cultural heritage, including the cultural landscapes, of heritage travel destination areas, to experience places and activities that authentically represent the cultural history of the host communities.

RECOGNISING that:

- Cultural tourism is one of the key drivers of European economic growth and development and plays a vital role in fostering greater understanding of the rich diversity of regional cultures of Europe and a deeper appreciation of the common European heritage;
- European cultural heritage is a distinct feature of the European identity which should be safeguarded through maintaining high standards training and professional practice in the conservation and management of the cultural heritage for the benefits and well-being of people in the host communities, who should be made more aware of the need to sustain their cultural heritage, as well as those engaged in cultural tourism;
- Cultural tourism is among the foremost means of cultural exchanges between the people of European countries and among the most valuable instruments of inter-cultural dialogue;
- Several recent documents by the Council of Europe* and EU Institutions** have focused on the need for sustainable tourism development, but the principles embodied in the World Tourism Organisation's Global Code of Ethics for Tourism ("*the Tourism Code of Ethics"*) and the Principles of the International Cultural Tourism Charter established by the International Council on Monuments and Sites ("*the ICOMOS International Cultural Tourism Charter*") under-score Europa Nostra's commitment and approach to cultural tourism.

EUROPA NOSTRA hereby calls on the EU Institutions, the Council of Europe, national, regional and local governments, as well as tourism and heritage organisations engaged in cultural tourism to adhere to the principles in the Tourism Code of Ethics of the World Tourism Organisation and the ICOMOS International Cultural Tourism Charter by taking steps to ensure the encouragement of sustainable and balanced development of cultural tourism in Europe and the implementation of good practice.

SPECIFICALLY, delegates attending the Europa Nostra General Assembly in Malta

hereby declare that the EU Institutions, the Council of Europe, national and regional governments and tourism and heritage organisations engaged in cultural tourism should:

- Adhere to the principles for the balanced development of tourism set out by the ICOMOS International Cultural Tourism Charter;
- Champion sustainable growth in the cultural tourism market, while also taking positive steps to prevent damage and degredation of the cultural heritage by careful planning to maintain the volume of tourists to heritage travel destination areas to within optimum sustainable limits;
- Respect and recognize national or regional economic needs and the revenue and employment prospects generated through cultural tourism, provided one does not sacrifice the essential character and cultural tourism potential of the host communities;
- Encourage cultural tourism in a balanced and sustainable way as a means of investing in and regenerating cultural heritage areas and experiencing the places and activities that authentically represent the cultural heritage, character and history of an area, whilst ensuring the widest access to Europe's cultural heritage;
- Safeguard the conservation of cultural heritage sites by anticipating construction development pressures in the travel destination areas and applying techniques to prevent undesirable over-development and damage as a result of the demands of cultural tourism;
- Protect individual heritage sites in travel destination areas of outstanding heritage value from the pressures of cultural tourism by introducing and adhering to clear guide-lines for the management of such sites;
- Work together to enhance and invest in the cultural heritage features of travel destination areas by developing and improving them in distinctive ways to sustain the rich diversity of European culture;
- Encourage commercial and civic groups to create partnerships to promote cultural heritage at the local community level by building on the travel destination area's history and culture and providing a distinctive visitor experience which is both educational and entertaining;
- Encourage by all means possible the heritage conservation community and the tourism industry to cooperate more closely together to safeguard European cultural heritage, including the cultural landscape, of heritage travel destination areas;
- Promote the idea of a European Label for Sustainable Cultural Tourism, within the framework of the work for a label for European tourism as a global destination, through the principles set out in this Declaration.

EUROPA NOSTRA, therefore, hereby pledges itself, through The Malta Declaration, to encourage the principles of sustainable cultural tourism, while at the same time urging the introduction of necessary controls to protect individual cultural heritage sites.

**Recommendation Rec (2003) 1 of the Committee of Ministers to Member States on the promotion of tourism to foster the cultural heritage as a factor for sustainable development (Adopted by the Committee of Ministers on 15 January 2003, at the 824th meeting of the Ministers' Deputies).*

*** For example, 'Tourism and Culture Two Forces for Growth' by the European Economic and Social Committee and the EU Tourism Policy by Commissioner Verheugen*

BACK

CHARTER FOR SUSTAINABLE TOURISM

We, the participants at the World Conference on Sustainable Tourism, meeting in Lanzarote, Canary Islands, Spain, on 27-28 April 1995,

Mindful that tourism, as a worldwide phenomenon, touches the highest and deepest aspirations of all people and is also an important element of socioeconomic and political development in many countries.

Recognizing that tourism is ambivalent, since it can contribute positively to socio- economic and cultural achievement, while at the same time it can contribute to the degradation of the environment and the loss of local identity, and should therefore be approached with a global methodology.

Mindful that the resources on which tourism is based are fragile and that there is a growing demand for improved environmental quality.

Recognizing that tourism affords the opportunity to travel and to know other cultures, and that the development of tourism can help promote closer ties and peace among peoples, creating a conscience that is respectful of the diversity of culture and life styles.

Recalling the Universal Declaration of Human Rights, adopted by the General Assembly of United Nations, and the various United Nations declarations and regional conventions on tourism, the environment, the conservation of cultural heritage and on sustainable development.

Guided by the principles set forth in the Rio Declaration on the Environment and Development and the recommendations arising from Agenda 21.

Recalling previous declarations on tourism, such as the Manila Declaration on World Tourism, the Hague Declaration and the Tourism Bill of Rights and Tourist Code.

Recognizing the need to develop a tourism that meets economic expectations and environmental requirements, and respects not only the social and physical structure of destinations, but also the local population.

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Considering it a priority to protect and reinforce the human dignity of both local communities and tourists.

Mindful of the need to establish effective alliances among the principal actors in the field of tourism so as to fulfil the hope of a tourism that is more responsible towards our common heritage.

APPEAL to the international community and, in particular, URGE governments, other public authorities, decisionmakers and professionals in the field of tourism, public and private associations and institutions whose activities are related to tourism, and tourists themselves, to adopt the principles and objectives of the Declaration that follows:

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1 Tourism development shall be based on criteria of sustainability, which means that it must be ecologically bearable in the long term, as well as economically viable, and ethically and socially equitable for local communities. Sustainable development is a guided process which envisages global management of resources so as to ensure their viability, thus enabling our natural and cultural capital, including protected areas, to be preserved. As a powerful instrument of development, tourism can and should participate actively in the sustainable development strategy. A requirement of sound management of tourism is that the sustainability of the resources on which it depends must be guaranteed.

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2 Tourism should contribute to sustainable development and be integrated with the natural, cultural and human environment; it must respect the fragile balances that characterize many tourist destinations, in particular small islands and environmentally sensitive areas. Tourism should ensure an acceptable evolution as regards its influence on natural resources, biodiversity and the capacity for assimilation of any impacts and residues produced.

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3 Tourism must consider its effects on the cultural heritage and traditional elements, activities and dynamics of each local community. Recognition of these local factors and support for the identity, culture and interests of the local community must at all times play a central role in the formulation of tourism strategies, particularly in developing countries.

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4 The active contribution of tourism to sustainable development necessarily presupposes the solidarity, mutual respect and participation of all the actors, both public and private, implicated in the process, and must be based on efficient cooperation mechanisms at all levels: local, national, regional and international.

5 The conservation, protection and appreciation of the worth of the natural and cultural heritage afford a privileged area for cooperation. This approach implies that all those responsible must take upon themselves a true challenge, that of cultural, technological and professional innovation, and must also undertake a major effort to create and implement integrated planning and management instruments.

6 Quality criteria both for the preservation of the tourist destination and for the capacity to satisfy tourists, determined jointly with local communities and informed by the principles of sustainable development, should represent priority objectives in the formulation of tourism strategies and projects.

7 To participate in sustainable development, tourism must be based on the diversity of opportunities offered by the local economy. It should be fully integrated into and contribute positively to local economic development.

8 All options for tourism development must serve effectively to improve the quality of life of all people and must influence the so- cio-cultural enrichment of each destination.

9 Governments and the competent authorities, with the participation of NGOs and local communities, shall undertake actions aimed at integrating the planning of tourism as a contribution to sustainable development.

10 In recognition of economic and social cohesion among the peoples of the world as a fundamental principle of sustainable development, it is urgent that measures be promoted to permit a more equitable distribution of the benefits and burdens of tourism. This implies a change of consumption patterns and the introduction of pricing methods which allow environmental costs to be internalised. Governments and multilateral organizations should prioritize and strengthen direct and indirected aid to tourism projects which contribute to improving the quality of the environment. Within this context, it is necessary to explore thoroughly the application of internationally harmonised economic, legal and fiscal instruments to ensure the sustainable use of resources in tourism.

11 Environmentally and culturally vulnerable spaces, both now and in the future, shall be given special priority in the matter of technical cooperation and financial aid for sustainable tourism development. Similarly, special treatment should be given to zones that have been

degraded by obsolete and high impact tourism models.

12 The promotion of alternative forms of tourism that are compatible with the principles of sustainable development, together with the encouragement of diversification represent a guarantee of stability in the medium and the long term. In this respect there is a need, for many small islands and environmentally sensitive areas in particular, to actively pursue and strengthen regional cooperation.

13 Governments, industry, authorities, and tourism-related NGOs should promote and participate in the creation of open networks for research, dissemination of information and transfer of appropriate knowledge on tourism and environmentally sustainable tourism technologies.

14 The establishment of a sustainable tourism policy necessarily requires the support and promotion of environmentally-compatible tourism management systems, feasibility studies for the transformation of the sector, as well as the implementation of demonstration projects and the development of international cooperation programmes.

15 The travel industry, together with bodies and NGOs whose activities are related to tourism, shall draw up specific frameworks for positive and preventive actions to secure sustainable tourism development and establish programmes to support the implementation of such practices. They shall monitor achievements, report on results and exchange their experiences.

16 Particular attention should be paid to the role and the environmental repercussions of transport in tourism, and to the development of economic instruments designed to reduce the use of non-renewable

17 The adoption and implementation of codes of conduct conducive to sustainability by the principal actors involved in tourism, particularly industry, are fundamental if tourism is to be sustainable. Such codes can be effective instruments for the development of responsible tourism activities.

18 All necessary measures should be implemented in order to inform and promote awareness among all parties involved in the tourism industry, at local, national, regional and international level, with regard to the contents and objectives of the Lanzarote Conference.

FINAL RESOLUTION

The World Conference on Sustainable Tourism considers it vital to make the following public statements:

1. The Conference recommends State and regional governments to draw up urgently plans of action for sustainable development applied to tourism, in consonance with the principles set out in this Charter.

2. The Conference agrees to refer the Charter for Sustainable Tourism to the Secretary- General of the United Nations, so that it may be taken up by the bodies and agen- cies of the United Nations system, as well as by international organizations which have cooperation agreements with the United Nations, for submission to the Ge- neral Assembly.

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CHARTER FOR SUSTAINABLE TOURISM

We, the participants at the World Conference on Sustainable Tourism, meeting in Lanzarote, Canary Islands, Spain, on 27-28 April 1995,

Mindful that tourism, as a worldwide phenomenon, touches the highest and deepest aspirations of all people and is also an important element of socioeconomic and political development in many countries.

Recognizing that tourism is ambivalent, since it can contribute positively to socio- economic and cultural achievement, while at the same time it can contribute to the degradation of the environment and the loss of local identity, and should therefore be approached with a global methodology.

Mindful that the resources on which tourism is based are fragile and that there is a growing demand for improved environmental quality.

Recognizing that tourism affords the opportunity to travel and to know other cultures, and that the development of tourism can help promote closer ties and peace among peoples, creating a conscience that is respectful of the diversity of culture and life styles.

Recalling the Universal Declaration of Human Rights, adopted by the General Assembly of United Nations, and the various United Nations declarations and regional conventions on tourism, the environment, the conservation of cultural heritage and on sustainable development.

Guided by the principles set forth in the Rio Declaration on the Environment and Development and the recommendations arising from Agenda 21.

Recalling previous declarations on tourism, such as the Manila Declaration on World Tourism, the Hague Declaration and the Tourism Bill of Rights and Tourist Code.

Recognizing the need to develop a tourism that meets economic expectations and environmental requirements, and respects not only the social and physical structure of destinations, but also the local population.

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Considering it a priority to protect and reinforce the human dignity of both local communities and tourists.

Mindful of the need to establish effective alliances among the principal actors in the field of tourism so as to fulfil the hope of a tourism that is more responsible towards our common heritage.

APPEAL to the international community and, in particular, URGE governments, other public authorities, decisionmakers and professionals in the field of tourism, public and private associations and institutions whose activities are related to tourism, and tourists themselves, to adopt the principles and objectives of the Declaration that follows:

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1 Tourism development shall be based on criteria of sustainability, which means that it must be ecologically bearable in the long term, as well as economically viable, and ethically and socially equitable for local communities. Sustainable development is a guided process which envisages global management of resources so as to ensure their viability, thus enabling our natural and cultural capital, including protected areas, to be preserved. As a powerful instrument of development, tourism can and should participate actively in the sustainable development strategy. A requirement of sound management of tourism is that the sustainability of the resources on which it depends must be guaranteed.

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2 Tourism should contribute to sustainable development and be integrated with the natural, cultural and human environment; it must respect the fragile balances that characterize many tourist destinations, in particular small islands and environmentally sensitive areas. Tourism should ensure an acceptable evolution as regards its influence on natural resources, biodiversity and the capacity for assimilation of any impacts and residues produced.

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3 Tourism must consider its effects on the cultural heritage and traditional elements, activities and dynamics of each local community. Recognition of these local factors and support for the identity, culture and interests of the local community must at all times play a central role in the formulation of tourism strategies, particularly in developing countries.

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4 The active contribution of tourism to sustainable development necessarily presupposes the solidarity, mutual respect and participation of all the actors, both public and private, implicated in the process, and must be based on efficient cooperation mechanisms at all levels: local, national, regional and international.

5 The conservation, protection and appreciation of the worth of the natural and cultural heritage afford a privileged area for cooperation. This approach implies that all those responsible must take upon themselves a true challenge, that of cultural, technological and professional innovation, and must also undertake a major effort to create and implement integrated planning and management instruments.

6 Quality criteria both for the preservation of the tourist destination and for the capacity to satisfy tourists, determined jointly with local communities and informed by the principles of sustainable development, should represent priority objectives in the formulation of tourism strategies and projects.

7 To participate in sustainable development, tourism must be based on the diversity of opportunities offered by the local economy. It should be fully integrated into and contribute positively to local economic development.

8 All options for tourism development must serve effectively to improve the quality of life of all people and must influence the so- cio-cultural enrichment of each destination.

9 Governments and the competent authorities, with the participation of NGOs and local communities, shall undertake actions aimed at integrating the planning of tourism as a contribution to sustainable development.

10 In recognition of economic and social cohesion among the peoples of the world as a fundamental principle of sustainable development, it is urgent that measures be promoted to permit a more equitable distribution of the benefits and burdens of tourism. This implies a change of consumption patterns and the introduction of pricing methods which allow environmental costs to be internalised. Governments and multilateral organizations should prioritize and strengthen direct and indirected aid to tourism projects which contribute to improving the quality of the environment. Within this context, it is necessary to explore thoroughly the application of internationally harmonised economic, legal and fiscal instruments to ensure the sustainable use of resources in tourism.

11 Environmentally and culturally vulnerable spaces, both now and in the future, shall be given special priority in the matter of technical cooperation and financial aid for sustainable tourism development. Similarly, special treatment should be given to zones that have been

degraded by obsolete and high impact tourism models.

12 The promotion of alternative forms of tourism that are compatible with the principles of sustainable development, together with the encouragement of diversification represent a guarantee of stability in the medium and the long term. In this respect there is a need, for many small islands and environmentally sensitive areas in particular, to actively pursue and strengthen regional cooperation.

13 Governments, industry, authorities, and tourism-related NGOs should promote and participate in the creation of open networks for research, dissemination of information and transfer of appropriate knowledge on tourism and environmentally sustainable tourism technologies.

14 The establishment of a sustainable tourism policy necessarily requires the support and promotion of environmentally-compatible tourism management systems, feasibility studies for the transformation of the sector, as well as the implementation of demonstration projects and the development of international cooperation programmes.

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Cultural Tourism

ICOMOS aims to encourage the safeguard and to ensure the conservation and promotion of monuments and sites - that privileged part of the human heritage.

In this capacity, it feels directly concerned by the effects - both positive and negative - on said heritage due to the extremely strong development of tourist activities in the world.

ICOMOS is conscious that today - even less than theretofore the isolated effort of any body, however powerful be it in its own sphere, cannot validly influence the course of events. This is why it has attempted to participate in joint reflection with the large world and regional organizations which in one capacity or another share in its preoccupations and which are likely to contribute to the implementation of a universal, coherent and efficacious effort.

The Representatives of these bodies, met in Brussels, Belgium, on 8 and 9 November 1976 at the International Seminar on Contemporary Tourism and Humanism have agreed the following:

BASIC POSITION

1. Tourism is an irreversible social, human, economic and cultural fact. Its influence in the sphere of monuments and sites is particularly important and can but increase because of the known conditions of that activity's development.

2. Looked at in the perspective of the next twenty-five years, in the context of the phenomena of expansion which may have heavy consequences and which confront the human race, tourism appears to be one of the phenomena likely to exert a most significant influence on Man's environment in general and on monuments and sites in particular. In order to remain bearable this influence must be carefully studied, and at all levels be the object of a concerted and effective policy. Without claiming to meet this need in all its aspects, the present approach which is limited to cultural tourism constitutes, it is believed, a positive element in the global solution which is required.

3. Cultural tourism is that form of tourism whose object is, among other aims, the discovery of monuments and sites. It exerts on these last a very positive effect insofar as it contributes - to satisfy its own ends - to their maintenance and protection. This form of tourism justifies in fact the efforts which said maintenance and protection demand of the human community because of the socio-cultural and economic benefits which they bestow on all the populations concerned.

4. Whatever, however, may be its motivations and the ensuing benefits, cultural tourism cannot be considered separately from the negative, despoiling or destructive effects which the massive and uncontrolled use of monuments and sites entails. The respect of the latter, just like the elementary wish to maintain them in a state fit to allow them to play their role as elements of touristic attraction and of cultural education, implies the definition and implementation of acceptable standards.

In any case, with the future in mind, it is the respect of the world, cultural and natural heritage which must take precedence over any other considerations however justified these may be from a social, political or economic point of view.

Such respect cannot be ensured solely by policies regarding the siting of equipment and of

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guidance of the tourist movements based on the limitations of use and of density which may not be disregarded without impunity.

Additionally one must condemn any siting of tourist equipment or services in contradiction with the prime preoccupation due to the respect we owe to the existing cultural heritage.

BASIS FOR ACTION

Resting on the foregoing,

- the bodies representing tourism, on the one hand, and the protection of the natural and monumental heritage, on the other, deeply convinced that the protection and promotion of the natural and cultural heritage for the benefit of the many cannot be ensured unless it be in an orderly fashion, i.e. by integrating cultural assets into the social and economic objectives which are part of planning of the resources of the states, regions and local communities,

- acknowledge with the greatest interest the measures which each of them states he is prepared to take in his own sphere of influence as expressed in the appendices to the present Declaration,

- appeal to the will of the states to ensure the fast and energetic implementation of the International Convention for the Protection of the World Cultural and Natural Heritage adopted on 16 November 1972, and of the Nairobi Recommendation.

- trust that the World Tourist Organization, fulfilling its aims, and Unesco in the framework of the Convention mentioned above, shall exert all efforts in cooperation with the signatory bodies and all others who in future may rally to ensure the implementation of the policy which the signatory bodies have defined as the only one able to protect Mankind against the effects of tourism's anarchical growth which would result in the denial of its own objectives.

They express the wish that the states by the means of their administrative structures, of tourist operators' organizations, and users' associations, shall adopt all appropriate measures to facilitate the information and training of persons travelling for tourist purposes inside and out of their country of origin.

Conscious of the acute need which obtains now to change the attitude of the public at large towards the phenomena resulting from the massive development of touristic needs, they express the wish that from school age onwards children and adolescents be educated to understand and respect the monuments, the sites and the cultural heritage and that all written, spoken or visual information media should express to the public the elements of the problem thereby efficaciously contributing to effective universal understanding.

Unanimous in their concern for the protection of the cultural patrimony which is the very basis of international tourism, they undertake to help in the fight initiated on all fronts against the destruction of said heritage by all known sources of pollution; and they appeal to the architects and scientific experts of the whole world so that the most advanced resources of modern technology be used for the protection of monuments.

They recommend that the specialists who shall be called upon to conceive and implement the touristic use of the cultural and the natural heritage should receive training adapted to the multi-faceted nature of the problem, and should be associated from the outset in the programming and performance of the development and tourist equipment plans.

They solemnly declare that their action is to respect and protect the authenticity and diversity of the cultural values in developing regions and countries as in industrialized nations since the fate of Mankind's cultural heritage is of the very same nature everywhere in the face of tourism's likely expansion.

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Policy documents

- Extracted from the Getty Conservation Institute web site: http://www.getty.edu/conservation/research_resources/charters.html#1904
- The table is organized in chronological order
- The Web sites of these organizations can provide background information. The starred entries also provide many full-text versions of the cultural policy documents.

  *Council of Europe

  ICOM (International Council of Museums)

  *ICOMOS (International Council on Sites and Monuments)

  ICAHM (International Committee on Archaeological Heritage Management (a committee of ICOMOS)

  IFLA (International Federation of Library Associations and Institutions)

  OWHC (Organization of World Heritage Cities)

  *UNESCO (United National Education, Scientific and Cultural Organization)

  WMF (World Monuments Fund)

Name of document	Year	Responsible organization	Objectives
The SPAB Manifesto	1877	Society for the Protection of Ancient Buildings, UK	The Principals of the Society for the Protection of Ancient Buildings as Set Forth upon its Foundation Written by William Morris and other founder members of the Society, this manifesto holds up the ideal of restoration of ancient buildings as "protecting our ancient buildings, and hand[ing] them down instructive and venerable to those that come after us." Most of the manifesto is devoted to attacking thoughtless and destructive efforts of restoration that leave the building a "feeble and lifeless forgery." The manifesto recommends protection rather than restoration as well as resisting tampering with the fabric or ornament of the building as it stands, advocating "staving off decay by daily care."
Recommendations of the Madrid Conference	1904	Sixth International Congress of Architects	These brief Recommendations constitute an early attempt to set down principles of architectural conservation. The recommendations emphasize the importance of minimal intervention in dealing with ruined structures and of finding a functional use for historic buildings. The document sets forth the principle of unity of style, which encourages restoration according to a single stylistic expression.
General Conclusions of the Athens Conference	1931	First International Congress of Architects and	These Conclusions were drafted at the end of a conference on the restoration of historic monuments and buildings held in Athens in 1931. This document introduced important conservation concepts and principles:

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		Technicians of Historic Monuments	the idea of a common world heritage; the importance of the setting of monuments; and the principle of integration of new materials. The Conclusions were ahead of their time in calling for the reburial of archaeological remains when conservation cannot be guaranteed.
Charter of Athens	1933	IV International Congress for Modern Architecture	This document was produced as a result of the IV International Congress of Modern Architecture which took as its theme "the functional city" and focused on urbanism and the importance of planning in urban development schemes. The document includes urban ensembles in the definition of the built heritage and emphasizes the spiritual, cultural and economic value of the architectural heritage. It includes a recommendation calling for the destruction of urban slums and creation of "verdant areas" in their place, denying any potential heritage value of such areas. It condemns the use of pastiche for new construction in historic areas.
Hague Convention: Convention for the Protection of Cultural Property in the Event of Armed Conflict	1954	United Nations Educational, Scientific and Cultural Organization (UNESCO)	The Convention seeks to ensure that cultural property, both movable and immovable, is safeguarded and respected as the common heritage of humankind. The Convention encourages parties to prevent theft and vandalism of cultural property and proposes a distinctive blue and white shield-shaped emblem to identify protected cultural property. As with the Roerich Pact, cultural property and cultural institutions are to be protected in armed conflicts between States or between parties of the same State as long as they are not put to military purposes. Special protection is to be given to those properties that are listed on the "International Register of Cultural Property under Special Protection".
European Cultural Convention	1954	Council of Europe	The Convention promotes cooperation among European nations in order safeguard cultural property as well as to study and promote European civilization. The cultural property of the parties to the Convention is regarded as part of the common cultural heritage of Europe. The Convention emphasizes the nation as protector of the heritage not only for its own people but also for the wider community. The Convention encourages exchanges of persons and cultural objects and promotes access to cultural resources. States that are not members of the Council of Europe can participate in the Convention
Recommendation on International Principles Applicable to Archaeological Excavation	1956	UNESCO	This document, adopted by the General Conference of UNESCO in 1956, establishes international principles governing the protection and excavation of archaeological sites. The document recommends that member states: make all archaeological exploration and excavation subject to prior authorization; make security, maintenance and conservation of the site and its associated objects part of the deed of concession to excavate; require any person who discovers archaeological remains to declare them to a competent

			authority; establish a state archaeological administration to document activity and finds; undertake educational efforts to promote respect for remains of the past; supervise the restoration of archaeological remains; and prohibit the removal of monuments without consent. The Recommendation is not legally binding, but often has served as a model for national legislation governing excavation
Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites	1962	UNESCO	This Recommendation, intended to supplement existing measures for the protection of nature, recognizes the important aesthetic, cultural, spiritual and scientific value of landscapes and the threat of poorly regulated development. It addresses natural and manmade landscapes and sites, including urban landscapes threatened by development and particularly areas that surround monuments. It encourages the use of both preventive and corrective measures and emphasizes the importance of urban and rural planning and oversight in safeguarding landscapes from infrastructure development, deforestation, pollution, advertising, building design and other named threats. The document recommends educational action (both in and out of schools) to raise public awareness of and respect for landscapes and sites. It emphasizes the importance of teacher training, involvement of the media, and state support for educational activities.
The Venice Charter: International Charter for the Conservation and Restoration of Monuments and Sites	1964	International Council on Monuments and Sites (ICOMOS), Second International Congress of Architects and Technicians of Historic Buildings	The Venice Charter codifies internationally accepted standards of conservation practice relating to architecture and sites. It sets forth principles of conservation based on the concept of authenticity and the importance of maintaining the historical and physical context of a site or building. The Venice Charter continues to be the most influential international conservation document. The Venice Charter states that monuments are to be conserved not only as works of art but also as historical evidence. It also sets down the principles of preservation, which relate to restoration of buildings with work from different periods.
Recommendation on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property	1964	UNESCO	The Recommendation proposes that member states draw up national inventories of cultural property, both publicly and privately held. It recommends establishing national services to protect against illegal export of cultural property and developing a certification process to authorize exports.

Norms of Quito: Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value	1967	ICOMOS	This document recognizes the abundance of monuments and sites that make up the cultural heritage of the Americas and addresses important conservation issues, such as: environmental impact of accelerated development, preserving historic districts and integrating them into urban areas, reconciling the conflicting demands of urban growth and environmental protection, the economic value of heritage, and cultural tourism. The document calls for enhancing the utility and value of the cultural heritage. It includes recommendations for action at the national and regional levels. It also proposes technical and legal measures to preserve monuments and sites, including establishing protective zones and tax exemptions for privately restored historic buildings. Concern for the cultural heritage is raised in the context of development and urban growth issues facing many Latin American countries and of the already considerable degradation.
Convention Concerning the Protection of the World Cultural and Natural Heritage	1972	UNESCO	The World Heritage Convention was adopted in 1972 by the General Conference of UNESCO. It promotes an international perspective on cultural heritage by inviting member states to submit an inventory of properties forming its national cultural and natural heritage to be included in a list of World Heritage sites. The convention encourages national efforts at protecting cultural and natural heritage and promotes international recognition and cooperation in safeguarding the heritage of the world. (Operational Guidelines for the Implementation of the World Heritage Convention were issued in 1988. They outline the criteria to be met by sites on the World Heritage List.)
Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage	1972	UNESCO	The Recommendation calls for States to formulate, develop, and apply policies for the protection, conservation, and presentation of their cultural and natural heritage. It stresses the responsibility of states to protect their heritage for their own citizens and for all humanity. The document recommends increased financial resources for the safeguarding and preservation of the cultural and natural heritage and suggests scientific and technical, administrative, legal, financial, education, and public involvement measures to be taken. Finally, the document recommends areas for international cooperation to help safeguard the cultural heritage.
Resolutions of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings	1972	ICOMOS General Assembly	The Resolutions outline principles for the harmonious introduction of contemporary architecture into groups of ancient buildings: The existing fabric of ancient buildings must be the framework for further development and town planning. Contemporary architecture should be integrated into groups of ancient buildings and should not affect structural or aesthetic qualities of the ancient setting. Authenticity is considered the basic criterion; imitations affecting artistic and historical value

			should be avoided. The revitalization of ancient buildings through new use is encouraged as long as structural integrity and character are not compromised.
European Charter of the Architectural Heritage	1975	Council of Europe	The Council of Europe declared 1975 the European Architectural Year, leading to the adoption of this Charter, which aims to develop a common European policy for the protection of architectural heritage. The document defines the nature of the European architectural heritage, its importance to the European community, and threats to the heritage from ignorance, neglect, and deterioration as well as economic pressures, motor traffic, inappropriate restoration, and property speculation. The Charter calls for an integrated conservation approach with the following components: sensitive restoration techniques, the effective use of laws and regulations, appropriate administrative support, and adequate technical and financial support (including tax incentives). The Charter encourages development of training facilities and fostering of traditional crafts. Cooperation with the public and coordination between European nations is seen as an important element in the conservation of Europe's architectural heritage
Declaration of Amsterdam	1975	Congress on the European Architectural Heritage, Council of Europe	The Declaration of Amsterdam emphasizes role of planning, education, legal, and administrative measures in protecting the region's architectural heritage. The document stipulates that architectural conservation must become an integral part of urban and regional planning. It calls for integrated conservation involving both local authorities and citizens and taking into consideration social factors. The Declaration notes the need for new legislative and administrative measures as well as appropriate financial support for conservation. The Declaration notes the importance of promoting methods, techniques, and skills for restoration and rehabilitation. The need for better training programs is noted; international exchange of knowledge, experience, and trainees is recommended. Authorities should try to promote an interest in conservation among young people as a prospective discipline. The Declaration stresses the importance of educational programs for youth and the public to foster an appreciation of the architectural heritage of Europe.
Resolutions of the International Symposium on the Conservation of Smaller Historic Towns	1975	ICOMOS General Assembly	The Resolutions outline some of the typical features of and threats to smaller historic towns and their settlement structure. Lack of economic activity and abandonment of the historic core are among the problems faced by these towns; the rapid rate of urban migration is of particular concern in the conservation of smaller historic towns in developing countries. To counteract these negative forces, the Resolutions suggest a number of strategies: effective planning,

			economic policies that lead neither to disruption or dereliction of the historic fabric of towns, instilling a sense of pride among town residents in the historic environment. The Resolution emphasizes that urban conservation cannot rely solely on private activity and local initiative but must involve regional authorities and legislation to encourage conservation and discourage property speculation
Cultural Tourism	1976	International Seminar on Contemporary Tourism and Humanism, ICOMOS	This document is the result of the International Seminar on Contemporary Tourism and Humanism held in 1976. It outlines an approach to cultural tourism that recognizes sites and monuments as a source of economic benefit and cultural education. The approach encourages educating tourists, particularly children, about the value of monuments and training those responsible for developing and implementing tourist use of heritage sites.
Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas	1976	UNESCO	The Recommendation extends the principles laid down by earlier General Conferences. The Recommendation recognizes the importance of the setting—buildings, spatial elements, and surroundings make up historic areas. The document notes that the destruction of historic areas can lead to economic loss and social disturbance. It calls for historic areas to be protected from the damage that can result from insensitive changes that damage authenticity.
The Florence Charter: Historic Gardens	1982	ICOMOS-International Federation of Library Associations and Institutions (IFLA) International Committee for Historic Gardens	The Florence Charter sets forth the principles and guidelines for the preservation of historic gardens. The Charter defines historic gardens as architectural compositions and recommends their preservation as living monuments. It outlines strategies for maintenance, conservation, restoration, and reconstruction of gardens, including their plans, vegetation, structural and decorative features, and use of water. It recommends limiting use in order to protect gardens' fabric and cultural message. It also addresses legal and administrative issues. The Charter was adopted in 1982 as an addendum to the Venice Charter, addressing the needs of a specific class of cultural property.
Deschambault Charter for the Preservation of Quebec's Heritage	1982	ICOMOS Canada	The Deschambault Charter defines the special nature of Quebec's heritage and outlines principles for the preservation of Quebec's material culture, geographic and human environments. The broad definition, which looks not only at the material culture but also at human adaptations to the natural environment, sees cultural landscapes (the result of the interactions of people and nature) as part of the heritage to be protected. Conservation efforts are to be directed at preventing deterioration and destruction of the national heritage. The Charter encourages maintenance of up-to-date inventories and the use of specialized expertise. It also encourages assessment of the importance of the heritage and recommends that the "principles of protection and development of the national heritage must have primacy over all

			development plans". Citizens are seen as the chief protectors of the heritage the public's right to participate in decisions about national heritage is asserted. The Charter promotes continuous use of the heritage integrated into the social and economic life of the nation, with preference given to traditional use. The Charter encourages the dissemination of information about Quebec's cultural heritage through the educational system and other means in order to make people aware of its value. Finally, it encourages the training of artisans, technicians and professionals.
Tlaxcala Declaration on the Revitalization of Small Settlements	1982	Third Inter-American Symposium on the Conservation of Building Heritage/ ICOMOS Mexico	The Declaration recognizes that small settlements bear witness to our cultures and emphasizes the local and national governments' responsibility to help preserve smaller settlements and stem migration to urban centers. The Declaration recognizes the rights of local communities to be involved in decisions regarding their towns and villages. The Declaration notes the destructive influence of the communications media in introducing patterns of behavior and consumption that are contrary to tradition. It asserts that preserving settlements must also involve bettering conditions for residents to encourage the revitalization of communities. Conservation efforts must be interdisciplinary and social service and infrastructure improvements should be introduced with sensitivity, taking into account local values and traditions. The Declaration recommends that regional materials and traditional building techniques are essential to the maintenance of small settlements. It recommends the government grants to protect dwellings in small settlements, which would ensure both the continuation of the building heritage and affordable housing. It also encourages schools of architecture to initiate courses in conservation of the vernacular architectural heritage and in traditional building techniques.
Declaration of Dresden	1982	ICOMOS Symposia	The Declaration of Dresden is concerned with the reconstruction of monuments destroyed by war. It calls for documentation of monuments as a means to ensure their protection in times of conflict and notes the reasons and techniques for reconstruction as well the importance of exchanging knowledge between nations as a way to ensure appreciation and protection of this heritage. The Declaration supports earlier recommendations by UNESCO and the ICOMOS General Assembly on the prevention of war and calls for international cooperation and disarmament in order to prevent war.
Appleton Charter for the Protection and Enhancement of the Built Environment	1983	ICOMOS Canada	The Appleton Charter of ICOMOS Canada outlines principles for the preservation of the built environment regarding its protection, value, setting, relocation, enhancement, use, additions, and environmental control. The Charter emphasizes management of the urban environment as an important aspect of conservation of cultural heritage. Levels of intervention (preservation, period restoration, rehabilitation, period reconstruction, redevelopment) and scales of intervention (maintenance, stabilization, addition, removal) are described. The charter recommends that interventions consider cultural significance, condition and integrity of the fabric, contextual value, and the appropriate use of available physical, social, and economic resources. It calls for public participation in the decision-making process. The

			Charter also includes principles of practice, among which is a recommendation regarding patina, which seen as part of the historical integrity of the built environment.
Declaration of Rome	1983	ICOMOS Symposia	The Declaration of Rome acknowledges the challenges to the conservation of cultural property in Italy, including: political and socio-economic reasons an unclear relationship between theory and practice in conservation lack of coordination between government agencies and organizations insufficiently qualified persons charged with architectural conservation are two major problems. It recommends that the different bodies concerned with conservation improve coordination at all levels and confirms the importance of specialized training by those employed to carry out restoration work. The Declaration supports the strengthening of international organizations, such as the International Centre for the Study of Preservation and the Restoration of Cultural Property (ICCROM), responsible for education and training.
Convention for the Protection of the Architectural Heritage of Europe	1985	Council of Europe	The Convention signed in Granada outlines legislative measures and protections to safeguard the cultural heritage of the European states as well as conservation policies to protect the architectural heritage. Among the recommended measures are: conservation of the architectural heritage as a component of town planning, adaptive reuse of buildings, training in traditional crafts involved in conservation and restoration, limiting public access as a conservation measure, public awareness and educational programs and support for training, and technical assistance and exchange of information. Parties to the document agree to exchange information and coordinate conservation policies.
First Brazilian Seminar About the Preservation and Revitalization of Historic Centers	1987	ICOMOS Brazil	The document sees urban historical sites are dynamic, socially created entities that are "part of a wider totality, comprising the natural and the built environment and the everyday living experience of their dwellers." Preservation of historic centers should therefore be central to urban planning. The document discourages the imposition of severe use restrictions; rather, traditional residence and work should continue in the historic built environment. It encourages the development of inventories, community participation, and various legal mechanisms to protect historic centers. Finally the document stresses that the social value of historic centers must take precedence over economic value.
The Washington Charter: Charter on the	1987	ICOMOS General Assembly	This Charter, adopted by the ICOMOS General Assembly in 1987, establishes the principles and guidelines for the protection and conservation of historic towns. The Charter seeks to complement the

Conservation of Historic Towns and Urban Areas			Venice Charter, whose emphasis is on the individual monument. It addresses such issues as: integration of preservation objectives into planning policies; qualities of historic towns that should be preserved; participation of residents in the preservation process; and the social and economic aspects of historic town preservation.
Charter for the Protection and Management of the Archaeological Heritage	1990	ICOMOS International Committee on Archaeological Heritage Management (ICAHM)	The ICAHM Charter, inspired by the success of the Venice Charter, was created in response to the increasing threats to archaeological sites worldwide, especially from looting and land development. The Charter attempts to establish principles and guidelines of archaeological heritage management that are globally valid and can be adapted to national policies and conditions. The Charter encourages legislation to protect the archaeological heritage, based on inventories and general surveys of the resources. It lays out general principles for investigation, maintenance, and conservation as well as reconstruction of architectural heritage. It also notes the role of high academic and professional standards in relevant fields of expertise and the need for international cooperation.
Charter for the Conservation of Places of Cultural Heritage Value	1992	ICOMOS New Zealand	This charter establishes principles to guide owners, authorities, tradespersons and professionals in conserving places of cultural heritage value in New Zealand, where the Treaty of Waitangi recognizes the indigenous Maori and Moriori as exercising responsibility beyond current legal ownership for their treasures, monuments and sacred places. The charter sets forth general principles and calls for conservation methods that show the greatest respect for, and involve the least possible loss of, material of cultural heritage value. It also outlines conservation processes and provides a list of definitions of conservation terms.
European Convention for the Protection of the Archaeological Heritage of Europe (Revised)	1992	Council of Europe	The revised European Convention on the Protection of the Archaeological Heritage reflects an evolution in attitudes towards the protection of the archaeological heritage and echoes many of the principles that are included in the ICOMOS Charter for the Protection and Management of the Archaeological Heritage of 1990. The Convention defines the archaeological heritage and identifies measures for its protection including the creation of inventories for sites and monuments and the creation of archaeological reserves. The Convention addresses the prevention of illicit excavation and trade of the archaeological heritage. It also recommends the integration of conservation with planning and development, calls for financing of archaeological research and conservation, and the collection and dissemination of information regarding the archaeological heritage. It recommends efforts to promote public awareness and suggests mutual technical and scientific assistance through pooling of expertise and exchanges of experts.
The Fez Charter	1993	Organization of World Heritage Cities	The Fez Charter was adopted at the Founding General Assembly of the Organization of World Heritage Cities in 1993. The document recognizes the important role that cities play as cultural centers and

		(OWHC)	exemplars of human achievement. The Charter recognizes the fragility of cities and the forces of change at work in them. It notes the importance of cooperation on the part of residents, modern and efficient management techniques, and adequate financial resources if cities are to be protected. Parties to the Charter agree to cooperate for the welfare of the citizens of World Heritage Cities and to improve support for conservation in World Heritage Cities through research, training, and exchange
Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites	1993	ICOMOS	The ICOMOS General Assembly adopted these guidelines in an effort to develop standards and guidelines for education and training in the conservation of monuments, groups of buildings (ensembles), and sites. The guidelines emphasize that conservation work should be entrusted to persons who are competent to perform the work and describe the skill set conservators should be expected to have as a result of their education and training. These include the ability to: identify the use and significance of a monument, ensemble, or site; understand the setting of the monument or site in relation to its surroundings; diagnose causes of decay as a basis for appropriate decay; communicate with non-specialists; know and apply the principles of international conventions and recommendations; make ethical conservation judgements that ensure the long-term welfare of the cultural heritage; recognize when advice of specialists is needed; and provide expert advice on maintenance and management strategies. The guidelines also address the training of craftspersons in conservation, the recording and revival of historic skills, the development of a regional center for education and training, international exchanges of teachers, and regular peer review of training programs. Finally, the guidelines outline the resources that should be available to support specialist courses. Because documentation is key to the conservation of cultural heritage, the guidelines also recommend that countries have an institute for research and archive for recording its cultural heritage and all related conservation works.
UN General Assembly Resolution (A/RES/48/15) on the Return or Restitution of Cultural Property to the Countries of Origin	1993	UN General Assembly	The Resolution supports international cooperation and efforts of international organizations to ensure the restitution or return of cultural property. It recommends: strengthening existing legislation for the protection of cultural property, requiring archaeologists to provide photographic documentation of objects discovered in the course of excavations, continued efforts in cooperation with UNESCO in the development of inventories of cultural property, and greater public awareness regarding restitution and return of cultural property. It encourages cooperation with the Intergovernmental Committee for Promoting the Return of Cultural

			Property to Its Country of Origin or Its Restitution in Case of Illicit Appropriation
The Nara Document on Authenticity	1994	ICOMOS Symposia	In recent years, authenticity has become a central concern in the conservation of cultural heritage. The Nara Document builds on the Venice Charter in light of an expanding scope of cultural heritage concerns. It addresses the need for a broader understanding of cultural diversity and cultural heritage as it relates to the conservation. The document underscores the importance of considering the cultural and social values of all societies. It emphasizes respect for other cultures, other values, and the tangible and intangible expressions that form part of the heritage of every culture. There are no fixed criteria to judge value and authenticity of cultural property; rather it must be evaluated within the cultural context to which it belongs. Though responsibility for the care and management of heritage belongs primarily to the culture that produced it, the document calls for adherence to the principles and responsibilities imposed by international charters.
Resolution on Information as an Instrument for Protection against War Damages to the Cultural Heritage	1994	UNESCO/ICOMOS	Responding to increased and deliberate destruction of important monuments and other cultural property during armed conflicts, the Resolution asserts that deliberate war damage should be charged as a war crime under the Hague Convention of 1954. Although knowledge of cultural heritage can facilitate the deliberate targeting during conflict, nonetheless attempts to increase mutual understanding between cultures should continue. The Resolution calls for: the protection of cultural heritage to be part of any UN Peace-Keeping mission, heritage monitors to be appointed to such task forces, and UN military personnel to be trained regarding conventions for the protection of cultural property. The Resolution notes that few nations have registered their most valuable cultural assetsand encourages to do so. The Resolution supports a number of initiatives, including: a review of the 1954 Hague Convention, a fund for cultural heritage at risk, school programs to educate about the conservation of cultural heritage, and training for journalists and other members of the media regarding provision of the Hague Convention and the World Heritage Convention.
Bergen Protocol on Communications and Relations among Cities of the Organization of World Heritage Cities	1995	Organization of World Heritage Cities (OWHC)	The Protocol is the result of the Second General Assembly of the OWHC. It reiterates the aim of identifying tools for the responsible management of historic urban areas, sharing information on dealing with problems of tourism, pollution, fires, and natural disasters through publication of a newsletter or exchanges of specialist. It invites other international organizations concerned with the care of cultural heritage to participate in OWHC projects. The document also includes commitments for cooperative projects with OWHC from UNESCO, the Council of Europe, ICCROM (International Centre for the Study of the Preservation and Restoration of Cultural Property), and ICOMOS. OWHC is also included in a Blue

			Shield disaster preparedness initiative
Charter for Sustainable Tourism	1995	World Conference on Sustainable Tourism	The Charter is the result of the World Conference on Sustainable Tourism. It acknowledges that while tourism can be a positive force for socio-economic development and cultural interchange, it can also have negative consequences for communities. It calls for planning and management of tourism that conserves and protects the natural and cultural heritage. The Charter also calls for tourism to be ecologically bearable, economically viable, socially equitable for local communities, and sustainable for the future. With regard to the cultural heritage, the Charter calls for tourism to consider its effect on both the cultural heritage and the traditions of the local community. The Charter recommends special assistance for environmentally and culturally vulnerable areas and for areas that have been degraded as a result of high impact tourism.
Secretary of the Interior's Standards for the Treatment of Historic Properties	1995	United States National Park Service	This document sets forth in nontechnical language common-sense standards to be applied to all properties listed in the National Register of Historic buildings. The standards cover four distinct approaches to treatment of historic properties: preservation—focusing on maintenance and repair; rehabilitation—adapting the property to changing use while retaining its historic character; restoration—depicting the property at a particular period in its history; and, reconstruction—recreating vanished portions of a property for interpretive purposes. The document also sets forth standards for choosing a suitable treatment for a historic building or landscape.
Charter for the Protection and Management of the Underwater Cultural Heritage	1996	Adopted by the ICOMOS General Assembly	The Charter addresses the conservation needs of underwater cultural property; it is intended to supplement the ICOMOS Charter for the Protection and Management of Archaeological Heritage of 1990. The Charter outlines fundamental principles for the conservation of the underwater heritage and discusses issues of funding, research objectives, qualifications of the team members, investigation, documentation, material conservation, management and maintenance of the site, and dissemination of information about the underwater heritage. Preservation *in situ* is given first preference. The Charter stresses that archaeological material must be treated during the investigation as well as during transit and over the long term. It encourages international cooperation and exchange of specialists to facilitate and improve research and investigations of the underwater heritage. It also encourages dissemination of information to the public regarding the significance of the underwater heritage and coordination and communication with concerned communities regarding proposed investigations
Declaration of Valencia	1996	Forum UNESCO	The Declaration outlines the objectives of Forum UNESCO: University and Heritage, a network of universities concerned with the protection of cultural heritage and the role of universities in supporting

			efforts to conserve cultural heritage. The network encourages the teaching of cultural heritage, cooperation and exchange between universities, and the mobilization of human and technical resources for the protection of cultural heritage. The Declaration recommends that theoretical knowledge be supplemented by practical experience and encourages the development of mutual understanding between students through exchange programs.
Declaration of San Antonio	1996	ICOMOS Symposia	The Declaration of San Antonio was the result of a symposium held in Texas in 1996 on the subject of authenticity in the conservation and management of the cultural heritage of the Americas. The document is a regional response to a larger international debate on the nature of authenticity and conservation. The San Antonio Declaration sees a direct connection between authenticity and identity: cultural identity is the foundation of the cultural heritage of the Americas and its conservation. Understanding of the history, significance, and values associated with a site is important to identifying authenticity. The Declaration considers only the original, historic fabric to be authentic. Thus it is important to understand the social value of the site not just the significance of the physical fabric. The Declaration makes a distinction between dynamic sites, where material changes may be acceptable as part of an ongoing evolution of the site, and static sites, where the physical fabric is felt to require the highest level of conservation and alterations should be minimized. The Declaration contains a number of recommendations concerning architecture and urbanism, archaeological sites, and cultural landscapes.
Declaration of Quebec	1997	Forum UNESCO	The Declaration of Quebec was the result of the Second International Seminar of Forum UNESCO. It reaffirms the participants' readiness to implement the principles of the international University and Heritage network; requests that the University of Laval in Quebec establish a UNESCO Chair in Heritage; and asks that the UNESCO General Director support the development and coordination of the network.
Document of Pavia	1997	Associazione Secco Suardo	The Document of Pavia is the result of a European effort to develop standards for the education and training of conservators/restorers. It encourages the European Union and specialists in the field to promote the field of conservation-restoration, recommends interdisciplinary exchange with other disciplines, and the definition of professional competencies of the conservator-restorer for Europe. In terms of the training conservators-restorers receive, the document recommends: a balancing of theoretical and practical knowledge, the teaching of communication strategies, the establishment of cooperative exchange programs among training institutions, and the promotion of research in conservation-restoration. Publication of a multilingual glossary of conceptual definitions is recommended. The Document also encourages the establishment of a regulatory framework to ensure the quality of conservation-restoration interventions; this should include qualifications of team members and development of specifications for

			projects. The establishment of the European Network for Conservation/Restoration Education (ENCoRE) furthers this effort.
Evora Appeal	1997	Organization of World Heritage Cities	The Evora Appeal addresses the threats and benefits of cultural tourism in historic areas. The participants endorse the concept of sustainable tourism as it was adopted in the Charter of the World Conference on Sustainable Tourism of 1995. The Evora Appeal calls on all concerned parties to promote a number of objectives in the development and management of tourism related activity, which include: ensuring the quality of life and respect for the cultural identity of residents; encouraging regional, national and municipal authorities to work together to develop fiscal and legislative guidelines that ensure job creation and the development of tourism; and encouraging tourism industries to develop a World Fund be aimed at analyzing the impact of tourism on historic monuments and sites and the possible damage to World Heritage Cities.
Declaration of Melbourne	1998	Forum UNESCO	The third international seminar of Forum UNESCO was held at Deakin University in Melbourne, Australia. The resulting declaration reiterates the objectives of the international network of universities that have programs related to tangible and intangible heritage and outlines commitments to expand the network. These include strengthening training of university students, sharing and exchanging knowledge and skills, increasing public awareness of the importance of cultural heritage, and strengthening cooperation with organizations responsible for cultural heritage including ICOMOS, the International Council of Museums, and the World Monuments Fund. The Declaration also recommends that teaching programs include cultural heritage law in their curriculum and strengthen international cooperation through training programs, scholarship and fellowships. Deakin University also declares its intention to establish a regional center for international conservation of cultural heritage.
The Burra Charter: The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (revised)	1999	Australia ICOMOS	The Burra Charter is a national charter that establishes principles for the management and conservation of cultural sites in Australia. The Charter is particularly significant for its definition of cultural significance and the standards it outlines for using cultural significance to manage and conserve cultural sites. It provides an example of how international principles can be adapted to the values and needs of a particular nation or particular cultural groups within that nation.
Charter on the Built Vernacular Heritage	1999	CIAV (International Committee for Vernacular Architecture) and ICOMOS	Recognizing that the forces of globalization have made vernacular architecture—traditional and natural community housing—extremely vulnerable, this charter on the built vernacular heritage outlines issues and principles for conservation. In addition, it sets forth guidelines for conservation practice, including research and documentation, preserving traditional craft and building skills, adaptive re-use, and the need for training to educate conservators and communities

International Wood Committee Charter: Principles for the Preservation of Historic Timber Buildings	1999	ICOMOS	This document defines basic principles and practices for the protection and preservation of historic timber structures. It calls attention to the diversity and scarcity of historic timber structures and their vulnerability to material decay and degradation, and makes recommendations in seven areas: inspection, recording, and documentation of materials, skills, and technologies should be performed; monitoring and maintenance should be conducted on a regular basis; interventions should follow traditional means, be reversible or not impede future preservation, and not hinder future access to evidence in the structure or site; repair and replacement materials, craftsmanship and construction technology should, where possible, correspond with those used originally; historic forest reserves should be established as source of appropriate timber for preservation and repair of historic structures; contemporary materials and technologies should be used with the greatest caution and only where there is assured benefit; education and training are essential to a sustainable preservation and development policy.
International Cultural Tourism Charter: Managing Tourism at Places of Heritage Significance	1999	ICOMOS	The objectives of this charter are to promote and manage tourism in ways that respect and enhance the heritage and living cultures of the host communities, and to encourage a dialogue between conservation interests and the tourism industry. It outlines six principles of cultural tourism: conservation should provide well-managed opportunities for tourists and members of the host community to experience and understand the local heritage and culture at first hand; the relationship between heritage places and tourism is dynamic and should be managed in a sustainable way for present and future generations; conservation and tourism planning should create a visitor experience that is enjoyable, respectful, and educational; host communities and indigenous people should be involved in planning for conservation and tourism; tourism and conservation activities should benefit the host community, improving development and encouraging local employment; tourism programs should protect and enhance natural and cultural heritage characteristics
Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the	1999	UNESCO	The Second Protocol is intended to supplement the provisions of the original 1954 Hague Convention and to reinforce its implementation. It contains general provisions for the safeguarding of cultural property that include taking preparatory measures in times of peace, fostering respect for cultural property, and employing precautionary measures in times of conflict. The Convention also calls for provisions

Event of Armed Conflict			enhanced protection status for cultural heritage property and immunity granted under such status. It describes the circumstances under which enhanced protection status can be lost, suspended or cancelled. The Convention also outlines criminal responsibility and jurisdictional procedures in the event of violations. It specifically addresses the protection of cultural property in the event of domestic, national armed conflicts. The Convention calls for informational and educational programs to foster appreciation and respect for cultural property. Finally, the Convention establishes the Committee for the Protection of Cultural Property in the Event of Armed Conflict which is to develop guidelines for implementation and be responsible for the granting and rescinding of enhanced protection status. A Fund for the Protection of Cultural Property in the Event of Armed Conflict is also established.
European Convention on Landscape	2000	Council of Europe	The Convention sets forth the principles and guidelines for the preservation of landscapes. It defines landscapes as areas "whose character is the result of the interaction of natural and/or human factors." It recognizes the contributions that landscapes have on the formation of local cultures, including those that may be considered degraded. The Convention contains a general outline for the safeguarding of landscapes that includes increasing awareness of their value, promoting multidisciplinary training programs, and assessing the landscapes identified. It also calls for the introduction of instruments aimed at protecting, managing, and/or planning the landscape. Finally, the Convention encourages cooperation among member States, including the exchange of information and the creation of joint landscape programs
Convention on the Protection of Underwater Cultural Heritage	2001	UNESCO	The Convention sets out the principles and guidelines that States must follow in the safeguarding of underwater cultural heritage. It defines underwater cultural heritage "as all traces of human existence having, historical or archaeological character" which are discovered under water. The Convention emphasizes the preservation in situ of underwater cultural heritage, as well as non-intrusive methods of documentation of said culture for the education of the public. It also states that any activities directed at underwater cultural heritage must avoid the disturbance of human remains or venerated sites. Furthermore, the Convention strictly prohibits the commercial exploitation of underwater cultural heritage
Convention for the Safeguarding of Intangible Cultural Heritage	2003	UNESCO	The Convention, building on the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore, establishes the necessary measures that States should take in the safeguarding of Intangible Cultural Heritage (ICH). The Convention defines the nature and forms of ICH—oral traditions, expressions, language, performing arts, social practices, rituals, festive events, traditional craftsmanship, and knowledge and practices concerning nature and the universe—and recommends ways to preserve them. Noting the threat that globalization and social transformation pose to ICH, safeguarding measures include: identification and documentation of traditions;

			research; preservation, protection, and promotion; transmission, particularly through formal and non-formal education; and revitalization of the various aspects of such heritage. The Convention also creates the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage and establishes a fund for financial assistance
Ename Charter	2009	ICOMOS	Building on the Venice Charter, the Ename Charter seeks to establish guidelines for the interpretation of cultural heritage sites. It emphasizes the role of public communication and education in heritage preservation. The Charter identifies heritage sites and the intangible elements associated with the site as a resource for learning from the past. Therefore, interpretive programs must distinguish and recognize the phases in the site's evolution in order to respect their authenticity. The Charter also emphasizes the inclusion of all stakeholders in the interpretation of a site and acknowledges that in some circumstances, a community may opt to not have a site publicly interpreted.

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האמנה התרבותית האירופית 1954

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צ'רטר ונציה לשימור מונומנטים ואתרים ולשחזורם. 1964

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צ'רטר אירופי למורשת ארכיטקטונית 1975

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החלטות הסימפוזיון לשימור ערים היסטוריות קטנות 1975

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המלצה להגנה על אזורים היסטוריים ולתפקידם הנוכחי 1976

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צ'רטר אניים (טיוטא) 2004

תקצירי אמנות, צ'רטרים והמלצות בינ"ל בשימור*

התקצירים המאורגנים בסדר כרונולוגי עולה. נלקחו מאתר האינטרנט של מכון גטי לשימור ותורגמו ע"י הוועד הישראלי לאונסקו

שם המסמך	שנה	הארגון האחראי	יעדים
המניפסט של החברה להגנה על מבנים עתיקים SPAB	1877	החברה להגנה על מבנים עתיקים בממלכה המאוחדת(UK)	עקרונותיה של החברה להגנה על מבנים עתיקים מבטאים את האידיאל של שחזור מבנים עתיקים : "הגנה על המבנים העתיקים שלנו והנחלתם באופן מאלף ומכובד לדורות הבאים". המניפסט - א. מתמקד במאבק כנגד מאמצי שחזור חסרי מחשבה והרסניים המותירים את המבנים כ"זיוף רעוע וחסר חיים". ב. ממליץ להגן ולא לשחזר וגם להימנע מהתעסקות בחומר או בקישוטים של המבנה כפי שהוא. ג. דוגל בעצירת ההתנוונות באמצעות טיפול יום-יומי".
המלצות מדריד	1904	הקונגרס הבינלאומי השישי של ארכיטקטים	המלצות מדריד מהוות ניסיון מוקדם לקבוע עקרונות לשימור ארכיטקטוני. ההמלצות מדגישות את: א. חשיבות ההתערבות המינימאלית בעת הטיפול במבנים הרוסים ב. מציאת שימוש פונקציונאלי למבנים היסטוריים. ג. העיקרון של האחדות הסגנונית, המעודד שחזור בסגנון אחד בלבד.

שם המסמך	שנה	הארגון האחראי	יעדים
מסקנות אתונה	1931	הקונגרס הבינלאומי הראשון של ארכיטקטים וטכנאים של מונומנטים היסטוריים	המסמך מציג מושגים ועקרונות חשובים בנושא השחזור של מונומנטים ומבנים היסטוריים לשימור: א.הרעיון של מורשת עולמית משותפת, ב. חשיבות הקמתם של מונומנטים ג.עיקרון השילוב של חומרים חדשים. ד.הטמנה חוזרת של שרידים ארכיאולוגיים כאשר אין ערובה שיתבצע שימור.
צ'רטר אתונה	1933	הקונגרס הבינלאומי ה-6 לארכיטקטורה מודרנית "העיר הפונקציונאלית"	הצ'רטר מתמקד: א.בעיור ובחשיבותו של התכנון במסגרות הפיתוח העירוניות. ב.מתייחס למקבץ של מבנים עירוניים תחת הגדרת המורשת הבנויה ג.מדגיש את ערכה הרוחני, התרבותי והכלכלי של המורשת האדריכלית. ד.ממליץ להרוס את שכונות העוני בעיר וליצור במקומן "שטחים ירוקים" ה. שולל פוטנציאל כלשהו לערך מורשתי באזורים כאלה. ו.מגנה את השימוש בסגנונות מועתקים במבנים חדשים באזורים היסטוריים.

שם המסמך	שנה	הארגון האחראי	יעדים
אמנת האג להגנה על נכסי התרבות בסכסוך מזוין	1954	אונסקו	האמנה שואפת: א. להבטיח שנכסי התרבות, נייחים וניידים, יישמרו ויכובדו כמורשת משותפת של האנושות ב. מעודדת את הצדדים למנוע גניבה ומעשי חבלה בנכסי התרבות ג. מציעה סמל בולט בצורת מגן כחול-לבן לזיהוי נכסי תרבות מוגנים. כמו באמנת השלום של רוריך, ד. קוראת להגן על נכסי התרבות ועל מוסדות התרבות בעת עימותים מזוינים בין מדינות או בין קבוצות בתוך אותה מדינה, כל עוד הם אינם משמשים למטרות צבאיות. ה. קוראת להעניק הגנה מיוחדת לאותם נכסים הרשומים ב"מרשם הבינלאומי לנכסי תרבות המוגנים באופן מיוחד".
האמנה התרבותית האירופית	1954	מועצת אירופה	האמנה: א. מקדמת שיתוף פעולה בין האומות באירופה על מנת להבטיח את נכסי התרבות ולחקור את התרבות האירופית ולקדמה. ב. מגדירה נכסי תרבות של הצדדים השותפים לאמנה כחלק מהמורשת התרבותית המשותפת של אירופה. ג. מדגישה את היות האומה מגינתה של המורשת, לא רק של עמה-שלה אלא אף של הקהילה בכללותה. ד. מעודדת חילופין בין אנשים ובין חפצי תרבות ה. מקדמת הנגישות למשאבים התרבותיים. ו. קוראת למדינות שאינן חברות במועצת אירופה להשתתף באמנה.

שם המסמך	שנה	הארגון האחראי	יעדים
המלצה לעקרונות בינלאומיים לחפירות ארכיאולוגיות	1956	אונסקו	המסמך מבסס עקרונות בינלאומיים לגבי ההגנה על אתרים ארכיאולוגיים והחפירות בהם.ו ממליץ למדינות החברות: א.לבצע מחקר ארכיאולוגי וחפירות בכפוף להיתר מראש. ב.לקשור את עבודות הבטיחות, התחזוקה והשימור באתרים ובחפצים הקשורים אליהם כחלק מההיתר לחפור. ג.לחייב כל אדם שמגלה שרידים ארכיאולוגיים להודיע על כך לרשות המוסמכת. ד.להקים מינהל ארכיאולוגי לאומי שיתעד את הפעילות ואת הממצאים. ה.להקדיש מאמצים חינוכיים לקידום תחושת הכבוד כלפי השרידים מהעבר. ו.לפקח על השחזור של שרידים ארכיאולוגיים ולאסור הוצאת מונומנטים מהשטח בלי הסכמה. ההמלצה אינה מחייבת מבחינה חוקית אך שימשה ,לעיתים קרובות, מדינות כמודל לאומי לתחיקה בנושא חפירות ארכיאולוגיות.

שם המסמך	שנה	הארגון האחראי	יעדים
המלצה להבטחת השמירה על יופיים ואופיים של נופים ואתרים	1962	אונסקו	ההמלצה נועדה להתווסף לצעדים הקיימים להגנה על הטבע, א.מכירה בערך האסתטי, התרבותי, הרוחני והמדעי החשוב של נופים ובאיום הנשקף להם בשל פיתוח שאינו מפוקח כיאות. ב. עוסקת בנופים ואתרים טבעיים ומעשי-ידי-אדם, ובכלל זה נופים עירוניים המאוימים ע"י פיתוח ובייחוד אזורים סביב מונומנטים. ג. מעודדת שימוש הן בצעדי מנע והן בצעדים מתקנים ד.מדגישה את חשיבותם של התכנון ושל המחשבה ארוכת-הטווח הן העירוניים והן הכפריים בהבטחת שלמותם של נופים מפני פיתוח של תשתיות, בירוא יערות, זיהום, פירסום, עיצוב מבנים ואיומים מוכרים אחרים. ה. ממליצה על פעולה חינוכית (בבתי הספר ומחוצה להם) להגברת המודעות הציבורית לנופים ולאתרים ואת הכבוד כלפיהם. ו. מדגישה את חשיבות הכשרת מורים, ומעורבות התקשורת ותמיכה הממשלתית בפעילויות החינוכיות.
צ'רטר ונציה לשימור מונומנטים ואתרים ולשחזורם.	1964	המועצה הבינלאומית לאתרים ומונומנטים (ICOMOS) הקונגרס הבינלאומי השני של ארכיטקטים וטכנאים של מבנים היסטוריים	צ'רטר ונציה קובע סטנדרטים מבחינה בינלאומית לנוהלי שימור הנוגעים לארכיטקטורה ולאתרים.: א. עקרונות לשימור המבוססים על מושג האותנטיות ב. חשיבות השמירה על ההקשר ההיסטורי והפיסי של אתר או מבנה מסוימים. ג. קובעת שיש לשמר מונומנטים לא רק כיצירות אמנות אלא גם כעדות היסטורית ד. קובעת גם את עקרונות השימור, הקשורים לשחזור מבנים שיש בהם עבודות מתקופות שונות.

שם המסמך	שנה	הארגון האחראי	יעדים
המלצה לאמצעים לאסור ולמנוע יבוא, יצוא והעברה בלתי חוקיים של בעלות על נכסי תרבות	1964	אונסקו ו	ההמלצה מציעה שמדינות אונסקו: א. יכינו רשימות מלאי לאומיות של נכסי התרבות, הן אלה המוחזקים בבעלות ציבורית והן אלה שבבעלות פרטית. ב. יקימו רשות לאומית כדי להגן מפני יצוא לא-חוקי של נכסי תרבות ולפתח תהליכי אישור ליצוא.
הנורמות של קיטו:	1967	דו"ח על שימור מונומנטים ואתרים בעלי ערך אמנותי והיסטורי והשימוש בהם (ICOMOS)	מסמך זה מכיר במספרם הרב של המונומנטים והאתרים המרכיבים את המורשת ההיסטורית ביבשות אמריקה ועוסק בנושאים חשובים של שימור, כגון: א.ההשפעה הסביבתית של הפיתוח המואץ, ב.שמירה על רבעים היסטוריים ושילובם באזורים עירוניים, ג.פישור בין הדרישות המנוגדות - צמיחה עירונית והגנה על הסביבה, ד.ערכה הכלכלי של המורשת, ה.תיירות תרבותית. המסמך קורא וממליץ : א. לקדם את השימוש במורשת ההיסטורית ואת ערכה. ב. לפעול ברמה הלאומית וברמות האזוריות. ג. מציע צעדים טכניים ומשפטיים לשמירה על מונומנטים ואתרים, ובהם הקמה של אזורים מוגנים והענקת פטור ממס למבנים היסטוריים שישוחזרו באופן פרטי. ד. הדאגה למורשת ההיסטורית עולה בהקשר של הפיתוח ושל הגידול העירוני שמדינות רבות באמריקה הלטינית מתמודדות עימו.

שם המסמך	שנה	הארגון האחראי	יעדים
האמנה להגנה על המורשת התרבותית והטבעית העולמית	1972	אונסקו	האמנה למורשת עולמית מגדירה את הערך האוניברסלי של המורשת התרבותית שייכללו ברשימת אתרי המורשת העולמית ומזמינה את מדינות אונסקו: א. להגיש רשימה טנטטיבת של אתרי המורשת התרבותית והטבעית שלהן, ב. להשקיע מאמצים לאומיים להגנה על המורשת התרבותית והטבעית ג. לקדם ההכרה ואת שיתוף הפעולה הבינלאומיים כדי להבטיח את המורשת העולמית. האמנה מגדירה הנחיות לפעולה לצורך יישומה. המתווים את הקריטריונים הנחוצים בתהליך ההכרזה
המלצה להגנה, ברמה הלאומית, על המורשת התרבותית והטבעית	1972	אונסקו	ההמלצה קוראת למדינות אונסקו : א.לנסח, לפתח וליישם קווי מדיניות להגנה, לשימור ולתצוגה של המורשת התרבותית והטבעית שלהן. ב. מדגישה את אחריותן של המדינות להגן על המורשת שלהן בעבור אזרחיהן ובעבור האנושות כולה. ג. ממליצה להגדיל את המשאבים הפיננסיים להגנה על המורשת התרבותית והטבעית ולשמירתה ד.מציעה לנקוט בצעדים מדעיים, טכניים, אדמיניסטרטיביים, חוקיים, פיננסיים, חינוכיים וציבוריים. ה. ממליצה על תחומים לשיתוף פעולה בינלאומי

שם המסמך	שנה	הארגון האחראי	יעדים
החלטות הסימפוזיון לשילובה של ארכיטקטורה בת-זמננו בקבוצות של מבנים עתיקים	1972	ICOMOS	החלטות הסימפוזיון קראו: א.להתייחס.למרקם הקיים של מבנים עתיקים כמסגרת לפיתוח נוסף ולתכנון עירוני. ב.לשלב את הארכיטקטורה בת-זמננו בקבוצות של מבנים עתיקים מבלי להשפיע על התכונות המבניות והאסתטיות של המבנים העתיקים. ג.להימנע מחיקויים המשפיעים על הערך האמנותי וההיסטורי. כשהאותנטיות נחשבת לקריטריון הבסיסי ד.לעודד החייאת מבנים עתיקים באמצעות שימוש מחודש בהם כל עוד אין פוגעים בשלמות המבנית שלהם ובאופיים.
צ'רטר אירופי למורשת ארכיטקטונית	1975	מועצת אירופה	הצ'רטר נועד : א.לפתח מדיניות אירופית משותפת להגנה על המורשת הארכיטקטונית. ב. להגדיר את אופייה של המורשת הארכיטקטונית האירופית, את חשיבותה לקהילייה האירופית ואת האיומים הנשקפים למורשת זו כתוצאה מבורות, הזנחה והידרדרות, לחצים כלכליים, תנועת כלי רכב, שחזור לא מתאים וספקולציות בנכסים. ג. לאמץ גישה של שימור משולב שתכלול את המרכיבים הבאים: טכניקות שחזור רגישות, שימוש יעיל בחוק ובתקנות, ד. ליצור תמיכה אדמיניסטרטיבית הולמת ותמיכה טכנית ופיננסית מתאימה (ובכלל זה תמריצי מס). ה.לעודד פיתוח והכשרה כוח-אדם וטיפוח של האומנויות המסורתיות. ו.להביא לשיתוף פעולה עם הציבור ו התיאום בין מדינות אירופה מהווים מרכיב חשוב בשימורה של המורשת הארכיטקטונית האירופית.

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת אמסטרדם	1975	מועצת אירופה	ההצהרה מדגישה את : א.תפקידם של התכנון והחינוך ושל הצעדים החוקיים והאדמיניסטרטיביים בהגנה על המורשת הארכיטקטונית של האזור. ב.ה שימור הארכיטקטוני כלחלק אינטגראלי מהתכנון העירוני והאזורי. ג.השימור המשלב מעורבות של רשויות ושל הקהילה ד.הצורך בצעדים תחיקתיים ואדמיניסטרטיביים חדשים ותמיכה פיננסית הולמת בשימור. ה.חשיבות שיטות השיווק, של הטכניקות ושל כישורי השימור והשיקום. ו. הצורך בתוכניות הכשרה טובות יותר וממליצה על החלפת מידע, ניסיון ומשתלמים בין המדינות. ז.תפקיד הרשויות לקדם את העניין בשימור בקרב הצעירים כדיסציפלינה אפשרית. ח.חשיבותן של התוכניות החינוכיות לבני הנוער ולציבור כדי לפתח הערכה כלפי המורשת הארכיטקטונית של אירופה.
החלטות הסימפוזיון לשימור ערים היסטוריות קטנות	1975	ICOMOS	ההחלטות מזהות : א.כמה מהתכונות האופייניות לערים היסטוריות קטנות ולמבנה ההתיישבותי שלהן ב.האיומים. והבעיות הניצבות בפניהן : ירידה בפעילות כלכלית, הזנחת המרכז ההיסטורי,. הגירה עירונית מהירה המהווה מקור לדאגה מיוחדת בשימור ערים היסטוריות קטנות במדינות מתפתחות. כדי להילחם נגד אלמנטים אלה, ההחלטות מציעות אסטרטגיות של שימור עירוני: ג.תכנון יעיל, ד.מדיניות כלכלית שתמנע התפוררות או הזנחה של המרקם ההיסטורי של ערים אלה, ה.הקניית תחושה של גאווה בקרב תושבי הערים כלפי הסביבה ההיסטורית. ו. שתוף בין יזמות פרטיות ומקומיות תוך מעורבות של הרשויות המקומיות (תחיקה מקומית למניעת ספקולציות בנכסים.)

שם המסמך	שנה	הארגון האחראי	יעדים
תיירות תרבותית	1976	ICOMOS	המסמך עוסק בנושא תיירות והומאניות הוא מתווה גישה : א. כלפי תיירות תרבותית שמזהה אתרים ומונומנטים כמקור לתועלת כלכלית ולחינוך תרבותי. ב המעודדת חינוך לתיירים באשר לערכם של המונומנטים ג. להכשרה ,לפיתוח וליישום של המוצר התיירותי באתרי מורשת.
המלצה להגנה על אזורים היסטוריים ולתפקידם הנוכחי	1976	אונסקו	ההמלצה מכירה א.בחשיבותם של מבנים, מרכיבים מרחביים וסביבה לאזורים ההיסטוריים ב.שהרס אזורים היסטוריים עשוי להביא להפסד כלכלי ולאי-שקט חברתי. ג. בהגנה על אזורים היסטוריים מפני נזקים הנובעים משינויים חסרי רגישות הפוגעים באותנטיות שלהם.
צ'רטר פירנצה: לגנים היסטוריים	1982	ICOMOS הפדראציה הבינלאומית לספריות(IFLA), הוועדה הבינלאומית לגנים היסטוריים	צר'טר פירנצה אומץ כתוספת לאמנת ונציה א. קובע את העקרונות והקווים המנחים לשימור גנים היסטוריים ב. מגדיר גנים היסטוריים כיצירות ארכיטקטוניות ג. ממליץ על שימורם כמונומנטים חיים. ד. מתווה אסטרטגיות לתחזוקה, שימור, שיקום ושחזור של גנים, ובכלל זה הצמחים, הצמחייה, המבנה והמאפיינים הקישוטיים שלהם והשימוש שלהם במים. ה.ממליץ על הגבלת שימוש בהם כדי להגן על המרקם של הגנים ועל המסר התרבותי שלהם. ו.עוסק גם בנושאים חוקיים ואדמיניסטרטיביים.

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר דשמבול לשימור המורשת של קוויבק	1982	ICOMOS קנדה	צ'רטר דשמבול : א.מגדיר את אופייה המיוחד של המורשת של קוויבק ב.מתווה עקרונות לשימור התרבות החומרית והסביבה הגיאוגרפית והאנושית של קוויבק. ג. מגדיר לא רק את התרבות החומרית אלא גם את ההסתגלות האנושית לתנאים הטבעיים, ד. רואה את נופים התרבות (תוצאת קשרי הגומלין בין בני אדם לטבע) כחלק מהמורשת שיש להגן עליה. ה.מכוון לחזק את מאמצי השימור למניעת הידרדרות והרס של המורשת הלאומית. ו.מעודד אחזקת רשימות מלאי מעודכנות ז.מעודד שימוש במיומנויות מתמחות ח. ממליץ ש"עקרונות ההגנה והפיתוח של המורשת הלאומית חייבים לגבור על כל תוכניות הפיתוח". ט. האזרחים נתפשים כמגנים הראשיים על המורשת.ו נקבעת זכותו של הציבור להשתתף בהחלטות הנוגעות למורשת הלאומית. י. מעודד שימוש מתמשך במורשת בשילוב עם חייה החברתיים והכלכליים של האומה, תוך מתן העדפה לשימוש המסורתי. יא. מעודד הפצת מידע אודות המורשתה התרבותית של קוויבק באמצעות מערכת החינוך ובאמצעים אחרים. יב.מעודד הכשרה של אומנים, טכנאים ואנשי מקצוע.

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת טלקסלה להחייאת ישובים קטנים	1982	הסימפוזיון הבין-אמריקני השלישי לשימור מורשת הבנויה \ ICOMOS מקסיקו	ההצהרה מכירה: א. שישובים קטנים מהווים עדות לתרבותנו ומדגישה את אחריותם של הממשלים המקומיים והארציים לסייע לשמר ולרסן את ההגירה למרכזים העירוניים ב. בזכותן של הקהילות המקומיות להיות מעורבות בהחלטות הנוגעות לערים ולכפרים שבתחומן. ג. מציינת את ההשפעה ההרסנית של אמצעי התקשורת המציגים דפוסי התנהגות וצריכה המנוגדים למסורת. ד. קובעת ששימור הישובים חייב לכלול גם שיפור התנאים של התושבים ה. מעודדת החייאת ושימור הקהילות תוך שפור השירותים הסוציאליים והתשתיות ברגישות והתייחסות לערכים ולמסורות המקומיות ו. קובעת שחומרים מקומיים ושיטות בנייה מסורתיות חיוניים לשימורם של ישובים קטנים. ז. ממליצה על מתן מענקים ממשלתיים להגנה על בתי מגורים בישובים קטנים, כדי להבטיח המשכיות במסורת הבנייה ודיור במחיר השווה לכל נפש. ח. מעודדת את בתי הספר לארכיטקטורה לקיים קורסים בשימור המורשת הארכיטקטונית המקומית ובטכניקות בנייה מסורתיות.

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת דרזדן	1982	ICOMOS	הצהרת דרזדן : א. עוסקת בשיקומם של מונומנטים שנהרסו במלחמה. ב. קוראת לתעד מונומנטים כאמצעי להבטיח את ההגנה עליהם בזמן סכסוך ג. מציינת את הסיבות ואת הטכניקות לשיקום ד. מעלה את החשיבות של החלפת מידע בין אומות על מנת להבטיח שמורשת זו תזכה להערכה ולהגנה. ה. תומכת בהמלצות אונסקו ושל ICOMOS בנושא של מניעת מלחמה ו. קוראת לשיתוף פעולה בינלאומי ולפירוק נשק כדי למנוע מלחמה.

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר אפלטון להגנה על הסביבה הבנויה ולקידומה	1983	ICOMOS קנדה	צרטר אפלטון מתווה עקרונות לשימור הסביבה הבנויה א. להגנה עליה, להערכתה, למכירתה, להעתקתה, לביצוע שיפורים בה, לשימוש בה, לתוספות ולשליטה הסביבתית בה ב. לניהול הסביבה העירונית כהיבט חשוב בשימורה של המורשת התרבותית. ג. מתאר רמות של : התערבות - שימור, שחזור תקופתי, שיקום, בנייה מחודשת תקופתית, פיתוח מחדש היקפים של התערבות - תחזוקה, ייצוב, תוספות, סילוק ד. ממליץ שההתערבויות יתייחסו למשמעות התרבותית, למצבו של המרקם המבני ולשלמותו, לערכו ולהקשרו לשימוש הולם במשאבים פיסיים, חברתיים וכלכליים זמינים. ה. קורא להשתתפות הציבור בתהליך קבלת ההחלטות. ו. כולל גם עקרונות לביצוע, ז. ממליץ בנושא הפאטינה, שנתפשת כחלק מהשלמות ההיסטורית של הסביבה הבנויה.

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת רומא	1983	ICOMOS	הצהרת רומא מכירה באתגרים שבשימור נכסי התרבות באיטליה, ובכלל זה: סיבות פוליטיות וסוציו-אקונומיות, מערכת יחסים לא ברורה בין תיאוריה למעשה בתהליך השימור, היעדר תיאום בין סוכנויות ממשלתיות לבין אירגונים. משמרים שאינם בעלי הכשרה מספקת. ההצהרה ממליצה.שהגופים העוסקים בשימור: א ישפרו את התיאום ביניהם בכל הרמות ב. יאשרו את חשיבות ההכשרה המיוחדת של העוסקים במלאכת השיקום. ההצהרה תומכת בחיזוקם של אירגונים בינלאומיים, כגון "המרכז הבינלאומי ללימודי שימור ושחזור של נכסים תרבותיים" (ICCROM),

שם המסמך	שנה	הארגון האחראי	יעדים
אמנה להגנה על המורשת הארכיטקטונית של אירופה	1985	מועצת אירופה	האמנה מתווה: א. צעדים תחיקתיים ואמצעי הגנה אחרים להבטחת המורשת התרבותית של מדינות אירופה ב. קווי מדיניות לשימור ולהגנה על המורשת הארכיטקטונית. ג. בין הצעדים המומלצים: שימור המורשת הארכיטקטונית כמרכיב בתכנון ערים, שימוש-מחודש מותאם בבניינים, הכשרה באומנויות מסורתיות הקשורות לשימור ולשחזור, הגבלת כניסה של הציבור כאמצעי לשימור, מודעות ציבורית ותוכניות חינוכיות תמיכה בהכשרה סיוע טכני והחלפת מידע. הצדדים החתומים על האמנה מסכימים להחליף ביניהם מידע ולתאם את מדיניות השימור.

שם המסמך	שנה	הארגון האחראי	יעדים
שימור מרכזים היסטוריים והחזרתם לחיים	1987	ICOMOS ברזיל	המסמך רואה באתרים ההיסטוריים העירוניים א. ישויות דינאמיות שנוצרו ע"י החברה המהוות "חלק משלמות רחבה יותר הכוללת את הסביבה הטבעית והבנויה ואת חוויית החיים היומיומית של תושביה". ב.שימורם של המרכזים ההיסטוריים צריך להיות ציר מרכזי בתיכנון העירוני. ג. אינו ממליץ לאכוף הגבלות חמורות על השימוש בהם ובמקום זאת מציע שהמגורים והעבודה המסורתיים יימשכו בסביבה ההיסטורית. ד. מעודד פיתוח רשימות מלאי, ה. מעודד שותפות קהילתית ו. ממליץ על מנגנונים חוקיים שונים להגנה על מרכזים היסטוריים. ז. מדגיש את הערך החברתי של המרכזים ההיסטוריים מעל התועלת הכלכלית.
צ'רטר ושינגטון- לשימור ערים היסטוריות ואזורים עירוניים	1987	ICOMOS	הצ'רטר קובע את העקרונות והקווים המנחים להגנה על ערים היסטוריות ולשימורן. ומשלים את צ'רטר ונציה, שהדגיש את המונומנט הבודד. ועוסק: א.בשילוב יעדי שימור במדיניות התכנון, ב.בתכונות של ערים היסטוריות שיש לשמרן, ג.בהשתתפות התושבים בתהליך השימור ד. בהיבטים החברתיים והכלכליים של שימור ערים היסטוריות.

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר להגנה על המורשת הארכיאולוגית ולניהולה	1990	ICAHAM/ ICOMOS	הצ'רטר שואב השראה מהצלחתו של צ'רטר ונציה: א. נוצר כמענה לאיומים הגוברים והולכים על האתרים הארכיאולוגיים ברחבי העולם, בייחוד ע"י שוד עתיקות ופיתוח הקרקע. ב. מנסה לקבוע עקרונות וקווים מנחים אוניברסאליים לניהול המורשת הארכיאולוגית ולהתאימם לקווי המדיניות ולתנאים של כל מדינה ומדינה. ג. מעודד תחיקה שתגן על המורשת הארכיאולוגית, על-סמך רשימות מלאי וסקרים ד. מתווה עקרונות כלליים לבדיקה, לתחזוקה ולשימור, לשחזורה של המורשת הארכיטקטונית. ה. מציין גם את תפקידם של סטנדרטים אקדמיים ומקצועיים גבוהים בתחומי התמחות רלבנטיים ו. קורא לשיתוף פעולה בינלאומי.
צ'רטר לשימור מקומות בעלי ערך מורשתי-תרבותי.	1992	ICOMOS ניו-זילנד	צ'רטר זה קובע עקרונות מנחים לבעלי רכוש, רשויות, סוחרים ומשמרים של מקומות בעלי ערך מורשתי-תרבותי בניו-זילנד, אשר על-פי הסכם וייטנגי המכיר במאורים ובמוריאורים כאחראים מעבר לבעלות החוקית הנוכחית על אוצרות, מונומנטים ומקומות קדושים שלהם. הצ'רטר קובע קורא א. להחיל שיטות שימור המכבדות חומרים בעלי ערך מורשתי-תרבותי וכרוכות באובדן מינימאלי שלהם ב. . מתווה תהליכי שימור ג. מספק רשימת הגדרות למונחים בשימור.

שם המסמך	שנה	הארגון האחראי	יעדים
אמנה אירופית להגנה על המורשת הארכיאולוגית של אירופה (גירסה מעודכנת)	1992	מועצת אירופה	האמנה האירופית המעודכנת משקפת התפתחות כלפי ההגנה על המורשת הארכיאולוגית ומשלבת מעקרונות ICOMOS (1990) להגנה על המורשת הארכיאולוגית ולניהולה. האמנה מגדירה את המורשת הארכיאולוגית ומזהה צעדים להגנתה, ובכלל זה: א. יצירת רשימות מלאי של אתרים ומונומנטים והקמת שמורות ארכיאולוגיות. ב. ב. עוסקת במניעה של חפירות לא-חוקיות וסחר במורשת הארכיאולוגית. ג. ממליצה לשלב את השימור בתכנון ובפיתוח, ד. קוראת לממן מחקר ושימור ארכיאולוגיים ה. לאסוף ולהפיץ מידע על המורשת הארכיאולוגית. ו. ממליצה להגביר את המודעות הציבורית לנושא ז. מציעה סיוע טכני ומדעי הדדי באמצעות שיתופי ידע וחילופי מומחים.
צ'רטרפז	1993	ארגון ערי מורשת בעולם (OWHC)	צ'רטר פז. מכיר א. בתפקיד החשוב שהערים ממלאות כמרכזים תרבותיים וכדוגמאות להישגים האנושיים ב. בשבריריותן של הערים ובכוחות השינוי הפועלים בהן. ג. בהחשיבות של שיתוף הפעולה מצד התושבים, של שיטות ניהול מודרניות ויעילות ושל משאבים פיננסיים הולמים לצורך ההגנה על הערים. החברות באמנה מסכימות לשתף פעולה למען רווחת האזרחים בערי המורשת העולמית ולשיפור התמיכה בשימורן של ערי מורשת אלה באמצעות מחקר, הכשרה והחלפת מידע.

שם המסמך	שנה	הארגון האחראי	יעדים
הנחיות לחינוך ולהכשרה בשימור מונומנטים, קבוצות של מבנים (אנסמבלים) ואתרים	1993	ICOMOS	ההנחיות שנועדו לפתח סטנדרטים לחינוך ולהכשרה בשימור מונומנטים, קבוצות של מבנים (אנסמבלים) ואתרים מדגישות: א. שיש להפקיד את מלאכת השימור בידי אנשים כשירים לבצעה כולל המיומנויות הנדרשות למשמרים - לזהות את השימוש והמשמעות של כל מונומנט, קבוצה של מבנים או אתר, להבין את מיקומו של המונומנט או האתר ביחס לסביבתו, לאבחן את הסיבות לניוון כבסיס לניוון הולם, לתקשר עם אנשים שאינם מומחים, להכיר וליישם את העקרונות שבאמנות ובהמלצות הבינלאומיות, להתייחס לאתיקה של שימור כדי להבטיח מורשת תרבותית לאורך זמן, להכיר בכך כאשר נדרשת עצה של מומחים לספק ייעוץ מקצועי בנושא תחזוקה ואסטרטגיות לניהול. ב. הכשרת אומנים לצורך שחזור, תיעוד וההחייאה של כישורים היסטוריים, ג. פיתוח מרכז אזורי לחינוך ולהכשרה, ג.חילופי מורים בין מדינות לבחינה שוטפת מצד אנשי מקצוע של תוכניות ההכשרה. ד. המשאבים שיש להקצות לתמיכה בקורסים למומחים. ה. מדינות להקים מוסד למחקר וארכיון כדי לתעד את מורשתן התרבותית ואת כל עבודות השימור הכרוכות בכך .

שם המסמך	שנה	הארגון האחראי	יעדים
החזרה או פיצוי של נכסי תרבות למדינות	1993	עצרת האו"ם	ההחלטה תומכת בשיתוף פעולה בינלאומי ובמאמצים של אירגונים בינלאומיים כדי להבטיח פיצוי או החזרה של נכסי תרבות. היא ממליצה: א.לחזק את התחיקה הקיימת להגנה על נכסי תרבות, ב.להעסיק ארכיאולוגים שיספקו תיעוד מצולם של אובייקטים שנתגלו במהלך חפירות, ג.להמשיך את המאמצים, בשיתוף פעולה עם אונסק"ו, לפיתוח רשימות מלאי של נכסי תרבות ד. להגביר את המודעות הציבורית בנוגע לפיצוי או להחזרה של נכסי תרבות. ה. לעודד שיתוף פעולה עם הוועדה הבין-ממשלתית לקידום השבתם של נכסי תרבות למדינות המקור או מתן פיצויים במקרה של תפיסה לא-חוקית.
מסמך נארה על האותנטיות	1994	ICOMOS	מסמך נארה נבנה על בסיס צ'רטר ונציה לאור התגברות החששות בשימור המורשת התרבותית. הוא עוסק א.בצורך בהבנה רחבה יותר של השונות התרבותית ושל המורשת התרבותית, כפי שהיא מתייחסת לשימור. ב. בחשיבות של הערכים התרבותיים והחברתיים של כל החברות. ג.מכבד תרבויות, וערכים אחרים כמו ביטויים מוחשיים ובלתי מוחשיים המהווים חלק מהמורשת של כל תרבות. אין קריטריונים מוחלטים לשפוט את הערך והאותנטיות של נכסי התרבות אך ניתן להעריכם בהקשר התרבותי. למרות שהאחריות לטיפול במורשת ולניהולה היא בעיקר של התרבות שיצרה אותה, המסמך קורא לדבוק בעקרונות ובתחומי האחריות שקובעות האמנות הבינלאומיות.

שם המסמך	שנה	הארגון האחראי	יעדים
החלטה על מידע ככלי להגנה על המורשת התרבותית מפני נזקי מלחמה	1994	אונסק"ו \ ICOMOS	ההחלטה , בתגובה להרס הגובר והמכוון של מונומנטים חשובים ושל נכסי תרבות אחרים במהלך עימותים מזוינים, קובעת שיש להעמיד לדין על נזקי מלחמה מכוונים כעל פשעי מלחמה לפי אמנת האג משנת 1954. אף שהידע בנושא המורשת התרבותית עשוי להקל על פגיעה מכוונת בה במהלך עימות, יש להמשיך ולנסות להגביר את ההבנה ההדדית בין תרבויות. ההחלטה קוראת: א.להגן על המורשת התרבותית כחלק ממשימת האו"ם לשמירה על השלום, ב.למנות משגיחים על המורשת במסגרת כוחות משימה שכאלה ג.להכשיר את חיילי האו"ם בנושא האמנות להגנה על נכסי התרבות. ההחלטה מציינת שרק אומות בודדות רשמו את נכסי התרבות היקרים ביותר שלהן ומעודדת את המדינות לעשות זאת. ההחלטה תומכת בכמה יוזמות, ובהן: ג.סקירה של אמנת האג משנת 1954, ד.הקמת קרן למען מורשת תרבותית הנמצאת בסכנה, ה. פיתוח תוכניות לבית הספר ללימוד אודות שימור המורשת התרבותית ו. הכשרה לעיתונאים ולאנשי תקשורת על האמנה למורשת עולמית.
פרוטוקול ברגן התקשורת והקשרים בין ערי מורשת היסטורית	1995	OWHC	הפרוטוקול. חוזר ומאשר את א.המטרה לזהות כלים לניהול אחראי של אזורים עירוניים היסטוריים, ב. חלוקת המידע אודות התמודדות עם בעיות של תיירות, זיהום, שריפות ואסונות טבע על-ידי פרסום עלון ובאמצעות חילופי מומחים. ג.שיתוף הפעולה בין ארגונים בינלאומיים ו - OWHC. ד. מחויבות לפרויקטים של OWHC מצד אונסקו,מועצת אירופה, ICCROM, ICOMOS. OWHC נכלל גם ביוזמה למוכנות לאסונות של מגן כחול.(BS)

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר לתיירות בת-קיימא	1995	ועידה עולמית בנושא תיירות בת-קיימא	הצ'רטר.המכיר בכך שתיירות עשויה להיות כוח חיובי לפיתוח סוציו-אקונומי ולחילופי תרבות, אך עלולות להיות לה גם השלכות שליליות עבור הקהילות. קורא: א. לתכנון ולניהול התיירות כך שתשמר את המורשת הטבעית והתרבותית ותגן עליה. ב. להפוך את התיירות לנסבלת מבחינה אקולוגית, לבעלת כושר קיום מבחינה כלכלית ,להוגנת מבחינה חברתית בעבור הקהילות המקומיות, ולברת-קיימא למען העתיד. ג. לתיירות לשקול את השפעתה הן על המורשת התרבותית והן על המסורות של האוכלוסייה המקומית. ד. ה. להמליץ להגיש סיוע מיוחד לאזורים פגיעים מבחינה סביבתית ותרבותית ולאזורים שהידרדרו כתוצאה מהשפעה חזקה של התיירות.
סטנדרטים לטיפול בנכסים היסטוריים	1995	רשות הגנים הלאומית, ארה"ב	המסמך קובע בשפה שאינה טכנית סטנדרטים הגיוניים שיש ליישמם לגבי כל הנכסים הרשומים במרשם הלאומי של מבנים היסטוריים. הסטנדרטים מתייחסים לארבע גישות נבדלות לטיפול בנכסים היסטוריים: א. שימור – התמקדות בתחזוקה ובתיקון. ב. שיקום – התאמת הנכס לשימוש השונה תוך שמירה על אופיו ההיסטורי. ג.שיחזור – הצגת הנכס בתקופה מסוימת בהיסטוריה שלו. ד. בנייה מחדש – יצירה מחודשת של חלקים חסרים בנכס ופרשנות בהצגתו המסמך גם קובע סטנדרטים לבחירת הטיפול המתאים במבנה או בנוף היסטוריים.

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר להגנה וניהול של המורשת התרבותית התת-ימית	1996	ICOMOS	הצ'רטר עוסק בצורכי השימור של נכסי תרבות תת-ימיים ומשלים את צ'רטר ICOMOS) להגנה על המורשת הארכיאולוגית ולניהולה(1990. הצ'רטר מתווה עקרונות יסוד לשימור המורשת תת-ימית ודנה בנושאים של: א. מימון, יעדי המחקר, כישוריהם של חברי הצוות, בדיקה, תיעוד, שימור החומרים, ניהול האתר ותחזוקתו והפצת מידע אודות המורשת תת-ימית. ב. השימור *במקום הטבעי* זוכה לעדיפות ראשונה. ג. החומרים הארכיאולוגיים במהלך הבדיקה וההעברה ד. שיתוף פעולה בינלאומי וחילופי מומחים כדי להקל על המחקר והבדיקה של המורשת תת-ימית ולשפרם. ה. הפצת מידע לציבור בנוגע למשמעותה של המורשת העולמית ו. ו תיאום ותקשורת עם קהילות נוגעות בדבר ביחס לבדיקות המוצעות.
הצהרת ולנסיה	1998	פורום מורשת: אונסקו-אוניברסיטאות	ההצהרה מתווה את יעדיו של הפורום: א. הקמת, רשת של אוניברסיטאות העוסקת בהגנה על מורשת תרבותית ב. בתפקיד האוניברסיטאות ג. בתמיכה במאמצים לשמר את המורשת התרבותית. ד. בהוראה של המורשת התרבותית, ה. בשיתוף פעולה וחילופין בין אוניברסיטאות ו. בגיוס משאבים אנושיים וטכניים להגנה על המורשת התרבותית. ההצהרה ממליצה להוסיף על הידע התיאורטי גם התנסות מעשית ומעודדת פיתוח של הבנה הדדית בין סטודנטים באמצעות תוכניות של חילופין.

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת סאן-אנטוניו	1996	ICOMOS	הצהרת סאן-אנטוניו היא תגובה אזורית לדיון בינלאומי נרחב יותר בנושא האותנטיות והשימור. רואה קשר ישיר: א. בין אותנטיות לבין זהות- זהות תרבותית היא היסוד של המורשת התרבותית של יבשות אמריקה ושל שימורה. ב. הבנת ההיסטוריה, משמעותה והערכים הקשורים לאתר חשובה כדי לזהות אותנטיות. ג. מתייחסת רק למרקם ההיסטורי המקורי כאל אותנטי. לכן חשוב להבין את הערך החברתי של האתר ולא רק את המשמעות של המרקם הפיסי. ד. מבחינה בין אתרים דינאמיים, שבהם שינויים בחומר עשויים להתקבל כחלק מהתפתחות נמשכת באתר, לבין אתרים סטטיים, שהתחושה בהם היא שהמרקם הפיסי שלהם דורש רמה גבוהה ביותר של שימור ושיש לצמצם למינימום את השינויים בהם. ה. כוללת המלצות בנוגע לארכיטקטורה ולאורבניות, לאתרים ארכיאולוגיים ולנופי תרבות.
הצהרת קוויבק	1997	פורום מורשת אונסקו-אוניברסיטאות	הצהרת קוויבק מאשרת-מחדש את הנכונות ליישם את העקרונות של הרשת

שם המסמך	שנה	הארגון האחראי	יעדים
מסמך פאביה	1997	Associazione Secco Suardo	מסמך פאביה הוא תוצאה של מאמץ אירופי לפתח סטנדרטים להכשרה של משמרים \ משחזרים. הוא: א. מעודד את האיחוד האירופי ואת המומחים בתחום לקדם את תחום השימור-שחזור. ב. ממליץ על חילופין בין-תחומיים עם דיסציפלינות אחרות ועל הגדרת המיומנויות המקצועיות של המשמר-משחזר באירופה. ג. המסמך ממליץ על: איזון בין ידע תיאורטי ומעשי, לימוד אסטרטגיות תקשורת, הקמה של תוכניות לשיתוף פעולה ולחילופין בין מוסדות הכשרה קידום המחקר בנושא השימור-שחזור. פיתוח של מפרטים לפרויקטים לפרסם מילון רב-לשוני של מושגים. ד.. מעודד הקמה של מסגרת רגולטורית שתבטיח את איכות פעולות השימור-שחזור ה. מעודד הקמת "רשת האירופית לחינוך לשימור \ שחזור" (ENCoRE)

שם המסמך	שנה	הארגון האחראי	יעדים
הצהרת אוורה	1997	OWHC	הצהרת אוורה מטפלת באיומים ובתועלות של תיירות תרבותית באזורים היסטוריים. על-פי הגדרת תיירות בת-קיימא שאומצה על-ידי הוועידה העולמית לתיירות בת-קיימא (1995.) הצהרת אבורה קוראת לכל הצדדים המעורבים לקדם כמה יעדים בפיתוח ובניהול של פעילות הקשורה לתיירות, וביניהם: א.הבטחת איכות החיים של התושבים וכבוד כלפי זהותם התרבותית, ב.מתן עידוד לרשויות האזוריות, הלאומיות והמוניציפאליות לפעול יחדיו לפיתוח הנחיות בנושאי תחיקה וכספים שיבטיחו יצירת מקומות עבודה ופיתוח של התיירות ג.מתן עידוד לתעשיית התיירות לפתוח קרן עולמית שתשים לה למטרה לנתח את השפעתה של התיירות על מונומנטים ואתרים היסטוריים ואת הנזק האפשרי לערי מורשת עולמית.
הצהרת מלבורן	1998	פורום מורשת אונסקו - אוניברסיטאות	. ההצהרה שבה ומדגישה את יעדיה של הרשת לגבין תוכניות המתייחסות למורשת המוחשית והלא-מוחשית ומתווה עקרונות מחייבים להרחבת הרשת : א. חיזוק ההכשרה של סטודנטים באוניברסיטה, ב. שותפות והחלפה של ידע וכישורים, ג. הגברת המודעות הציבורית לחשיבותה של המורשת התרבותית וחיזוק שיתוף הפעולה עם אירגונים האחראים למורשת התרבותית, IFLA, ICCROM, ICOMOS, ו- WMF. ד. ממליצה שתוכניות הלימוד יכללו גם את חוק המורשת התרבותית ויחזקו את שיתוף הפעולה הבינלאומי באמצעות תוכניות הכשרה, מענקים ומלגות..

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר בורה לשימור מקומות בעלי משמעות תרבותית (גירסה מעודכנת)	1999	I ICOMOS אוסטרליה	הצ'רטר: א. קובע עקרונות לניהול ולשימור של אתרי תרבות באוסטרליה ב. מגדיר שלה מהי משמעות תרבותית ג. מתווה סטנדרטים לשימוש במשמעות התרבותית כדי לנהל אתרי תרבות ולשמרם. ד. מהווה דוגמה כיצד ניתן להתאים עקרונות בינלאומיים לערכים ולצרכים של מדינה מסוימת או של קבוצות תרבותיות מסוימות.
צ'רטר למורשת ורנאקולרית	1999	CIAV ICOMOS /.	הכרה בהשפעות הגלובליזציה הפכו את השפה המקומית בארכיטקטורה – המבנים הקהילתיים המסורתיים והטבעיים – לפגיעה ביותר. הצ'רטר מתווה נושאים ועקרונות לשימור: א. קובע קווים מנחים לנוהלי שימור, ובכלל זה מחקר ותיעוד, שימור האומנות המסורתית וכישורי הבנייה, ב.שימוש-חוזר מותאם ג.צורך בהכשרת משמרים ולקהילות.

שם המסמך	שנה	הארגון האחראי	יעדים
הצ'רטר הבינלאומי לשימור מבני עץ היסטוריים	1999	ICOMOS	המסמך מגדיר עקרונות ונהלים בסיסיים להגנה על מבני עץ היסטוריים ולשימורם ומפנה את תשומת הלב לנדירותם,להבדלים ביניהם ולפגיעותם בשל ריקבון וניוון. המסמך מגיש המלצות בשבעה תחומים: א. לבצע בדיקה, רישום ותיעוד של חומרים, כישורים וטכנולוגיות. ב. לבצע ניטור ותחזוקה על בסיס קבוע. ג.להתערב באמצעים מסורתיים, להיות הפיכה ולא להפריע לשימור עתידי ואל לה לחסום גישה עתידית לממצאים במבנה או באתר. ד. להתאים, את חומרי התיקון וההחלפה, האומנות וטכנולוגיית השחזור למקור ה. לכונן רזרבות של יער היסטורי כמקור לעץ מתאים לצורך שימור ותיקון ו. להשתמש בחומרים ובטכנולוגיות בני זמננו בזהירות מירבית ורק כאשר התועלת בכך מובטחת. ז.לקדם החינוך וההכשרה לצורך שימור בר-קיימא ולקיומה של מדיניות פיתוח.

שם המסמך	שנה	הארגון האחראי	יעדים
הצ'רטר הבינלאומי לתיירות תרבותית: ניהול תיירות באתרי מורשת	1999	ICOMOS	יעדי הצ'רטר הם : א.לקדם ולנהל את התיירות באופן שיכבו ויחזק את המורשת ואת התרבויות הקיימות של הקהילות המארחות ב.לעודד דיאלוג בין האינטרסים של השימור לבין תעשיית התיירות. ג.האמנה מתווה ששה עקרונות לתיירות תרבותית: 1. השימור צריך לספק הזדמנויות מנוהלות היטב לתיירים ולחברים בקהילה המארחת להתנסות במסורת ובתרבות המקומיות ולהבינן ממקור ראשון. 2. מערכת היחסים בין מקומות של מורשת לבין תיירות היא דינאמית ויש לנהלה בדרך בת-קיימא למען הדור הנוכחי והדורות הבאים. 3..השימור והתכנון התיירותי צריכים להיות חוויה מהנה, מעוררת כבוד וחינוכית עבור המבקר. 4. לערב את הקהילות המארחות ואנשי המקום בתכנון השימור והתיירות. 5. פעילויות התיירות והשימור צריכות להביא תועלת לקהילה המקומית, לשפר את הפיתוח ולעודד תעסוקה במקום. 6.על התוכניות התיירותיות לקדם את המאפיינים הטבעיים והתרבותיים

שם המסמך	שנה	הארגון האחראי	יעדים
הפרוטוקול השני של אמנת האג- 1954 להגנה על נכסי תרבות בסכסוכים מזוינים	1999	אונסקו	מטרת הפרוטוקול השני היא להוסיף על תנאי אמנת האג ולחזק את יישומה. הוא כולל תנאים כלליים: א. להבטיח נכסי התרבות ובהם נקיטת אמצעי הכנה בעיתות שלום, ב. לטפח רגש כבוד כלפי נכסי התרבות ונקיטת אמצעי מנע בעת סכסוכים ג. להעניק מעמד מוגן מועדף לנכסי התרבות וחסינות בתוקף מעמד זה. ד. לתאר את הנסיבות שבהם עשוי המעמד המוגן המועדף להישלל, להיות מושעה או להתבטל. ה. להתוות את האחריות הפלילית ואת ההליכים המשפטיים במקרה של הפרות. ו. להגן על נכסי תרבות במקרה של סכסוכים מזוינים לאומיים מקומיים. ז. לקיים תוכניות מידע וחינוך כדי לטפח את ההערכה והכבוד כלפי נכסי התרבות. ח. לייסד את ה"ועדה להגנה על נכסי התרבות במקרה של סכסוכים מזוינים", שתפקידה לפתח הנחיות ליישום האמנה ולשאת באחריות להענקת מעמד מוגן מועדף או לביטולו. ט. להקים גם קרן להגנה על נכסי תרבות במקרה של סכסוכים מזוינים.

שם המסמך	שנה	הארגון האחראי	יעדים
האמנה האירופית לנופי תרבות	2000	מועצת אירופה	האמנה קובעת את העקרונות וההנחיות לשימור נופי תרבות . א. מגדירה נופים כאזורים "שאופיים נובע מקשרי הגומלין בין גורמים טבעיים ו\או אנושיים". ב. מכירה בתרומתם של הנופים ליצירת תרבויות מקומיות, ובכלל זה אלה העשויות להיחשב מוזנחות. ג. מתווה כללי הגנה על נופים כולל הגברת המודעות לערכם, קידום תוכניות הכשרה רב-תחומית והערכת הנופים שזוהו. ד. מציגה כלים שמטרתם להגן על הנוף, לנהל ו\או לתכנן אותו. ה.מעודדת שיתוף פעולה בין המדינות החברות: החלפת מידע ויצירת תוכניות נופיות משותפות.
האמנה להגנה על מורשת תרבותית תת-ימית	2001	אונסקו	האמנה קובעת את העקרונות והנחיות שיש לציית להם כדי להגן על מורשת תרבותית תת-ימית. היא מגדירה אותה כ"כל שריד של קיום אנושי בעל אופי היסטורי או ארכיאולוגי" שמתגלה מתחת לפני המים. האמנה מדגישה: א. את השימור במקום של מורשת תרבותית תת-ימית, ב. את שיטות התיעוד הבלתי-פולשניות של התרבות הנבחנת כדי להשכיל את הציבור. ג. קובעת גם שעל כל פעילות שהיא הנוגעת למורשת תרבותית תת-ימית להימנע מלפגוע בשרידים אנושיים או במקומות קדושים. ד. אוסרת במפורש על ניצול מסחרי של מורשת תרבותית תת-מימית.

שם המסמך	שנה	הארגון האחראי	יעדים
אמנה להגנה על מורשת תרבותית לא-מוחשית	2003	אונסקו	האמנה, המסתמכת על "ההמלצות להגנה על התרבות והפולקלור המסורתיים" מ-1989, קובעת את הצעדים הדרושים שהמדינות צריכות לנקוט בהם כדי להגן את מורשת תרבותית לא-מוחשית. א. מגדירה את אופיים וצורתם של המסורות בע"פ, דרכי המבע, השפה, אמנויות הבמה, המנהגים החברתיים, הפולחנים, החגיגות, האומנות המסורתית והידע והמנהגים בנוגע לטבע וליקום, ב. ממליצה על דרכים לשמרם. מתוך הכרת האיום שהגלובליזציה והשינויים החברתיים מהווים על המורשת התרבותית הלא-מוחשית, נכללים בה אמצעי ההגנה הבאים: זיהוי ותיעוד של מסורות, מחקר, שימור, הגנה וקידום, הקנייה לאחרים, בעיקר באמצעות חינוך פורמאלי ולא-פורמאלי החייאה של היבטים שונים של מורשת כזו. האמנה קוראת להקמת ועדה בין-ממשלתית להגנה על המורשת התרבותית הלא-מוחשית

שם המסמך	שנה	הארגון האחראי	יעדים
צ'רטר אניים (טיוטא)	2004	ICOMOS	צ'רטר איניים מציע הנחיות לפרשנות של אתרי מורשת תרבות.. הצ'רטר: א מדגיש את.תפקידם של אמצעי התקשורת הציבוריים ושל החינוך בשימור המורשת. ב.מזהה את אתרי המורשת ואת המרכיבים הלא-מוחשיים הקשורים לאתר כמקור ללימוד מהעבר. ג.מבחינה בין השלבים השונים בהתפתחותו של האתר ומכירה בהם על מנת לכבד את האותנטיות שלהם. ד. מדגישה את שיתופם של כל בעלי העניין בפרשנות לאתר ומכירה בכך שבנסיבות מסוימות הקהילה עשויה להימנע מלהציג פרשנות פומבית לאתר.

מקרא:
EC (המועצה האירופית.)
ICOM (המועצה הבינלאומית של המוזיאונים)
ICOMOS (המועצה הבינלאומית לאתרים ומונומנטים)
ICAHM (הוועדה הבינלאומית לניהול המורשת הארכיאולוגית-ועדה של ICOMOS)
IFLA (הפדרציה הבינלאומית של אגודות ומוסדות של ספריות)
OWHC (ארגון ערי מורשת בעולם)
UNESCO (ארגון האו"ם לחינוך, מדע ותרבות)
WMF (קרן המונומנטים העולמית)

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הוועד הישראלי לאונסקו
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STANDARD SETTING INSTRUMENTS*
מכשירים משפטיים של אונסקו

A.	CONVENTIONS & PROTOCOLS
B.	RECOMMENDATIONS
C.	CHARTRES / DECLARATIONS

* נספח: דברי הסבר למכשירים משפטיים

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A. CONVENTIONS & PROTOCOLS

Deposited By Israel	Place & Date	Culture
3 Oct. 1957	The Hague 14 May 1954	Convention for the Protection of Cultural Property in the event of Armed Conflict with Regulations for the Execution of the Convention
1 April 1958	The Hague 14 May 1954	Protocol for the Protection of Cultural Property in the Event of Armed Conflict
	Paris 14 Nov. 1970	Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
6 Oct. 1999	Paris 16 Nov. 1972	Convention concerning the Protection of the Word Cultural and Natural Heritage
	The Hague 26 Mar. 1999	Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in he Event of Armed Conflict
	Paris 2 Nov. 2001	Convention on the Protection of Underwater Cultural Heritage
	Paris 17 Nov. 2003	Convention on the Safeguarding of the Intangible Cultural Heritage
	Paris 19 Nov. 2005	Convention for Cultural Diversity

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Deposited By Israel	Place & Date	Science
2 Feb. 1971	12 Nov. 1966	Convention on Wetlands of International Importance especially as Waterfowl Habitat Ramsar (94)
	Paris 3 Dec. 1982	Protocol to amend the Convention on Wetlands of International Importance especially as Waterfowl Habitat

Deposited By Israel	Place & Date	Communication & Information
4 Jan. 1960	Paris 3 Dec. 1958	Convention concerning the International Exchange of Publications (1)
4 Jan. 1960	Paris 3 Dec. 1958	Convention concerning the Exchange of Official Publications and Government Documents between States (2)
	Paris 24 July 1971	Universal Copyright Convention as revised on 24 July 1971, with Appendix Declaration relating to Article XVII and Resolution concerning Article XI
	Paris 24 July 1971	Protocol 1 annexed to the Universal Copyright Convention as revised on 24 July 1971 concerning the application of that Convention to work of stateless persons and refugees
	Paris 24 July 1971	Protocol 2 annexed to the Universal Copyright Convention as revised on 24 July 1971 concerning the application of that Convention to works of certain international organizations
10 April 1978	Geneva 29 October 1971	Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (29)
	Brussels 21 May 1974	Convention relating to the Distribution of Programme-Carrying Signals transmitted by Satellite
	Nairobi 26 Nov. 1976	Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials, with Annexes A to H
	Madrid 13 Dec. 1979	Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties, with model bilateral agreement and additional Protocol

B. RECOMMENDATIONS*

Date	Culture	Coments
5 Dec. 1956	Recommendation in International Principles Applicable to Archaeological Excavations	Monitor by WHC 1972
14 Dec. 1960	Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone	Implemented fully
11 Dec. 1962	Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites	Monitor by WHC 1972
19 Nov. 1964	Recommendation on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property	Monitor by Convevtion. 1970
19 Nov. 1968	Recommendation concerning the Preservation of Cultural Property Endangered by Public Private Works	Implemented fully

* המלצות אינן מחייבות את המדינה אך מדינות מתבקשות לאמץ וליישם אותן.

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Date	Culture	Coments
16 Nov. 1972	Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage	Monitor by WHC 1972
26 Nov. 1976	Recommendation on Participation by the People at Large in Cultural Life and Contribution to It	Monitor by c. CD. 2005
26 Nov. 1976	Recommendation concerning the International Exchange of Cultural Property	Implemented fully
26 Nov. 1976	Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas	Implemented fully
27 Nov. 1978	Revised Recommendation concerning International Competitions in Architecture and Town Planning	Monitor by IUA
28 Nov. 1978	Recommendation for the Protection of Movable Cultural Property	Implemented fully
15 Nov. 1989	Recommendation on the Safeguarding of Traditional Culture and Folklore	Monitor by Intang. Convention 2003

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Date & Place	Communication & Information	Coments
27 Oct. 1980	Recommendation for the Safeguarding and Preservation of Moving Images.	Implemented fully
1 Nov. 1985	Revised Recommendation concerning the International Standardization of Statistics on the Production and Distribution of Books Newspaper and Perviodicals.	Monitor Ad Hoc

C. CHARTERS / DECLARATIONS*

Date	Culture
4 Nov. 1966	Declaration of the Principles of International Cultural Co-operation
17 oct. 2003	Declaration on Cultural Diversity
17 oct. 2003	Declaration Concerning the Intentional Destruction of Cultural Heritage

Date	Communication & Information
15 oct. 2003	Charter of the Prservation of Digital Heritage

Date	Human And Social Science
12 Nov. 1997	Declaration on the Respnsibilities of the present Generations Towards Future Generations

* הצ'רטרים וההצהרות אינן מחייבות את המדינה אלא, מבחינה מוסרית בלבד.

This is the html version of the file http://sres-people.anu.edu.au/richard_baker/SRES3028/lectures_and_tutorials/Lectures/Resources/international%20instruments.doc.
Google automatically generates html versions of documents as we crawl the web.

Appendix One – International and national instruments referred to in the text

(all URL are operative as of 15 July 2007)

Date	War	Built	Archaeology	Objects
1815 The Allies	Congress of Vienna	Congress of Vienna	Congress of Vienna	Congress of Vienna
1864 Geneva Convention	Non-Combatants			
1877 SPAB		Principals ancient buildings		
1904 Architects		Recommendation Madrid		
1931 Experts & Techs		Charter Athens - heritage	Charter Athens	
1932 L of Nations			Recommendation exchange of experts	Recommendation exchange of objects
1933/98 CIAM		Charter Athens - planning		
1935 Governments	Roerich Pact American States			
1937 L of Nations			Act Cairo archaeology	Act Cairo objects
WW II	+	+	+	+
1954	The Hague			

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UNESSCO	Convention			
1954 C of Europe		Convention cultural	Convention cultural	Convention cultural
1956 UNESCO			Recommendation New Delhi	Recommendation New Delhi
1962 UNESCO		Recommendation landscape beauty		
1964 UNESCO			Recommendation export/import	Recommendation export/import
1964/166 UNESCO		Charter Venice	Charter Venice	
1968 UNESCO		Recommendation public works		
1969 Europe			Convention archaeology	
1970 UNESCO			Convention means/preventing	Convention means/preventing
1972 UNESCO	Recommendation cultural & natural	Recommendation cultural & natural	Recommendation cultural & natural	
1972/75 UNESCO	Convention World Heritage	Convention World Heritage	Convention World Heritage	
1975 C of Europe		Charter architectural		
1976 UNESCO				Recommendation exchange/property
1976 UNESCO		Recommendation historic areas	Recommendation historic areas	
1978 UNESCO				Recommendation movable property

1979-1988 Aus ICOMOS		Charter Burra	Charter Burra	Charter Burra
1980 UNESCO				Recommendation Moving images
1985 C of Europe		Convention architecture		
1989 WAC			Accord Vermillion-Indigenous	
1990 ICOMOS			ICAHM Charter	
1992 C of Europe			Convention/revised Valetta	
1994 ICOMOS		Document Nara - authenticity	Document Nara - authenticity	Document Nara - authenticity
1995/1998 UNIDROIT			UNIDROIT Illicit Trade	UNIDROIT Illicit Trade
1999 Australia ICOMOS		Charter/revised Burra - process	Charter/revised Burra - process	Charter/revised Burra - process
2000 China/GCI/ICOMS		Principles heritage	Principles heritage	Principles heritage
2001/no UNESCO			Convention underwater	
2003 UNESCO	Declaration intentional destruction	Declaration intentional destruction	Declaration intentional destruction	Declaration intentional destruction
2003/2006 UNESCO		Convention intangible	Convention intangible	Convention intangible

Listed below are the various international and the selection of regional and national instruments referred to in the text.

1815 Congress of Vienna, The Allies

1864 Geneva Convention of 1864 dealt exclusively with the care of wounded soldiers and was later adapted to cover warfare and the treatment of prisoners of war and people who do not take part in the fighting (civilians, medics, chaplains, aid workers) and those who can no longer fight (wounded, sick and shipwrecked troops, prisoners of war). http://www.icrc.org/Web/Eng/siteeng0.nsf/html/ accessed 28 May 2007.

Although the Geneva Convention of 1864 deals exclusively with international principles governing the care of the wounded during war, it is regarded as the precursor of international instruments that look at universal human values that then flowed on to the concept of 'universal value' that is embodied in the World Heritage Convention.

1877 The Principals of the Society for the Protection of Ancient Buildings as Set Forth upon its Foundation (The SPAB Manifesto)
http://www.getty.edu/conservation/research_resources/charters/charter00.html

1904 Recommendations of the Madrid Conference (1904) Sixth International Congress of Architects. http://gcibibs.getty.edu/asp/

1931 The **Athens Charter** for the Restoration of Historic Monuments (adopted at the First International Congress of Architects and Technicians of Historic Monuments, **Athens** 1931 – conservation and restoration of monuments, also referred to as the International Conference of Experts for the Protection and Conservation of Artistic and Historical Monuments). http://portal.unesco.org/shs/en/ev.php-URL_ID=6098&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html

1932 League of Nations Assembly on 10 October 1932 adopted recommendations in the exchange of scholars and objects between collecting institutions (original document could not be located, refer to CUA/68: 5)

1933 The **Athens Charter** of **1933**, The IVth International Congress of Modern Architecture (CIAM) and the New **Charter** of **Athens** 1998 (European Council of Town Planners' Principles for Planning Cities)
http://www.getty.edu/conservation/research_resources/charters/charter04.html

1935 Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (Roerich Pact). Washington, 15 April 1935.

http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

1937 Cairo Act of 1937 (refer to Manual on the Technique of Archaeological Excavations, International Museums Office, 1940).

1954 Final Act of the Intergovernmental Conference on the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

1954 Protocol for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

1954 Resolutions of the Intergovernmental Conference on the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict The Hague, 26 March **1999.** http://www.icrc.org/ihl.nsf/TOPICS?OpenView accessed 28 May 2007.

1954 European Cultural Convention http://www.getty.edu/conservation/research_resources/charters/charter07.html

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For additional information refer to:

The following web site has abstracts of the majority of the instruments mentioned in the text as well as many of the national, local and professional pronouncements that have not been discussed in this report.

http://www.getty.edu/conservation/research_resources/charters.html

also refer to Ana Filipa Vrdoljak 2006 *International Law, Museums and the Return of Cultural Objects*, Cambridge University Press, Cambridge, xx-xxviii. This superb volume has an overwhelming amount of highly informative material.Cultural Tourism Committee