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CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Thirty-sixth session

Saint-Petersburg, Russian Federation

24 June – 6 July 2012

Item 7B of the Provisional Agenda: State of conservation of World Heritage properties inscribed on the World Heritage List

SUMMARY

This document contains information on the state of conservation of properties inscribed on the World Heritage List. The World Heritage Committee is requested to review the reports on the state of conservation of properties contained in this document. In certain cases, the World Heritage Committee may wish to decide to discuss in detail the state of conservation reports which are submitted for adoption without discussion.

Decision required: The World Heritage Committee may wish to adopt the draft Decision presented at the end of each state of conservation report.

The full reports of reactive monitoring missions requested by the World Heritage Committee are available at the following Web address in their original language:
<http://whc.unesco.org/en/sessions/36COM/> .

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REPORTS ON THE STATE OF CONSERVATION OF PROPERTIES INSCRIBED ON THE WORLD HERITAGE LIST

NATURAL PROPERTIES

AFRICA

1. Dja Wildlife Reserve (Cameroon) (N 407)

Year of inscription on the World Heritage List
1987

Criteria
(ix) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/407/documents/>

International Assistance
Global amount granted to the property: USD 112,200
For details, see page <http://whc.unesco.org/en/list/407/assistance/>

UNESCO Extra-budgetary Funds
Total amount provided to the property: USD 60,000, UNESCO FIT Netherlands. USD 193,275 and USD 118,725, respectively in 2008 and 2009, in the frame of the Central Africa World Heritage Forest Initiative (CAWHFI) in the south-west of Cameroon

Previous monitoring missions
March 1998: UNESCO monitoring mission; June 2006, December 2009 and February-March 2012: joint World Heritage Centre/IUCN reactive monitoring missions.

Factors affecting the property identified in previous reports

- a) Lack of entire approval and implementation of management plan;
- b) Mining exploitation project close to the property;
- c) Industrial agriculture in the buffer zone;
- d) Threats exerted by commercial hunting and deforestation around the Park.

Illustrative material
See page <http://whc.unesco.org/en/list/407>

Current conservation issues

The State Party submitted a state of conservation report of the property on 2 February 2012. The State Party also provided a new Environmental and Social Impact Study dated November 2010 for the GEOVIC mining project, together with a biodiversity management plan to mitigate the direct and indirect effects.

A joint World Heritage Centre and IUCN mission visited the property from 27 February to 5 March 2012, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011). The mission report is available on line at the following Internet address : <http://whc.unesco.org/en/sessions/36COM/>.

The State Party report provides information on the measures taken to create a zonage system and to encourage ecotourism activities to assist in the development of local communities, as well as the measures implemented to establish a monitoring system for the property, development of research to improve management, and the establishment of a surveillance mechanism. It also provides information on the level of the main threats to the property, in particular poaching, mining projects, the new dam project in the vicinity of the property and an industrial agriculture project.

The mission noted that since the reactive monitoring missions of 2006 and 2009, the pressures exercised on the property and its periphery are still current and have even increased. Furthermore, the State Party report highlights important new threats, notably the granting of exploration licenses for iron ore mining covering approximately 20% of the area of the Dja Faunal Reserve (DFR) as well as several exploration permits in its immediate periphery. Mention must also be made of the construction of a dam on the River Dja, north-west of the DFR, the waters of which would flood a part of the property, and an industrial development agriculture project that could have major indirect effects on the property. All these threats were noted by the mission team.

a) *GEOVIC mining activity*

The mission visited the mining concession for the exploitation of cobalt granted to the GEOVIC Cameroon Company, that covers an area of more than 150,000 ha at roughly 40 km to the east of the property. The World Heritage Committee, at its 34th session (Brasilia, 2010) had urgently requested the State Party to suspend the implantation work for GEOVIC mining activities until the conclusion of a new Environmental and Social Impact Assessment (ESIA).

The mission studied the ESIA and considers that this new study as well as the environmental management plan does not meet the provisions of the World Heritage Committee. The study only concerns the perimeter of the exploitation license and does not take into account the proximity of the property, nor its vulnerability. The few inventories carried out do not provide sufficient data regarding the state of the area, in particular the local biodiversity, nor the direct or indirect environmental risks that may affect the property due to this exploitation. No mapping of the critical habitats of flagship or threatened species, present in the exploitation area, (ex. Gorilla and chimpanzee) had been conducted and no conflict prevention measures with species, nor reduction of this type of risk, is proposed. Further, the environmental management plan does not specify any actions or methods, or means that will be implemented by the operator, to prevent, reduce and compensate the negative effects of its activities in the exploitation area, in the periphery and within the DFR.

The mission noted that the situation on the ground has not evolved since the last reactive monitoring mission in 2009, and that no new infrastructure has been built for financial and institutional reasons.

The mission reiterated the evident risks of pollution to the water catchment area of the River Dja by the intermediary of the River Edge where the water necessary for the treatment of raw materials will be pumped and where the spills and releases from products originating from the exploitation site, notably industrial products, will be evacuated. The project will also have major indirect impacts on the integrity of the property linked to the massive influx of populations and movement on the site and in its periphery of numerous persons and vehicles (estimated at 1,300-1,500 additional persons divided into 3-4 villages). Other collateral impacts of the mine on the property include the leaching and corrosion of the ground, risks caused by the transport of dangerous products (ex. sulfates, acids, heavy metals), the probable increase in bush hunting and poaching, the accidental introduction of invasive species, the degradation and fragmentation of natural habitats of species as vulnerable and important as the large apes, the area for these species which extends to the DFR.

b) *Mining license in the property and its neighbouring territories*

The mission was also informed of the existence of other mining licenses granted on territories neighbouring the property and even inside this one: (i) a license was granted to the Venture Capital Plc company for the exploration of a territory covering about 20% of the area of the property, for the exploitation of iron ore. This license authorizes the beneficiary to conduct "sub-surface" work that would be totally incompatible with the maintenance of the integrity of the property; (ii) numerous other exploitation licenses have also been granted all around the property and sometimes in its immediate boundary. A limestone deposit was also recently discovered under the bed of the River Dja, in the immediate south-west periphery of the property, adjacent to the village of Bi. The eventual exploitation of the limestone deposit could lead the displacement of the bed of the River Dja, the limit of the property.

The mission noted that the management body was often not aware of the existence of infrastructure and work projects granted and validated by the Ministry of Industry, Mines and Technological Development as well as by the Ministry of the Environment. This issue raises the more general one of the coordination of interministerial actions and coherence of public policies in this region, and in particular the development of extractive activities.

The mission considers that these different exploration projects would have significant impacts on the Outstanding Universal Value (OUV) of the property.

c) *Construction of the Mekin Dam*

The mission visited the dam, mentioned in the State Party report, which is under construction on the River Dja, located at 100 km to the north-west of the DFR, the retained water of which would flood part of the property. The "Mekin" project is currently being constructed at the mouth of the Mekin and Dja Rivers and its water retainment capacity will be 940 million cubic metres. A 12 Megawatts hydroelectric plant and high tension electric power supply line of 63 Kilowatts will be built in the immediate vicinity of the property. The mission considers that the Mekin works and their exploitation will directly affect the ecological functioning of the property: a part of this will be flooded by the dam retainment and will suffer intertidal effects. Furthermore, the massive influx of populations that will surely result from the collateral effects on the property, notably the facilitation of access, spontaneous installations, illegal forestry and agricultural activities, hunting, fishing, poaching. The mission was also informed of a "semi-industrial" fishing project. The mission consulted the ESIA that highlighted the effects on the biodiversity but it notes that the Environmental Management and Social Plan contains no measures to monitor the effects of the project on the wildlife and flora nor any valid action plan destined to foresee, reduce and compensate the direct and indirect effects of this infrastructure on the property. The mission concludes that the dam will therefore have a significant impact on the OUV of the property.

d) *Industrial agriculture exploitation and forestry exploitation in the periphery of the property*

The mission met the responsables of the rubber plantation project, mentioned in the State Party report, implemented and located in the immediate vicinity of the DFR over an area of 45,200 ha. The concession decree also provides for eventual palm oil and cocoa plantations in partnership with local communities. The project should create more than 6,000 direct jobs and 10,000 indirect jobs. The company considers that in total, the site should attract approximately 30,000 new inhabitants to the exploitation site and its vicinity. The mission considers that this project will eventually and directly increase human pressure on the property. This pressure has already increased during the present preparatory phase of the site. In addition, the influx of a massive population will probably have new secondary and important impacts on the property, notably an increase in pressure on its natural resources by fishing, gathering, hunting of bush meat and poaching of threatened species. The mission notes that the risks in the increase of poaching in the DFR are identified in the ESIA, but no measure to control this is foreseen.

e) *Poaching for the bush meat markets*

Previous reactive monitoring missions have reported the threats represented by the hunting of bush meat on the OUV of the property and the status of wildlife species in particular. The mission confirmed that poaching is recurrent inside the property, notably in the eastern sector of Lomié where an organized network in the commercial trade of species appears to function with the support of local elites. Currently, it is difficult to know the exact status of the wildlife populations in the property. A status evaluation of great apes conducted in 2010 over roughly 13% of the area of the DFR, in the southern sector of Somalomo, concluded in the presence of a “quite large” population of great apes, apparently stable over the last fifteen years. Although these results are encouraging, the mission estimated that the reduced area covered by this study and its focalization uniquely on great apes did not enable the establishment of general conclusions on the state and evolutionary tendencies of wildlife in the property and its vicinity. The same study recommends the organization of a systematic monitoring of these populations in the framework of the management of the DFR; a protocol was proposed on this occasion but the implementation, unfortunately, has not begun to date due to a lack of human, technical and financial capacities. The mission recommends the State Party to make available the necessary means to enable the start of this monitoring of wildlife throughout the entire DFR property. It would enable a better knowledge of the state of conservation and especially the evolutionary tendencies of the major large mammals of the property for the effective management and preservation of the OUV of the property.

f) Implementation of the recommendations of the 2009 mission

In Decision **34 COM 7B.1**, the Committee adopted a series of measures to be implemented by the State Party for the preparation of an emergency plan. The mission evaluated the state of progress of their implementation and this evaluation is detailed in the mission report. Despite the willingness of the management body of the site, the mission notes that in general little progress has been accomplished since the last reactive monitoring mission due to a complete lack of human, technical and financial means allocated to the manager of the property. Currently, there is one agent for 10,520 ha to be monitored and controlled, without any transportation. Therefore, the surveillance is limited to a few days a month of presence of the ecoguards in the field. The mission recommends that a general staff reconstruction plan combined with an important effort to increase staff be undertaken. Due to an insufficient budget, only a part of the management plan for the 2008-2012 period has been implemented, and likewise, the monitoring of wildlife populations has not begun. The mission notes that the budgetary situation has worsened since the last reactive monitoring mission in 2009. However, the mission notes the important efforts to ensure the demarcation of the boundaries of the property, but it notes that this work should be verified because anomalies have been reported during its visit to the field, comprising important errors in the delimitation and marking of the property on the ground.

Conclusion

The World Heritage Centre and IUCN note that even if the envisaged work for the GEOVIC activities has been suspended since 2009, the GEOVIC mining license has not been suspended and that the new environmental impact study still does not meet international standards. They note that the threats reported by previous missions, including commercial poaching, add to the negative effects linked to the direct and indirect impacts of the new projects already underway, such as rubber plantation, in the immediate vicinity of the DFR, and the Mekin Dam at 100 km to the north-west, as well as the granting of an iron ore exploitation license within the property, and several other licenses of the same type in the immediate vicinity of the property. Neither the World Heritage Centre nor IUCN have been informed or consulted about these projects and granting of mining licenses. In a letter dated 24 February 2012, the Director of the World Heritage Centre wrote to the Ministry of Forests and Wildlife regarding his concern in the face of these new projects, notably the rubber plantation and the iron exploration license within the DFR. To date, no response has been received. The World Heritage Centre and IUCN recall that mining exploitation and/or

exploration are not compatible with the World Heritage status. They recommend the Committee to request the State Party to cancel the mining exploration license covering the property, notably that of iron exploration.

The World Heritage Centre and IUCN, based on the indication of the mission, note that the risks of degradation have increased inside and at the immediate periphery of the property. They also note that the management body of the property does not dispose of sufficient financial, logistic or human resources to respond to the numerous threats and pressures caused by these large-scale projects, at the periphery and inside the property. They note that no preventive measures have been taken to control the effects of these projects on the OUV of the property, nor to compensate their interested parties.

The World Heritage Centre and IUCN conclude that in view of the accumulation of ascertained threats, possible and even imminent, the property conforms, according to Paragraph 180 of the *Operational Guidelines*, to the criteria for inscription on the List of World Heritage in Danger. This conclusion is in line with the two previous Decisions of the Committee (**34 COM 7B.1** and **35 COM 7B.1**) in which it envisages this possibility in the case of the confirmation of a potential or proven danger to the Outstanding Universal Value. However, taking into account the need to discuss the results of the mission with the State Party, the World Heritage Centre recommends that consultations be engaged with the State Party so that these new identified threats be dealt with and that they can: cancel the exploration license granted within the property; suspend the GEOVIC mining activities until the completion by the Company of a ESIA according to international standards, before any commencement of exploitation at the site; define in concertation with the management body of the property, the Sud Hévéa Cameroun company, the measures to be undertaken to prevent, reduce and compensate the negative effects of the project on the Outstanding Universal Value of the property, to be submitted to the World Heritage Centre for examination by IUCN. IUCN indicates that it does not share the position of the World Heritage Centre on this issue, and recommends the inscription of the property on the List of World Heritage in Danger, in accordance with the position of the Committee as contained in Decision **35 COM 7B.1**. IUCN considers that an additional delay is not to be recommended, in accordance with the proven danger of the property, confirmed by the recent joint World Heritage Centre and IUCN mission.

The mission prepared a series of Corrective measures included in the draft decision. In the eventual inscription on the List of World Heritage in Danger, the mission has proposed a draft Desired state of conservation for removal of the property from the List of World Heritage in Danger based on the implementation of a number of measures, which could be interpreted as progress in the preservation of the OUV of the property, notably as regards its integrity and protection.

Draft Decision: 36 COM 7B.1

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalls Decision **35 COM 7B.1** adopted at its 35th session (UNESCO, 2011)*
3. *Notes with concern that the State Party has not suspended the GEOVIC mining license, as requested by the Committee at its 34th and 35th sessions, although no activity has begun at the site since the 2009 mission, and that the new environmental impact study submitted to the World Heritage Centre does not meet international standards and does not take into account the presence of the property;*

4. Expresses its deep concern regarding the granting of mining exploration licenses, including one for iron exploration, within the property, the impacts of the Mekin Dam and the rubber plantation on the property, the consequences of which would significantly affect its Outstanding Universal Value and in particular its integrity;
5. Recalls its position concerning the incompatibility of mining exploration and exploitation with World Heritage status;
6. Takes note of the conclusion of the joint World Heritage Centre/IUCN mission that the threats and pressures on the property continue to increase affecting its Outstanding Universal Value, and that the management body of the property does not dispose of financial, logistical or human resources to respond to these threats and pressures present inside and at the immediate periphery of the property;
7. Considers that in view of this accumulation of possible and even imminent threats, the property meets, according to Paragraph 180 of the Operational Guidelines, criteria for inscription on the List of World Heritage in Danger, **and that the property would be inscribed on the List of World Heritage in Danger at the 37th session in 2013, if the following conditions are not fulfilled:**
 - a) Cancel without delay the iron exploration license authorized inside the property,
 - b) Suspend GEOVIC mining work until the completion by the company of an Environmental and Social Impact Assessment meeting international standards, before any commencement of exploitation at the site and create a consultation framework with the management body of the property to prepare and implement an adapted biodiversity safeguarding plan for resources,
 - c) Suspend the agriculture exploitation project (rubber plantation) to define in consultation with the management body of the property, Sud Hévéa Cameroun company, the measures to be undertaken to foresee, reduce and compensate the negative effects of the project on the Outstanding Universal Value of the property,
 - d) Suspend the Mekin Dam work until the appropriate measures to mitigate the direct and indirect impacts on the Outstanding Universal Value of the property be submitted to the World Heritage Committee for examination by IUCN;
8. Urgently requests the State Party to implement the following measures to prevent, the degradation of the Outstanding Universal Value of the property:
 - a) Strengthen the human and logistic resources of the management body to enable permanent surveillance and control, under normal conditions, of the land and aquatic parts of the property; to this end, a position of deputy conservator of the DFR should be created and motorized transportation, notably aquatic, made available to the ecoguards,
 - b) Establish the technical and financial means for the effective operation of the monitoring system of large wildlife and enable the creation of a reference data base on the state of conservation of the biodiversity of the property,
 - c) Revise and modify the boundary and physical marking of the property and submit a map in the required format to the World Heritage Centre by **1 February 2013**;
9. Requests the State Party to also implement the other recommendations of the joint World Heritage Centre/IUCN mission of 2012;
10. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including a detail of

progress accomplished in the implementation of the corrective measures and recommendations of the mission, for examination by the World Heritage Committee at its 37th session in 2013;

Option proposed by IUCN;

11. **Decides to inscribe the Dja Faunal Reserve (Cameroon) on the List of World Heritage in Danger;**
12. Takes note of the proposals made by the mission concerning a draft Desired state of conservation, and requests the State Party to develop, in cooperation with the World Heritage Centre and IUCN, a proposal for the Desired state of conservation for the removal from the List of World Heritage in Danger based on the results of the ecological monitoring.

3. Lake Turkana National Parks (Kenya) (N 801bis)

Year of inscription on the World Heritage List
1997

Criteria
(viii) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page + <http://whc.unesco.org/en/list/801/documents/>

International Assistance
Global amount granted to the property: USD 35,300
For details, see page <http://whc.unesco.org/en/list/801/assistance/>

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
N/A

Illustrative material
See page <http://whc.unesco.org/en/list/801>

Current conservation problems

On 31 January 2012, a report was submitted by the State Party of Kenya in response to Decision **35 COM 7B.3**. In the report, the State Party expresses its concern about the potential impacts of the Gibe III dam on the property and notes that it is of the opinion that no adequate scientific proof has been provided by the State Party of Ethiopia that adequate mitigation measures have been taken and that this has to be addressed urgently to avoid irreversible damage to the property. The report further notes that this issue is of transboundary nature and that a solution has to be found together with the State Party of Ethiopia. On the same date, a report was also received from the State Party of Ethiopia, in

which it notes that the Gibe III dam will not result in consumptive use of water, and hence water levels in Lake Turkana will return to normal once the reservoir is filled. It notes that irrigation development is not part of the Gibe III project. It concludes that all Environmental Impact Assessments (EIA) carried out indicate that the Gibe III dam will not have significant impacts on the environment and therefore it will not suspend the construction of the dam, as was requested by the World Heritage Committee. The State Party also transmitted electronic copies of EIA, including the additional study on downstream impacts.

From 14 to 22 March 2012, a joint World Heritage Centre/IUCN monitoring mission visited Sibiloi National Park (SNP) and South Island National Park (SINP) which are part of the property, and had discussions with various stakeholders and the Kenyan authorities, including a meeting with Prime Minister.

The mission report is available at <http://whc.unesco.org/en/sessions/36COM/documents>. The mission had only visited Kenya and at the time of preparation of this report, and the mission to Ethiopia has not yet been scheduled. The mission to Ethiopia will be important to update the information that the mission was able to collect in Kenya and to confirm its conclusions.

The mission looked at the following key conservation issues:

a) *Impact of the GIBE III dam and related issues*

The mission noted that the EIA submitted by Ethiopia does not assess any impacts beyond the Ethiopian territory and did not consider possible impacts on Lake Turkana. The documented public consultation process also did not include affected populations in Kenya. The mission further notes that the EIA only considers the impacts of the dam as a stand alone project, and does not include any reference to other related planned or on-going projects, such as downstream agricultural development projects which will use the water for irrigation. These irrigation projects are made possible because the dam will ensure a steady and constant flow of water in the Omo River, compared to the natural seasonal variation pattern currently in place. The World Heritage Centre and IUCN note that while the report of the State Party of Ethiopia asserts that irrigation development is not part of the Gibe III project, a sugar cane development is already being implemented, with infrastructure including irrigation canals currently under construction. Two additional dams are also already planned downstream of the Gibe III dam. At the time of preparation of this report, the official website of the Ethiopian electricity cooperation reports that construction of Gibe III is more than 50% completed.

In preparation of the mission, IUCN commissioned a review of the potential hydrological impacts of the proposed Gibe III dam on the Outstanding Universal Value (OUV) of Lake Turkana National Parks, prepared by Hydro-ecology Consulting Ltd, which looked at the different documents and studies currently available. Based on this review, the mission believes that the potential cumulative impacts on Lake Turkana of the Gibe II dam and the other related developments would be significant:

- (i) Modelling shows that over the expected three years period of filling of the GIBE III reservoir lake water levels will be reduced significantly from 1.65 to 4 m above natural fluctuation levels. After filling is complete and if no water would be extracted from the Omo river downstream of the dam, normal river flow volumes would return to the lake, but it could take 12 years for the lake to return to its equilibrium level. Thus the impact of filling may last 15 years in total. The drop in water levels will move the shoreline of the lake significantly, particularly in the northern part of the lake where two components of the property are located (estimated at 2-3 km minimum at a drop of 1.65 m). This significant drop in lake levels could result in increased salinity and in likely impacts on wildlife which depends on the riparian flood plains and wetland habitats along the lake's shore for food and breeding as well as on fish stocks as a result of the drying out of major fish spawning areas, such as Ferguson's Gulf and the delta of the Omo River).

- (ii) The current seasonal nature of inflows from the Omo River means that Lake Turkana water level naturally rises and falls. The dam will result in a loss of this seasonality in water inflow into the lake and is predicted to dampen the magnitude of this variation significantly (from 1.20 m down to 0.80 m) following dam construction. This constitutes a major change to both the riparian and lake ecosystems and the Omo River delta and is predicted to have important impact on fish stocks and wildlife species which depend on the floodplains of the Omo River and the wetlands along the lake's shore.
- (iii) The drop in lake water levels will likely be long term due to the expected fall of seasonal oscillations mentioned above and the cumulative impact of irrigation projects on the Omo River downstream of the dam. As mentioned above, the Kuraz sugar development is already under construction and there are plans to convert 278,000 ha of land along the river to sugar plantations and other agricultural developments using irrigation. The African Development Bank study cites the Omo-Gibe basin master plan in which irrigation developments by 2024 would use 16% of the basin's water and calculates this would lead to a reduction in lake level of 8.4 m. This is a significant hydrological change to the lake.
- (iv) Gibe III is part of a system of dams which will impact the water inflow into Lake Turkana: Gibe I and Gibe II dams are already in operation upstream of Gibe III, although Gibe II is under repair due to a tunnel collapse. A dam also exists on the Turkwel River, which also flows into Lake Turkana. On the Omo River, Gibe IV and V are also planned, but few details of their design and operation are available. Simulations show that the cumulative impact of increasing the surface area of all the reservoirs will reduce the volume because of increased evaporation. Each reservoir will need to be filled, so reduced flow inputs to Lake Turkana and further reduction in seasonal variations in flow might continue for a much longer period than 15 years.

The mission therefore concluded based on the information available through the mission in Kenya that the potential and ascertained cumulative impacts of the GIBE III dam and related developments are highly likely to impact the OUV of the property and that the conditions for inscribing the property on the List of World Heritage in Danger are met.

During the meeting with the Prime Minister, the mission was informed that the Government of Ethiopia had assured the Government of Kenya that the Gibe III dam would not have a long term impact on the water level of Lake Turkana, but that they had not been informed about the related irrigation projects and other developments. The Kenya National Environment Management Authority (NEMA) also informed the mission that they had never received a copy of the Gibe III EIA and that they were not aware of any EIA which was done to assess the downstream impacts of the dam in Kenya, including on Lake Turkana. The mission also notes the huge negative impacts that the dam and related projects are likely to have on the livelihoods of local communities living around Lake Turkana.

b) *Oil exploration*

The mission was informed that several oil exploration blocks have been attributed which cover Lake Turkana, including some parts of the property. The mission was further informed that the company to whom these blocks have been attributed, Tullow Oil, received the authorisation for oil exploration activities in all these blocks based on an EIA, which has not been submitted to the World Heritage Centre. The mission was provided with a copy of the exploration licence for one of the blocks which overlaps with SNP and noted that the licence includes a provision that the company must collaborate with the management authority of SNP, Kenya Wildlife Service (KWS), to ensure the protection of the World Heritage property. The mission was further informed that neither KWS nor National Museums of Kenya (NMK), which is in charge of managing the fossils sites in the property, had been informed before the licence was attributed.

Representatives of Tullow Oil clarified to the mission team that for the moment only aerial seismic surveys have been undertaken and that seismic operations on the ground are currently planned and starting on the western shore only and the lake itself and therefore

avoid the property. They also stated that further ground surveys on the eastern shore, where SNP is located, may not be necessary.

c) *Wildlife populations and pressure from poaching and livestock grazing*

While the mission had no access to data on wildlife populations, it noted from observations during the field visit that wildlife populations seem to be impoverished and concentrated in the most secure areas of the property. This indicates also that poaching pressure is an important threat to the property. Certain flagship species such as reticulated giraffe and Grevy's zebra are reported to have disappeared from the property. The mission further noted fishing activities within the borders of the World Heritage property.

The mission was informed that at the time of creating the park local pastoralists were guaranteed grazing and watering rights in the case of drought. The mission notes that grazing is currently permanently affecting the entire northern part of the park, resulting in overgrazing, trampling and an increase in shrub vegetation.

The mission concluded that livestock grazing, poaching and fishing activities are important management issues that need to be urgently addressed and need to be reflected in the new management plan. Consideration should also be given to the reintroduction of species which have disappeared, such as the reticulated giraffe and the Grevy's zebra.

d) *Impacts of the larger development vision for Northern Kenya*

The mission notes that as part of its 2030 development vision, the government of Kenya in cooperation with of the governments of Ethiopia, and South Sudan is planning a larger development which includes the Lamu Port Initiative, the planned Lamu Port Sudan Ethiopia Transport Corridor (LAPSET) and related developments (roads, railway, pipeline, power lines, wind farms, resorts, etc.). The mission considers that these projects will cause major changes in northern Kenya, and that the cumulative impacts could affect the property. The mission recommends that a Strategic Environmental Assessment (SEA) is undertaken which takes into account Lake Turkana and other potentially affected World Heritage properties.

d) *Management capacity of KWS and NMK*

The mission acknowledges the challenges of managing the property due to its remoteness. The mission emphasizes the importance of involving local stakeholders, particularly pastoralists and fishermen and notes that NMK's knowledge regarding the cultural heritage of pastoralist communities. It considers that an increase in institutional cooperation between NMK and KWS would be important not only to address the many practical challenges, but also to ensure better protection of both fossil sites and wildlife and to address conservation issues and improve cooperation with local communities. The mission encourages KWS to ensure a permanent presence both in SINP, as well as in the northern part of SNP.

The mission was informed that a new management plan is under preparation and considers this an excellent opportunity to develop strategies to address main threats and management issues of the property. They note that it is important that the management plan is developed by the two management agencies KWS and NMK and addresses all three components of the property.

e) *Design of the World Heritage site*

The mission noted that most of the lake itself is outside the borders of the World Heritage property although it is named Lake Turkana National Parks. Many important fossil sites are also outside the boundaries. The mission recommends that a reflection is begun on re-designing the site, to include a larger portion of the lake as well as important fossil sites currently outside the property, and to consider re-nominating the property under cultural criteria, as an important site for human evolution.

Conclusion

The World Heritage Centre and IUCN wish to draw the attention of the Committee on the fact that, based on the information gathered by the reactive monitoring mission to Kenya, the potential and ascertained cumulative impacts of the GIBE III dam and related developments are highly likely to impact the OUV of the property, and therefore recommend that the Committee inscribe the property on the List of World Heritage in Danger, in accordance with paragraph 180 (b) of the *Operational Guidelines*.

The World Heritage Centre and IUCN stress that the State Party of Kenya needs to urgently address the issue of cumulative impacts of Gibe III and related developments on Lake Turkana on a bilateral basis with the State Party of Ethiopia. They further note that a SEA should be conducted urgently to assess the cumulative impacts of all developments impacting on Omo River basin in order to make strategic choices on the management of water in the basin and to identify appropriate corrective measures to ensure that the water level in Lake Turkana, as well as a level of seasonal variation, will be maintained which is sufficient to maintain the OUV of the property. They recommend that the World Heritage Committee reiterates its request to the State Party of Ethiopia to halt the construction of Gibe III as well as other developments which will use the water of the Omo River for irrigation until the SEA is completed and the above mentioned measures are identified.

The World Heritage Centre and IUCN reiterate that oil exploration is not in accordance with World Heritage status and take note of the fact that so far no oil exploration activities have taken place within the property itself. They further consider that the State Party should urgently clarify the provision of the EIA licence on the protection of the World Heritage property, to ensure that no exploration can take place within the property. They further recommend that the World Heritage Committee call on Tullow Oil to subscribe to the no-go commitment already supported by the International Council on Mining and Metals (ICMM) and Shell.

The World Heritage Centre and IUCN note the significant impacts of poaching, fishing and livestock grazing on the property and highlight to the Committee that these issues that need to be urgently addressed and need to be reflected in the new management plan.

Draft Decision: 36 COM 7B.3

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.3**, adopted at its 35th session (UNESCO, 2011),*
3. *Takes note of the results of the joint World Heritage Centre/IUCN monitoring mission undertaken to Kenya to assess the state of conservation of the property and in particular the impact of the GIBE III dam project and related developments;*
4. *Reiterates its utmost concern about the potential and ascertained cumulative impacts on Lake Turkana of the GIBE III dam, the related on-going and planned irrigation projects as well as the planned Gibe IV and V dams, and considers that these developments represent a clear potential threat to the Outstanding Universal Value of the property, in accordance with Paragraph 180 (b) of the Operational Guidelines;*
5. *Urges the State Party of Ethiopia to invite the joint World Heritage Centre/IUCN mission to review the impacts of the GIBE III dam on the Outstanding Universal Value of Lake Turkana, as was done by the State Party of Kenya;*

6. Also urges the State Parties of Kenya and Ethiopia to address this issue on a bilateral basis and conduct a Strategic Environmental Assessment (SEA) to assess the cumulative impacts of all developments impacting on the Lake Turkana basin in order to identify appropriate corrective measures to ensure that the water level in Lake Turkana, as well as a level of seasonal variation be maintained, which is sufficient to maintain the Outstanding Universal Value of the property;
7. Further reiterates its request to the State Party of Ethiopia to immediately halt all construction on the GIBE III dam and related irrigation projects until the SEA is completed and appropriate corrective measures have been identified and implemented;
8. Takes note that oil exploration licences have been granted for exploration blocks which cover part of the property, but that so far no oil exploration activities have been carried out or are planned within the property, and requests the State Party of Kenya to clarify the provision already included within the oil exploration licence on the protection of the World Heritage property, to ensure that no exploration can take place within the property;
9. Calls on Tullow Oil to subscribe to the no-go commitment, already supported by the International Council on Mining and Metals (ICMM) and Shell, not to explore or exploit oil or minerals inside World Heritage properties;
10. Notes the significant impacts of poaching, fishing and livestock grazing on the property reported by the World Heritage Centre / IUCN monitoring mission, and requests the State Party to implement the recommendations of the mission to address these and other management issues, in particular:
 - a) Conduct a detailed census of key wildlife species to establish their status and develop a baseline to monitor their recovery,
 - b) Strengthen the efficiency of law enforcement and surveillance based on the results of the MIST monitoring system which is being introduced in the property,
 - c) Establish permanent presence of Kenya Wildlife Service staff in the northern part of Sibiloi National Park as well as on Central and South Island National Parks,
 - d) Develop in close consultation with representatives of the local pastoralist communities a strategy to diminish grazing pressure in the property, including by identifying grazing areas outside the property and provide them with access to water,
 - e) Assess the feasibility of reintroducing flagship species which have disappeared from the property such as reticulated giraffe and Grevy's zebra;
11. Also requests Kenya Wildlife Service and National Museums of Kenya to ensure that the new management plan addresses all three components of the property and covers both the biodiversity and paleontological values;
12. Recommends that a reflection is begun on re-designing the property, to include a larger portion of the lake as well as important fossil sites currently outside the property, and to consider re-nominating the property under cultural criteria, as an important site for human evolution;
13. Further requests the State Party of Kenya in cooperation with the State Party of Ethiopia to develop based on the corrective measures identified through the SEA, a timeframe and costed action plan for their implementation as well as a draft Desired state of conservation for its removal from the List of World Heritage in Danger;

14. Requests furthermore the States Parties of Ethiopia and Kenya to submit to the World Heritage Centre, by **1 February 2013**, a report on the implementation of the above mentioned requested actions for consideration by the World Heritage Committee at its 37th session in 2013;
15. **Decides to inscribe Lake Turkana National Parks (Kenya) on the List of World Heritage in Danger.**

5. Selous Game Reserve (United Republic of Tanzania) (N 199)

Year of inscription on the World Heritage List

1982

Criteria

(ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/199/documents/>

International Assistance

Global amount granted to the property: USD 60,480

For details, see page <http://whc.unesco.org/en/list/199/assistance/>

UNESCO extra-budgetary Funds

N/A

Previous monitoring missions

November 2007 and November 2008: World Heritage Centre / IUCN monitoring missions

Factors affecting the property identified in previous reports

- a) Poaching;
- b) Reduction of elephant populations;
- c) Insufficient funding;
- d) Mineral and hydrocarbon prospecting and mining;
- e) Tourism management and development;
- f) Potential and proposed dam development.

Illustrative material

See page <http://whc.unesco.org/en/list/199>

Current conservation issues

On 2 February 2012, the State Party submitted a concise report on the state of conservation of the property. The report provides an overview of the progress achieved in the implementation of the Committee's decision adopted at its 35th session (UNESCO, 2011).

- a) *Finalize the creation of the autonomous Wildlife Authority and reinstate the Revenue Retention Scheme*

The State Party notes that a consulting firm was engaged to facilitate the establishment of the Tanzania Wildlife Authority (TAWA). This process is now in its final stages. The State Party notes that once TAWA becomes operational, the revenue retention scheme will automatically be reinstated. No timeline for the finalization of the establishment of TAWA is provided.

- b) *Abandon plans for the different development projects which are incompatible with the World Heritage status of the property, in particular the Stiegler's Gorge dam, uranium mining and oil exploration inside the property*

The State Party expresses its awareness that energy-related developments and their consequences may be incompatible with World Heritage status as they may impact negatively on the Outstanding Universal Value of World Heritage properties. It emphasizes that any proposed development project within the property will undergo proper scrutiny as per the *Convention* and its *Operational Guidelines* before being allowed to proceed. The State Party notes that the Stiegler's Gorge dam has been earmarked a major source of hydropower to tackle the on-going power crisis in Tanzania, but that the project is still at the planning stage and that no permit for the commencement of the project has yet been granted. The State Party states that no permit will be granted without a properly conducted Environmental and Social Impact Assessment (ESIA) and prior clearance from the World Heritage Committee.

However, the World Heritage Centre and IUCN note recent media reports that the Minister of Energy and Minerals announced that the Stiegler's Gorge hydropower project will commence in July 2012, and is expected to be commissioned by end 2015. These reports note that the Brazil based company Odebrecht Construction International has already been contracted to implement the project, and that banks based in Brazil will provide part of the required funding. According to the Director General of the Rufiji Basin Development Authority (RUBADA), once filled, the reservoir will cover 1,200 km², or 120,000 ha within the property. This represents 2.4% of the entire property, including two key areas for rhinoceros and key habitat for several other species. Furthermore, the World Heritage Centre and IUCN note that the construction of the dam would open up a previously poorly accessible area of the property, which would likely result in secondary impacts such as poaching and illegal resource use.

- c) *Ensure that the design of the Kidunda dam will not affect the Outstanding Universal Value of the property and avoid flooding part of the property or key wildlife areas on its boundaries*

The State Party notes that the proposed Kidunda dam on the edge of the northern sector of the property is considered a major solution to domestic water shortages in many areas of the country. The report stated that the initial stage of the ESIA for this project is currently in progress and that the report of this initial stage is under review by the Ministry of Natural Resources and Tourism. The State Party notes that a detailed ESIA will be prepared and incorporate stakeholder recommendations which will be taken into account in the approval process.

The World Heritage Centre and IUCN note that a previous ESIA, dated March 2008 and reviewed by the 2008 World Heritage Centre / IUCN monitoring mission shows that the dam will impact on ecological systems, may disrupt wildlife corridors, affect reproductive behaviour of aquatic organisms, and impact negatively on other wetland habitats. The ESIA also notes that the dam was redesigned in order to minimize (but not eliminate) impacts on the property and the Gonabis plain, which, according to a 2005 report by the German development cooperation (GIZ), is an important buffer zone for the property and provides habitat for the highest densities of wildebeest, zebras, giraffes and other large herbivores in the whole Selous ecosystem. This report suggests that endangered species such as wild dog, cheetah and rhino are also found in or near the affected area. The 2008 ESIA report also states that the proposed reservoir of 27 km² will only yield 60 m³ and that a much larger dam covering at least 43 km² would be necessary to provide the planned 150 m³ capacity, but did not investigate the impacts of this alternative. The new ESIA which is currently under preparation is therefore for a much larger dam and therefore likely to have even more important impacts on the OUV of the property.

d) *Enact specific legislation to prohibit prospecting and mining within Selous Game Reserve on the basis of its World Heritage status*

The State Party notes that the recent legislative changes that permit mining in Game Reserves countrywide were made in support of development to improve the economy to meet the 2025 Millennium Development Goals (MDG). Considering that mining and mineral resources in Tanzania are among the major pillars for economic growth, the State Party states it has put in place several environmental laws and regulations to regulate major developments within protected areas, including the property. However, no details are provided on what these entail.

e) *Develop and implement an emergency plan to strengthen anti-poaching activities in the property in order to cope with the alarming increase in poaching*

The State Party reports on its efforts to strengthen anti-poaching and monitoring activities, including through increased joint anti-poaching operations with other law enforcement institutions, and the implementation of the Tanzania Elephant Management Plan 2010-2015 (TEMP). In addition, 39 new staff have been hired and three new patrol vehicles were purchased to strengthen the Ranger Force, and there are plans for purchasing a helicopter for aerial surveillance in 2012. Furthermore, guidelines for the establishment of a Wildlife Protection Unit (WPU), which will involve all wildlife institutions, have been prepared and are currently awaiting ministerial approval. The State Party is also exploring the use of Geo-Information Systems (GIS) and Remote Sensing to combat poaching.

The TEMP 2010-2015 notes a marked decline in the Selous elephant population, from 50-70,000 in 2006 to 38,975 in 2009. It recognizes that there is firm evidence that illegal killing of elephants in the Selous Ecosystem has increased in recent years: a more than threefold increase in elephant carcasses detected was observed between 2006 and 2008. The TEMP states that an important factor influencing the protection of the elephant population in the property is a marked decrease in funding, as a result of the national budget reductions in 2004, which led to the discontinuation of the Revenue Retention Scheme and a 2 million US dollar reduction in revenue for the property. Recent media reports (January 2012) note that the President of Tanzania, upon reviewing the results of the 2009 survey, ordered an investigation to establish why the number of elephants in the property has been decreasing in recent years.

f) *Revise and resubmit the Environmental Impact Assessment for the proposed Mkuju River uranium mine in line with the World Heritage Centre and IUCN recommendations prior to granting exploitation permits*

From 24 October to 1 November 2011, an advisory mission of independent experts recommended by IUCN visited the property, which undertook a review of the draft Environmental Impact Statement (EIS) for the Mkuju River uranium mining project (MRP). Based on the review, the State Party submitted a revised EIS to the World Heritage Centre on 31 January 2012. To date, no exploitation permits have been granted. On 31 January 2012, the State Party also submitted a revised proposal for a minor boundary modification for the excision of 41,286 ha of land from the property to accommodate the proposed uranium mine, as well as a buffer zone. This proposal has been evaluated by IUCN, and is discussed further in Document WHC-12/36.COM/INF.8B2. The World Heritage Centre and IUCN reiterate that the current proposal for a mine inside the property is incompatible with its World Heritage status, in line with the established position of the World Heritage Committee. IUCN notes that information received from stakeholders suggests that an illegal road has been partly constructed through the Undendeule Forest, which is proposed by the State Party for addition to the property as partial compensation for the development of the proposed mine.

g) *Other conservation issues – the Selous-Niassa Corridor, oil exploration*

In its report on the state of conservation of the property, the State Party acknowledges that the Selous-Niassa Corridor is a fundamental part of the Selous Ecosystem and notes that wildlife corridors have legal recognition under the Wildlife Act of 2009. The State Party provides a concise list of measures taken to protect the Selous-Niassa Corridor. These include: i) land use planning and capacity building among communities within the corridor in order to achieve best land use practice and protection of the environment, ii) alternative livelihood projects, improvement of infrastructure and training of Village Scouts for the management of Wildlife Management Areas (WMA), iii) establishment of five WMAs to date within the Selous-Niassa Corridor, where natural resources are managed by local people, and iv) international cooperation with Mozambique to enhance conservation within the corridor. The State Party also notes that wildlife corridors throughout the country are being identified and delineated, after which guidelines will be developed, although it is not clear what type of guidelines are envisaged.

In relation to oil exploration within the property boundaries, the State Party notes that it is pursuing a sustainable development approach, and will base its decisions on ESIA reports and secure a thorough implementation of the proposed mitigation measures on identified impacts. A recent media article advises that Dominion Petroleum relinquished the oil production sharing agreement for Selous, which it had signed with Tanzania Petroleum Development Corporation more than ten years ago. However, the State Party did not mention this in its report, nor has it made a commitment to not permit any oil exploration within the property. The World Heritage Centre and IUCN recall the Committee's established position that oil exploration and exploitation is not compatible with World Heritage status.

Conclusion

The World Heritage Centre and IUCN are of the view that multiple threats are affecting the property's Outstanding Universal Value, including high levels of wildlife poaching (particularly of elephants), the evident deterioration in management, and the proposed Stiegler's Gorge and Kidunda dam which, if approved, are likely to cause serious and irreversible damage to the property's OUV.

They recall that the Committee, in Decision **35 COM 7B.6**, had urged the State Party to implement a number of actions in order to protect the property's OUVs. These actions included reinstating the Revenue Retention Scheme in order to increase the level of funding available to the property to address wildlife poaching, finalizing the creation of an autonomous Wildlife Authority to strengthen management, and abandoning plans for dams, oil exploration and mining inside the property which are incompatible with its World Heritage status. The Committee also urged the State Party to ensure that the design of the Kidunda dam will not affect the property's OUV and avoid flooding part of the property or key wildlife areas on its boundaries.

The World Heritage Centre and IUCN note the reported progress towards creating an autonomous Wildlife Authority which would automatically reinstate the Revenue Retention Scheme. They note reports that the project for the Stiegler Gorge dam may commence in July 2012 and draw the Committee's attention to the likelihood that the Stiegler's Gorge dam would flood large areas of the property, damage important habitats for threatened species and lead to secondary impacts such as increased poaching. They recommend that the Committee request the State Party to clarify the status of this dam during the course of its 36th session (Saint Petersburg, 2012).

Concerning oil exploration, the World Heritage Centre and IUCN note that while Dominion Petroleum has relinquished its oil production sharing agreement for Selous, oil exploration and exploitation remains a potential threat to the property.

They also recommend that the Committee reiterate any dam construction, mining or oil exploration inside the property would constitute a clear basis for the property's inscription on

the List of World Heritage in Danger, in line with Paragraph 180 of the *Operational Guidelines*.

They also recall that the property's legal protection regime was weakened in 2009 following revisions to the Wildlife Act which provided provisions for mining within game reserves. The World Heritage Centre and IUCN recommend that the Committee reiterate the importance of enacting specific legislation to prohibit prospecting and mining within Selous Game Reserve on the basis of its World Heritage status.

Draft Decision : 36 COM 7B.5

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.6**, adopted at its 35th session (UNESCO, 2011),
3. Reiterates its utmost concern about the multiple threats affecting the property's Outstanding Universal Value (OUV), including high levels of wildlife poaching (particularly of elephants), the evident deterioration in management, and the proposed Stiegler's Gorge and Kidunda dam which, if approved, are likely to cause serious and irreversible damage to the property's OUV;
4. Considers that the approval of any dam, mining or oil exploration within the property would constitute a clear basis for its inscription on the List of World Heritage in Danger, in line with Paragraph 180 of the Operational Guidelines, and urges the State Party to abandon plans for the different development projects which are incompatible with the World Heritage status of the property;
5. Notes with satisfaction that Dominion Petroleum has relinquished its oil production sharing agreement for Selous, but deems that oil exploration and exploitation remain a threat to the property and also urges the State Party to make a clear commitment to not explore for or exploit oil within the property, in line with the Committee's established position that such developments are incompatible with World Heritage status, and to enact specific legislation to prohibit prospecting, oil developments and mining within the property on the basis of its World Heritage status;
6. Further urges the State Party to implement the remaining actions requested by the Committee in Decision **35 COM 7B.6**, in order to ensure the protection of the property's Outstanding Universal Value, in particular:
 - a) Finalize the creation of the autonomous Wildlife Authority and reinstate the Revenue Retention Scheme,
 - b) Ensure that the design of the Kidunda dam will not affect the Outstanding Universal Value of the property and avoid flooding part of the property or key wildlife areas on its boundaries,
 - c) Develop and implement an emergency plan to strengthen anti-poaching activities in the property in order to cope with the alarming increase in poaching,
7. Also reiterates its encouragement that the State Party provide appropriate protection to the Selous-Niassa Corridor which is becoming progressively fragmented, and considers that its permanent protection as a buffer zone or its inclusion within the property is vital to the long-term integrity of the latter;

8. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and on progress in the implementation of anti-poaching measures, the reinstatement of the Revenue Retention Scheme and the creation of an autonomous Wildlife Authority, including confirmation that no permits have been issued for the various development projects within the property under consideration, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to considering, in the absence of substantial progress, the possible inscription of the property on the List of World Heritage in Danger.**

ASIA-PACIFIC

8. Great Barrier Reef (Australia) (N 154)

Year of inscription on the World Heritage List
1981

Criteria
(vii)(viii)(ix)(x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/154/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions

Factors affecting the property identified in previous reports

- Coastal development
- Development of ports and Liquefied Natural Gas facilities
- Extreme weather events
- Grounding of ships
- Water quality
- Oil and gas

Illustrative material
See page <http://whc.unesco.org/en/list/154>

Current conservation issues

On 19 January 2012, the State Party submitted a report on the state of conservation of the property. The report provides a response to Decision **35 COM 7B.10** and a summary of proposed coastal and port developments with potential impact on the OUV of the property. On 14 March 2012, the State Party provided an updated list of all proposals for development with potential impact on the OUV of the property consistent with Paragraph 172 of the *Operational Guidelines* of the *World Heritage Convention* and as requested by Decision **35 COM 7B.10**. A joint World Heritage Centre/IUCN reactive monitoring mission visited the property from 6 to 14 March 2012. The mission's objectives were to assess the state of conservation of the property and to assist the State Party with the development of the Strategic Assessment. The mission report will be made available prior to the Committee at the following internet address: <http://whc.unesco.org/en/sessions/36COM/documents>

a) *Coastal development*

At its 35th session, the Committee noted with serious concern that a single Liquefied Natural Gas (LNG) plant on Curtis Island had been consented. The mission noted that the plant had been assessed as impacting on attributes of the Outstanding Universal Value of the property. It transpires this is one of three such plants on Curtis Island, with a major associated dredging programme underway, and a fourth application still to be determined. The information provided by the State Party and the findings of the mission, shows a rapid

and recent increase in proposals for coastal development with potential impacts on the OUV of the property. The information illustrates that, to date, about 70% (41 out of 61) of all such proposals determined over the past decade (1999-2011) have been approved, presumably with a range of attached conditions. More than 60% of all such development proposals (67 of 108 proposals in total) were made in the last 5 years, with a substantial and consistent increase since 2008 notably in relation to projects associated with the export of coal and Liquefied Natural Gas. Proposals for development located both within and outside the property currently under consideration (circa 45 in total, of which circa 35 applications are seeking determination before the end of 2013) include LNG and other processing facilities and associated infrastructure, port facilities and dredging, tourism developments, aquaculture and agricultural developments, mining and extractive industries, transport infrastructure (excluding port facilities), pipelines, water treatment facilities and water supply infrastructure, and residential developments. Considering the high rate of approvals over the past 12 years, this unprecedented scale of development affecting or potentially affecting the property poses serious concerns over its long-term conservation.

The mission further noted that, whilst many aspects of the management of the property set standards, there is a range of unaddressed concerns regarding the protection and management of the port and LNG facilities in Gladstone Harbour and on Curtis Island and the protection of its surrounding environment. Concerns raised by stakeholders include reduced water quality from dredging, inadequate independent, scientific oversight in monitoring water quality, suggested lack of government response when water quality targets are exceeded, impact on traditional use, and lack of satisfaction regarding procedures for public consultation and transparency. It does not appear that offsets that were part of the conditions for consenting developments in Gladstone Harbour and on Curtis Island are appropriate and sufficient mitigation of the impact the facilities have on the property. The mission considers that these concerns should be addressed prior to any port development and ensure that port facilities and operations throughout the property meet the highest international standards of best practice, commensurate with the status of an iconic World Heritage property.

Until the results of the Strategic Assessment noted below are achieved, and a related plan for sustainable development has been put in place, a highly precautionary approach is required in relation to all developments that might impact the OUV of the property, together with effective and regular reporting to the World Heritage Committee. Without such a precautionary approach the outcomes of the Strategic Assessment may be compromised, and there are a number of developments that, were they to proceed, would provide the basis to consider the inscription of the property on the List of World Heritage in Danger.

b) *Strategic Assessment and Long Term Plan for Sustainable Development*

At its 35th session, the World Heritage Committee urged the State Party to undertake a comprehensive strategic assessment of the entire property, in order to enable a long-term plan for sustainable development that will protect its OUV. The State Party has responded positively to this request and has begun the implementation of the Strategic Assessment via two concurrent exercises lead by the State of Queensland and the Great Barrier Reef Marine Park Authority. The mission was able to participate in a workshop on this assessment during its visit and its report makes a range of relevant observations on the conduct of the assessment. The mission noted that the Strategic Assessment should be completed in a coordinated and fully consultative process, against a number of defined criteria for success, and considering the conclusions and recommendations of the mission as set out in its report. The assessment should address fully the direct, indirect and cumulative impacts of developments on the reef and lead to concrete measures for ensuring ecological, social and economic objectives for the property are met in a balanced manner and with a net-benefit to the overall conservation of the OUV. The resulting long-term plan for the sustainable development of the property should be submitted to the World Heritage Centre for consideration by the World Heritage Committee at its 39th session in 2015.

c) *Overall protection and management of the property*

The State Party report provides an extensive description of the protection and management arrangements as they currently are in operation, which are complemented by the findings of the reactive monitoring mission. The property has a history of strong management practices of which many are of high quality and an example to other marine protected areas. However the mission noted that there are threats to the property, and that assessments indicate that despite management successes there has been a continuing decline in the quality of some parts of the property, notably inshore areas to the south of Cook town. The Great Barrier Reef Outlook Report in 2009 assessed the future prospects of the property as poor, requiring decisive protection and management actions in the coming years.

The overall protection and management arrangements for the property should be subject to an independent review, including in relation to coastal and port development. Concerns to be addressed include the discrepancy between the boundaries of the Great Barrier Reef Marine Park and the slightly larger ones of the property. Furthermore, key coastal areas are excluded from the property but contain activities that pose threats to the conservation of the OUV of the property. There is a need for more effective coordination of protection and management between the Federal and State levels for the property as a whole, and areas outside its boundaries that may affect it. Additional issues of concern include complex and potentially overlapping legislation and the adequacy of funding for the property, where despite high capacity the growing needs are outstripping current budgets.

A central issue is that there does not appear to be consistent or specific recognition of OUV in plans and decision taking processes, and there is concern regarding the protection of a range of aspects that make up the OUV of the property, as these are not all being consistently considered. A retrospective Statement of OUV has been submitted for the Committee's approval, and should provide the basis for rectifying this. The Great Barrier Reef Outlook Report should, in future, also include a specific assessment of OUV.

d) *Water Quality*

Poor water quality poses a major threat to the conservation of the property, and is the principal driver of the decline in the inshore areas of much of the property. Through concerted management action the negative trend in water quality has recently been reduced and shows positive signs of restoration. The Reef Water Quality Protection Plan (Reef Plan) is a collaborative programme of coordinated projects and partnerships designed to improve the quality of water in the property through improved land management in reef catchments, and is implemented jointly between the Federal and State Governments. The programme aims at halting and reversing the decline in water quality entering the reef by 2013, and to ensure that by 2020 the quality of water entering the reef from adjacent catchments has no detrimental impact on the health and resilience of the property. Preliminary results indicate progress towards these targets. According to information from the Queensland Government, nitrogen run-off from regulated farms has reduced by approximately 14% since 2010. It is noted, however, that it will take decades to see the full benefits of the investment. The continuation of the Reef Plan initiative and its associated regulatory and incentives packages is essential to reach the targets set for 2020 and the overall long-term conservation of the Great Barrier Reef. Funding for these programmes is currently available until 2013 and will need to be maintained beyond that date.

e) *Climate Change*

Climate change is a key threat to the property and building resilience, through the reduction of other pressures, is a means to maximize the capacity of the ecosystem to adapt to its impacts. The World Heritage Committee, at its 35th session (UNESCO, 2011), welcomed the State Party's commitment to improve the property's resilience and its ability to adapt to climate change. The mission considers that defining clear and potentially statutory targets for the future condition sought for the OUV of the Great Barrier Reef could be beneficial to the overall improvement of resilience for the property. Such targets could provide a new and

positive paradigm for considering the long term future of the property, and should be supported by sound and objective scientific analysis regarding the various activities that contribute to the vulnerability of the reef and therefore limit its capacity to adapt to the impact of climate change.

Conclusion

The World Heritage Centre and IUCN note the conclusions contained in the mission report. Since the listing of the Great Barrier Reef as World Heritage, the property has tackled a series of threats effectively. However the OUV of the property is threatened and decisive action is required to secure its long-term conservation. The rapid increase of coastal developments, including ports infrastructure is of significant concern. The property further lacks an overall plan for the future sustainable development of the reef that will lead to protection of OUV in the long-term.

The World Heritage Centre and IUCN stress that it is essential that the State Party applies a highly precautionary approach to consenting new coastal and port development that might affect the property. Such an approach implies that the State Party should not permit any new port development or associated infrastructure outside of the existing and long-established major port areas within and adjoining the property, and also to ensure that development within major port areas is not permitted if it would impact individually or cumulatively on Outstanding Universal Value. They recommend that the Committee remind the State Party that it is essential that no port, coastal or other development that could affect the property should be approved if it would pre-empt a positive outcome of the Strategic Assessment and the resulting plan for the sustainable development of the reef, which would be considered by the World Heritage Committee at its 39th session in 2015.

The mission further concludes that the concerns over the management arrangements for the facilities in Gladstone Harbour and on Curtis Island should be addressed through an independent review and result in the optimization of their operation, consistent with the highest internationally recognized standards of best practice. Such review should take place prior to the consent of new major port operations.

Finally, considering the overarching importance of water quality to the reef's health, it is indispensable that the current level of investment is sustained beyond 2013 to ensure recent positive trends are sustained. It is further essential to reduce development and other pressures as much as possible to enable an increase in the reefs resilience to adapt to climate change.

The property does not currently meet the requirements for inscription on the List of World Heritage in Danger. However should some of the most threatening developments proceed further towards consent, it is recommended that the World Heritage Committee considers the possibility of listing the property as being in danger. The consent of such developments would directly risk irreversible impacts on the OUV of the property, and pre-empt an effective outcome of the Strategic Assessment and its envisioned plan for the long-term sustainable development of the reef. It is further recommended that the State Party undertakes regular evaluation of the OUV via its existing 5 yearly Great Barrier Reef Outlook Report cycle. It is recommended the second report, due in 2014, is presented to the World Heritage Committee when it becomes available, and includes an assessment of the long term prospects for the OUV of the property, threats to OUV, and the effectiveness of protection and management measures to address such threats. They recommend the Committee should also seek further information from the State Party regarding its progress at its 37th and 39th sessions, to confirm that the necessary actions to address the threats to the OUV have been taken.

Draft Decision: 36 COM 7B.8

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.10**, adopted at its 35th session (UNESCO, 2011),
3. Welcomes the initial positive results of the Reef Plan and associated measures to address major long-term impacts on the property from poor water quality, and requests the State Party, in collaboration with its partners, to maintain, and increase where necessary financial investment and sustain the positive trend beyond 2013;
4. Takes note of the findings of the joint World Heritage Centre/IUCN reactive monitoring mission to the property undertaken in March 2012, and also requests the State Party to address the mission recommendations in its future protection and management of the property;
5. Notes with great concern the potentially significant impact on the property's Outstanding Universal Value resulting from the unprecedented scale of coastal development currently being proposed within and affecting the property, and further requests the State Party to not permit any new port development or associated infrastructure outside of the existing and long-established major port areas within or adjoining the property, and to ensure that development is not permitted if it would impact individually or cumulatively on the Outstanding Universal Value of the property;
6. Requests furthermore the State Party to complete the Strategic Assessment and resulting long-term plan for the sustainable development of the property for consideration by the World Heritage Committee at its 39th session in 2015, and to ensure that the assessment and long-term plan are completed against a number of defined criteria for success, fully address direct, indirect and cumulative impacts on the reef and lead to concrete measures to ensure the overall conservation of the Outstanding Universal Value of the property;
7. Urges the State Party to establish the Outstanding Universal Value of the property as a clearly defined and central element within the protection and management system for the property, and to include an explicit assessment of Outstanding Universal Value within future Great Barrier Reef Outlook Reports;
8. Recommends the State Party, in collaboration with its partners, to sustain and increase its efforts and available resources to conserve the property, and to develop and adopt clearly defined and scientifically justified targets for improving its state of conservation and enhancing its resilience, and ensure that plans, policies and development proposals affecting the property demonstrate a positive contribution to the achievement of those targets, and an overall net benefit to the protection of Outstanding Universal Value;
9. Requests moreover the State Party to undertake an independent review of the management arrangements for Gladstone Harbour, that will result in the optimization of port development and operation in Gladstone Harbour and on Curtis Island, consistent with the highest internationally recognized standards for best practice commensurate with iconic World Heritage status;
10. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property, including on the

*implementation of actions outlined above and in the mission report, for consideration by the World Heritage Committee at its 37th session in 2013, **with a view to consider, in the absence of substantial progress, the possible inscription of the property on the List of World Heritage in Danger;***

11. *Decides to also consider a further report from the State Party on the state of conservation of the property, the findings of the second Great Barrier Reef Outlook Report, and the anticipated outcomes of the completed Strategic Environmental Assessment and related long term plan for sustainable development at its 39th session in 2015.*

10. Manas Wildlife Sanctuary (India) (N 338)

Year of inscription on the World Heritage List

1985

Criteria

(vii) (ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

1992 – 2011

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/338/documents/>

International Assistance

Global amount granted to the property: USD 165,000 for purchase of equipment, rehabilitation of infrastructure and community activities.

For details, see pages <http://whc.unesco.org/en/intassistance/1181/> and <http://whc.unesco.org/en/intassistance/835/>

UNESCO Extra-budgetary Funds

Total amount provided to the property: as of 2008, the property is benefiting from the UNF funded World Heritage India programme. Project interventions include: enhancing management effectiveness and building staff capacity; increasing the involvement of local communities in the management of the property and promoting their sustainable development; and raising awareness through communication and advocacy.

Previous monitoring missions

1992: IUCN mission; 1997: UNESCO mission; February 2002: IUCN monitoring mission; April 2005, February 2008, January 2011: World Heritage Centre / IUCN monitoring missions.

Factors affecting the property identified in previous reports

- a) Forced evacuation of Park staff;
- b) Poaching and logging;
- c) Illegal cultivation;
- d) Slow release of funds;
- e) Invasive species;
- f) Uncontrolled infrastructure development by local tourism groups;
- g) Attempts by paramilitary group Sashastra Seema Bal to set up base camps in the property.

Illustrative material

See pages <http://whc.unesco.org/en/list/338> and <http://whc.unesco.org/en/news/762>

Current conservation problems

A report on the state of conservation of the property was provided by the State Party on 1 February 2012, containing information on the progress made in the implementation of the recommendations made by the Committee at its 35th session (UNESCO, 2011).

a) *Sustainable funding*

The State Party reports that the Manas Tiger Conservation Foundation (MTCF) has been operationalized, and that the MTCF currently receives funds from ecotourism activities. It notes that other options to mobilize funding from a wider range of sources, including the corporate sector and NGOs, are currently being explored, and that the Central Government is currently considering the possibility of transferring Central Government funds directly to the MTCF.

The World Heritage Centre and IUCN recall that the State Party, in a letter dated 6 April 2011, had reported that a proposal for direct fund flow from the Central Government to the MTCF would in all probability be operational in the financial year 2011-2012. They regret that this appears to have been delayed, and note that IUCN has received reports that slow fund release continues to be a problem for the management of the property. They consider that the approval for direct release of funds from the Central Government to the MTCF remains a crucial step to help address this issue.

b) *Integrated ecosystem-based monitoring system*

The State Party recalls that on 17 March 2011 it had submitted to the World Heritage Centre and IUCN a draft framework for ecosystem-based monitoring in the property. It reports that the implementation of this framework has commenced with the preparation of spatial maps, research on drivers of habitat change, and monitoring of vegetation, including invasive species.

c) *Recovery plan for Eastern Swamp Deer and reintroduction of Greater One-horned Rhino*

The State Party reports that the detailed recovery plan for Eastern Swamp Deer, which was submitted to the World Heritage Centre and IUCN on 17 March 2011, is now being implemented. The State Party notes that a proposal for the capture and translocation of 25 Eastern Swamp Deer from Kaziranga National Park is awaiting approval from the relevant authorities, and that individuals to be captured are currently being identified. The State Party also notes that habitat suitability and population dynamics studies are being carried out both in Manas and Kaziranga.

The State Party also reports that it is committed to complete the first phase of the Indian Rhino Vision 2020 with the reintroduction of 12 rhinos in 2012, bringing the total number of reintroduced rhinos in the property to 20.

d) *Comprehensive tourism management plan*

The State Party reports that the park authorities have prepared a comprehensive tourism management plan, of which the State Party provided a draft as an annex to its report. The State Party notes that the tourism management plan is currently in a public consultation phase involving a range of stakeholders, including local communities engaged in tourism activities.

e) *Three-staged extension of the property*

The State Party notes that a proposal has been prepared for an extension of the property and the name of the property to coincide with the full extent of Manas National Park. An initial request for the extension was provided as an annex to the State Party's report, which is presented in Document WHC-12/36.COM/8B.Add.

The State Party also notes that a proposal to add 36,000 hectares of forest lands to Manas National Park is currently awaiting approval by the Bodoland Territorial Council and the Government of Assam, after which it would be submitted to the World Heritage Centre.

The State Party further notes that the Indian and Bhutanese park authorities have met on two occasions on 24 October and 18-19 November 2011 to consider the possible nomination of a transboundary property.

f) *Other conservation issues – hydro-electric dam projects*

IUCN has received reports that two hydro-electric projects (HEP) in Bhutan, namely the existing Kurichu HEP (60 MW) and the proposed Mangdechhu HEP (720 MW) are likely to negatively affect the forests and water bodies of the property in a way which would reduce the ecosystems' ability to support wildlife. Both the Kurichu and the Mangdechhu rivers contribute to the flow of the Manas-Beki river system, which considerably sustains the property. It is noted that the Kurichu dam has already affected the forests and wildlife of the property, when in 2004 it released excess water that caused an unprecedented flood in the Manas-Beki river system, washing away parts of the property and killing a large number of wild animals. The release of water from the Kurichu dam on several occasions in the last six years is reported to have caused floods in the wider Manas Biosphere Reserve, of which the property forms an integral part, which could potentially affect areas proposed for future inclusion in the property. The reports received by IUCN suggest that no environmental impact assessment has yet been undertaken for the proposed Mangdechhu project. On 18 May 2012, the World Heritage Centre sent a letter to the State Party of Bhutan to request further information on this issue.

Conclusion

The World Heritage Centre and IUCN note that the draft tourism management plan submitted by the State Party does not appear to include clear guidelines in relation to the maximum number of tourists allowed to enter the property at any given time. They highlight the importance of including clear guidelines for tourist numbers and activities, particularly in light of the fragile state of the property's Outstanding Universal Value (OUV) which is still recovering from a prolonged period of degradation, in order to ensure that the development of ecotourism activities, facilities and associated infrastructure does not negatively affect the recovery of the property's OUV.

The World Heritage Centre and IUCN also note with appreciation the information provided by the State Party with regards to the ongoing process of extending the property, and the consideration by the States Parties of India and Bhutan to propose a transboundary extension of the property. They also note with appreciation that the State Party of Bhutan has submitted a proposal to include Royal Manas National Park on its Tentative List.

The World Heritage Centre and IUCN wish to highlight to the Committee that the existing Kurichu dam demonstrates the potential impacts of the proposed Mangdechhu dam on the property. Considering that the proposed Mangdechhu dam is 12 times as large as the Kurichu dam, it is likely that the impacts from the proposed project would be several times more severe than those from the existing dam. They also recommend that the Committee requests the State Party of Bhutan to undertake an environmental impact assessment of the proposed Mangdechhu hydro-electric project, which should include an assessment of the potential impacts of the dam on the OUV of the property, including the related conditions of integrity, with a particular focus on measures to avoid the sudden release of excess waters, and to submit a copy of this EIA to the World Heritage Centre for review prior to making a decision on the approval of the project.

In general, despite significant progress achieved in the implementation of the recommendations made by the Committee at its 35th session (UNESCO, 2011), the World Heritage Centre and IUCN note the delay in establishing a direct flow of funds from the Central Government to the MTCF, and they recommend that the Committee request the State Party to urgently address this issue, in order to ensure adequate availability and flow of funds to MTCF, particularly in light of the implementation of the integrated ecosystem-based monitoring system and the recovery plan for Eastern Swamp Deer.

Draft Decision: 36 COM 7B.10

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7A.13**, adopted at its 35th session (UNESCO, 2011),
3. Commends the State Party for the progress achieved in the operationalization of the Manas Tiger Conservation Foundation and the implementation of an integrated ecosystem-based monitoring system and the Eastern Swamp Deer recovery plan;
4. Welcomes the respective and joint initiatives of the States Parties of India and Bhutan to consider an extension of the property, including a transboundary extension, and also welcomes the proposal by the State Party of Bhutan to include Royal Manas National Park on its Tentative List;
5. Requests the State Party to urgently address the slow release of funds to the property, by approving the direct fund flow from Central Government to the Manas Tiger Conservation Foundation (MTCF), or through other appropriate measures, to ensure that the current rate of progress can be maintained;
6. Urges the State Party to include clear guidelines for tourism numbers and activities in the further development of the comprehensive tourism management plan, in order to ensure that the fragile and recovering Outstanding Universal Value of the property is not negatively affected;
7. Also requests the State Party of Bhutan to submit a copy of the environmental impact assessment (EIA) for the proposed Mangdechhu hydro-electric project, including an assessment of potential impacts on OUV and potential cumulative impacts in relation to the existing Kurichu dam, to the World Heritage Centre for review as soon as it is available and prior to making a decision on whether to approve the project, in line with Paragraph 172 of the Operational Guidelines;
8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property, including a report on the progress achieved in addressing the issue of fund release and the implementation of the other recommendations made by the Committee at its 35th session (UNESCO, 2011), as well as on progress in addressing the issues raised above, for examination by the Committee at its 38th session in 2014.

17. Dong Phrayayen-Khao Yai Forest Complex (Thailand) (N 590)

Year of inscription on the World Heritage List
2005

Criteria
(x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/590/documents/>

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

February/March 2012, joint UNESCO/IUCN reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Road expansion, in particular regarding Highway 304
- b) Forest fragmentation, connectivity and the need for ecological corridors
- c) Encroachment
- d) Management Planning
- e) Tourism and visitor levels
- f) Dams and cattle grazing

Illustrative material

See page <http://whc.unesco.org/en/list/475>

Current conservation issues

On 1 February 2012 the State Party submitted a succinct report on the state of conservation of the property. The report includes a discussion of expansion works on Highway 304, land encroachment and cattle grazing impacts within components of the property, and construction of the Huay Samong Dam. From 28 February to 6 March a joint UNESCO/IUCN reactive monitoring mission visited the property to assess the potential impact from encroachment, the Huay Samong dam, cattle grazing, and the expansion of Highway 304 on the property's Outstanding Universal Value, and to review its management and financial plans.

a) Expansion of Highway 304

The State Party confirms that expansion works on Highway 304 have been undertaken, however, construction and expansion work has not occurred along the two sections of the highway that are inside the World Heritage property boundaries. Highway 304 runs through the joint boundary of Khao Yai and Thap Lan National Parks in two sections, between km 26 – 29 and between km 42 – 57. The State Party provided the English translation of the executive summary for the Environmental Impact Assessment (EIA) for section 42 – 57 km in the annex to its report, and confirms that the English translation of the EIA document for section 26 – 29 km will be provided when available.

The State Party provided further details on the Government approval process in regards to the completed EIA and reported that the Department of Highways (DoH) will work with the Department of National Parks, Wildlife and Plant Conservation (DNP) to find the best solution in regards to the construction of wildlife corridors in the two sections of the highway within the property in response to recommendations of the World Heritage Committee and to provide links between the east and west sections of the property.

The mission noted that expansion works on the road outside the property are likely to have led to an increase in traffic on all sections of the road and without speed controls the impact on the property is likely to continue until the construction of ecological corridors is completed. The World Heritage Centre and IUCN welcome the documents provided for sections 42 – 57 km but remain concerned about the impact of the planned road expansions and request the State Party to provide the EIA documents for the second section of road within the boundaries of the property. They regret that expansion works were undertaken outside the property without appropriate mitigation actions in place within the property and without due consideration for the potential of increased impacts on the property. They consider that the completion of the EIA and the construction of ecologically effective wildlife corridors should be expedited along with increased enforcement efforts in regards to traffic speed within the

property. In addition, they consider that the State Party should instigate monitoring of traffic levels on other roads that bisect the property and enforce appropriate speed limits along these routes noting that these roads are, or have the potential to be, used as short cuts through the property.

b) *Encroachment, Huay Samong Dam and cattle grazing*

The State Party reports implementation of stricter measures to halt land encroachment within the property. Proof of land ownership is being resolved between the managing authority DNP, and the local communities. Removal of structures on land that has been shown to be the property of DNP has commenced in a number of cases, while others are pending court proceedings.

The State Party confirmed the Cabinet approval of the EIA for the Huay Samong Dam in October 2009. The Royal Irrigation Department (RID) along with other related agencies, including the Office of Natural Resources and Environmental Policy and Planning (ONEP) and DNP are working towards mitigation of the impacts on the Outstanding Universal Value of the property during construction of the dam.

The State Party did not specifically address issues related to cattle grazing within the boundaries of the property.

The mission acknowledged some improvements in relation to addressing issues of encroachment, and encouraged the State Party to continue efforts in regards to clarifying land tenure, removing illegal structures and rehabilitating degraded land where possible. However, the mission noted that the property remains under heavy pressure from encroachment and neighbouring land use practices. In addition, ineffectiveness of current management efforts to address a number of present and potential threats poses a significant risk to the property, including from significant impacts from tourism in Khao Yai NP in particular.

The mission confirmed that construction work on the Huay Samong Dam continues with physical site preparation works underway. It was noted that these works are likely to have an impact on the property through increased access to the property during construction, and signs of encroachment associated with these works were observed by the mission.

The mission noted that despite valuable efforts made by the State Party, cattle grazing continues within the boundaries of the property. The Park staff is working with the local communities and settlements towards an eventual removal of all domestic cattle and positive steps have been made to reduce the number of settlements and head of cattle. However, the mission also noted the release of cattle for long term grazing, by commercial agricultural companies. This involves large numbers of young cattle being left to roam throughout the property for prolonged periods of time. As such the potential impact on the property from this type of cattle grazing is significantly greater than that posed by small scale settlements which keep cattle enclosed at night.

c) *Boundary modification issues*

The State Party expressed its desire to work with the World Heritage Centre in regards to the issue of submitting a request to modify the boundaries of the property.

d) *Ineffective management including development of long term management policies and tourism planning*

The State Party report does not address issues of management planning or development of long-term management policies and tourism planning. The State Party expresses a willingness and interest in working with the World Heritage Centre, but provides no detail on the current state of management planning, resources or tourism.

Conclusion

The World Heritage Centre and IUCN note that while road expansion works have not commenced inside the property, the completed expansion works on sections of Highway 304 outside the property are likely to have led to an increase in traffic on all sections of the road, and until the construction of ecological corridors is completed the impact from the existing road on the property is likely to continue. They are of the view that detailed plans for ecologically effective wildlife corridors, including the EIA for section 26-29 km, are essential to assess impacts on the property.

The World Heritage Centre and IUCN also note the strict measures taken to address land encroachment within the current property boundaries and are aware of the difficulty and time required to clarify land ownership through court proceedings and welcome the actions taken by the Managing Agency to clarify ownership and address options to remove illegal structures. They recommend that the Committee highlight that efforts to record current levels of encroachment along with specific land use details of areas within the boundaries of the property are important to the effective management of the property and enforcement of related regulations.

The World Heritage Centre and IUCN also note the State Party's commitment to ensure effective mitigation measures are in place at the construction site of the Huay Samong Dam. However, they still recommend that the Committee express its concern on the impacts from construction of the Dam, including encroachment and poaching during and post-construction. These concerns together with the overall scale of the planned development reinforce the urgent need for an Environmental Impact Assessment, which should include a chapter on matters specifically related to the property's Outstanding Universal Value, and detailed plans for mitigation actions.

Assessment of the scale and extent of the encroachment into the current boundaries of the property is essential to improved enforcement and management of the property. The World Heritage Centre and IUCN therefore recommend that the Committee request the State Party to carry out a detailed mapping exercise and assessment of encroachment. Priority must also be given to reducing illegal grazing activities, paying particular attention to stopping illegal grazing activities conducted by commercial agricultural companies who release large numbers of cattle into the property for extended periods of time.

The World Heritage Centre and IUCN note the difficult process involved with clarifying legal boundaries, especially in light of existing efforts to address encroachment in a number of areas. They wish to draw the Committee's attention on the mission's findings that the current management of the property is being conducted according to boundaries that do not correspond with those submitted to the Committee at the time of inscription and they recommend to the Committee to strongly urge the State Party to submit a request for International Assistance to advise on the appropriate boundaries for the property. They recall previous decisions and documents, including those submitted at the time of inscription, in which the State Party expressed its commitment to a boundary modification to Thap Lan National Park, and encourage the State Party to resolve this issue while also continuing efforts towards preventing further encroachment.

The World Heritage Centre and IUCN note the State Party's efforts to date to encourage management of the property as one complex and the resulting actions to enhance coordination and communication between the five component Protected Areas. They support the mission recommendation for on-going integration and harmonization of planning and management through a timely revision of the current management plan. It is essential that the updated management plan sets clear priorities and includes objectively verifiable indicators and implementation timeframes. The World Heritage Centre and IUCN recommend that the Committee stress that the need remains for the management plan to also include a detailed tourism management plan that focuses on avoiding negative impacts

from the high level of tourism currently seen in sections of the property, through a detailed ecotourism strategy that engages all relevant stakeholders.

They also note that the Outstanding Universal Value of the property is under serious threat, particularly related to the expansion of Highway 304, encroachment, and management effectiveness, and that the issue of large numbers of cattle grazing, free ranging throughout the property, complicates the removal of smaller subsistence cattle grazing from settlements that have been established within the property and will require a high level of political will and increased enforcement. In the absence of securing the necessary support to tackle the threats facing the site, they recommend that the Committee request the State Party to consider the option to request the inscription of the property on the List of World Heritage in Danger.

Finally, the World Heritage Centre and IUCN recommend that the World Heritage Committee request the State Party to implement all the mission recommendations within a timeframe of 2 years, and to provide an update on progress to the 37th session in 2013. Based on the level of progress, the Committee should also consider the need for a further mission to the property and to also consider inscription of the property on the List of World Heritage in Danger.

Draft Decision: 36 COM 7B.17

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.19** adopted at its 35th session (UNESCO, 2011),*
3. *Notes with concern that expansion works on Highway 304 have been completed outside the property without the implementation of appropriate mitigation measures along the sections of the highway within the property, and requests the State Party to:*
 - a) *Urgently submit the completed EIA for section 26-29 km along with detailed plans for ecologically effective wildlife corridors including a detailed timeline, financial planning and resources for construction of the corridors, and mitigation actions to be implemented during construction and long-term enforcement actions to prevent encroachment,*
 - b) *Implement and enforce speed limits and impact mitigation actions on the sections of Highway 304 running within the boundaries of the property, as well as other roads that bisect the property, and to monitor use of other roads as shortcuts and transport routes through the property;*
4. *Also notes with concern that construction continues at the Huay Samong Dam site, and also requests the State Party to halt construction of the Huay Samong Dam until appropriate resources are committed to ensure mitigation, enforcement and anti-encroachment actions are effectively in place, including enhanced cooperation between management authorities and enforcement actions to prevent further impacts on the property;*
5. *Further requests the State Party to implement all the other recommendations from the 2012 joint World Heritage Centre/IUCN reactive monitoring mission by **June 2014**, in particular:*
 - a) *Closely monitor the level of encroachment, including by undertaking detailed mapping of the encroachments, including location, land use and magnitude, in*

relation to current boundaries of the World Heritage Property and to assess any increase in encroachment since inscription using satellite imagery and topographic analysis, and consider submitting a boundary modification request where appropriate, following the relevant procedures as outlined in the Operational Guidelines,

- b) Strengthen enforcement measures, provide adequate resources to the management authority and law enforcement agencies, work with surrounding communities to increase awareness of the boundaries of the property and garner support for the conservation of the property and its OUV,*
 - c) Prioritize reduction of illegal grazing activities within the property and pay particular attention to stopping grazing activities conducted by commercial agricultural companies,*
 - d) Consider extending the property in order to include areas that better represent its Outstanding Universal Value, based on the mapping of encroachments recommended above, and considering current levels of encroachment, realistic boundaries for enforcement, and impacts and mitigation from construction of the Huay Samong Dam,*
 - e) Strengthen efforts in implementing the Management Plan for Dong Phrayayen – Khao Yai Forest Complex, including an updated and revised plan for the complex that involves and encourages cooperation and coordination of all relevant ministries and agencies, and stakeholders at both national and local levels,*
 - f) Develop and implement a detailed, integrated, extensive and long-term tourism management plan that includes actions to address the current impacts from high intensive tourism and encourages them to submit a request for International Assistance to the Committee to support the development of the tourism plan,*
 - g) Consider a detailed management related zoning plan for the property, to ensure core areas of habitat are identified and provided with increased levels of protection, including designation of an appropriate buffer zone around the property to ensure protection against adjacent developments;*
6. Considers that cattle grazing in the property represents a serious concern, and that the on-going encroachment of the property has not yet been adequately addressed, and encourages the State Party to secure the appropriate high-level political support to tackle these threats;
7. Requests furthermore the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated and detailed report on the state of conservation of the property, including a report on the progress achieved in the implementation of the 2012 mission recommendations, for examination by the World Heritage Committee at its 37th session in 2013, when the Committee should also consider the need for a further reactive monitoring mission, **and the possible inscription of the property on the List of World Heritage in Danger.**

EUROPE AND NORTH AMERICA

19. Gulf of Porto: Calanche of Piana, Gulf of Girolata, Scandola Reserve (France) (N 258)

Year of inscription on the World Heritage List
1983

Criteria
(vii) (viii) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/fr/ist/258/documents>

International Assistance
N/A

UNESCO extra-budgetary funds
N/A

Previous Monitoring Missions
N/A

Factors affecting the property identified in previous reports
N/A

Illustrative material
See page <http://whc.unesco.org/fr/list/258>

Current conservation issues

In February 2012, the World Heritage Centre and IUCN were informed of the granting by the State Party of a prospection permit for liquid or gaseous hydrocarbons adjacent to the property. Following a letter from the World Heritage Centre regarding this issue, the State Party provided the World Heritage Centre with an information note on 30 March 2012 concerning the potential impact of a project for the prospection of liquid or gaseous hydrocarbons on the Outstanding Universal Value of the property. It recalled the background and objectives of the mining exploration license, the environmental, heritage and energy challenges, and described the regulations and specific characteristics of the research.

- a) *Request for the extension of an exclusive license for liquid or gaseous hydrocarbon research*

The World Heritage Centre and IUCN note the request of the *Melrose Mediterranean Limited* and *Noble Energie France SAS* companies for the renewal of a prospection license for liquid or gaseous hydrocarbons off the coast of the Bouches-du-Rhone and the Var. This exclusive research license called "Rhone-Maritime" was granted by a decree dated 29 October 2002, then extended in 2006 until 19 November 2010.

This third and final request for renewal concerns a sector of 9375 km² located approximately 102 nautical miles from the western boundary of the property and close to numerous protected areas, including the property. The State Party indicates that it is envisaged to carry out three-dimensional seismic research to confirm the data acquired during the previous 2D campaign undertaken in the winter of 2010/2011. In the event of satisfactory results, it is

expected that this stage of prospection would be extended to exploratory drilling in the second half of 2013.

The State Party indicates that the *Melrose Mediterranean Limited* and *Noble Energie France SAS* companies hope to demonstrate the existence of exploitable biogenic reserves. However, during a drilling operation there was no element confirming the presence of liquid hydrocarbons. It further informed that the request by these companies concerns the extension of a mining research license and not an authorization for exploratory drilling work. It notes that any project for offshore exploratory work is submitted for decision to the local authorities (Prefect) and consultations are instigated, based on a file containing detailed information concerning the envisaged operations and including an environmental impact study.

The World Heritage Centre also received a copy of a resolution of the Scientific Council for the Scandola Reserve expressing its most serious concerns regarding this prospection project and stating its opposition to all exploratory drilling or eventual exploitation due to the risk of potential oil spills.

The World Heritage Centre and IUCN note that the western Mediterranean is a zone of high seismic activity, and that in 2005 two seismic epicentres were located within the perimeter of the "Rhône Maritime" license. It should also be noted that the risk of a rupture of a wellhead can occur at any stage of drilling. They emphasize the unmanageable consequences of an accident or a hydrocarbon leak in a closed sea such as the Mediterranean, due to the violence and irregularity of dominating winds and the strong marine currents in this zone. Studies on ocean currents have demonstrated that in the event of hydrocarbon leaks, on the seabed or on the surface, there is a very high probability that the Corsican coasts, where the property is located, would be affected within a few days.

The World Heritage Centre and IUCN recall that the property is inscribed for aesthetic and biodiversity criteria. An accident in the boundaries of the prospection zone could have negative impacts on the principal components of the Outstanding Universal Value of the property. Considering the acute sensitivity of the coastal biodiversity, the hydrocarbons would directly affect the intertidal formations, notably species of algae and molluscs. Coral species, fish, birds and marine mammals frequenting the area would most likely be immediately and seriously affected. It should also be noted that the rocky coastline would greatly hamper any cleaning-up operations by land or sea.

The World Heritage Centre and IUCN are aware through the media of the declaration made by the outgoing President of the French Republic, on 6 April 2012, expressing his opposition to all exploratory drilling projects in the Mediterranean, but note that they have not been informed by the State Party of the official decision concerning the non-renewal of this prospection license.

b) *Management and draft extension of the property*

The World Heritage Centre and IUCN note the important increase in tourism pressure on the property since its inscription. They were only informed in September 2010 that the Committee of Ministers of the European Council had renewed the European Diploma for Protected Areas granted to the Scandola Reserve, but that this decision was accompanied by two conditions and seven recommendations. They consider that some of these conditions are also important for the conservation of the Outstanding Universal Value of the property, in particular the need to limit the impact of anchorage at Posidonie, and limit tourist activities, especially nautical activities that, according to the Resolution, are a cause of major disruption for key species. The World Heritage Centre sent a letter in October 2011 to the State Party in this respect, requesting additional information concerning the increase in tourism activities since inscription of the property, their impact on the Outstanding Universal Value of the property and the measures taken to minimize these impacts. To date no response has been received. The World Heritage Centre and IUCN note that the means allocated to the property

to cope with this pressure are very limited and only concern the Scandola Reserve. They recall also the need to define and implement a management plan for the entire property.

The World Heritage Centre and IUCN also note the proposed offshore extension for the Scandola Reserve covering a total area of 4000 hectares, and that the area would be inscribed as a Natura 2000 site and the definition of a document of objectives would be undertaken.

Conclusion

The World Heritage Centre and IUCN draw the Committee's attention to the risks of exploratory projects or hydrocarbon exploitation on the marine and coastal ecosystems of the property in the event of an accident, given that the Mediterranean is a partially closed sea.

They recommend that the Committee emphasizes that prospection in this zone could have major negative, irreversible and non-compensatory impacts on the Outstanding Universal Value of the property given the high seismic activity of the zone, the violent and irregular winds and strong marine currents.

They recall that an environmental impact assessment should be provided, in accordance with Paragraph 172 of the *Operational Guidelines* and consider this impact assessment should be conducted to the highest international standards, and submitted to the World Heritage Centre prior to authorization for exploratory drilling. This study should comprise an in-depth examination of the potential impact of exploration projects on the Outstanding Universal Value of the property. The World Heritage Centre and IUCN note the major increase in tourism pressure on the property since its inscription and recommend that the State Party implement the recommendations of the Committee of Ministers of the European Council to cope with this pressure. They also recall the need to define a management plan for the entire property.

Draft decision: 36 COM 7B.18

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **07 COM VIII** adopted at its 7th session (Florence, 1983),*
3. *Notes with concern the request for renewal of the prospection license for liquid or gaseous hydrocarbons by the Melrose Mediterranean Limited and Noble Energie France companies, given that this prospection stage could be extended by an exploratory drilling activity during the second half of 2013 in the event of satisfactory results;*
4. *Considers that the exploratory drillings in this zone could have major negative, irreversible and non-compensatory impacts on the Outstanding Universal Value of the property, and requests the State Party to conduct an environmental impact assessment study in accordance with the highest international standards and prior to authorizing any exploratory drilling, and which should include an in-depth examination of the potential impact of exploration projects on the Outstanding Universal Value of the property, and to submit it to the World Heritage Centre;*
5. *Urgently requests the State Party not to grant a license to conduct hydrocarbon drilling exploration likely to affect the property and its environment, as well as the adjacent*

protected areas, until the requested above-mentioned study has been completed and evaluated by the World Heritage Centre and IUCN;

6. *Also notes the major increase in tourism pressure on the property since its inscription and urges the State Party to implement the recommendations of the Committee of Ministers of the European Council to cope with this pressure and to define a management plan for the entire property;*
7. *Also requests the State Party to submit to the World Heritage Centre by 1 February 2013, a detailed report on the state of conservation of the property, including the potential impacts on the property of hydrocarbon exploration and progress in the definition of a management plan and the implementation of the recommendations of the Committee of Ministers of the European Council.*

21. Volcanoes of Kamchatka (Russian Federation) (N 765bis)

Year of inscription on the World Heritage List

1996; extension 2001

Criteria

(vii) (viii) (ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/765/documents>

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

1997: IUCN fact-finding mission; 2004: World Heritage Centre / IUCN joint mission; 2007: World Heritage Centre / IUCN joint mission

Factors affecting the property identified in previous reports

- a) Illegal salmon fishing;
- b) Gold mining;
- c) Gas pipeline;
- d) Development of a geothermal power station;
- e) Forest fires;
- f) Boundary changes;
- g) Construction of the Esso-Palana road.

Illustrative material

See page <http://whc.unesco.org/en/list/765>

Current conservation issues

On 14 March 2012, a report on the state of conservation of the property was submitted by the State Party. The report only provides information on the 4 components of the property managed by the regional authorities (Nalychevo, South Kamchatka, Bystrinsky and Kluchevskoy), which form together the Kamchatka Nature Park, but does not provide any

data on the two components managed by the federal state, Kronotsky Strict Nature Reserve and the South Kamchatka Wildlife Refuge. The following information is provided:

a) *Legal protection and management*

The State Party recalls that in 2009 the “Kamchatka Nature Park was formed including four of the six protected areas making up this serial property. It clarifies that, while the joint Regional State Budgetary Institution has already assumed control of the four Nature Parks, a joint Nature Park has not been formally established yet, but notes that the Regulation for the Kamchatka Nature Park is currently under consideration by the Kamchatka Krai Administration. The State Party further reports that following revision of boundaries in 2010, the combined area of the four Nature Parks is 2,513,658 ha, which is significantly less than the total area 2,526,150 ha of these components as currently inscribed on the World Heritage List. No request for boundary revision was submitted and no copy of the draft Regulation and no current map of the property was provided by the State Party, as requested in Decision **34 COM 7B.23**. The State Party did not report on progress with enacting a national law for the management of all natural World Heritage properties on its territory, as suggested by Decision **34 COM 7B.23**.

The report of the State Party indicates that coordination of the management of the four regional Nature Parks is progressing, but information on progress in this area for the property as a whole, which also includes two additional federally administered protected areas, is not provided. As management, governance and jurisdiction issues have been identified by the 2007 monitoring mission as underlying causes for most of the direct pressures on the property, the lack of information on progress in the implementation of the 2007 mission recommendations suggests that the property’s Outstanding Universal Value and integrity, particularly in relation to criteria (ix) and (x) remain of concern.

The World Heritage Centre and IUCN further note the new Federal Law No. 365-FZ dated 30 November 2011, which has significantly weakened the protection regime of Strict Nature Reserves, making it possible to construct large scale tourism infrastructure within these reserves. They consider that issue should be addressed at federal level as it affects the protection status of all natural World Heritage sites in the Russian Federation. *Human resources and budgets of the property*

The State Party reports that the combined staff of the four Nature Parks remained constant at 37 since 2009, and that the budget increased by approximately 20% to 32.32 million rubles (1.1 million US dollars) between 2010 and 2011, mainly due to annual inflation and staff salary increases. The State Party further notes that the 20 rangers of the four Nature Parks increased the number of field operations from 182 to 988 between 2010 and 2011, detected more than twice as many legal violations and almost quadrupled the amount of fines imposed in the same period. The State Party does not provide new information on the resourcing of Kronotskiy Strict Nature Reserve or the South Kamchatka Wildlife Refuge, the two other protected areas of the serial property.

The reported current staff numbers of the Nature Parks are essentially the same as in 2007 (36) and hence remain insufficient for such a large area (one staff member per 68,000 ha). The budget allocation for the Nature Parks was approximately 20% higher in 2011 than in 2007, but as this is mainly due to inflation and salary increases there is still a considerable funding gap. This indicates that the capacity of the now joint administration of the four regional Nature Parks has only slightly improved since the 2007 reactive monitoring mission, and that the conclusion of the mission that the Nature Parks do not afford an adequate level of protection to the property remains the case.

b) *Development of hiking and tourism infrastructure*

The State Party notes that visitor numbers to the four Nature Parks increased by 7% to 24,290 between 2010 and 2011. The State Party provides information about the establishment of a network of documented tourism and hiking routes in the four Nature

Parks. It further notes that tourism numbers are monitored and that the routes have been designed to reduce human-induced pressures, but provides no further detail. No information on a comprehensive tourism management plan for the property is provided by the State Party.

Decision **34 COM 7B.23** requested the State Party to develop a comprehensive tourism management plan that balances the OUV of the property with its touristic potential. Information supplied to IUCN indicates plans to develop mountain ski resorts in four locations in Kamchatka, including in close proximity to the property at Avachinskiy Volcano which is located on the boundary of Nalychevo Nature Park. In light of the proximity and the potential impact of at least one of these developments on the OUV and integrity of the property, the World Heritage Centre and IUCN consider the need to develop a comprehensive sustainable tourism development plan even more urgent.

c) *Poaching of salmon and other wildlife*

The State Party states that the ecosystems of the Nature Parks making up the property are virtually intact, and that their overall biota and animal populations are at a natural average level and raise no serious concern. It does not provide data to corroborate this general statement, such as information about the trends of major wildlife populations within the property since inscription, as requested by the Committee at its 34th session (Brasilia, 2010).

The State Party notes that major factors affecting the OUV of the property include salmon and caviar poaching (which has reportedly become extensive over the last ten years), game poaching and illegal logging, but provides no statistics on any of these factors. The State Party mentions a protection strategy for wildlife within the protected areas, without providing detail, but does not mention the inter-institutional anti-poaching brigades highlighted by the 2007 monitoring mission as a promising approach to control poaching. The information provided by the State Party indicates that illegal and unsustainable hunting remains a serious concern for the property. The recommendations of the 2007 monitoring mission to assess zoning and concession procedures, to conduct baseline research on Kamchatka bear populations, and to introduce a generalized access policy to the property including the Nature Parks, which would contribute to reducing the poaching pressure on salmon, remain valid.

The World Heritage Centre and IUCN recall the 2007 monitoring mission findings that some of the species that contribute to the OUV of the property appear to have declined significantly in the recent past. Reports received by IUCN in 2010 further indicated a marked decline in the wild reindeer population in 2009.

d) *Other conservation issues – mining and hydro-electric dams*

Although the State Party does not report on mining and geological prospecting, the development or upgrading of roads and gas pipelines including necessary mitigation measures, and major infrastructure development projects (including power stations) within or adjacent to the property, these activities remain a serious potential threat to the property. The World Heritage Centre and IUCN have received reports about plans to construct two hydropower stations on the Kronotskiy River, within Kronotskiy Strict Nature Reserve, currently the component Protected Area of the property with the highest protection status. These plans were discussed on the website of the Kamchatka Government in November 2011 (<http://kamkrai.com/gov/1422-vladimir-ilyuhin-energetika-hrebet-ekonomiki-kamchatskogo-kraya.html>); and (http://www.kamchatka.gov.ru/?cont=info&menu=1&menu2=0&news_id=19912). In April 2012, reports about negotiations with investors from a South Korean company about financing for this project were published on the same website. If these projects are approved, they are likely to have a serious direct impact on the OUV of the property, particularly in relation to criteria (vii), (ix) and (x). The potential impacts of these projects should be assessed through a comprehensive environmental impact assessment (EIA), which explicitly includes effects on the Outstanding Universal Value and related conditions of integrity of the property. The World Heritage Centre

and IUCN consider that the approval of hydro-electric projects within the property would represent a clear potential danger to its OUV in line with paragraph 180 of the *Operational Guidelines*.

Conclusion

The World Heritage Centre and IUCN recommend that the World Heritage Committee express regrets that the State Party report only provides information on the 4 components of the property managed by the regional authorities and not on the two federally administered components and does not include a substantial part of the information requested in previous decisions, such as detailed information on trends in wildlife populations within the property (including salmon), an updated map of the property, and the management framework and legal basis for the Kamchatka Nature Park. They note with concern the information provided in the State Party report on the 2010 boundary revision, which seems to indicate that approximately 13000 ha were taken out of the nature parks.

The World Heritage Centre and IUCN wish to draw the Committee's attention on the fact that there continues to be an urgent need for an effective management structure and overall management plan for all six protected areas that make up the property, for the revision of their individual management plans, and for adequate legal protection of the areas that now form the Kamchatka Nature Park. In order to safeguard the Outstanding Universal Value and the integrity of the property, the staffing, financial resourcing and overall institutional capacity of the administration(s) of the property need to be further improved. They reiterate that a national law on the management of all natural World Heritage properties of the Russian Federation would contribute to improving management of the property.

The World Heritage Centre and IUCN further recommend that the World Heritage Committee request the State Party to provide additional information about plans to construct two hydropower stations inside Kronotskiy Strict Nature Reserve and on the tourism development project on Avachinsky Volcano, including copies of the corresponding environmental impact assessments.

Finally, following reports of the decline in the wild reindeer populations, and in the absence of concrete evidence that the populations are recovering, the World Heritage Centre and IUCN note that their current status remains cause for serious concern. They emphasize that the urgent need for detailed trend data and comprehensive monitoring of key species including salmon, Kamchatka bear, wild reindeer and snow sheep remains a prerequisite for management planning of the property.

Draft Decision: 36 COM 7B.21

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.23** adopted at its 34th session (Brasilia, 2010),
3. Regrets that the State Party report provides information only on the 4 components of the property managed by the regional authorities but not on the two federally administered components and does not provide detailed information on trends in wildlife populations in the property, including salmon, the integrated management framework, the draft Regulation of the "Kamchatka Nature Park, and an update on the implementation of the recommendations of the 2007 reactive monitoring mission, and considers that, in the absence of this information, the current state of conservation of the property cannot be adequately assessed;

4. *Notes with concern the reports about plans to construct two hydropower stations inside the property and to develop four ski resorts in its vicinity, and requests the State Party to provide detailed information about these plans, including copies of the Environmental Impact Assessments for the hydropower and other projects that may have a potential impact on the property's Outstanding Universal Value, before taking any irreversible decisions;*
5. *Also notes that the State Party report refers to a 2010 boundary revision, which seems to indicate that a certain area was taken out of the nature parks, and urges the State Party to provide detailed information about this boundary revision, including a detailed map showing the boundaries of all components of the property;*
6. *Reiterates its request to the State Party to fully implement the recommendations of the 2007 reactive monitoring mission, particularly regarding the strengthening of the conservation capacity, integrated management plan and coordination structure, and a comprehensive tourism management plan;*
7. *Expresses its utmost concern about Federal Law No. 365-FZ dated 30 November 2011, which significantly weakens the protection status of Strict Nature Reserves and therefore could affect the Outstanding Universal Value of World Heritage properties in the Russian Federation and reiterates its request to the State Party to take appropriate legal measures to maintain a high level protection of the World Heritage properties on its territory, in accordance with Paragraph 15(f) of the Operational Guidelines;*
8. *Recommends that all legal issues concerning natural properties in the Russian Federation, which are composed of federal and regional protected areas, be addressed through a comprehensive national legal framework for the protection and management of natural World Heritage properties in order to ensure the fulfilment of the State Party's obligations under the Convention and also requests the State Party to convene a high-level workshop to assist in developing such a framework, in consultation with the World Heritage Centre and IUCN;*
9. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property, including detailed information on trends in wildlife populations inside the property, a map showing the current boundaries of the property, and a detailed progress report on the implementation of the recommendations of the 2007 reactive monitoring mission, as well as the other documents requested above, for examination by the World Heritage Committee at its 37th session in 2013.*

22. Lake Baikal (Russian Federation) (N 754)

Year of inscription on the World Heritage List

1996

Criteria

(vii) (viii) (ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/754/documents>

International Assistance

Global amount granted to the property: USD 63,582

For details, see page <http://whc.unesco.org/en/list/754/assistance>

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

1998: World Heritage Centre monitoring mission; 2001: UNESCO/IUCN reactive monitoring mission; 2005: World Heritage Centre/IUCN reactive monitoring mission; 2011: UNESCO/IUCN Mission.

Factors affecting the property identified in previous reports

- a) Lack of adequate management regime;
- b) Uncertain legal protection;
- c) Pollution;
- d) Illegal timber harvesting;
- e) Gas and oil pipeline project across the World Heritage property (issue solved);
- f) Illegal construction on the Lake shore;
- g) Illegal sale of land;
- h) Tourism development.

Illustrative material

See page <http://whc.unesco.org/en/list/754>

Current conservation issues

As requested by the Committee at its 34th session, a joint UNESCO World Heritage Centre / IUCN high level mission was organized from 10 to 15 July 2011 to discuss with the Russian authorities and other stakeholders to identify how the impacts of the re-opened Baikalsk Paper and Pulp Mill (BPPM) on the Outstanding Universal Value of the property can be addressed. The mission also visited the BPPM and had discussion with the Ministry of Natural resources, authorities and institutions of the Irkutsk province and the Republic of Buriatia and the management of BPPM. The full mission report is available at <http://whc.unesco.org/en/sessions/36COM>. On 6 March 2012, the State Party submitted a report on the state of conservation of the property, summarizing the main findings of the high level mission and providing an update on measures taken in BPPM after the mission.

a) Baikalsk Paper and Pulp Mill

The State Party recalls that the decision to resume the operation of the BPPM was made on the basis of the Decree of the Russian Government dated 13.01.2010 No. 1 "On amendments to the list of prohibited activities in the central ecological zone of the Baikal natural territory". The State Party also notes that following the closure of BPPM in 2008, acute socio-economic problems arose for the town of Baikalsk, and that since its re-opening it provides employment opportunities for more than 1500 people. However, the mission was informed that the socio-economic dependence of the town of Baikalsk on BPPM is over-estimated, as an increasing number of people from Baikalsk prefer to work in small businesses, and BPPM is increasingly hiring workforce from other regions.

The State Party further notes that the decision to re-open BPPM was made on the basis of scientific evidence and cost-effectiveness, but provides no details as to the scientific evidence that was used to justify the re-opening of BPPM. The World Heritage Centre and IUCN note that the scientific community studying Lake Baikal and the effects of BPPM on the Baikal ecosystem, including the Siberian Department of the Russian Academy of Sciences, its Scientific Council for Lake Baikal, and the Limnology Institute, have been opposing the decision to re-open the plant since its conception, including through a letter to the Prime Minister dated 05 April 2010. The State Party provides information on a number of environmental measures undertaken at BPPM linked to the efforts to clean up of sediment ponds, the treatment of sludge and treatment of atmospheric pollution. The report also notes that the Government of Irkutsk approved a proposal by the limnological institute to handle the

accumulated industrial waste at the plant but provides no details on the plan. The State Party report does not provide any update on progress in the development and implementation of a closed-loop water system, as requested by the Committee at its 34th session (Brasilia, 2010).

The mission noted that while environmental measures undertaken at the plant will improve the quality of water released into the lake, the development of a closed-loop water treatment system is still required. It was brought to the mission's attention that despite repeated commitments by the State Party to address the problem of pollution caused by BPPM, the situation is actually worsening, as the plant is increasing its production and discharging higher volumes of polluted water into the lake.

The report provides data on water quality monitoring and monitoring of effluent and inspections which took place in 2011. Unfortunately the data are not very clear and difficult to assess. For example, there is confusion on the standard which is used: the standards used for assessing water quality established by the Federal Agency for Fishery in its order No. 20 or the limits established by the Ministry of Natural Resources and Environment in the Federal Law on the protection of Lake Baikal. Nevertheless, the report seems to indicate violations and cases where maximum allowed concentrations of pollutants in the wastewater were exceeded. Water monitoring data also show excessive levels of certain pollutants around BPPM and near towns around the lake. The Deputy Minister of Natural Resources informed the mission that he considered that the problem of pollution of the Lake through the BPPM activities is exaggerated and that the Lake is in good condition. Nevertheless he stressed that if BPPM will not have a closed-loop water treatment system in place by the end of 2012, the plant will be closed by federal court order. The World Heritage Centre and IUCN have received information that in spite of this affirmation, the Ministry of Economic Development and the Ministry of Natural Resources, on 17 February 2012, issued a permit to allow the continued operation of BPPM until 2015. They also note the delay in revising the environmental standards for maximum permissible concentrations of dangerous components in the waste water discharged into the lake.

b) Long-term strategy for economic development of Baikalsk based on alternative sources

The State Party notes that a comprehensive investment plan to ensure the long-term economic development for the town of Baikalsk has been prepared, with the objective to diversify the local economy to avoid over-dependency on BPPM. The total target of funding of this Investment Plan from 2010 to 2014 is approximately 4.9 million US dollars. The various activities conducted under the economic development plan for Baikalsk include a 347.4 million rubles (11.5 million US dollars) investment in an enterprise producing bottled drinking water. The State Party reports that a Federal Target Program, "Protection of Lake Baikal and the Social and Economic Development of the Baikal Natural Territory (2012-2020)", has been developed with the aim to protect Lake Baikal and the Baikal natural territory from negative impacts from anthropogenic, technological and natural factors.

The Regional Minister for Economic Development of the Irkutsk province emphasized to the mission that the best option for the economic development of the region is to improve BPPM and increase its production so that it is capable to employ more people and pay more taxes in support of the local economy. During discussions between the mission and regional authorities, it was noted that as the diversification of the local economy takes time, it would be important to keep BPPM working. However, the mission also noted concerns raised by local and regional NGOs that BPPM represents a disincentive to the economic development of the region, as some investors interested in tourism development have shown reservations about investing in a region that seems to be highly polluted.

c) Development of the Kholodnenskoye ore deposit

The State Party report notes several deposits are included within the Central Ecological Zone. It states that the license for subsoil use at the Kholodnenskoye poly-metal deposit was issued before the approval of the boundaries of this Central Ecological Zone. It affirms that

the development of Kholodnenskoye and other mineral deposits or deposits of fossil fuels in the Central Ecological Zone is not planned. The World Heritage Centre and IUCN note media reports that state that the Government of Buryatia intends to request a revision of the nature protection legislation of the Baikal Central Ecological Zone, to make it possible to start developing the Kholodnenskoye deposit. IUCN has received reports that the CEO of the company holding the state license for the development of this deposit, also a member of the Duma, has indicated the need to change the law to allow development of the Kholodnenskoye deposit. The World Heritage Centre and IUCN consider that, allowing mineral exploitation inside the Central Ecological Zone would represent a clear potential danger to the Outstanding Universal Value of the property.

d) Proposed marina development

The State Party notes that the company "Siberia Traveler Ltd" is developing the project documentation for the construction of the proposed marina in the Republic of Buryatia, which includes an environmental impact assessment (EIA). The EIA is expected to be conducted in February-March 2012, and will be submitted to the World Heritage Centre as soon as it is finalized. The State Party considers that the construction of this marina is of environmental importance to facilitate the collection of solid waste and waste waters from ships.

The World Heritage Centre and IUCN note information provided on the website of the Republic of Buryatia (<http://egov-buryatia.ru/eng/index.php?id=85>) on the development of a Special Economic Zone for tourism called the "Baikal Harbor". This ambitious development project, which includes not only the abovementioned development of a marina but also of a tourism resort, a skiing resort in the upper part of the mountains and a network of roads, is proposed in the Pribaikalsky district located on the eastern coast of Baikal in the central part of the Republic of Buryatia, comprising 94 km of the property's coastline. However no information is provided in relation to the EIAs that will need to be prepared for these projects.

e) Other conservation issues

The State Party notes a decrease in fish stocks in the Delta of the Selenga River, the causes of which are currently being studied. The mission noted that according to the Minister of Natural Resources of the Republic of Buryatia, the main challenge in dealing with the protection of Lake Baikal relates to the pollution of the Selenga River, 46% of which is generated in Mongolia. While there is a programme of cooperation with Mongolia, the main limitation for Mongolia was reported to be a lack of funding to implement the measures necessary to reduce the pollution of the Selenga River.

The State Party reports that in 2011, like in previous years, concentrations of Baikal seals in the areas of coastal rookeries are stable. However, no further details or supportive data are provided. The State Party report also contains useful information on issues relating to the protected areas that overlap with the property, particularly related to forest fires, management, visitation, illegal resource collection (fishing, hunting, and non-timber forest products). It is particularly noted that enhanced protection and patrolling activities have reduced the number of offences in 2011 by 7% compared to 2010.

The World Heritage Centre and IUCN note that the State Party did not provide information on the state of conservation of Zabaikalskiy and Pribaikalskiy National Parks. IUCN has received reports that since 2009, poaching, unauthorized development, and environmentally irresponsible tourism have much worsened. These reports note the illegal lease of land plots in the Reserve Zone of the national park, where all activity is forbidden. Recent inspections by the Federal Environmental, Industrial and Nuclear Supervision Service (Rospirodnadzor) have reportedly revealed 38 violations of the law on the protection of the national park. The World Heritage Centre and IUCN consider that in its next report, the State Party should provide more information on the state of conservation of all protected areas that make up the property, including Zabaikalskiy and Pribaikalskiy National Parks.

The World Heritage Centre and IUCN further note the new Federal Law No. 365-FZ dated 30 November 2011, which has significantly weakened the protection regime of Strict Nature Reserves, making it possible to construct large scale tourism infrastructure within these reserves. They consider that this issue should be addressed at federal level as it affects the protection status of all natural World Heritage sites in the Russian Federation.

Conclusion

The World Heritage Centre and IUCN recall the commitment made by the State Party at the 34th session (Brasilia, 2010) to develop and implement a closed-loop water system by December 2012, a commitment which was reaffirmed by the Deputy Minister for Natural resources during the high level mission. They therefore note with serious concern that the permit for operation of BPPM has been extended to 2015. They recommend that the Committee request the State Party, in the event of the required investment for the closed-loop water system not being secured before December 2012, to immediately close BPPM, as proposed by the high level mission. They consider that the continued operation of BPPM without adequate measures in place to address the considerable negative environmental impacts would represent a clear ascertained danger to the property's Outstanding Universal Value as defined in paragraph 180 of the *Operational Guidelines*, and would therefore constitute a clear case for the property's inscription on the List of World Heritage in Danger.

The World Heritage Centre and IUCN also note the mission's finding that the significance of BPPM for the socio-economic development of the town of Baikalsk is much overestimated, and welcome the information provided by the State Party about the development and implementation of an Investment Plan to ensure the long-term economic development for the town of Baikalsk. However, they consider that as long as there is no clear commitment to solve the problem of BPPM waste water being discharged into the lake, the effectiveness of other investments is likely to be limited and note that the regional authorities' intention to further increase the production of BPPM would further exacerbate the existing problem of pollution and would thus likely continue to be a disincentive to the economic development of the region.

The World Heritage Centre and IUCN recall the established position of the Committee that mining and fossil fuel exploration and exploitation are incompatible with World Heritage status and consider changes in the Baikal law which would allow for the development of mineral deposits inside the Central Ecological Zone would represent a clear potential danger to the Outstanding Universal Value of the property, in line with paragraph 180 of the *Operational Guidelines*. The World Heritage Centre and IUCN note the potential direct and indirect environmental impacts to the property that could result from the development of the "Baikal Harbour" Special Economic Zone for tourism. They further consider concern also remains on the weakening of the Protected Areas Legislation of the Russian Federation that could potentially allow further tourism development in strictly protected areas, including World Heritage sites. They recommend that the Committee requests the State Party to convene a high-level workshop to develop a national law on the management of natural World Heritage properties within its jurisdiction.

Draft Decision: 36 COM 7B.22

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision 35 COM 7B.23, adopted at its 35th session (UNESCO, 2011),

3. Notes with serious concern that the permit for operation of the Baikalsk Paper and Pulp Mill (BPPM) has been extended to 2015 without adequate measures being in place to address the problem of waste water discharged into the lake, recalls the State Party's commitment made at the 34th session (Brasilia, 2010), to develop and implement a closed-loop water system by **December 2012**;
4. Requests the State Party, in the event that the required investment for the closed-loop water system is not secured by **December 2012**, to close the Baikalsk Paper and Pulp Mill (BPPM), and considers that the continued operation of BPPM without adequate measures in place to address the considerable negative environmental impacts would represent a clear ascertained danger to the property's Outstanding Universal Value as defined in paragraph 180 of the Operational Guidelines;
5. Welcomes the State Party's efforts to develop alternatives for the socio-economic development of the town of Baikalsk and its surroundings, but also considers that as long as an adequate solution to the environmental impacts resulting from the Baikalsk Paper and Pulp Mill is pending, the effectiveness of these efforts is likely to be limited;
6. Further considers changes in the Baikal special law which would allow for the development of mineral deposits inside the Central Ecological Zone would represent a clear potential danger to the Outstanding Universal Value of the property, in line with Paragraph 180 of the Operational Guidelines and reiterates its established position that mining is incompatible with World Heritage status;
7. Also requests the State Party to implement the 2011 joint World Heritage Centre/IUCN reactive monitoring mission recommendations, in particular to:
 - a) assist BPPM in obtaining as a matter of urgency the required investment to effectively implement the closed-loop water treatment system and to ensure that this investment is used for this purpose and not for enhancing the existing production system,
 - b) continue the effective implementation of a long-term alternative livelihoods strategy for the town of Baikalsk,
 - c) develop, under the umbrella of the Special Law for Baikal, an integrated management plan and land-use planning for this World Heritage property that fully considers all proposed projects, including the mega-project proposed for the development of a Special Economic Zone for tourism in Buryatia, to ensure that they are implemented in a way that is compatible with the Outstanding Universal Value and conditions of integrity of this property. Such an integrated management plan should also consider options to address the impact associated to the pollution coming into the lake from the Angara and the Selenga rivers;
8. Expresses its concern about the potential direct and indirect environmental impacts from the development of the "Baikal Harbour" Special Economic Zone for tourism and further requests the State Party to submit an Environmental Impact Assessment, including an assessment of potential impact on the Outstanding Universal Value of the property, to the World Heritage Centre in line with Paragraph 172 of the Operational Guidelines;
9. Expresses its utmost concern about Federal Law No. 365-FZ dated 30 November 2011, which significantly weakens the protection status of Strict Nature Reserves and therefore could affect the Outstanding Universal Value of World Heritage properties in the Russian Federation and also reiterates its request to the State Party to take appropriate legal measures to maintain a high level protection of the World Heritage

properties on its territory, in accordance with Paragraph 15(f) of the Operational Guidelines;

10. *Recommends* that all legal issues concerning natural properties in the Russian Federation, which are composed of federal and regional protected areas, be addressed through a comprehensive national legal framework for the protection and management of natural World Heritage properties in order to ensure the fulfillment of the State Party's obligations under the Convention and *requests furthermore* the State Party to convene a high-level workshop to assist in developing such a framework, in consultation with the World Heritage Centre and IUCN;
11. *Requests moreover* the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of all component protected areas of the property, including Zabaikalskiy and Pribaikalskiy National Parks, as well as on the implementation of the points noted above, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to considering, in the absence of substantial progress, the inscription of the property on the List of World Heritage in Danger.**

24. Virgin Komi Forests (Russian Federation) (N 719)

Year of inscription on the World Heritage List
1995

Criteria
(vii) (ix)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/719/documents>

International Assistance
N/A

UNESCO Extra-budgetary funds
N/A

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
a) Changes to the boundaries of Yugyd Va National Park;
b) Proposed gold mining.

Illustrative material
See page <http://whc.unesco.org/en/list/719>

Current conservation issues

On 29 February 2012 the State Party submitted a report on the state of conservation of the property. The World Heritage Centre and IUCN recall that the Committee, at its 35th session (UNESCO, 2011), urged the State Party to immediately implement the recommendations of the 2010 UNESCO/IUCN reactive monitoring mission in order to remove the threats posed by a planned gold mine within the property, and by boundary changes which removed the legal protection status of this mining site and three other areas within the property.

The status of the mission's recommendations, endorsed by Committee Decision **35 COM 7B.25**, is discussed below:

a) Halting gold mining within the property

The State Party notes that the gold mining company, CJSC Gold Minerals, is undertaking preparatory works and is implementing a monitoring program. Details on the nature of this program are not provided. The World Heritage Centre and IUCN have received reports and photographic evidence that full-scale preparatory mining works have begun within the north component of the property, Yugyd Va National Park (YVNP), including road works, drilling, and blast work. The preparatory works are visible from space through remote sensing imagery (see <http://www.transparentworld.ru/ru/environment/monitoring/oopt/yugydva/>). Stakeholders report that these preparatory works are causing environmental damage, including to rivers within the property. The World Heritage Centre and IUCN recall that at the time of inscription, IUCN noted that gold mining in the Kozhym River Basin would seriously impair the values of the property. The UNESCO/IUCN mission also concluded that a gold mine at Chudnoe would have significant negative impacts on the property's Outstanding Universal Value, including contamination of the Kozhym River within the property and impacts resulting from the construction of extensive infrastructure (roads, bridge over the Kozhym River, base camp, open-pit mine, treatment facilities for concentration of the ore etc.) The mission considered that the negative impacts of gold mining are likely to extend well beyond the 19.9 km square of the mining perimeter. To date, no Environmental Impact Assessment (EIA) has been submitted to the World Heritage Centre.

b) Reversing boundary changes made without the Committee's approval

The State Party report does not provide information on its progress in reversing the boundary changes made to YVNP, the northern component of the property. These changes were implemented without the Committee's approval and removed the legal protection status from four areas within the property. In its report, the State Party notes that it intends to submit a boundary modification proposal to the Committee by 1 February 2013. IUCN notes that it considers that boundary modifications to World Heritage properties should not be proposed for the purpose of facilitating mineral and oil/gas exploration and exploitation projects, and/or associated infrastructure, within or affecting a site. Any proposed changes to the boundaries of a World Heritage property should be subject to procedures at least as rigorous as those involved in the nomination of the property, as required under the *Operational Guidelines* (see IUCN's *Advice Note on Mining and Oil/Gas Projects*). They recall that the Committee has decided that modifications to boundaries of World Heritage properties that are related to mining activities should be considered through the procedure for significant modifications of boundaries, in accordance with paragraph 165 of the *Operational Guidelines*, given the potential impact of such projects on Outstanding Universal Value.

c) Protection status of the property and adjacent areas

The State Party reports that it intends to create a buffer zone along the eastern border of the property, to incorporate the Upper Illych Basin forest within YVNP and to upgrade the protection status of the PL 350 forest enclave to that of a 'specially protected natural site of regional significance'. The State Party notes that work has begun to upgrade the protection status of these areas, and cites a 'substantiation' report attached to the State Party report. However, this report does not appear to have been received by the World Heritage Centre. The World Heritage Centre and IUCN further notes the new Federal Law No. 365-FZ dated 30 November 2011, which has significantly weakened the protection regime of Strict Nature Reserves, making it possible to construct large scale tourism infrastructure within these reserves. They consider that this issue should be addressed at federal level as it affects the protection status of all natural World Heritage sites in the Russian Federation.

d) Other conservation issues

The 2010 UNESCO/IUCN mission made a number of recommendations concerning hunting and poaching, logging, the SRTO-Torzhok gas pipeline, the Pdocherie-Vuktyl drinking water pipeline, forest fires, the potential for tourism development, as well as management planning, staffing and budgets. The State Party report briefly discusses a number of these points. In particular, the State Party reports that the budget of YVNP and Pechoro-Illichsky Strict Nature Reserve (PISNR – the southern component of the property) was increased by about 11 million roubles (374,000 USD), and that opportunities for alternative financing are also being pursued. The State Party report notes that environmental monitoring for the SRTO-Torzhok pipeline is undertaken by Gazprom in collaboration with park rangers, but does not report on the implementation of environmental Management Plans and phasing out for the two quarries within the property.

Conclusion

The World Heritage Centre and IUCN note that neither of the mission's key recommendations – namely halting gold mining within the property and reversing the boundary changes – were implemented by the State Party, as was requested by the Committee at its 35th session. They stress that there is now clear evidence that full-scale gold mining preparatory works are ongoing within the property.

The World Heritage Centre and IUCN wish to draw the attention of the Committee on their grave concern by the commencement of gold mining and by the removal of the legal protection status of four areas within the property, including the 19.9 square km gold mining site at Chudnoe. They reiterate that they consider that gold mining within the property is likely to have significant negative impacts on the property's Outstanding Universal Value. They consider that the ongoing mining in the property and the removal of the legal protection of part of its territory constitute an ascertained danger to the property's Outstanding Universal Value, in line with Paragraph 180 of the *Operational Guidelines*. They call to the Committee's attention that this paragraph specifically cites "a modification of the legal protective status of the area" as grounds for the World Heritage Committee to inscribe a property on the List of World Heritage in Danger. They also recall that mining is incompatible with World Heritage status, in line with the Committee's established policy, which is supported by the International Council on Mining and Metals (ICMM) international policy statement of not undertaking such activities within World Heritage properties. The World Heritage Centre and IUCN therefore reiterate their recommendation that the Committee inscribe the Virgin Komi Forests on the List of World Heritage in Danger.

The World Heritage Centre and IUCN also note the State Party's positive intention to create an eastern buffer zone, to incorporate the Upper Illych Basin forest within YVNP and to also upgrade the protection status of PL 350 forest plot, as recommended by the 2010 UNESCO/IUCN mission. This should be welcomed by the Committee as the improvement in the protection status of these areas, particularly the Upper Illych Basin forest which links the northern and southern components of the property, will be important for its long-term integrity.

Draft Decision: **36 COM 7B.24**

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.25**, adopted at its 35th session (UNESCO, 2011),
3. Deeply regrets that the State Party has not implemented the key recommendations of the UNESCO/IUCN mission, namely to immediately halt the planned gold mine within

the property and to reverse the boundary changes which removed the legal protection status of four areas within the property, including the 19.9 square km gold mining site;

4. *Expresses its utmost concern that since its 35th session, full-scale gold mining preparatory works have begun within the property, and that the boundary modifications made to the northern component of the property, Yugyd Va National Park, have not been reversed;*
5. *Considers that these issues constitute an ascertained danger to the property's Outstanding Universal Value, in line with Paragraph 180 of the Operational Guidelines for the Implementation of the World Heritage Convention;*
6. ***Decides to inscribe the Virgin Komi Forests (Russian Federation) on the List of World Heritage in Danger;***
7. *Requests the State Party to immediately implement the following corrective measures:*
 - a) *Immediately halt gold mining at Chudnoe within the property, including all preparatory activities, and revoke or freeze the exploration and exploitation licenses already granted,*
 - b) *Reverse the boundary changes made to Yugyd Va National Park;*
8. *Also reiterates its request to the State party to implement the other recommendations of the 2010 UNESCO/IUCN reactive monitoring mission;*
9. *Further reiterates its established policy that mining is incompatible with World Heritage status, which is supported by ICMM's international policy statement of not undertaking such activities within World Heritage properties, calls upon the involved mining companies not to proceed with gold mining within the property, and on the financial institutions supporting the mining operation to withdraw their financial support, and to take account of the Committee's decisions when deciding whether to provide such funding;*
10. *Notes with appreciation the State Party's positive intention to create an eastern buffer zone, to incorporate the Upper Illych Basin forest within YVNP, and to also upgrade the protection status of PL 350 forest plot, and also considers that the improvement in the protection status of these areas, particularly the Upper Illych Basin forest which links the northern and southern components of the property, will be important for its long-term integrity;*
11. *Takes note of the State Party's intention to submit a boundary modification proposal to the Committee, and further considers that any proposed changes to the boundaries of a World Heritage property should be subject to procedures at least as rigorous as those involved in the nomination of the property and should be considered through the procedure for significant modifications of boundaries, as required under Paragraph 165 of the Operational Guidelines;*
12. *Also requests the State Party, in consultation with the World Heritage Centre and IUCN, to develop a Statement of Outstanding Universal Value and to provide a draft proposal for a Desired State of Conservation for the Removal of the property from the List of World Heritage in Danger on the basis of the above corrective measures, for examination by the World Heritage Committee;*
13. *Also expresses its utmost concern about Federal Law No. 365-FZ dated 30 November 2011, which significantly weakens the protection status of Strict Nature Reserves and*

therefore could affect the Outstanding Universal Value of World Heritage properties in the Russian Federation and reiterates its request to the State Party to take appropriate legal measures to maintain a high level protection of the World Heritage properties on its territory, in accordance with Paragraph 15(f) of the Operational Guidelines;

14. Recommends that all legal issues concerning natural properties in the Russian Federation, which are composed of federal and regional protected areas, be addressed through a comprehensive national legal framework for the protection and management of natural World Heritage properties in order to ensure the fulfillment of the State Party's obligations under the Convention and requests the State Party to convene a high-level workshop to assist in developing such a framework, in consultation with the World Heritage Centre and IUCN;
15. Further requests the State party to submit to the World Heritage Centre, by **1 February 2013**, a detailed report on the state of conservation of the property, describing the progress in halting gold mining within the property and reversing the boundary changes made to its northern component, as well as the implementation of the other recommendations of the joint UNESCO/IUCN monitoring mission, for examination by the World Heritage Committee at its 37th session in 2013.

25. Golden Mountains of Altai (Russian Federation (N 768rev)

Year of inscription on the World Heritage List
1998

Criteria
(x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/768/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
2001: UNESCO/UNDP mission; 2007: World Heritage Centre/IUCN reactive monitoring mission

Factors affecting the property identified in previous reports
a) Impacts of a road project across the property;
b) Gas pipeline construction plans.

Illustrative material
See page <http://whc.unesco.org/en/list/768>

Current conservation problems

On 10 February 2012, a report was submitted by the State Party providing some information on the current status of the gas pipeline project, on the implementation of the recommendations of the 2007 monitoring mission as well as on the state of conservation of Altaisky Strict Nature Reserve (ASNR) and Katunsky Strict Nature Reserve (KSNR), two of

the five components of the property. From 9 to 15 May 2012, a joint World Heritage Centre / IUCN monitoring mission visited the property and had discussions with the Ministry for Natural Resources (MNR) and the authorities of the Altai Republic, the managers of the different components of the property and various stakeholders, including representatives of local communities and environmental NGOs. Unfortunately the pipeline developer, Gazprom refused to meet with the mission team, in spite of its insistence that the State Party set up such a meeting. At the time of preparation of this report the mission report was not yet finalized. However, it will be made available as soon as possible at <http://whc.unesco.org/en/sessions/36COM>

Based on the State Party report, on its discussions and the field visit, the mission reviewed the status of the pipeline project, the progress made in the implementation of the recommendations of the 2007 mission and the state of conservation of the property:

a) *Gas pipeline project*

The mission was informed by the federal and regional authorities that no final decision has been made on the pipeline project. According to the State Party report, the pipeline developer Gazprom has prepared an Environmental Impact Assessment (EIA) "Substantiation report for investments of the Altai project". In spite of several requests by the World Heritage Centre and the mission team in advance to the mission and during the mission, no copy of this document was provided. Officials of MNR noted however that this EIA was to be considered as an internal document by Gazprom as part of its review of the potential investment in the pipeline project and therefore it had not been submitted to the Ministry. They further stressed that in line with the federal legislation, a detailed EIA on the pipeline project would have to be submitted by Gazprom for review by the relevant control agency of MNR. A decision on the project would be based on the results of this EIA. As so far no details on the project design, nor an EIA has been submitted, they considered that the project was only at an initial stage. They further noted that no final agreement had been reached with China on the economic conditions of gas delivery. They also mentioned that the Vice Minister for Natural Resources in a reply to a letter of an environmental NGO dated July 2011 had expressed the opinion that the construction of the pipeline across the property would be a violation of Russia's international obligations to the Convention and that MNR considered it advisable to study alternative routes.

The mission notes that documentation available on the website of Gazprom reports that in September 2010 it signed an agreement defining the "*extended major terms and conditions for natural gas supplies from Russia to China with the China National Petroleum Cooperation*", which sets the key commercial parameters of the forthcoming gas delivery to the Chinese market via the western route. The document includes a map which shows that the planned route will cross the Ukok Quiet Zone Nature Park (UQZNP), one of the five components of the property.

The document states that first supplies are planned for 2015 and that specific feasibility studies of supply routes have been completed, including "*an environmental impact assessment and the protection of archaeological and historic sites in the pipeline construction area with due consideration for the Altai Golden Mountains natural reservation*". The mission was also provided by environmental NGOs with a copy of a letter of a Gazprom contractor to the director of one of the nature parks situated on the pipeline route of November 2011, which states that the internal decision on the Altai gas pipeline project had been made by Gazprom in March 2009. The mission further received reports that the Gazprom contractors have started preparatory topographical and geographical survey work, including permafrost drilling in UQZNP and also hired specialists to inventory key cultural and historical heritage sites along the pipeline route.

While the authorities of the Altai Republic stated they were not aware of such works, the mission was presented with photographic evidence of such works and this was also confirmed by representatives of local communities. The mission was further informed that

these works were undertaken without the necessary authorisations and that the regional prosecutor confirmed the illegality of these works following an appeal by environmental NGOs, but that the Ministry of Forestry of the Altai Republic did not take action to stop them.

The mission visited the area where the works had been undertaken, including the area of a major fire, which according to environmental NGOs was caused by the survey work, but could not confirm that this fire was linked to the works that were undertaken.

The mission was further informed by environmental NGOs that Gazprom had informed them that alternative routes for the pipeline through Mongolia and Kazakhstan in order to avoid crossing the property could not be considered. As mentioned above, on the last day of the mission Gazprom informed MNR that they were not willing to receive the mission team as "*for the moment there was no Altai pipeline project*".

The mission concludes that while Gazprom has not yet submitted the relevant documentation of the Altai gas pipeline project to the federal authorities to obtain the authorisation for the pipeline to cross the property, it has advanced on the preparatory work project since the 2007 mission. This preparatory work represents a significant investment and included survey work inside the property. Furthermore, Gazprom does not seem willing to consider alternative routes, as was requested by the World Heritage Committee and suggested by MNR. The mission team in the different meetings reiterated the position of the World Heritage Committee, that any decision to go forward with the gas pipeline project through the property would constitute a threat to its Outstanding Universal Value and represent a clear case for inscription of the property on the List of World Heritage in Danger, as documented in Decisions **35 COM 7B.26** and **32 COM 7B.22**. The mission also notes the strong concern from representatives of the local and indigenous communities that the project would affect the cultural significance of the Ukok plateau, which includes old burial sites and cultural monuments and is regarded a sacred area.

b) Implementation of the recommendations of the 2007 monitoring mission

The mission discussed and reviewed the progress made in the implementation of part of the recommendations of the 2007 mission. It was informed that Management Plans had been developed for all components of the property, including a zoning plan of the nature parks. In addition a general management strategy 2009 - 2015 for the overall property has been developed, which foresees the implementation of many of the 2007 mission recommendations. The mission noted the high management standard of the ASNR and KSNS, managed by the federal authorities. However, it considered that in spite of efforts by the regional authorities to improve the situation, management capacity of the UQZNP and Belukha Mountain Nature Park (BMNP) remains insufficient. Staffing numbers have increased slightly but remain insufficient, and nature park inspectors continue to lack the necessary legal authority to perform their protection mandate, in spite of the fact that the mission team received information that a new federal legislation enacted in 2011 makes it possible for the Altai Republic to provide them with such powers. The mission was also informed that special regulations were developed for the management of the fifth component of the Property Lake Teletskoye Nature Monument (LTNM), which includes the part of the lake not included in the ASNR. The mission was further informed of the creation of a new nature park around the Chulishman River which provides additional protection to the southern part of the Lake and will be a buffer for the southern part of the ASNR.

In terms of tourism, studies have been undertaken to determine the acceptable tourism pressure in the different components including maximum numbers for alpinists wanting to climb the Belukha mountain. The mission team was also informed that a special monitoring group on the anthropological influence of the recreation zones around Lake Teletskoye has been established. However an overall sustainable tourism strategy for the entire property has not yet been developed. The mission considers that given the increasing tourism development in Altai, such a strategy should be developed urgently and could be the basis

for a reflection on an overall policy of tourism development for the Altai Republic, promoting its rich natural and cultural heritage.

Significant progress was also made in increasing transboundary cooperation in protected area management. In 2011 a transboundary biosphere reserve was established between the KSNR and the Katon-Karagaysky National Park (KKNP) in Kazakhstan, with BMNP as one of the buffer zones. KKNP also borders the western part of UQZNP. A joint management committee was established and a transboundary Management Plan developed. The State Party is also negotiating a cooperation agreement with Mongolia. The Altai Tavan Bogd National Park in Mongolia borders the Eastern part of UQZNP and the newly established Saylyugemsky National Park (SNP) in the Altai Republic. Officials of MNR estimated that this agreement could be signed by the end of the year.

The mission was informed that data on monitoring of iconic wildlife species, and also monitoring of climate change, are gathered in a common database with scientific support of academic institutions.

The 2009-2015 management strategy for the site also foresees work on the transboundary extension of the property with Mongolia, China and Kazakhstan, including also the new SNP mentioned above and the re-nomination of the property under cultural criteria. The authorities of the Altai Republic, including the Minister for Culture voiced their strong support for this.

The mission concluded that significant progress has been made on the implementation of the recommendations of the 2007 mission and welcomed the fact that the management strategy for the property refers to these recommendations and foresees a clear timeline until 2015 for their implementation. The mission considers, however, that additional efforts are needed to strengthen the management capacity of the regional protected areas in terms of staffing, budget and regulatory powers as well as on developing a clear regional vision on tourism, that optimizes the remarkable cultural and natural interests of the protected areas of the Altai region and widely, of the Altai wilderness.

c) State of conservation of the property

The mission concluded that the state of conservation of the property has not significantly changed compared to the 2007 mission and that its Outstanding Universal Value continued to be preserved. It considers that the property still benefits from a very high integrity. Apart from the issue of the pipeline, the main threats are the important pressure on natural resources by some traditional use practices, such as poaching, and also grazing pressure in the traditional use zone of the UQZNP and the increasing pressure from tourism. To address these pressures, it will be important to continue to strengthen the management capacity of the nature parks and to work on a sustainable tourism strategy for the property, which could be based on a policy on sustainable tourism for the Altai republic. The mission also notes that while the Strict Nature Reserves benefit of a very strict protection regime, the legal status of the regional nature parks is weak. This problem has also been observed in other World Heritage properties in the Russian Federation which comprise regional protected areas and the mission team would like to reiterate previous proposals to address it through a specific legislation on natural World Heritage properties. The mission further notes the new Federal Law No. 365-FZ dated 30 November 2011, which has significantly weakened the protection regime of Strict Nature Reserves, making it possible to accommodate large scale tourism infrastructure such as ski infrastructure. While there seems no such plans currently foreseen for KSNR and ASNR, this issue should be addressed at federal level as it affects the protection status of all natural World Heritage sites in the Russian Federation.

Another significant threat to the property is the impact of climate change. The mission notes that several efforts are on-going to monitor and better understand these impacts.

Conclusion

The World Heritage Centre and IUCN note the conclusion of the mission that the Outstanding Universal Value of the property continues to be preserved and that progress was made in the implementation of the recommendations of the 2007 mission.

The World Heritage Centre and IUCN take note of the affirmation by the State Party that no decision had been made on the Altai gas pipeline project and that such a decision will be based on an environmental impact assessment in accordance with the Russian legislation. They also welcome the statement of the Vice Minister for Natural Resources to environmental NGOs that the construction of the pipeline across the property would be a violation of Russia's international obligations to the *Convention* and that alternative routes need to be envisaged. However, they note that despite this affirmation, the pipeline developer Gazprom is conducting preparatory work on the pipeline route, including in the property in violation of national legislation. They therefore recommend that the World Heritage Committee reiterates its position, that any decision to go forward with the gas pipeline project through the property would constitute a threat to its Outstanding Universal Value and represent a clear case for inscription of the property on the List of World Heritage in Danger.

Draft Decision: 36 COM 7B.25

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decisions **35 COM 7B.26**, **33 COM 7B.27** and **32 COM 7B.22** adopted at its 35th (UNESCO, 2011), 33rd (Seville, 2009) and 32nd (Quebec City, 2008) sessions respectively,*
3. *Takes note of the conclusion of the 2012 World Heritage Centre/IUCN monitoring mission that the Outstanding Universal Value of the property continues to be preserved, and welcomes the progress made in the implementation of the recommendations of the 2007 mission;*
4. *Also takes note of the affirmation by the State Party that no official decision has been made on the Altai gas pipeline project and that such a decision will be based on an environmental impact assessment in accordance with the Russian legislation;*
5. *Expresses its utmost concern that in spite of this affirmation, the pipeline developer Gazprom is conducting preparatory work on the pipeline route, including within the World Heritage property in violation of Russia's protected area legislation;*
6. *Reiterates that any decision to go forward with the gas pipeline project through the property would constitute a threat to its Outstanding Universal Value and represent a clear case for inscription of the property on the List of World Heritage in Danger;*
7. *Urges the State Party to make an unequivocal decision to abandon the construction of the Altai gas pipeline through the property as requested in Decision **33 COM 7B.27**, to ensure that no further preparatory works are undertaken within the property, and to ensure that the pipeline developer Gazprom considers alternative routes;*
8. *Also urges the State Party to ensure that Environmental Impact Assessments are submitted to the World Heritage Centre for any infrastructure development in or around*

the property which could affect its Outstanding Universal Value, in line with Paragraph 172 of the Operational Guidelines;

9. *Requests the State Party to continue its efforts to implement the recommendations of the 2007 monitoring mission as updated by the 2012 monitoring mission, in particular:*
 - a) *Ensure the implementation of the 2009-2015 general management strategy for the property,*
 - b) *Strengthen the management capacity of the Ukok Quiet Zone and Belugha Mountain Nature Parks in terms of staffing and budget,*
 - c) *Ensure that the inspectors of the nature parks have the necessary legal authority to perform their protection mandate by making the necessary legal provisions at the level of the Altai Republic;*
 - d) *Assess the impacts of grazing on the biodiversity in the traditional use zone of the Ukok Quiet Zone and develop a policy for the sustainable use of the natural resources in the traditional use zones in the property in close cooperation with the indigenous communities using these areas,*
 - e) *Develop an overall strategy for sustainable tourism of the property, which could be the basis to set the policy for sustainable tourism at the level of the Altai Republic,*
 - f) *Further strengthen the transboundary cooperation with Mongolia and China based on the experience with Kazakhstan,*
 - g) *Strengthen the cooperation with the civil society and in particular the indigenous communities, taking advantage of their knowledge relevant for the management of the property,*
 - h) *Assess the cultural values of the property for its possible renomination under cultural criteria;*
10. *Recommends that the State Party continue the process on extending the property, including key areas in Altai Republic, Mongolia, China and Kazakhstan;*
11. *Also expresses its utmost concern about Federal Law No. 365-FZ dated 30 November 2011, which significantly weakens the protection status of Strict Nature Reserves and therefore could affect the Outstanding Universal Value of World Heritage properties in the Russian Federation and reiterates its request to the State Party to take appropriate legal measures to maintain a high level protection of the World Heritage properties on its territory, in accordance with Paragraph 15(f) of the Operational Guidelines;*
12. *Also recommends that all legal issues concerning natural properties in the Russian Federation, which are composed of federal and regional protected areas, be addressed through a comprehensive national legal framework for the protection and management of natural World Heritage properties in order to ensure the fulfilment of the State Party's obligations under the Convention, and also requests the State Party to convene a high-level workshop to assist in developing such a framework, in consultation with the World Heritage Centre and IUCN;*
13. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including an update on the status of the proposed pipeline, on the Environmental Impact Assessment process as well as on progress in the implementation of the 2012 monitoring mission recommendations, for examination by the World Heritage Committee at its 37th session in 2013.*

LATIN AMERICA AND THE CARIBBEAN

28. Iguazu National Park (Argentina) (N 303)

Year of inscription on the World Heritage List
1984

Criteria
(vii) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/303/documents/>

International Assistance
Global amount granted to the property: USD 20,000
For details, see page <http://whc.unesco.org/en/list/303/assistance/>

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
September 2006 UNESCO Mission; April 2008: World Heritage Centre / IUCN reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Proposed development of hydropower dams;
- b) Illegal logging and hunting;
- c) Uncoordinated developments;
- d) Lack of transboundary cooperation;
- e) Lack of sustainable financing;
- f) Problems associated with public use;
- g) Lack of a comprehensive public use plan.

Illustrative material
See page <http://whc.unesco.org/en/list/303>

Current conservation issues

On 31 January 2012, the State Party submitted a detailed report on the state of conservation of Iguazu National Park. The report addresses the following issues raised by the World Heritage Committee in Decision **34 COM 7B.30**:

a) *Transboundary cooperation and coordination of management*

At its 34th session, the World Heritage Committee was informed by the State Party of Brazil of the impending signature of an international cooperation agreement designed to facilitate transboundary cooperation on park management with Iguazu National Park in Argentina, another World Heritage property immediately across the Iguazu River. The State Party makes no reference to that agreement in its current report, though it indicates that there is increased transboundary cooperation, as evidenced by the joint publication of a pamphlet on visitor facilities at both properties. The report notes that a joint review of Management Plans, progress on which was requested by the Committee, was not possible at this time, given that the Argentinian plan had been developed in 1988 and required an immediate revision, whereas the Brazilian plan had only recently been finalized and there was little scope for revision at this point. The report notes that the Inter-American Development Bank has provided funding to support the revision of the property's Management Plan. Based on the

information provided, the World Heritage Centre and IUCN consider that there appears to have been very little progress in strengthening transboundary cooperation in the management of the two properties, and that plans for stronger cooperation expressed earlier have not come to fruition.

b) *Hydroelectric dams and additional infrastructure plans*

The State Party's report includes a lengthy hydrographic study on the impacts on river water flow at the falls from the series of hydroelectric dams constructed upstream on the Iguazu River. It concludes that there was a measurable reduction in both the extreme low water and high water events. The nearest and most recent dam (Caixa – built in 1999) is 200 km upstream from the falls. The study indicates that the dam's distance, and the fact that the river downstream from the dam flows in large part through protected areas (from which other tributaries flow into the river), contributes significantly to the attenuation of any potentially negative impacts from the dam on water quality and flow. The study seems to discredit earlier claims of a weekly variation in flow due to weekend closure of the dam's sluice gates. The State Party's report indicates that there are no plans for any hydroelectric dam construction that may affect the property on the Argentinian side, though it appears from internet based reports that the Corpus Christi hydroelectric dam project, located approximately 250 km downstream from the property, but having an unknown impact on water levels at the property, is still being considered. Similarly, recent media reports suggest that consideration of the Baixo Iguazu Hydroelectric project on the Brazilian side in the immediate vicinity of the property is renewed. The report on the state of conservation of Iguazu National Park (Brazil) further discusses this issue.

The State Party notes the presence of a long existing dirt road running through the property, indicating that it may one day be subjected to pressure to have it paved, though appears to indicate that no such pressure currently exists.

c) *Biodiversity conservation*

The State Party lists several ecological research projects currently underway in the property, though no specific relation between these studies and management interventions are noted. It states that the detailed biodiversity report submitted to the World Heritage Centre in 2009 indicated that overall conservation of the property was good, and that this conclusion remains valid. Main biodiversity threats are identified as those emanating from the presence of mostly aquatic introduced species, and particular concern is raised over river bank ecosystems. No additional information is provided on the threat of agricultural development in the Argentine Peninsula Bottleneck, a stretch of privately owned land in Argentina that is a key biological corridor between the two properties, as noted by the 2008 reactive monitoring mission. At the Committee's 34th session, the World Heritage Centre and IUCN had noted that deforestation in the Argentine Peninsula Bottleneck is increasingly limiting genetic flows between certain species' populations, including jaguars, which results in shifts in forest ecosystem dynamics, and should therefore be monitored by both States Parties.

Conclusion

The World Heritage Centre and IUCN note the on-going absence of meaningful progress in regards to formal transboundary cooperation. Ideally, these two distinct properties, which are similar in many ways, should be considered as one single property under the *Convention*. In the absence of this situation, it is incumbent upon the respective States Parties of Argentina and Brazil to enhance transboundary management cooperation, through formal international agreements under which joint work plans could be regularly developed, implemented and monitored. Hydroelectric dams play a large role in water flow through this property, and continued monitoring of their impacts, along with that of plans for new dam projects is required. The mention of introduced species as a new threat to the property's Outstanding Universal Value should be carefully monitored and appropriate conservation action taken.

Draft Decision: 36 COM 7B.28

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.30**, adopted at its 34th session (Brasilia, 2010),
3. Regrets that little progress has been made in formalizing and operationalizing transboundary cooperation with the neighbouring Iguazu National Park World Heritage property in Brazil, despite having been informed by the State Party of Brazil at its 34th session that the signing of such an agreement was imminent;
4. Reiterates its request that the State Party of Argentina, in cooperation with the State Party of Brazil, formalize transboundary cooperation through appropriate international instruments, under which site based cooperation can be structured, implemented and monitored;
5. Takes note of the hydrographical report on water flows in the Iguazu River, and recommends the State Party of Argentina, in cooperation with the State Party of Brazil, to continue river flow monitoring so that informed discussions with the managers of the Caixa dam can ensure the safeguarding of the property's Outstanding Universal Value;
6. Reminds the State Party that, as per Paragraph 172 of the Operational Guidelines, any intention to undertake or authorize infrastructure works likely to impact on the property's Outstanding Universal Value should be communicated to the World Heritage Centre;
7. Also notes the concerns raised by the State Party over the incipient threats caused by alien species in the property, and urges it in coordination with the State Party of Brazil to engage in a concerted effort to ensure that this issue receives the appropriate level of management attention;
8. Requests the State Party of Argentina, in cooperation with the State Party of Brazil, to submit to the World Heritage Centre, by **1 February 2014**, a single joint report on the state of conservation of the property, including special consideration on advances in cooperation, for examination by the World Heritage Committee at its 38th session in 2014.

29. Iguazu National Park (Brazil) (N 355)

Year of inscription on the World Heritage List
1986

Criteria
(vii) (x)

Year(s) of inscription on the List of World Heritage in Danger
1999 - 2001

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/355/documents/>

International Assistance

N/A

UNESCO extra-budgetary funds

Total amount granted to the property: Approximately USD 50,000 under the Brazilian World Heritage Biodiversity Programme for fire fighting planning.

Previous monitoring missions

March 1999: IUCN mission; April 2008: World Heritage Centre / IUCN reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Proposed development of hydropower dams;
- b) Pressure to re-open an illegal road;
- c) Illegal logging and hunting;
- d) Uncoordinated developments;
- e) Lack of transboundary cooperation;
- f) Lack of sustainable financing;
- g) Problems associated with public use;
- h) Lack of a comprehensive public use plan.

Illustrative material

See page <http://whc.unesco.org/en/list/355>

Current conservation issues

A succinct state of conservation report was provided to the World Heritage Centre by the State Party on 4 May 2012, as requested by Decision **34 COM 7B.31** (Brasilia, 2010). The information presented below in this report is gathered from the state of conservation report provided by Brazil, as well as the report submitted by the State Party of Argentina on 31 January 2012, which was also asked to report on joint activities with the State Party of Brazil in regards to the Iguazu National Park World Heritage property. A draft retrospective Statement of Outstanding Universal Value was sent to the World Heritage Centre in June 2011 and is currently being reviewed by IUCN.

a) *Transboundary cooperation and coordination of management*

Decision **34 COM 7B.31** invited the submission of a signed agreement between the States Parties of Brazil and Argentina on the joint management of Iguazu National Park (Brazil) and Iguazu National Park (Argentina). The State Party reported in 2010 that such an agreement was soon to be finalized. Similarly, the Committee requested both States Parties (Decision **34 COM 7B.30** in the case of Argentina) to keep it informed on progress regarding the joint revision of both properties' Management Plans. The State Party of Brazil provided a copy of a 2008 bi-national addendum to an existing 1996 bi-national cooperation agreement, entitled "Protected Area Management Capacity Development", signed by the respective Ministers of Foreign Affairs in February 2008. The addendum is not specific to the Iguazu / Iguazu cooperation, but a generic one for both national protected area systems, and is not the agreement indicated in its 2010 state of conservation report. The State Party indicates that under this addendum, meetings were held between the respective World Heritage property management agencies in 2010, however no information is provided on the objectives or outputs of these meetings. The state of conservation report from the State Party of Argentina does not mention these meetings, or the agreement of 2008. Based on the information provided, it is clear that no inter-governmental framework specific to these properties has yet been developed, and that cooperation remains tentative.

b) *Hydroelectric dams and additional infrastructure plans*

The State Party reports that it has not yet been able to arrive at any conclusions regarding the variations of water levels on aesthetic values and on biodiversity. However, it states that cooperation with the national operator of hydroelectric dams has allowed for a reduction in the more extreme variations in the water flow. This information is corroborated by the results of the detailed report provided by the State Party of Argentina.

The State Party reports that it has ruled out the installation of a heliport within the property's boundaries, and that the old heliport has been closed and is now overrun with vegetation.

The World Heritage Centre and IUCN recall that at the Committee's 31st session (Christchurch, 2007) the State Party had announced its decision to deny authorization for the construction of the proposed Baixo Iguaçu hydroelectric project in the vicinity and upstream of the property. They recall that the proposal for this project, as detailed in the State Party's report to the Committee at its 30th session (Vilnius, 2006), included the construction of associated infrastructure within 150 meters of the property, earth works up to the very edge of the boundary, and the location of a drainage canal within property boundaries. Recent media reports suggest that the energy company Neoenergia, which was awarded a concession for this project in 2008, expects it to become operational by 2015. The World Heritage Centre and IUCN are seriously concerned about the potential (direct, indirect and cumulative) negative impacts from this project on the Outstanding Universal Value of the property, and recall that the Environmental Impact Statement (EIS) for this project noted that 62% of fish species located at the dam site are endemic to the Iguaçu River, three of which are endangered. The World Heritage Centre wrote a letter to the State Party on 6 May 2009 to request more information on this issue.

c) *Development of a professional ranger corps*

The 2008 reactive monitoring mission report called for the development of a qualified Ranger Corps for the Park specially trained in addressing conservation issues. The State Party reported in 2010 that efforts in this regard had met resistance from the military police and fire brigades which had been expected to participate. The Committee requested through Decision **34 COM 7B.31** that the State Party develop a qualified ranger corps specifically trained in conservation issues to address the ongoing threats to the property. No further progress is reported.

d) *Plans to build a road through the property*

In 1999, the Committee inscribed the property onto the List of World Heritage in Danger due to the construction of the unauthorized *Estrada do Colono* road through the centre of the property. Swift action on the part of the State Party resulted in the cessation of road construction activities and the property was removed from the List of World Heritage in Danger in 2001. Pressure remains from local interests to re-establish this road. As recently as late 2011, press reports indicate that a local congressman was holding public audiences to gather support for the re-commencement of this project and that a committee was formed within the state of Parana legislature to discuss options.

e) *Other conservation issues – invasive species*

The State Party of Argentina signals in its report that the presence of aquatic introduced species represents a threat to the biodiversity and riparian ecosystems in Iguazú National Park in Argentina. A concerted effort by both States Parties will be required to address this threat at both properties.

Conclusion

The World Heritage Centre and IUCN continue to emphasize the added management value that could be provided by a systematic coordination of management efforts on both sides of the Iguaçu / Iguazu River. Though both States Parties have cooperated sporadically on punctual issues over the years, the conclusion of a formal framework agreement for a more systematic coordination of efforts remains elusive. Similarly, despite repeated requests to ensure the provision of a professionally trained ranger corps, the continued absence of any apparent progress should be addressed.

Following renewed discussions at the State Government level over the possible re-opening of the *Estrada do Colono* road, the World Heritage Centre and IUCN stress that the Committee should remain concerned over the prospect of a road passing through the centre

of the property, as such roads often lead to increased illegal logging, increased poaching and wildlife trade by facilitating human access to previously inaccessible areas. Such openings also facilitate the movement of invasive species into the property, disrupting the ecosystem. It is also important to consider that roads can present important barriers to the movement of some species, effectively resulting in the creation of two smaller parcels which would be less resilient to environmental stresses such as climate change. The State Party should be invited to closely monitor this situation and keep the World Heritage Centre informed of any changes.

The reports on the renewed consideration of the Baixo Iguaçu hydroelectric project are also a cause for serious concern. The World Heritage Centre and IUCN highlight that a decision to approve the project would constitute a clear potential danger to the property's Outstanding Universal Value in line with paragraph 180 of the *Operational Guidelines*.

Draft Decision: 36 COM 7B.29

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.31**, adopted at its 34th session (Brasilia, 2010) and recalling the recommendations of the 2008 reactive monitoring mission report;*
3. *Regrets that little progress has been made in formalizing and operationalizing transboundary cooperation with the neighbouring Iguazu National Park World Heritage property in Argentina, despite having been informed by the State Party at its 34th session that the signing of such an agreement was imminent;*
4. *Reiterates its request that the State Party of Brazil, in cooperation with the State Party of Argentina, formalize transboundary cooperation through appropriate international instruments, under which site based cooperation can be structured, implemented and monitored;*
5. *Notes with serious concern that the Baixo Iguaçu hydroelectric project and the re-opening of the Estrada do Colono road through the property appear to again be actively considered, and reminds the State Party that, as per Paragraph 172 of the Operational Guidelines, any intention to undertake or authorize infrastructure works likely to impact the property's Outstanding Universal Value should be communicated to the World Heritage Centre;*
6. *Urges the State Party to make a permanent commitment not to authorize the construction of the Baixo Iguaçu hydroelectric project, or any other hydroelectric project that may be considered to have a negative impact on the property's Outstanding Universal Value;*
7. *Also notes the concerns raised by the State Party of Argentina over the incipient threats caused by alien species in the property on the Argentinean side, and calls upon both the States Parties of Brazil and Argentina to engage in a concerted effort to ensure that this issue receives the appropriate level of management attention;*
8. *Requests the State Party to ensure the development of a qualified ranger corps specifically trained in conservation issues to address the on-going management challenges at the property;*

9. Also requests the State Party, in cooperation with the State Party of Argentina, to submit to the World Heritage Centre, by **1 February 2014**, a single joint report on the state of conservation of the property, including special consideration on advances in cooperation, and progress made in the creation of a stable and professional ranger corps, for examination by the World Heritage Committee at its 38th session in 2014.

30. Cerrado Protected Areas: Chapada dos Veadeiros and Emas National Parks (Brazil) (N 1035)

Year of inscription on the World Heritage List
2001

Criteria
(ix) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1035/documents>

International Assistance
N/A

UNESCO extra-budgetary funds
Total amount granted to the property: USD100,000 - World Heritage Biodiversity Programme for Brazil; USD 30,000 Rapid Response Facility support for firefighting.

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
Insufficient legal framework and protection in place.

Illustrative material
See page <http://whc.unesco.org/en/list/1035>

Current conservation issues

A report on the state of conservation of the property was submitted by the State Party on 30 March 2012, providing a detailed discussion of actions undertaken to date to re-establish the protection status of the area of Chapada dos Veadeiros National Park. On 12 April 2012, the State Party sent a letter to the World Heritage Centre inviting a joint World Heritage Centre / IUCN advisory mission to the property to assess issues related to its legal framework, and to provide assistance to the possible revision of its boundaries in view of an expansion.

a) *Loss of the protection status of 72% of Chapada dos Veadeiros National Park*

Chapada dos Veadeiros National Park had been expanded by Federal Decree in September 2001 and the Park, with its expanded boundaries, was inscribed onto the World Heritage List in December 2001 as one of two components of this serial property. However, in 2003 a judicial review led to the cancellation of the Park expansion decree, resulting in a large portion of this property's area (170,455 hectares) no longer benefiting from National Park status, and seriously undermining its integrity. In its report, the State Party indicates that despite having lost National Park status since 2003, no dangers of a scale capable of threatening the Outstanding Universal Value are currently noted in these lands.

In a letter to the World Heritage Centre dated 27 April 2011, the State Party had indicated that it would re-start the necessary legal procedures for a new Decree re-establishing the protection status for the affected lands, and that these would be finalized by March 2012. Contrary to the statement in this letter, the State Party now cautions that a strict return to the original National Park boundaries at the time of inscription is no longer an option due to man-made processes already underway since 2001, which in fact served as the basis for the legal actions that led to the repeal of the 2001 expansion decree.

A multi-faceted approach at achieving a sufficiently rigorous conservation status for the majority of lands that have lost their National Park status is now being proposed. The State Party suggests that it may even go beyond the original surface area to include yet more protected lands as part of the property. To do so, it focuses on several existing land use policies, programmes and/or designations, though none of these appear to systematically grant the property the same level of protection as national park status. These include:

- i) The reliance on the fact that the property lies wholly within the Pouso Alto Environmental Protection Area. This conservation status falls within IUCN protected area management category V, which is considered suitable for landscape protection and sustainable development. The World Heritage Centre and IUCN note that this category is not normally sufficient to guarantee the integrity of World Heritage properties inscribed under criteria ix and x;
- ii) The voluntary creation of federal private natural heritage reserves on the part of private landowners. There are currently 16 such private reserves in the region of the property, ranging between 1.4 and 8,730 hectares for a total surface area of 20,756 hectares. No information is provided on the level of biodiversity protection such reserves provide;
- iii) The leveraging of ecological corridors in which the property is located. These corridors are formal public policy and can be used to support conservation objectives, though the State Party does not provide any details on how this might relate to the integrity of the property;
- iv) The application of biosphere reserve principles of conservation – given that the lands in question are within the vastly larger Cerrado Biosphere Reserve, at over 29,000,000 hectares. No details are provided on how this status is contributing to the integrity of the property;
- v) Reliance on the low intensity land use of the Kalugos Quilombo territory, which is designated for the Quilombos people, though no clear relation between the location of this territory and that of the property is indicated.

The State Party has expressed its intent to assemble a mosaic of new conservation units within different management categories which together would re-establish, if not the identical 2001 boundaries of the expanded National Park, then at least an equivalent or larger area. The State Party anticipates that as a whole, this mosaic would meet the criteria for the original inscription of the property on the World Heritage List. Given the complexity of the question, the State Party notes that the final proposal for the mosaic protected area is expected to be referred to the Ministry of the Environment by June 2013 after which the Ministry would likely have to consider it and eventually carry out the necessary steps for eventual approval.

b) *Status of attributes that sustain Outstanding Universal Value*

The State Party's report includes an assessment of the state of conservation of those lands that were removed from the National Park in 2003. The assessment is based on extensive field review of those lands no longer in the National Park, and of those lands which may be proposed to be included in an eventual re-nomination. It concludes that the attributes of Outstanding Universal Value of these lands remain robust, but it does note that the main threats to the property consist of wildfires, hunting, illegal deforestation and selective illegal extraction of timber.

Conclusion

The World Heritage Centre and IUCN note the complexity involved in establishing a conservation area of equal value under the *World Heritage Convention* as that which was lost by the cancellation of the Federal decree for the expansion of Chapada dos Veadeiros National Park in 2003. However, the fact remains that 170,455 hectares of a World Heritage property are currently not clearly benefitting from the statutory protection normally required under the *World Heritage Convention*.

Though the State Party hopes to assemble a mosaic of smaller components which benefit from varying degrees of protection status, it is not yet clear that these, individually or as a whole, would meet the strict integrity requirements under the *Convention*. The State Party's timeline for the completion of the assembly of this protected area mosaic appears optimistic, given the political and administrative challenges involved with such a task.

Despite the State Party's efforts to show that the property's Outstanding Universal Value remains intact and under no significant threat, the World Heritage Centre and IUCN recommend that the Committee express its serious concern over the integrity of the property. They also wish to highlight to the Committee that it may take some time yet for the State Party to submit a finalized alternative to the original property boundary considered by the Committee in 2001. They note that the result of the State Party's efforts will need to be evaluated as a re-nomination, given the expected changes both in the property's original boundaries, and in its management regime. To ensure that the State Party's efforts will align with the requirements of the *Convention*, it should consult closely with IUCN while attempting to reconstitute the necessary standards of integrity for the property. The invitation for an advisory mission in this regard is welcomed; however the World Heritage Centre and IUCN consider that the issues to be considered require a reactive monitoring mission, and suggest that such a mission be undertaken by IUCN. This mission could also provide further advice to the State Party as required. However, until the World Heritage Committee has had the opportunity to consider the revised proposal for the boundaries and management regime for this property, the World Heritage Centre and IUCN stress that the property is under potential danger as per Paragraph 180 b) i) of the *Operational Guidelines*.

Draft Decision: 36 COM 7B.30

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.28**, adopted at its 35th session (UNESCO, 2011);*
3. *Also recalling the State Party's earlier commitment to resolve this situation by March 2012;*
4. *Notes with concern that the majority of the Chapada dos Veadeiros component of this serial property continues to no longer benefit from National Park status, and that its integrity is no longer guaranteed;*
5. *Also notes that the State Party has committed to presenting the final project for the re-establishment of sufficient protection status for the property, or an equivalent configuration of what is currently recognized as the property under the World Heritage Convention, to the Minister of Environment by June 2013;*

6. *Considers that any new configuration of property boundaries and/or conservation status proposed by the State Party will likely require a re-nomination, and recommends the State Party to consult closely with IUCN in this regard;*
7. *Requests the State Party to invite a reactive monitoring mission undertaken by IUCN to assess issues related to the legal status of the property, and to provide further advise to the State Party as required;*
8. *Urges the State Party to resolve, in close consultation with the World Heritage Centre and IUCN, the integrity issues resulting from the loss of protection status without further delay;*
9. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including a report on the state of advancement on the re-establishment of its conditions of integrity, for examination by the World Heritage Committee at its 37th session in 2013.*

31. Talamanca Range-La Amistad Reserves / La Amistad National Park (Costa Rica / Panama) (N 205bis)

Year of inscription on the World Heritage List

1983, extension in 1990 and 1997

Criteria

(vii) (viii) (ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/205/documents/>

International Assistance

Global amount granted to the property: USD 276, 350

For details, see page <http://whc.unesco.org/en/list/205/assistance/>

UNESCO extra-budgetary funds

Total amount provided to the property: USD 30 000 from the Rapid Response Facility

Previous monitoring missions

February 2008: World Heritage Centre/IUCN reactive monitoring mission; December 2011: World Heritage Center /IUCN reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Construction of hydroelectric dams near the property in Panama and associated effects (greater human presence near the property, interruption of aquatic species migratory corridor);
- b) Encroachment (settlements, cattle ranching);
- c) Planned road construction which would traverse the property on the side of Panama.

Illustrative material

See pages <http://whc.unesco.org/en/list/205> and <http://whc.unesco.org/en/news/659>

Current conservation issues

On 22 March 2012, a joint report on the state of conservation of the property was submitted by the States Parties of Costa Rica and Panama. The Committee had requested the States Parties to invite a reactive monitoring mission in time for a report to be provided at its 36th

session (Decision **35 COM 7B.29**). Although an invitation was received from the State Party of Costa Rica, no such invitation was received from the State Party of Panama. For this reason, no mission was carried out.

a) *Transboundary Cooperation*

The States Parties explain that the structure for transnational cooperation has been in place for many years, initiated by a formal transboundary cooperation agreement in 1992. Under this agreement, several bi-national sectorial technical commissions have been created, including one on natural resources. Under this latter commission, the Amistad National Park Management Bi-national Executive Technical Unit (UTEB-PILA) was created, which assumes the practical work of the transboundary coordination for matters related to the property. The Unit has met twice yearly since 2009, most recently in November 2011, and during these meetings, it has carried out various management planning and operations activities. Four joint field monitoring missions are carried out annually whereby park rangers from both States Parties conduct patrols near the international border area of the property.

b) *Progress on the Transboundary dam Strategic Environmental Assessment (SEA)*

Both States Parties report that the SEA was launched in June 2011 with support from the Global Environment Facility. They report that a first draft of the assessment has been completed and would be reviewed during a multi-stakeholder participatory workshop in the first months of 2012, followed by an internal review on the part of both States Parties, and that it was expected to be completed shortly.

c) *Hydro-electric dams*

The State Party of Costa Rica indicates a total of 32 hydro-electric dam projects proposed over the years for the watersheds emanating from the property. Four of these are operational, one is under construction, five are undergoing feasibility studies and the others remain at the conceptual stage with no evidence of further development at this time. Only one of these is within the property, though the State Party notes that it was constructed before the Park was established, and well before it was inscribed on the World Heritage List.

The State Party of Panama indicates that at the time of the World Heritage Committee Decision in 2010 (Decision **34 COM 7B.32**) requesting that construction of the Changuinola 75 (CHAN 75) be halted, it was already 60% completed. It explains that the project benefits from an approved environmental impact assessment and a September 2010 resolution from the National Authority for Public Services declared the project of public interest and urgent in nature. As for the Bonyic Project, the State Party refers to a series of contractual obligations and Government resolutions, including one for the approval of a category III environmental impact assessment in 2005. Based on the above, the State Party of Panama argues that it is under legal obligation to complete these dams and can only cancel the contracts in case of war, serious disturbance of public order or urgent social interest, and that it would have to compensate the concessionaire of the project in such case. It adds that the SEA of the hydro-electric dams along the transboundary area of the property is not yet completed, and until it is concluded, it is premature to determine the threat to the property posed by these projects.

Though hydro-electric dam construction projects on the Costa Rican side of the property are not as extensive as originally considered, concerns remain over the potential undermining of the property's Outstanding Universal Value arising from existing projects. IUCN has received reports that the CHAN-75 dam was completed without fish passage facilities, despite repeated calls by the Committee that mitigation measures be implemented. Information received by the World Heritage Centre and IUCN confirms this is likely to have a serious negative impact on the unique assemblage of diadromous fish and shrimp species in the majority of the Caribbean side of the Panamanian portion of the property in the short term, which in turn is likely to have cascading effects on the biodiversity and ecosystems of the property that depend on these species. Furthermore, IUCN has received reports about

increasing pressure from hunting and other resource use by indigenous communities that were displaced by the construction of CHAN-75. While these communities are not currently settling inside the property, they were forced to relocate much closer to its boundaries, and some lands are reported to be completely deforested right up to the property boundary.

d) Mining concessions in or near the property (Costa Rica)

The State Party of Costa Rica has indicated that the requests for mining exploration permits, predominantly in the *Bribri* indigenous people's territory near the property have all been rejected, except three that remain on hold until clear environmental impact statement criteria are developed. The State Party notes that only the National Legislative Assembly in Costa Rica has the authority to approve such requests, and that no such request has been granted in the modern history of the country.

e) Road traversing the property from Boquete to Bocas del Toro (Panama)

The State Party of Panama indicates that although this road was proposed in the 2010-2014 National Government Strategic Plan, no action has been taken in this regard to date, including the call for an environmental impact assessment that would obligatorily precede a decision to go ahead with the road.

f) Presence of cattle and integration of private lands within the property

The State Party of Costa Rica reports that there has been no change in the presence of cattle within the property, and indicates that less than 1% of the property is affected by cattle or any other type of incompatible land use. It dismisses this issue as one that is marginal and small scale with only very localized effects and offers no response to the Committee's request to develop and implement a joint plan with Panama to control and manage cattle within the property and to integrating private lands into the property by 2018 (Decision **32 COM 7B.35**), further requesting that the cattle be completely removed (Decision **35 COM 7B.39**). It adds that due to the global financial crisis, no progress has been made in integrating private lands into the property. The State Party of Panama indicates that the presence of cattle on small landholdings within the Park was noted in its original nomination (1990), adding that the resolution creating the Amistad National Park called for these lands to adjust to the land use plan to be established by the Park's management agency, though no indication as to what this might be is provided. The State Party indicates that small landholders are legally established within the property, near its south-eastern boundary. These landholdings and the presence of cattle were acknowledged in the IUCN evaluation (1990). IUCN also noted in its evaluation that cattle were being moved across the southern part of the property and occasionally herded there. The State Party of Panama reports that an October 2011 monitoring flight over the south-eastern portion of the property where extensive cattle grazing had been reported by the 2008 mission, revealed no evidence of cattle grazing.

Conclusion

Transboundary cooperation appears to have improved markedly in recent years, with regular coordination meetings, joint planning, management and field monitoring activities. The road project in Panama remains a concern and the absence of any formal indication as to the status of this project should be addressed. Cattle within the property is an additional concern and both States Parties appear to dismiss this issue despite a Committee request to take specific actions, including the gradual integration of private lands into the Park. Given the conflicting information on the possible effects of cattle on the property's Outstanding Universal Value, a technical evaluation of this threat is called for. Concerns over requests for mineral exploration permits appear to have been addressed, although the final word on this issue is still expected from the National Legislative Assembly of Costa Rica.

The World Heritage Centre and IUCN note that the Strategic Environmental Assessment (SEA) is underway, and that it should serve as a basis to guide future decision-making in

terms of hydro-electric dam construction that might affect the property's Outstanding Universal Value. However, they note with serious concern that the CHAN-75 dam was completed without fish passage facilities in place, and that construction on the Bonyic dam is ongoing. Concern also remains regarding the other two proposed dams on the Changuinola River (CHAN-140 and CHAN-220). The World Heritage Centre and IUCN emphasize that the location of the dams outside the property does not automatically imply that they do not have a negative impact on the property's biodiversity, as the watersheds upstream of the dams are located within the property. The lack of an invitation for a reactive monitoring mission on the part of the State Party of Panama has not enabled necessary information to be effectively gathered on this property's state of conservation. IUCN considers that the State Party of Panama's intention to complete the Bonyic dam without prior consideration of the results of the SEA, as stated in the joint States Parties report, is cause for serious concern. IUCN therefore recommends that the Committee inscribe the property on the List of World Heritage in Danger, in line with paragraph 180 (b) (ii) of the *Operational Guidelines*. The World Heritage Centre and IUCN further recommend that the Committee requests the States Parties of Costa Rica and Panama to jointly invite a reactive monitoring mission undertaken by IUCN to the property, to assess the threats posed by on-going dam construction in Panama, existing and further potential dam developments, mining in Costa Rica, the planned road project to traverse the property from Boquete to Bocas del Toro, the effects of cattle in the property, and to make a recommendation on the possible inscription of the property on the List of World Heritage in Danger.

Draft Decision: 36 COM 7B.31

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.29**, adopted at its 35th session (UNESCO, 2011),*
3. *Welcomes the examples of transboundary cooperation in management planning, in addressing the requests of the World Heritage Committee, and in carrying out field missions;*
4. *Regrets that the State Party of Panama was unable to invite a reactive monitoring mission to the property, as requested in Decision **35 COM 7B.29**;*
5. *Expresses its serious concern about the State Party of Panama's stated intent to complete the Bonyic dam without prior consideration of the results of the on-going Strategic Environmental Assessment, and requests the State Party of Panama to put in place adequate mitigation measures at the CHAN-75 and Bonyic dams to overcome barriers to the movement of aquatic species along the affected waterways, and to also put in place an effective and long term monitoring programme to measure the extent to which mitigation measures are effective;*
6. *Also requests the States Parties to submit a copy of the Strategic Environmental Assessment to the World Heritage Centre as soon as it is completed;*
7. *Expresses its concern over the absence of progress in developing and implementing a systematic approach regarding the cattle in the property, and in the unresolved situation concerning the remaining mineral exploration permits in Costa Rica, and further requests the States Parties to address these issues;*

8. Requests furthermore that both States Parties jointly invite an IUCN reactive monitoring mission to the property, prior to its 37th session in 2013, which should assess the threats posed by ongoing dam construction in Panama, existing and further potential dam developments, mining in Costa Rica, the planned road project to traverse the property from Boquete to Bocas del Toro, and the effects of cattle in the property, and to make a recommendation on the possible inscription of the property on the List of World Heritage in Danger;
9. Requests moreover both States Parties of Costa Rica and Panama to submit to the World Heritage Centre, by **1 February 2013**, a joint report on the state of conservation of the property, including on the halting of dam construction that may impact the Outstanding Universal Value of the property, a report on progress on the transboundary dam Strategic Environmental Assessment project, a report on progress achieved in resolving land tenure and land use issues, as well as on the other points raised above, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to consider, if the ascertained or potential danger to Outstanding Universal Value is confirmed, the possible inscription of the property on the List of World Heritage in Danger.**

33. Coiba National Park and its Special Zone of Marine Protection (Panama) (N 1138 rev)

Year of inscription on the World Heritage List
2005

Criteria
(ix) (x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1138/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
Total amount granted to the property: USD350, 000 for management planning, installation of mooring buoys for diving boats, working with local communities, capacity building, public use planning and improved stakeholder understanding of legal protection measures.

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
a) Continued and growing presence of cattle.

Illustrative material
See page <http://whc.unesco.org/en/list/1138>

Current conservation issues

No state of conservation report was submitted by the State Party as was requested by Decision **35 COM 7B.33**. Therefore, the property's state of conservation is assessed on the basis of other information received by the World Heritage Centre and IUCN. A revised

retrospective Statement of Outstanding Universal Value (RSOUV) was received from the State Party 10 May 2011, reviewed by IUCN and forwarded to the State Party for finalization 5 April 2012.

a) *Management planning, fisheries management and governance*

Available information indicates that a Management Plan for the Special Zone of Marine Protection has been developed, as requested by the World Heritage Committee during its 35th session (UNESCO, 2011), but this has not been confirmed by the State Party. There is also no indication that the State Party has undertaken a Management Effectiveness Evaluation in line with the Enhancing Our Heritage toolkit, or of whether a coastal zone development and conservation policy has been formulated. The World Heritage Centre and IUCN have received information that current facilities, funding and staff are insufficient to control the expected pressures from fishing, coastal development, and uncontrolled tourism. The Oversight Committee is reported to have little experience in managing protected areas and rarely meets. There is a new effort to patrol the outer limits of the Park by Panama's Drug Enforcement Agency; however those resources are unlikely to be focused on illegal fishing. Dive operators have reported a marked decrease in the number of sharks, billfish, rays, groupers and snappers as commercial fishing has increased in the area. The long line and nylon gill nets widely employed by the fishermen create unintended by-catch of sea turtles. Other fishing includes the extraction of conch and lobsters.

Although many fishermen are supportive of the Park, it is reported they fish illegally because they do not know where the marine boundaries are and do not respect the Park's boundaries. In addition, the area as delineated at present may not be large enough to sustain the ecosystems to be protected. In Decision **33 COM 7B.38** (Seville, 2009) the Committee requested more intensive management and monitoring of the commercial fishery, in line with the recommendation made by IUCN in its evaluation of the property at the time of its inscription. Most recently, the Panamanian press noted that ANAM, Panama's Natural Environmental Authority, was not implementing the Management Plan in any significant way, nor had it acted on any of the Committee requests from 2009. Enforcement of fishing regulations has been carried out by *Marviva*, a nonprofit regional conservation group.

b) *Coastal development*

In Decision **33 COM 7B.38** (Seville, 2009) the Committee requested the adoption of a policy towards development which was spreading along the mainland shore opposite the island. It was reported to IUCN that some proposed significant infrastructure development ideas in the nearby coastal zone of a large-scale industrial port and a 400-slip marina (the marina's environmental impact statement was rejected in 2009) have been suggested by national decision takers. Nearby, private landowners are reported to be proposing the entry of a luxury tourism developer; however no carrying capacity in the Park exists at this time.

c) *Continued presence of cattle*

In 2009, the Committee at its 33rd session requested the State Party to consider the removal of cattle from the property as a priority. The international assistance request for the removal of cattle, submitted on 7 April 2010, was evaluated and a recommendation made to re-submit the request as a 'conservation and management' request instead of an 'emergency' request, and also to reconsider the procedure to be used for cattle removal. This information was communicated to the State Party in 2010. However to date, no revised request has been submitted, as requested by Decision **35 COM 7B.33**.

d) *Naval station on Coiba Island*

In the absence of adequate recent information on the construction of a naval base on the island, the World Heritage Centre and IUCN remain concerned over the potential impacts of this development on the property's Outstanding Universal Value. Despite two letters from the World Heritage Centre to the State Party, dated 9 April 2010 and 22 March 2011 and

requesting more information on the development in line with Paragraph 172 of the *Operational Guidelines*, to date the State Party has not provided such information.

Conclusion

Considering the absence of clear information from the State Party on the state of conservation of the property, including the completion of the Management Plan for the Special Zone of Marine Protection, the implementation of the Management Plan, and on previously noted issues such as the impacts of commercial, artisanal and sports fishing in the area, the cumulative impacts of coastal development on the property, as well as the lack of information regarding the proposed construction of a naval station on Coiba Island, the World Heritage Centre and IUCN wish to draw the attention of the Committee on their concern about the state of conservation of the property. They note that the resolution of many of these issues has been pending since the inscription of the property on the List of World Heritage in 2005.

They suggest that the World Heritage Committee reiterate its request that the State Party urgently submit all the necessary information on the state of conservation of the property no later than 1 February 2013. In the event that the State Party does not submit detailed information on the state of conservation of the property by this date, the World Heritage Centre and IUCN recommend that the Committee consider requesting the State Party to invite a reactive monitoring mission to the property in 2013-2014.

Draft Decision: 36 COM 7B.33

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.33**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not submit a report on the state of conservation of the property, as requested by the World Heritage Committee in Decision **35 COM 7B.33**;*
4. *Takes note that it is unclear whether the Management Plan for the Special Zone of Marine Protection has been finalized and adopted as previously urged by the World Heritage Committee in Decision **35 COM 7B.33**, and considers that the property's lack of management capacity, if not addressed, is likely to negatively affect its Outstanding Universal Value;*
5. *Requests the State Party to urgently confirm the status of the Management Plan for the Special Zone of Marine Protection, and to report on its progress in undertaking an independent Management Effectiveness Evaluation in order to inform the effective implementation of the Management Plan and fishing regulations for both Coiba National Park and its Special Protection Zone;*
6. *Reiterates its request to the State Party to develop and implement a coastal zone development and conservation policy in order to ensure that cumulative coastal zone development impacts on the property's Outstanding Universal Value are effectively addressed, and encourages the State Party to develop this policy on the basis of a Strategic Environmental Assessment of the coastal zone's development potential;*
7. *Notes that the State Party did not submit a revised International Assistance Request for the removal of cattle from Coiba Island, and urges the State Party to re-submit a*

revised request in line with the recommendations made by the World Heritage Centre and IUCN at the time of submission;

8. *Welcomes the State Party's submission of a revised retrospective Statement of Outstanding Universal Value, and also urges the State Party to submit a final version within the framework of the Periodic Reporting Exercise in Latin America and the Caribbean;*
9. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, and on the progress made on the issues mentioned above, including increased fishing pressures, for examination by the World Heritage Committee at its 37th session in 2013.*

34. Pitons Management Area (Saint Lucia) (N 1161)

Year of inscription on the World Heritage List
2004

Criteria
(vii) (viii)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1161/documents/>

International Assistance
Global amount granted to the property: USD 19,950
For details, see page <http://whc.unesco.org/en/list/1161/assistance/>

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
March 2010: Joint World Heritage Centre/IUCN reactive monitoring mission

Factors affecting the property identified in previous reports
Development pressures associated with tourism and housing

Illustrative material
See page <http://whc.unesco.org/en/list/1161>

Current conservation issues

On 12 February 2012 the State Party submitted a brief report on the state of conservation of the property.

a) *Development pressures associated with tourism and housing*

The State Party reports that it has approved development applications within the property. The World Heritage Centre requested further information on the nature of these approvals and on 23 April 2012 the State Party submitted the approval letters and 2011 Cabinet Decisions for these developments (Cabinet Decisions N^o 404 and 1039). Five development proposals have been approved within the property, including individual villas, real estate developments composed of multiple villas, a restaurant, and expansions of the existing Jalousie and Ladera resorts. Construction has begun on some of these developments and

one development proposal has been partially completed. The State Party considers that these approvals are in keeping with Paragraph 172 of the *Operational Guidelines*, and also considers that it continues to impose a moratorium on all developments.

The State Party notes that it is working with the IUCN Office for Mesoamerica and the Caribbean to secure technical support for the Pitons Management Area (PMA), including support in identifying a consultant to undertake the Limits to Acceptable Change (LAC) study requested by the Committee, as well as support on stakeholder engagement and the development of a management framework for the property. The State Party indicates that it recognizes the importance of stakeholder participation in the development of the LAC study, and intends to actively encourage such dialogue. It also notes that it will prepare an International Assistance request for the LAC study, however no information is provided on progress made in revising existing development control guidelines and regulations.

The World Heritage Centre and IUCN are extremely concerned that despite the State Party's commitment at the Committee's 34th session (Brasilia, 2010) to enforce a moratorium on all developments, five additional developments have now been approved.

IUCN notes that it continues to support the State Party in identifying a consultant to undertake the LAC study and in developing a management framework for the property, but that the recent governmental changes in Saint Lucia have delayed the implementation of this support. The World Heritage Centre and IUCN recall that the LAC study is intended to determine if and where developments could be permitted within the property and to guide the development of new development control guidelines and regulations to avoid further deterioration of the property's Outstanding Universal Value. However, given that the 2010 joint UNESCO/IUCN monitoring mission concluded that the existing real estate developments within the property may already have created a situation where the Outstanding Universal Value of the property could be lost, it is clear that development within the property would need to be very strictly circumscribed or completely halted.

Conclusion

The Pitons Management Area, whose Outstanding Universal Value is closely tied to the spectacular scenery of the volcanic pitons emerging from the sea and from forest canopy, has been subjected to significant development since it was inscribed by the Committee in 2004. In 2011, the State Party approved five new developments within the property, despite the Committee's clear position that development within the property should be strictly circumscribed in order to avoid further deterioration of its Outstanding Universal Value (**33 COM7B.39, 34 COM 7B.37, 35 COM 7B.35**).

The UNESCO/IUCN mission to the property in 2010 concluded that its Outstanding Universal Value was severely threatened and recommended that the site be inscribed onto the List of World Heritage in Danger based on the absence of strict development control processes. It was only following an intervention by the State Party at the Committee's 34th session (Brasilia, 2010), and its commitment to impose a strict development moratorium, that the Committee decided not to inscribe the property on the List of World Heritage in Danger.

Given the small size of the property and sensitive nature of its values, the World Heritage Centre and IUCN consider that the approval of five new developments within the property represents an ascertained danger in line with Paragraph 180 of the *Operational Guidelines*, and are likely to significantly and irreversibly affect the property's Outstanding Universal Value. They recommend that the Committee inscribe the property on the List of World Heritage in Danger, with a view to considering, in the event of continuing inappropriate development within the property, the deletion of the property from the World Heritage List.

Draft Decision: 36 COM 7B.34

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.35**, adopted at its 35th session (UNESCO, 2011),
3. Also recalling the State Party's intervention at its 34th session (Brasilia, 2010), in which it committed to a strict moratorium on further development within the property;
4. Notes with grave concern that additional developments within the property were granted in 2011, despite the as yet incomplete drafting of the Limits to Acceptable Change and of development regulations and guidelines, which are likely to further degrade the property's Outstanding Universal Value;
5. Further recalls that the property's Outstanding Universal Value may have already been significantly and potentially irreversibly compromised by past developments within the property;
6. **Decides in conformity with Paragraphs 177 and 180 of the Operational Guidelines, to inscribe Pitons Management Area (Saint Lucia) on the List of World Heritage in Danger;**
7. Requests the State Party, inasmuch as construction may not have commenced, to issue a stop work order and to cancel the five development permits granted in 2011, and to not approve any additional developments until the Limits to Acceptable Change study, along with development regulations and guidelines, are completed and legally integrated into the development review process;
8. Also requests the State Party to develop, in consultation with the World Heritage Centre and IUCN, a proposal for corrective measures and for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the World Heritage Committee at its 37th session in 2013;
9. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property, focusing specifically on progress in halting existing development permits within the property and establishing an effective development control system, for examination by the World Heritage Committee at its 37th session in 2013.

MIXED PROPERTIES

AFRICA

35. Ngorongoro Conservation Area (United Republic of Tanzania) (C/N 39)

Year of inscription on the World Heritage List

1978, extension 2010

Criteria

(iv) (vii) (viii) (ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

1984-1989

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/39/documents/>

International Assistance

Global amount granted to the property: USD 218,632

For details, see page <http://whc.unesco.org/en/list/39/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

April 1986: IUCN mission; April-May 2007: World Heritage Centre/IUCN reactive monitoring mission; December 2008: World Heritage Centre /IUCN reactive monitoring mission; February 2011: World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Increased human pastoral population;
- b) Poaching;
- c) Spread of invasive species;
- d) Tourism pressure;
- e) Encroachment and cultivation.

Illustrative material

See page <http://whc.unesco.org/en/list/39>

Current conservation issues

On 2 February 2012, the State Party submitted a report on the state of conservation of the property, which addresses the specific issues raised in Committee Decision **35 COM 7B.36** and provides a general update on the progress made in implementing the recommendations of the 2007, 2008 and 2011 reactive monitoring missions to the property.

As requested by the World Heritage Committee at its 35th session, a World Heritage Centre/ICOMOS/IUCN joint reactive monitoring mission was carried out from 6 to 13 April 2012 to assess the progress made in the implementation of recommendations made by previous missions to the property and on the development of an integrated management plan for both natural and cultural heritage.

a) *Management planning*

The State Party reports that a General Management Plan (GMP) for the period 2006-16 was approved in 2010 and is currently under implementation. It addresses many of the strategic issues that were the subject of recommendations by recent reactive monitoring missions,

including those related to tourism development, human settlements, grazing pressure and invasive alien species.

Notwithstanding, the mission noted that the revised management plan has yet to be extended to include the cultural attributes that sustain the Outstanding Universal Value of the property and define provisions for the documentation, conservation and management of the cultural resources and the wider landscape in archaeological terms. Limited progress on the recommendations regarding cultural heritage management that were made by the 2011 mission was noted by the mission.

b) *Pastoral population, sustainable livelihood development and livestock improvement*

Overgrazing and degradation of grazing lands remain a significant threat to the Outstanding Universal Value of the property. The mission recognizes that this issue cannot be addressed easily and takes note of the efforts of the State Party in this respect. The State Party reports that land has been acquired outside the property (at Oldonyo Sambu) to assist with the voluntary relocation of some people, and further land is being sought. A total of 553 people have been relocated and provided with full community services at Oldonyo Sambu since 2006. It cautions that resettlement must be viewed as a medium-term objective as it is politically sensitive, touches on issues of human rights, and must be carried out on a voluntary basis.

The mission reports that there has been an increased interest in taking advantage of resettlement opportunities since the ban on cultivation within the property was introduced in 2009. It also recommends that incentives to allow for much higher levels of voluntary resettlement be explored.

The State Party recalls that cattle grazing within Ngorongoro Crater has been much reduced by providing water points and salt licks outside the crater. It further notes a number of initiatives aimed at improving the quality of livestock and its productivity within the property to reduce grazing pressures such as the introduction of artificial insemination techniques, provision of free veterinary services, and a proposed demonstration project (known as RAMAT, meaning conservation) involving use of more intensive livestock husbandry techniques. The World Heritage Centre and the Advisory Bodies take note of these initiatives but consider that any associated infrastructure developments are preceded by Heritage and Environmental Impact Assessments and no exception is made to the current ban on cultivation.

c) *Tourism development and pressures*

The State Party reports that tourism pressures have been addressed or form part of ongoing programmes. Tourism developments are now undertaken within the framework of a tourism plan, part of the property's General Management Plan (GMP). A new Tourism Marketing Strategic Plan (2011-16) has also been developed, which includes detailed plans for diversification and marketing aspects. Under the GMP, no further lodge developments will be undertaken on the crater rim, but one further lodge is envisaged at Empakai Crater, with tented camps elsewhere. In an effort to ensure 'best practice' by existing lodge operators, an environmental audit has been requested. The World Heritage Centre and the Advisory Bodies note the development of the tourism strategy and the efforts made to address concerns previously raised. However, they would note that the cultural component of this strategy has yet to be fully developed.

Regarding traffic congestion, the Ngorongoro Conservation Area Authority (NCAA) has implemented a high additional charge for each vehicle entering the crater, which has had the effect of encouraging tourism operators to use bigger (and fewer) vehicles. The mission noted that there has been considerable progress in the implementation of the earlier mission recommendations regarding the management of traffic congestion. The World Heritage Centre and the Advisory Bodies endorse the steps already taken to limit the number of vehicles in the crater and reduce their impact and consider that these limits should be strictly

enforced, and encourage the State Party to continue efforts to balance the demands of visitor satisfaction, revenue and resource protection.

d) *Stakeholder involvement in land-use planning*

The mission was informed of three ways through which the resident communities participate in decision-making. Despite this involvement, however, the mission noted a degree of suspicion on behalf of community representatives particularly over the proposed study of carrying capacity and its possible implications of involuntary relocation. The mission proposed a participatory workshop, involving the Maasai to address concerns regarding the management of the property and the implications derived from World Heritage listing.

At a wider ecosystem level, management coordination and planning are facilitated through the Serengeti Ecosystem Forum which involves a wide range of stakeholders and meets twice each year.

e) *Road and infrastructure development*

The State Party report acknowledges the need for a clear road strategy for the entire Serengeti ecosystem, and associated Strategic Environmental Assessment. The mission noted that there are severe limitations on the maintenance imposed by a scarcity of good quality, accessible *murrum* (gravel) and supported the State Party's view that hard surface options be more fully explored and introduced on a pilot basis.

In respect of other infrastructure, the State Party reports that building codes are in the final stages of development, following extensive consultation with the Pastoral Council. The ongoing programme to provide staff housing outside the property is progressing slowly and may require a further five years for completion.

f) *Control of invasive species*

The State Party reports that a strategic plan for the control of invasive plant species has been developed and is now being implemented. The mission was able to confirm the eradication of the floating fern *Azolla* from water bodies in the crater, and reported considerable progress with control of other important weeds species, including *Argemone* and *Datura*. A new and potentially devastating weed, *Parthenium hysterophorus*, has been reported from the property. Given that this weed could potentially significantly degrade the quality of the grass lands, and therefore affect the grazing wildlife species which are the basis for the food chain, as well as the livestock of the pastoralist communities, this issue requires close monitoring and control.

g) *Poaching*

The mission observed high levels of anti-poaching surveillance, especially around the crater, and commended the vital contribution of the Maasai pastoralists in maintaining the property's outstanding wildlife resources. Nevertheless, in view of the present upsurge of poaching elsewhere in Africa, the current high level of vigilance should be maintained.

h) *State of conservation of the cultural components of the property*

The State Party reports that the draft Memorandum of Understanding (MoU) between NCAA and the Antiquities Division has been circulated and a task force constituted to finalise it by March 2012. It notes that the implementation of the recommendations made by the 2011 mission pertaining to the cultural components are hinged on the finalization of the MoU. Consequently, limited progress has been made in terms of the mapping and the development of the protection and conservation plans for all palaeo-anthropological localities. Regarding research guidelines, it reports that their development and adoption is scheduled to occur in the fiscal year commencing in July 2012.

The State Party also notes that three comprehensive reports on the partial excavation of the Laetoli footprints were submitted to the World Heritage Centre and ICCROM at the end of 2011. It also reports that a series of scientific meetings are planned to identify the potential

course of action for the locality. As for the Zinjanthropus site, initial plans have been developed for the improvement and interpretation of the site, which will be submitted for review upon completion.

The mission reiterated that the state of conservation of the cultural components of the property is still a matter of concern. It verified that no progress has been made in the implementation of previous recommendations and urged the finalisation of the MoU, including the establishment of the cultural heritage department within the management structure of the property. As for the Laetoli footprints, the mission noted that the reburial of the trackway, after the partial re-excavation in 2011, was done very well and in consistency with the layout of the previous reburial. As for the three reports submitted, these represent the views of the institutions and individuals that participated in the partial re-excavation and not those of the State Party. Given the conflicting recommendations presented in each report, the mission urged the State Party to convene an international technical committee meeting to examine the potential course of action for the future conservation of the trackway. It also recommended that preventive conservation strategies continue to be implemented while this strategy is defined.

Conclusion

The World Heritage Centre and the Advisory Bodies note the progress reported by the State Party on the implementation of measures to address previously raised concerns. They underscore progress made regarding the management at the property, noting especially the actions taken to formulate clear strategic plans, address some of the issues related to the livestock improvement and livelihoods of the increasing pastoralist population, and regulate and diversify tourism activities. They also highlight actions which have been taken to protect the property's outstanding wildlife resources and maintain ecological integrity through concerted efforts to control invasive plant species.

Notwithstanding, they reiterate their concern about the limited attention being paid to the cultural components of the property which sustain its Outstanding Universal Value and by the limited progress made in the implementation of the recommendations for their conservation and management. They recommend that the World Heritage Committee urge the State Party to finalise the Memorandum of Understanding and secure the necessary resources to have a fully operational cultural department within the management structure of the property.

The World Heritage Centre and the Advisory Bodies also recommend to the Committee to express its concern about the ecological impact from the growing pastoralist population and recommend that the Committee urge the State Party to continue exploring alternatives to provide some of the resident population with better livelihood opportunities outside the property, so that the rate of voluntary resettlement can be increased. Ecological pressures, particularly the effects of overgrazing by domestic stock, remain a concern, despite efforts at livestock improvement and the proposed RAMAT 'best practice' animal husbandry demonstration project. The World Heritage Centre and the Advisory Bodies suggest that the Committee cautions the State Party to ensure that the RAMAT project complies fully with EIA procedures and other regulations (including the ban on cultivation) within the property, or be relocated to a site outside the property.

Additionally, The World Heritage Centre and the Advisory Bodies note the efforts made by the State Party to find a long-term solution to the maintenance of the road network and recommend that a clear road strategy be developed in collaboration with the Serengeti National Park World Heritage Property and other agencies for the entire ecosystem and to carry out the corresponding Heritage and Environmental Impact Assessments.

Draft Decision: 36 COM 7B.35

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.36** adopted at its 35th session (UNESCO, 2011),
3. Welcomes the progress made by the State Party in addressing the recommendations made by the 2007, 2008 and 2011 missions, particularly in relation to tourism management, control of invasive species, control of poaching and the pastoralism strategy;
4. Urges the State Party to finalise the Memorandum of Understanding and secure the necessary resources to have a fully operational cultural department within the management structure of the property to implement recommendations made regarding the mapping, conservation and management of the cultural components;
5. Takes note of the results of the 2012 reactive monitoring mission to the property and urges the State Party to implement its recommendations, with particular attention on:
 - a) Convene an international technical committee meeting to review the reports from the partial re-excavation of the Laetoli footprints and to identify a potential course of action for its sustainable conservation and management,
 - b) Develop the cultural component of the tourism strategy,
 - c) Continue to explore alternatives to address pressures derived from growing pastoralism activities, including the improvement of livestock quality and improved livelihoods outside the property, among others,
 - d) Carry out a participatory workshop, involving the Maasai, to address concerns regarding the management of the property and the implications derived from World Heritage listing,
 - e) Develop a clear road strategy for the entire Serengeti ecosystem in collaboration with the Serengeti National Park World Heritage Property and other agencies and carry out the corresponding Heritage and Environmental Impact Assessments (EIA) and submit these to the World Heritage Centre and the Advisory Bodies, in accordance with Paragraph 172 of the Operational Guidelines, for review prior to implementation,
 - f) Maintain the utmost vigilance in addressing threats derived from invasive species and poaching,
 - g) Develop and implement a comprehensive monitoring plan for the property, using suitable benchmarks and indicators to evaluate the impact of management interventions and the State of Conservation of the property;
6. Encourages the State Party to ensure that technical and regulatory documents (including EIAs) through which management of the property is effected be submitted to the World Heritage Centre for review by the Advisory Bodies, preferably in draft form so that any recommended changes can be incorporated before they are finalized;
7. Requests the State Party to submit to the World Heritage centre, by **1 February 2014**, a detailed report on the state of conservation of the property, including progress made on the implementation of the above and on the recommendations of the 2012 mission, for examination by the World Heritage Committee at its 38th session in 2014.

ASIA-PACIFIC

36. Tasmanian Wilderness (Australia) (C/N 181)

Year of inscription on the World Heritage List
1982 / 1989

Criteria
(iii) (iv) (vi) (vii) (viii) (ix) (x)

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/181/documents/>

International Assistance
N/A

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
March 2008: joint World Heritage Centre/IUCN/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports
a) logging operations
b) road construction

Illustrative material
See page <http://whc.unesco.org/en/list/181>

Current conservation issues

On 1 February 2012 the State Party submitted a report on the state of conservation of the Tasmanian Wilderness World Heritage Area (TWWHA). This report provides detailed information on a number of nature conservation issues, including the management of adjoining forestry operations, the status of mineral licenses and rehabilitation, as well as climate change, the status of the Orange-bellied parrot and biosecurity concerns. It also provides information on resources for Aboriginal cultural heritage, and the re-formation of the property consultative committee.

a) *Ongoing forestry operations adjacent to the property*

The State Party's report provides details on the implementation of the Committee's request to create a mechanism to monitor, assess and manage the impact of forestry operations, road construction and regeneration on the integrity of TWWHA, and adjoining reserves, involving all relevant stakeholders (see **32 COM 7B.41**, **34 COM 7B.38**). In particular, the State Party highlights its commitment to ensure that significant iconic areas adjacent to TWWHA are given interim protection from logging activities, while an independent verification process is undertaken to assess the values of these areas, including the Upper Florentine, and areas within the Styx, Huon, Picton and Counsel River Valleys. This commitment is reflected in the revised *Tasmanian Forests Intergovernmental Agreement* (TFIA), approved in 2011. The State Party notes that following verification, the Tasmanian Government will provide legislative protection to areas that are identified as being of conservation value. It is intended to provide this protection through appropriate forms of land tenure, which may possibly include nomination of appropriate areas for inclusion in the property.

The State Party considers that the TFIA is an appropriate mechanism for the conservation and sustainable management of public native forests, including those adjoining the property,

and that the forestry management system addresses potential adverse impacts from forestry operations adjoining the property, e.g. through the application of the *Tasmanian Forest Practices Code*. Issues related to the property's integrity are monitored and reported via the *State of Tasmanian World Heritage Area Report*. The State Party notes that the revision of this report in 2014 is intended to feed into the *Tasmanian Wilderness World Heritage Management Plan* review in 2015, which will be undertaken in consultation with all stakeholders including the *Tasmanian Wilderness World Heritage Consultative Committee*.

The World Heritage Centre and the Advisory Bodies would like to add that an Australian Senator submitted a letter to the Chair of the World Heritage Committee on 14 February 2012. This letter provides a detailed list of 18 logging coupes in forests reserves adjoining the property (totaling approximately 580-820 ha) that are exempt from interim protection, i.e. logging is permitted. These coupes are listed as exempt under the commitment made under the *Tasmanian Forests Intergovernmental Agreement* in August 2011. Areas affected include the Styx, Huon, Picton and Counsel Areas. This matter was raised before the Australian Parliament in February 2012 and a number of these coupes have been partially logged or are scheduled for exploitation in 2012.

b) *Mineral exploration, exploitation and rehabilitation*

The State Party reaffirms its agreement that mining is not appropriate in World Heritage properties and reports that mining issues have been resolved, and all remaining leases voluntarily relinquished. The State Party also reports that it has submitted a minor boundary modification proposal to incorporate the Southwest Conservation Area (Melaleuca-Cox Bright) within the property now that the Adamsfield mining licenses have expired. This completes the State Party's 2010 extension proposal. The details of this proposal are discussed in document WHC-12/36.COM/8B.Add. The State Party is planning to rehabilitate the mining sites in the Southwest Conservation Area, and to exclude this area from the *Tasmanian Mineral Resources Development Act 1995* in order to preclude the granting of any future mineral licenses. IUCN notes that it has received reports of a mining proposal in the Tarkine Area outside the property's boundaries, and that it is unclear whether this area has been granted interim protection under the *Tasmanian Forests Intergovernmental Agreement*. The World Heritage Centre and IUCN consider that the Committee should request clarifications on these points.

c) *Other nature conservation issues*

The State Party reports on a number of other nature conservation issues, including climate change, the status of the Orange-bellied Parrot, biosecurity and introduced species, the restoration of Lake Fidler, the Basslink undersea cable, and proposals for tourism development at Lake St Clair.

Of these issues, climate change remains a long-term threat to the property and the State Party reports that a 10 year program to monitor its impacts on flora values has been developed to inform management actions (a similar assessment for fauna remains a priority). The State Party notes that the Orange-bellied Parrot, which forms part of the property's OUV, is critically endangered and, without successful intervention, is likely to be extinct in the wild by 2015. It is hoped that the implementation of the 2010 Action Plan for this species will slow its decline and support its recovery. Lastly, the State Party reports that the biosecurity issues affecting Tasmania may threaten the property. A program was established in 2011 to reduce the spread of invasive pathogens and introduced species, including the devil face tumor disease, which may be spreading into the property through the construction of new roads including logging roads in forests adjoining the TWWHA.

d) *Cultural heritage issues*

In response to the Committee's recommendation to augment property staff with cultural heritage specialists in order to ensure the adequate protection and management of cultural sites both within the property and immediately outside the boundaries, the State Party report

notes that the level of baseline funding directed to management of Aboriginal cultural values has been maintained and additional special project funds have been provided including for: the interpretation and monitoring of cave art.

e) *Property Area Advisory Committee*

The State Party reports that the Consultative Committee for the property will be re-formed and renamed as the Area Advisory Committee. It will include representatives of key interest areas.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the Committee welcome the State Party's commitment to provide interim protection to forests adjacent to the property from logging activities while assessments are undertaken to identify the values of these areas - including the Upper Florentine, and areas within the Styx, Huon, Picton and Counsel River Valleys. The Committee should likewise welcome that following these assessments, the Tasmanian Government intends to provide legislative protection to areas of conservation value, which may possibly include their nomination for inclusion within the property. This positive approach is in line with the Committee's request that the State Party consider, at its own discretion, the potential for additional areas of Outstanding Universal Value to be added to the property, and with the Advisory Bodies' position regarding the potential of these areas.

However, the World Heritage Centre and the Advisory Bodies note that a number of forest reserves adjoining the property appear to have been exempted from interim protection and that logging and road construction are ongoing in parts of the Styx, Huon, Picton and Counsel Areas. They recommend that the Committee express its concern about this and request the State Party to clarify that areas of potential Outstanding Universal Value are not to be exempted from interim protection.

They also recall that the Committee has previously noted the potential negative impacts of adjoining forestry operations on the integrity of the property and has requested the State Party to maintain rigorous monitoring and management systems to ensure that no such impacts arise (Decisions **32 COM 7B.38** and **34 COM 7B.38**). The property's existing monitoring structures together with the revision of the *State of Tasmanian World Heritage Area Report* in 2014 should provide comprehensive data on the current impacts of adjacent forestry operations on the property's integrity and values. This in turn should inform the management of these impacts, and of adjoining forest reserves, within the framework of the 2015 *Tasmanian Wilderness World Heritage Management Plan* review.

The World Heritage Centre and the Advisory Bodies note the continued commitment to resource support for Aboriginal cultural heritage but reiterate the Committee's request to augment staff with cultural heritage specialists. They are also of the view that the Aboriginal community should be represented on the re-formed Area Advisory Committee for the property.

Draft Decision: 36 COM 7B.36

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.38**, adopted at its 34th session (Brasilia, 2010),

3. Welcomes the State Party's commitment under the Tasmanian Forests Intergovernmental Agreement to provide interim protection to forests adjacent to the property from logging activities while assessments are undertaken to identify the values of these area, including the Upper Florentine, and areas within the Styx, Huon, Picton and Counsel River Valleys;
4. Also welcomes the State Party's intention to provide legislative protection to areas that are identified as being of conservation value, which may possibly include their nomination for inclusion within the property, in line with the Committee's requests at its 32nd (Quebec City, 2008) and 34th (Brasilia, 2010) sessions that the State Party consider, at its own discretion, the potential for additional areas of Outstanding Universal Value to be added to the property;
5. Takes note however that a number of forest reserves adjoining the property appear to have been exempted from interim protection and that logging and road construction is ongoing in parts of the Styx, Huon, Picton and Counsel Areas, and requests the State Party to clarify in writing to the World Heritage Centre by **1 February 2013** that areas of potential Outstanding Universal Value are not exempted from interim protection, in order to retain their potential for possible addition to the World Heritage property;
6. Also takes note that the property's existing monitoring structures together with the revision of the State of Tasmanian World Heritage Area Report in 2014 should provide comprehensive data on the impacts of adjacent forestry operations on the property's integrity and values, and that this should inform the management of these impacts, and of adjoining forest reserves, within the framework of the 2015 Tasmanian Wilderness World Heritage Management Plan review;
7. Notes the continuing commitment of the State Party to resource support for Aboriginal cultural heritage, and reiterates its recommendation to increase property staff with cultural heritage specialists, in order to ensure the adequate protection and management of cultural sites both within the property and immediately outside the boundaries;
8. Welcomes the re-formed property Area Advisory Committee and recommends that it should include representatives of all stakeholders, including the Aboriginal community;
9. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2015**, an updated report on the state of conservation of the property, including data on the impacts of logging operations on the Outstanding Universal Value of the property and on the proposed management response, for examination by the World Heritage Committee at its 39th session in 2015.

EUROPE AND NORTH AMERICA

38. Mount Athos (Greece) (C/N 454)

Year of inscription on the World Heritage List
1988

Criteria
(i) (ii) (iv) (v) (vi) (vii)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/454/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
January/February 2006: joint World Heritage Centre / ICOMOS / IUCN mission

Factors affecting the property identified in previous reports

- a) Lack of overall management plan covering both the natural and cultural values of the property;
- b) Risk preparedness study, including seismic preparedness;
- c) Fire damage to Chilandar Monastery;
- d) Timber extraction.

Illustrative material
See page <http://whc.unesco.org/en/list/454>

Current conservation issues

The State Party submitted a State of Conservation report on 12 March 2012, which outlines progress with developing an integrated management framework, covering both natural and cultural values, as recommended by the 2006 mission and reiterated by the Committee at its 34th session.

The outstanding issues from the 2006 mission report include the need for an overall management framework, risk management measures and improved approaches to infrastructure and waste management.

The State Party reports that a preliminary management plan, assigned by the Holy Community of Mount Athos to an inter-disciplinary team co-ordinated by an architect-planner and consisting of specialists such as architects, engineers, lawyers, and environmentalists, has been completed. The plan outlines the current situation in the property and addresses issues such as the use of land, transportation and communications system, sustainable management of the forests and the natural environment, preservation of biodiversity, preservation of Mount Athos as a cultural landscape, water supply network, sewerage, waste management in the context of sustainable management of Mount Athos, improving energy production systems, and maintenance of the natural beauty of the property through harmonious interventions. During a mission to Mount Athos in June 2011, the UNESCO Assistant Director-General for Culture stressed the availability of the World Heritage Centre to advise the authorities concerned on the finalisation of the management plan.

The preliminary Management Plan, after its approval, will become the basis for a “Final systematic, management, environmental and land planning study of the Athos peninsula.” This will include not only actions and regulations for the preservation of the property but also risk preparedness measures to address such eventualities as fires, earthquakes, and climate change. The World Heritage Centre and the Advisory Bodies note that the Holy Community has demonstrated that it is aware of the threats to the natural aspects of the property, and when necessary, has consulted nature conservation experts. Nevertheless, they consider that additional expertise should be solicited to assist the monasteries on nature conservation issues, coordinate nature conservation in the whole area, and assist with the management of fires and silvicultural practices, and the planning of the road network.

In response to the request of the World Heritage Committee to consider possibilities for the support of a multi-disciplinary workshop of key stakeholders to shape the approach to development of the management framework, the State Party reported that efforts are being made for the coordination of all the involved parties.

The State Party also reports that a study and Regulatory Order for the management of the natural environment of Mount Athos was submitted by the Holy Community to the Ministry of Environment, Energy and Climate Change, to the Department of Natural Environment Management for examination. This study and Order will also be examined by the Ministry of Culture and Tourism and other relevant Ministries.

It is to be noted as well that a representative of the Holy Community participated in the international seminar “The Role of religious communities in the management of World Heritage properties” (Kyiv, November 2010) where he presented the special form of advanced self-administration of the Holy Community and reported on the advancement of the preparation of the preliminary Management Plan.

Conclusion

The World Heritage Centre and the Advisory Bodies take note of the progress made with the development of a preliminary Management Plan by an inter-disciplinary team, and that this sets out to address the key issue addressed by the 2006 mission. It is understood that this preliminary plan, once approved, will become the basis for a final management plan for the property.

The World Heritage Centre and the Advisory Bodies suggest to the Committee to invite the State Party to submit the preliminary Management Plan to the World Heritage Centre, for review by the Advisory Bodies, before it becomes the final plan.

They also recommend to the World Heritage Committee to reiterate its request to the State Party to organize the key stakeholder multi-disciplinary workshop requested by the Committee at its 34th session. Taking into account the Committee Decision **35 COM 5A** concerning a thematic paper on general guidance to States Parties regarding the management of cultural and natural heritage of religious interest, the World Heritage Centre and the Advisory Bodies consider that the key stakeholder multi-disciplinary workshop may also contribute to the discussion of appropriate management mechanisms concerning World Heritage properties of religious interest addressed by the above Decision.

Draft Decision: **36 COM 7B.38**

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,

2. *Recalling Decisions **32 COM 7B.43**, and **34 COM 7B.40**, adopted at its 32nd (Quebec City, 2008) and its 34th (Brasilia, 2010) sessions respectively;*
3. *Notes with satisfaction the progress made by the State Party and the Holy Community of Mount Athos to prepare a preliminary inter-disciplinary management plan which will address the recommendations of the 2006 joint reactive monitoring mission and the recommendations of the Committee and which, once approved, will form the basis of a 'Final systematic, management, environmental and land planning study of the Athos peninsula';*
4. *Recommends that the State Party, in collaboration with the Holy Community provide, by **1 February 2013**, three printed and electronic copies of the preliminary management plan for review by the World Heritage Centre and the Advisory Bodies; before it is finalised;*
5. *Reiterates its request to the State Party and the Holy Community to consider possibilities to support, in cooperation with the World Heritage Centre and the Advisory Bodies, a key stakeholder multi-disciplinary workshop to shape the approach to development of the management framework, and thus contribute, inter alia, to the discussion on appropriate management mechanisms concerning World Heritage properties of religious interest addressed by Committee Decision **35 COM 5A** adopted at its 35th session on heritage of religious interest;*
6. *Requests the State Party, in collaboration with the Holy Community, to provide to the World Heritage Centre by **1 February 2014** a report on progress made in developing an integrated management framework and Management Plan, in line with the recommendations of the joint 2006 World Heritage Centre/ICOMOS/IUCN reactive monitoring mission, and on the implementation of the above recommendations.*

LATIN AMERICA AND THE CARIBBEAN

39. Historic Sanctuary of Machu Picchu (Peru) (C/N 274)

Year of inscription on the World Heritage List
1983

Criteria

(i) (iii) (vii) (ix)

Year(s) of inscription on the List of World Heritage in Danger

N/A - The reinforced monitoring mechanism was applied to the property in 2008 (Decision **32 COM 7B.44**) and discontinued in 2009 (Decision **33 COM 7B.42**). In March 2011, the State Party through a letter to the World Heritage Centre requested the application of the reinforced monitoring mechanism in accordance with Decision **34 COM 7B.42**.

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/274/documents/>

International Assistance

Global amount granted to the property: USD 166, 625

For details, see page <http://whc.unesco.org/en/list/274/assistance/>

UNESCO extra-budgetary funds

Total amount provided to the property: USD 15,000 for the social participation workshop requested by the World Heritage Committee (Decision **30 COM 7B.35**).

Previous monitoring missions

October 1997: IUCN/ICOMOS mission; October 1999: World Heritage Centre/IUCN/ICOMOS mission; February-March 2002: World Heritage Centre/IUCN/ICOMOS mission; October 2003: World Heritage Centre visit; April 2005: World Heritage Centre mission; April, 2007: World Heritage Centre/IUCN/ICOMOS reactive monitoring mission; January 2009: World Heritage Centre/IUCN/ICOMOS reinforced monitoring mission; February 2010: World Heritage Centre technical emergency mission; May 2012: World Heritage Centre/ICOMOS/IUCN Advisory Mission.

Factors affecting the property identified in previous reports

- a) Delays in reviewing the Master Plan and developing detailed yearly operational plans, and inadequate budgetary support for effective implementation;
- b) No evaluation of transportation options, related geological studies, or the impact of bus traffic on increasing the risk of landslides;
- c) Lack of impact studies related to the carrying capacity of the Citadel and Inca Trail;
- d) Delays in the development and implementation of a public use plan;
- e) Delays in implementing urban planning and control measures for Machu Picchu Village, the main point of entry to the property, which has impacted the visual values of the property;
- f) Lack of effective management of the property;
- g) Lack of risk management plans related to natural disasters;
- h) Inadequate governance arrangements including lack of adequate coordination of activities between different institutions and stakeholders involved in site management;
- i) Uncontrolled visitor access to the western part of the Sanctuary, related to the construction of the Carrilluchayoc Bridge.

Illustrative material

See pages <http://whc.unesco.org/en/list/274>; <http://whc.unesco.org/en/news/587>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 23 February 2012 in response to the Decision of the World Heritage Committee at its 35th session (UNESCO, 2011). The report provides information on progress achieved in addressing unresolved issues facing the property. Several documents in Spanish are

annexed to the report, including the terms of reference for updating the Master Plan, a copy of an architectural project, and specifications regarding a proposed infrastructure development for the Western access.

At the time of preparing this report, discussions were ongoing between the State Party, the World Heritage Centre and the Advisory Bodies regarding the organization of an advisory mission, as noted in Decision **35 COM 7B.38**, and the development of the terms of reference for the International Support Panel, which is intended to provide technical advice on the implementation of the Emergency Action Plan developed during the 2009 reinforced monitoring mission.

- a) *Updating of the Management Plan to define provisions to strategically address unregulated access to the site, public use and urban planning, especially in the Western access*

The State Party notes that a decision has been made by the newly reactivated Management Unit for the Historic Sanctuary of Machu Picchu (UGM) to update the Master Plan for the property. According to the terms of reference for the process, updating the Plan will take approximately 9 months. The State Party notes that provisions will be included regarding unregulated access, public use and urban planning, but provides no further detail on these.

No information was provided on the current status of the Tourist and Recreation Use Plan or the Public Use Plan, that were reported as in progress since 2010; nor have copies been forwarded for review.

- b) *Definition of strategies to address the Western access to the property and identify alternatives to the proposed Santa Teresa Road*

The State Party reports that negotiations have started with the EGEMSA Company to lease land at *Intihuatana* to set up a post for the control and permanent surveillance of the Western access. The report indicates that no new proposals have been made for the road to Santa Teresa and that the Supreme Executive Order 026-2011-MTC, which indicates that the road will not enter the property, still stands.

- c) *Risk reduction and disaster recovery plans, including a clear and precise course of action*

The State Party indicates that the Early Alert System for the town of Machu Picchu is expected to be concluded in the spring of 2012. It also notes that coordination has been initiated with INGEMMET and consultants specialized in risk management so that a Contingency Plan can be drafted. No time frame for expected completion has been provided.

- d) *Harmonization of legislative frameworks and enforcement of regulatory measures*

An overview of current legislations and regulations was included in the report submitted by the State Party. The approval of Supreme Executive Order 003-2011-MC, which rules that the UGM is responsible for the implementation of the comprehensive management strategy of the property, is considered as an important tool to harmonize decision-making processes in regard to the management of the property within the mandates of each authority.

- e) *Inventory of land ownership of the property and enforcement of regulatory measures*

The State Party indicates that the registry of population and land titles, a process that started in 2003, continued in 2011 to cover the *Choquellusca* Sector of San Antonio de Torontoy. No further cadastral information on the property or the buffer zone was provided or additional data regarding the enforcement of regulatory measures.

- f) *Strengthening of decision-making processes and governance at the property*

The State Party notes that the reactivation of the Management Unit is positive for the improvement of management operations within the property. A Technical Committee has also been functioning to address technical and management issues, such as the drafting of terms of reference to update the Master Plan.

g) *Other issues*

The State Party report also includes information about other activities implemented as part of the Institutional Operating Plan. These include preservation of cultural heritage through maintenance and conservation, archaeological research, monitoring etc. It indicates that the implementation of the Comprehensive Machu Picchu Project is expected to begin in 2012. The objective of this project is to propose alternate visitation routes and visits to other sites which are historically and spatially integrated with the property.

Throughout 2011 and early 2012, the World Heritage Centre received several notifications that the established carrying capacity of 2500 visitors per day had been exceeded on numerous occasions. In the working proceedings of the UGM Management Unit, the Vice Ministry of Tourism had indicated that a carrying capacity study, commissioned by the Ministry of Foreign Trade and Tourism (Mincetur) and funded by the World Bank, has indicated that there can be 2,200 tourists simultaneously at the property at any given time. The minutes further notes that, with some improvements in the existing visitation routes, this number could easily be doubled. The World Heritage Centre and the Advisory Bodies brought to the attention of the World Heritage Committee at its 35th session that the commissioned studies, included in the 2011 state of conservation report, provided questionable technical arguments to increase carrying capacity at the property.

Conclusion

The World Heritage Centre and the Advisory Bodies have expressed their deep concern since 1999 about the conditions that pose a threat to the property. They note that to date no substantial progress has been achieved as yet in the implementation of the costed and prioritized Emergency Plan developed during the reinforced monitoring mission of 2009, and many actions have remained at the planning stages or have only achieved partial implementation.

The World Heritage Centre and the Advisory Bodies note that the updating of the Master Plan was also reported as a proposed action in 2011 but that there are no indications on how this process will be articulated with the proposed evaluation of management effectiveness, and planning processes for the development of the Tourist and Recreation Use Plan or the Public Use Plan.

The World Heritage Centre and the Advisory Bodies would also like to recall that the illegal and forced opening of *Carrilluchayoc* Bridge in 2007 enabled this access which was neither planned for nor authorized. Since no actions were taken at the time, it is now constantly used as an alternative access to the property. The current proposal foresees a total area for infrastructure of 2370.33745 sq. meters and is only a patchwork solution to provide visitor facilities and better control access in the middle of an industrial site that is inappropriate and unsafe for visitor access. It does not constitute a comprehensive strategy for the Western access, and indeed the overall problem of a safe and high quality access to the Citadel, as it does not address pedestrian access, risks derived from landslides and other issues that have been raised in previous reactive monitoring missions to the site and reports to the World Heritage Committee. They wish to also note that much of the land along the railway line, inside the inscribed property, is privately owned so the area could become the locus of uncontrolled development of tourism facilities in addition to those that have already been developed in Machu Picchu Village. Moreover, some of the property's finest exemplars of rainforests stand on this land, and any development in this zone would have a detrimental impact on the site's natural values.

The World Heritage Centre and the Advisory Bodies further note that although several documents have been produced in the past years and actions have been partially implemented, to date no comprehensive disaster risk management plan has been fully developed or is currently in place.

They note that although the reactivation of the Management Unit is an important step, the harmonization of legal instruments and regulatory measures to strengthen compliance and implementation remains unaddressed. The existing systems do not preclude the possibility of decisions being made outside the scope of action of the UGM Management Unit as was illustrated last year by the approval, and later reversal, of the Santa Teresa Road. They also wish to reiterate that clarity on land tenure is essential for the development of a strategic response to sustain the Outstanding Universal Value and integrity of the property.

The World Heritage Centre and the Advisory Bodies recognize that there are many challenges that have not been successfully met, including the uncontrolled development at Machu Picchu village, the increase in visitation, and continuing problems with visitor access, among others. They consider that the intention to increase the number of visitors to the property would further exacerbate existing problems.

They note the on-going discussions between the State Party, the World Heritage Centre and the Advisory Bodies regarding the development of the terms of reference for the International Support Panel, and recommend that the Committee highlights that the successful establishment of the Panel would be a crucial step towards expediting the implementation of the Emergency Plan.

The World Heritage Centre and the Advisory Bodies have repeatedly recommended that the World Heritage Committee consider inscription of the property on the List of World Heritage in Danger to provide the opportunity for adopting strong corrective measures and to mobilize resources to holistically and sustainably address factors that continue to threaten the Outstanding Universal Value of the property. They consider that in the absence of substantial progress in the implementation of the Emergency Plan by its 37th session in 2013, the Committee should consider the possible inscription of the property on the List of World Heritage in Danger.

Draft Decision: 36 COM 7B.39

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.38**, adopted at its 35th session (UNESCO, 2011),*
3. *Acknowledges the information provided on the implementation of actions at the property, and regrets that no substantial progress has been made in addressing threats to the property that have been underscored for more than ten years;*
4. *Considers that threats to the property derived from increased public use, continued difficulties with access routes, deficiencies in decision-making and governance mechanisms, uncontrolled development at the Machu Picchu Village, among others, have not been comprehensively addressed;*
5. *Notes the ongoing discussions between the State Party, the World Heritage Centre and the Advisory Bodies regarding the organization of an advisory mission and the development of terms of reference for the International Support Panel, and also*

considers that the successful establishment of the Panel would be a crucial step towards the urgent implementation of the Emergency Action Plan;

6. *Reiterates its requests to the State Party to complete work to address unresolved issues with special attention to:*
 - a) *Definition of provisions to strategically address public use and urban planning within the framework of the updating of the Management Plan,*
 - b) *Definition of a comprehensive strategy for the Western access to the property,*
 - c) *Full development of risk reduction and disaster recovery plans, including a clear and precise course of action,*
 - d) *Harmonization of legislative frameworks and enforcement of regulatory measures,*
 - e) *Finalization of the inventory of land ownership of the property and in its immediate setting and definition of regulatory measures in accordance to established land use zones,*
 - f) *Strengthening of decision-making processes and governance at the property,*
 - g) *Establishment of a clear and unambiguous carrying capacity for the Sanctuary, and consistent guidelines for a Public Use Plan that should be officially approved by the Management Unit of the Sanctuary;*

7. *Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including a comprehensive report on the actions taken according to the recommendations of the technical mission report of the International Support Panel, and the progress made in the implementation of the Emergency Action Plan, as well as on the steps taken to implement the above-mentioned recommendations, for examination by the World Heritage Committee at its 37th session in 2013.*

CULTURAL PROPERTIES

AFRICA

45. Aapravasi Ghat (Mauritius) (C 1227)

Year of inscription on the World Heritage List
2006

Criterion
(vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1227/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
March 2012: ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports
a) Urban development;
b) Restoration works;
c) Visitor pressure.

Illustrative material
See page <http://whc.unesco.org/en/list/1227>

Current conservation issues

The State Party submitted a state of conservation report on 17 February 2012 along with additional information regarding a landscape project for the property and the Beekrumsing Ramlallah Interpretation Centre Project, for consideration and review by the World Heritage Centre and the Advisory Bodies. From 19 to 23 March 2012, an ICOMOS reactive monitoring mission was carried out. The mission report is available online at the following Web address: <http://whc.unesco.org/en/sessions/36COM/documents/>.

a) *Management system*

The State Party reports that the Planning Policy Guidance (PPG) was issued and came into force on 10 June 2011. In order to ensure the legal basis for its application to the buffer zones, the Aapravasi Ghat Trust Fund Act of 2011 (AGTF) was amended to define the boundaries of the buffer zones. As for the Management Plan, the State Party reports that priority efforts had been centred on providing the buffer zones with a legal status and setting up a framework for their management, preservation and conservation, in particular to prevent further demolition. However, this strategy has delayed the review of the 2006 Management Plan, which foresees a substantial section on the buffer zones including a respective Heritage Management Plan and Conservation Manual. Work on the new Management Plan is expected to be completed by June 2012. Regarding management arrangements, the Local Government Act of 2003 was amended in June 2011 to include a Technical Committee

under the Municipal Council of Port Louis and provide a structured system of coordination among all institutional stakeholders involved with the enforcement of the PPG. Committee members include representatives from the Ministry of Arts and Culture, the Ministry of Public Infrastructure, the Ministry of Tourism and Leisure, the Ministry of Housing and Lands, the Ministry of Environment, the Mauritius Ports Authority, the National Heritage Fund and the Aapravasi Ghat Trust Fund. This newly formed entity will examine building and land use permit requests and provide recommendations to the decision-making Municipal Council. This Committee may request Heritage Impact Assessments or visual impact assessments from the applicants prior to any project development.

The March 2012 mission noted that since 2006 important actions have been implemented in response to the decisions made by the World Heritage Committee. The formulation of management tools and the parallel review of the legislative framework and management arrangements have constituted positive steps to ensure the efficiency of the management system. It also reported that work is currently underway to revise the planning schemes for the town of Port Louis, to put a larger emphasis on heritage protection and conservation of buffer zone 2. The mission underscored that these efforts needed to continue and recommended in particular the creation of a Conservation Unit within the Municipal Council to assist the Technical Committee in evaluating permit requests and other monitoring and controlling activities. This unit would also reply to the need for technicians specialised in conservation. The National Heritage Fund also needed to strengthen capacity in regard to conservation and maintenance. These capacity needs would be optimally addressed through the development of a comprehensive capacity building strategy on conservation and management.

The mission also noted that one of the main challenges was the adequate protection and management of buffer zone 2 which plays a significant role in the understanding of the inscribed property. It recommended exploring means to ensure a better connectivity between the areas, to examine opportunities to sustain the historic area of Port Louis and to increase awareness raising activities about heritage preservation and conservation to encourage community life rather than commercial development. The mission recommended that mechanisms, such as consultative meetings, could be explored to strengthen participatory decision making. In addition, summaries of existing planning tools need to be produced to facilitate consultation by different users and consequently promoting awareness raising in respect to the conservation and management of the World Heritage property.

b) Demolitions and inadequate development

The State Party indicates that the amendment of the Local Government Act of 2003 also made building and land use permits mandatory for any development in the buffer zones, and that since the adoption of the PPG no further demolitions have occurred.

The mission confirmed that no new important construction or conservation issues took place within the buffer zones. It noted that previous demolitions of historic buildings, constructions of high-rises and randomly located parking areas have had an adverse impact on the setting's conservation and that this needed to be addressed to ensure the buffer zone 2's unity with the historic city.

c) Research on Indentured Labour

An international scientific conference "New perspectives on Indentured Labour, 1825-1925" was organised in December 2011 by the Aapravasi Ghat Trust Fund in collaboration with the Ministry of Arts and Culture to further research on the topic. The proceedings should be published in the second half of 2012. The participants adopted a series of resolutions, including the setting up of an Indentured Labour Global Database Initiative and of an international network of scholars and institutions supporting the International Indentured Labour Route Project. The Technical Committee and the permanent secretariat for this network will be the Aapravasi Ghat Trust Fund. Additionally, the report on the inventory of elements of intangible heritage related to indenture was submitted to UNESCO in 2011 and

there is collaboration to inscribe one of these elements on the Representative List of the Convention for the Safeguarding of Intangible Cultural Heritage.

d) Other issues

The report submitted by the State Party includes information about three applications for building and land use permits and their status. It also mentions that since the PGG came into force nine property owners have filed for compensation on the alleged loss of development opportunities. The report further mentions renovation works at the Ex-Military Hospital to house the National Arts Gallery and the restoration project of the warehouse adjacent to the inscribed property to house the Beekrumsing Ramlallah Interpretation Centre. The latter project responds to identified needs in the management plan and will be divided in two phases. The first phase (BRIC 1) will be completed in 2012 and the second phase (BRIC 2) will include acquisition of neighbouring buildings for adaptation.

The mission underscored the issue of accessibility to the property, which requires a mobilisation strategy. Although the situation will be partially addressed through the Interpretation Centre and the landscape project, actions need to be implemented to improve existing pedestrian ways. The mission noted that the Beekrumsing Ramlallah Interpretation Centre is being adequately supervised and does not pose a threat to the Outstanding Universal Value of the property.

Conclusion

The World Heritage Centre and the Advisory Bodies note the important steps taken by the State Party to improve the management system of the property and welcome the adoption of the Planning Policy Guidance as well as the creation of the Technical Committee. They consider that further efforts are needed to ensure the sustainability of the prescribed mechanisms in particular through the allocation of human and financial resources for its adequate operation. In this respect, the development of a capacity building strategy is crucial.

Draft Decision: 36 COM 7B.45

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.41**, adopted at its 35th session (UNESCO, 2011),*
3. *Welcomes the progress made by the State Party in improving the management system for the property and urges it to secure the necessary resources for its effective operation;*
4. *Notes the results of the March 2012 reactive monitoring mission and encourages the State Party to implement its recommendations, with particular emphasis on:*
 - a) *Finalise the updating of the management plan and submit it to the World Heritage Centre and the Advisory Bodies for consideration and review,*
 - b) *Develop a capacity building strategy to ensure that qualified conservation and management professionals are available to support the work of the Technical Committee,*
 - c) *Improve collaboration mechanisms to ensure the adequate protection and management of the buffer zones and better utilise mechanisms such as the consultative meeting to strengthen participatory decision-making,*

- d) *Increase awareness raising activities and produce summaries of existing planning tools for easier consultation by different public users;*
5. *Requests the State Party to submit to the World Heritage Centre, by 1 February 2014, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 38th session in 2014.*

46. Island of Mozambique (Mozambique) (C 599)

Year of inscription on the World Heritage List
1991

Criteria
(iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/599/documents/>

International Assistance
Global amount granted to the property: USD 174,880
For details, see page <http://whc.unesco.org/en/list/599/assistance/>

UNESCO Extra-budgetary Funds
Total amount provided to the property: For the rehabilitation of the Saint Sebastian Fortress: USD 1,108,078 by Japan Funds in Trust; USD 526,015 by UCCLA; USD 397,122 by Portugal/IPAD; USD 270,000 by Flanders Funds in Trust; USD 729,729 by the Netherlands Funds in Trust. For other conservation and management projects: USD 50,000 by World Heritage Cities Programme (Netherlands); USD 89,000 by IPAD; USD 23,175 by Africa 2009; USD 13,450 by AWHF.

Previous monitoring missions
2005, 2006, 2007, 2008: World Heritage Centre missions; February 2007: ICOMOS mission; February 2009: World Heritage Centre/ICOMOS reactive monitoring mission; April 2010: ICOMOS reactive monitoring mission.

Factors affecting the property identified in previous reports

- Management Plan not yet finalized;
- Growing number of collapsed or seriously dilapidated buildings;
- Threats to authenticity through unsympathetic repairs;
- Lack of development control;
- Lack of adequate sewage and water systems;
- Lack of adequate financial and human resources.

Illustrative material
See page <http://whc.unesco.org/en/list/599>

Current conservation issues

An ICOMOS reactive monitoring mission was undertaken from 22 to 25 April 2010, to assess the state of conservation of the property. The subsequent World Heritage Decision **34 COM 7B.50** commended the State Party for its work in bringing about considerable improvements, but expressed concern over some aspects of the conservation, in particular the uncontrolled development in Macuti Town and the insufficient number of technical staff in charge of management issues. It requested copies of the Management Plan for approval and the submission of a state of conservation report by 1 February 2012. The mission report also

mentioned that further work was required on buildings' stabilization and the still inadequate provision of sanitation.

On 18 March 2012 the State Party sent a state of conservation report in Portuguese to the World Heritage Centre along with a document concerning the revision of the buffer zone's delimitation. The English version of the report was received on 30 April 2012.

a) Uncontrolled development in Macuti Town

The 2010 mission reported that the authenticity of Macuti Town was threatened by uncontrolled development impacting on the historic urban features. It had therefore urged the cessation of all new development and welcomed the authorities' consideration to relocate some residents. It also noted unsatisfactory water and sewerage conditions in the property, especially in Macuti Town, including the abandonment of the effective traditional water storage.

The State Party reports that relocation of residents to newly established residential plots has been planned, with 53 requests for relocation received in 2010. In addition, new sanitation facilities both for the Macuti Town and the new residential areas have been constructed and operations are in progress to sanitize and designate beaches for leisure purposes. The World Bank, with Australian Funds, intends to develop a programme of water supply mainly to Macuti and the new Millennium Village on the main land and the Conservation Office of Mozambique Island (GACIM) has recommended the recuperation of elements of the historic water storage system for this purpose.

The report describes the resurfacing of the coast road in the eastern zone of Mozambique Island improving flood control. Further, a study of 180 houses out of 1330 in Macuti Town undertaken in 2010 with funding from the Flemish Government has been added to the built heritage archive of GACIM.

b) Management Plan and its implementation

The 2010 mission had recommended increasing efforts for the implementation of the 2006 Emergency Plan especially with regard to sustainable emergency conservation of buildings, development control measures in Macuti Town, and an enhanced participatory approach to conservation and management.

The State Party reports that the completed Management Plan has been approved by the Ministry of Culture in 2010 and three copies (in Portuguese with an executive summary in English) have been sent to the World Heritage Centre for review by the Advisory Bodies.

The report states that the Ministry of Culture, with the support of the World Heritage Centre and in the framework of the World Heritage Cities Programme, organized, in 2011, a seminar on the management approach for Historic Urban Landscapes with funding from the Flemish Funds in Trust to debate issues of appropriate conservation, management and sustainable housing in the property. Subsequent field research conducted in partnership between the regional Lúrio University (Mozambique), Eindhoven University of Technology (Netherlands) and University of Minnesota (USA), surveyed open spaces on the island and developed a cadastral map for GACIM to strengthen management tools. The results of the work were presented to stakeholders on the island.

c) Capacity building and Increase of Technical staff in GACIM

The 2010 mission and Decision **34COM 7B.50** encouraged the employment of further technical staff to improve the management of the property.

The State Party reports that the necessary administrative measures are being taken to prioritise employment by GACIM of further architects, researchers and technicians; furthermore, training of civil servants in heritage matters has been undertaken and new agreements have been established whereby staff for management of the Underwater Heritage Area are to be retained and recruited.

In 2011, the State Party organized a stakeholders' seminar to raise awareness and discuss the potential ratification of the UNESCO Convention for the Protection of Underwater Cultural Heritage. Finally, a project funded by Finland trains tourist operators in English language.

d) Implementation of Emergency Plan and Legal Framework

The 2010 mission report and Decision **34 COM 7B.50** requested further implementation of the 2006 Emergency Plan in strengthening the legal framework for management of the property.

The State Party reports that the Management and Conservation Plan of Mozambique Island will now guide the actions formerly promoted by the Emergency Plan. The reinforcement of the legal structure is underway, and this will extend to the buffer zone.

Some of the objectives from the Emergency Plan remain pending, such as the creation of a Common Fund for the Preservation of Mozambique Island, and the establishment of a co-ordinating structure with partners to facilitate conservation and restoration activities. The latter, however, might be encouraged by an international conference to be held in 2012 on the conservation of the island.

e) Buffer Zone

Decision **34 COM 7B.50** invited the State Party to enlarge the buffer zone of the property to facilitate the protection of the archaeological underwater areas.

The State Party agrees that protection should be extended to Mossuril bay for the protection of both ecological and cultural features, though makes no mention of underwater wrecks or the necessity for marine archaeological survey. It states that the extension of the buffer zone is under active discussion in particular at Ministerial level of decision. Although the submitted document concerning the buffer zone indicates an extension in this spirit, the World Heritage Centre sent it back to the State Party for clarification to comply with the procedure outlined in the *Operational Guidelines*.

f) Conservation and Development Projects

The mission had recommended that further work on the stabilization and conservation of buildings be undertaken, in particular at the Saint Sebastian Fortress with an important social implication, as well as removal of illegal and inappropriate development which threatened the authenticity of the property.

The State Party lists a number of on-going rehabilitation projects including the rehabilitation of the platform bridge, the bridge connecting the island with the mainland, the telecommunication building and the museum, along with 22 other rehabilitation projects of public and private buildings, financed by the Mozambique Government, the Norwegian Embassy for the museum project, and others. The State Party mentions 12 more major works currently being considered and developed. Some of these are located in the extended buffer zone and include new tourist developments which may require review by the World Heritage Committee. The success of the State Party in organizing and developing projects with partnership funding is noteworthy.

The State Party report does not mention the second phase of the rehabilitation project of the Saint Sebastian Fortress, launched in March 2012 shortly after submission of the report. The project, funded by the Government of the Netherlands, will rehabilitate an extended gallery block to host the documentation centre of Mozambique Island (CEDIM) created in 2011 by the regional University of Lúrio in cooperation with the Government of Mozambique and UNESCO. Works will also include repair of the low level batteries of the fortress damaged by a cyclone in 2008 and funded by the International Emergency Assistance granted in 2009. The documentation centre should catalyze further rehabilitations within the complex in alignment with the overall reuse-plan of the fortress.

Conclusion

The World Heritage Centre and the Advisory Bodies note the considerable progress made by the State Party in implementing the recommendations of the 2010 ICOMOS reactive monitoring mission and World Heritage Committee Decision **34 COM 7B.50**, in particular in regards to the Management Plan, the decongestion measures in Macuti Town, increased dialogue with the community and awareness raising, improvements in water management and sanitation, as well as to the continuous documentation and research on the architectural and urban heritage. Further, the impressive series of future projects for conservation and infrastructure shows the State Party's successful efforts in fund-raising and seeking partnerships. However, some of the larger infrastructure projects mentioned may require Heritage Impact Assessments.

The World Heritage Centre and the Advisory Bodies wish to highlight that the authenticity of Macuti Town remains to be threatened by uncontrolled development. The State Party should therefore consider further ways of mitigation, improve the legal frameworks for management of the property, and consider the creation of the specific Fund for the Preservation of Mozambique Island envisaged in the Emergency Plan. Moreover, the implementation of the management plan needs further work with reinforced human and financial resources in particular at GACIM's where technical staffing remains insufficient despite the reported capacity building efforts in heritage matters.

The World Heritage Centre and the Advisory Bodies note the work towards the ratification of the UNESCO Convention on the Protection of the Underwater Heritage and recommend that the marine component of the intended increased buffer zone should receive careful attention with appropriate research and surveys. They also take note of the intended request for a clarification and minor modification of the buffer zone, which was sent back for revision and clarification to comply with procedures outlined in the *Operational Guidelines*.

Draft Decision: 36 COM 7B.46

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.50**, adopted at its 34th session (Brasilia, 2010),*
3. *Commends the State Party for the considerable progress made in improving the state of conservation of the property including the completion of the management plan, the hiring and training of staff, establishment of new zones for residential use to reduce congestion in Macuti Town, the infrastructure projects of sewage and water provision and the increased dialogue over conservation issues with stakeholders;*
4. *Expresses its concern about the impact of past uncontrolled development on the authenticity of the property and encourages the State Party to seek ways to mitigate its impact;*
5. *Also encourages the State Party to continue its efforts to recruit technical staff to the Conservation Office of Mozambique Island (GACIM) to a level compatible with the effective management of the property;*
6. *Requests the State Party to implement the Management Plan by organizing appropriate conservation of buildings and strengthening the legal framework for management;*

7. Notes the work of the State Party in clarifying and enlarging the buffer zone to protect marine archaeology, as well as surrounding islands and coastal strip and further encourages the State Party to pursue efforts to formalize and adopt the buffer zone in conformity with Paragraph 107 of the Operational Guidelines;
8. Also requests the State Party to submit to the World Heritage Centre for review by the Advisory Bodies, details of any large-scale conservation or infrastructure projects planned for the property with Heritage Impact Assessments designed to show their potential impact on the Outstanding Universal Value of the property, in conformity with Paragraph 172 of the Operational Guidelines;
9. Further requests the State Party to submit to the World Heritage Centre by **1 February 2014** an updated report on the state of conservation of the property and progress with the implementation of the above for examination by the World Heritage Committee at its 38th session in 2014.

48. Mapungubwe Cultural Landscape (South Africa) (C 1099)

Year of inscription on the World Heritage List
2003

Criteria
(ii) (iii) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1099/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
November 2010: Joint World Heritage Centre/ ICOMOS reactive monitoring mission; January 2012: Joint World Heritage Centre/ ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Lack of a proper buffer zone (land tenureship issues);
- b) Lack of a management plan;
- c) Mining activities;
- d) Development pressure.

Illustrative material
See page <http://whc.unesco.org/en/list/1099>

Current conservation issues

A joint World Heritage Centre/ICOMOS reactive monitoring mission visited the property from 15 to 20 January 2012 to consider the additional Heritage Impact Assessment (HIA) submitted by the Department of Environmental Affairs on 25 November 2011, the potential impact of the proposed large scale coal mining to the east of the property, progress with the delimitation of a buffer zone to the east of the property as identified at the time of inscription, and the overall state of conservation of the property. The mission was also requested by the

World Heritage Committee to consider possible mitigation measures in the event that it concluded that the proposed mining might not threaten irreversibly the property's Outstanding Universal Value (OUV) in order that if relevant, the Director General of UNESCO and the Chairperson of the World Heritage Committee could address such measures before the next session of the Committee. The reactive monitoring mission was initially planned from 20 - to 25 November 2011 but postponed to January 2012 following a request from ICOMOS for more time to review the HIA prior to the mission.

The mission report has been transmitted to the State Party and is available at: <http://whc.unesco.org/en/sessions/36COM>. On 11 May 2012, the State Party submitted a state of conservation report that includes a response to the mission's recommendations.

a) *Mining activities*

In Decision **35 COM 7B.44** the World Heritage Committee noted that the State Party had halted opencast mining operations at the Vele site seven km to the east of the property's boundary to ensure full compliance with the national legislation while a further HIA was carried out. It welcomed the commitment of the State Party to continue halting the mining operations until the mission had assessed the results of the requested additional Heritage Impact Assessment.

The mission discovered that mining operations had resumed although not yet in full operation. The mission was taken to the Coal of Africa Vele site and to the processing plant which was 95% complete and told that mining operations had been re-started but not fully launched. Mining was being carried out within the footprint of the opencast mining area in which the company was operating at the time it was ordered to stop operations. The State Party in its report confirmed that mining operations had re-started in November 2011 after the company had received the necessary environmental authorisations from the national authorities.

The mission noted that the visual impact of even this limited version of the opencast pit that Coal of Africa plans for the whole of their south-east area mining operations was already substantial. It questioned as to why Coal of Africa was planning to mine opencast across the south-east area but underground in the north-west area, while the position of the coal seam is more or less the same depth in both areas. Their choice is based on the desire to avoid harming the big commercial citrus farms along Limpopo River and because they consider the areas to the south and south-west as 'only dry bush land' with no economic value. It is thus apparent that Coal of Africa could technically mine underground across the entire site but intend to pursue the more profitable opencast mining. This position contrasts with the company's otherwise stated ambitions to prioritize cultural heritage protection at Vele.

The State Party reported that Coal of Africa is still in the process of gaining membership of the International Council on Mining and Metals (ICMM), and has committed itself to adhering to the standards and policy statements of the ICMM.

b) *Heritage Impact Assessment*

This additional HIA carried out for Coal of Africa was submitted by the State Party in November 2011. Although the HIA mentions that the ICOMOS Guidance on Heritage Impact Assessment has been taken into account, the methodology that this Guidance sets out has not been fully followed.

The Statement of Outstanding Universal Value (OUV) adopted by the World Heritage Committee was not mentioned in the HIA – only the justification for the criteria at the time of inscription. There was therefore no attempt to identify the attributes that convey OUV, then to consider how the area of the Vele Colliery relates to those attributes and how coal mining might impact on those attributes. As the cultural heritage at Vele is the result of the same historical processes as in the property, there is a need to assess how the archaeological sites and landscape features relate to them. It is clear that Mapungubwe did not exist in isolation but was a fundamental part of a wider area within which states developed on the

basis of agriculture made possible by river floods, the exploitation of the hinterland for gold, ivory and trade.

As a result, the HIA had focused on specific archaeological sites within the mining area without a clear understanding of how they relate to each other in landscape terms or how they relate to the inscribed cultural landscape area. The HIA concluded that any sites within the opencast mining areas could be destroyed once they had been recorded or fenced off within the area of the processing plant. The mission considered that protecting individual sites or undertaking rescue archaeology on individual sites in advance of opencast mining did not equate to the mining operations having 'minimal impact' on the landscape, as set out in the HIA. Once the open cast mining had finished in a particular area, any archaeological sites, or graves of ancestors would have been destroyed, and the re-filled areas would be 'coal mining ' landscapes and not cultural landscapes associated to the sites of the K2 and Mapungubwe period cultural landscapes in the inscribed property, or landscapes of value to the local communities. There is also reason for concern in terms of the water requirements for open-cast mining in an area that already has water shortages as it could impact adversely on the sustainability of the property.

The mission considered that the major threat to the setting of the property was the opencast mining process. The impact on the landscape setting would be unacceptable and would jeopardise the cultural continuum between the landscape within the property and that in its setting. Furthermore, given the extent of the coal seam under the buffer zone, there is potential for huge swathes of land around the property to be irreversibly damaged in a similar way. By contrast with the opencast mining areas, the underground mining areas could interfere far less with the landscape and be mitigated if appropriate processes were put in place to reduce vibration, and ensure necessary ventilation and escape routes as well as roof support.

The State Party considers that including the whole area of the original Mapungubwe Kingdom in the protected area is not practical and that the OUV as currently protected will not be negatively impacted by mining. However, the importance of the sites that will be destroyed in relation to the setting of the property within the buffer zone envisaged at the time of inscription in 2003 has not been assessed and should therefore be protected.

c) *Possible mitigation measures*

The mission considered that no mitigation measures were possible to reduce the impact of opencast mining. It did not accept the view put forward in the HIA that recording archaeological sites prior to their destruction was a valid means to safeguard the landscape. In order to mitigate the overall impact of mining, the mission considered it essential for all mining to be underground, with appropriate safeguards related to structural stability, safety of workers and vibrations. Furthermore the mission considered that in order to put in place appropriate mitigation measures related to the impact of roads, plants and vibration from underground mining, and to facilitate future monitoring, it will be necessary for more detailed surveys to be undertaken on the overall Iron Age landscape features, and of sacred features associated with local communities.

The State Party reports that it has signed a Memorandum of Agreement in September 2011 with the mining company. The South African National Parks (SANParks), as the Management Authority, is party to that agreement. This involves cultural heritage and biodiversity offsets programmes and also water and tourism. The State Party in partnership with Peace Parks Foundation (PPF) has appointed a biodiversity offsets specialist to ensure success of the programme. A Task Team with all relevant stakeholders will be established to define the scope and monitor the programme. Negotiations with the mining company will commence soon.

d) *Buffer Zone*

The HIA report states that the World Heritage Committee did not acknowledge the State Party's approval of a buffer zone in 2009. In fact, the buffer zone was never submitted to the Committee to approve and assess the adequateness of the delineation, although this was noted as necessary step in the Retrospective Statement of OUV. The mission recommended that the 2009 buffer zone should be formally increased to incorporate the seven km stretch east of the property so as to include the whole area envisaged at the time of inscription, and noted that this stood in opposition to the HIA's recommendation to even reduce the current national buffer zone.

Although the State Party reports that this stretch is actually in the process of being incorporated into the conservation area (Mapungubwe National Park) to serve as a buffer zone, and that a minor boundary modification should be submitted to the 37th session of the Committee for this purpose, it is not clear how this proposed buffer zone relates to the area envisaged at the time of inscription or to the current mining area.

The State Party report further notes that there is no consensus among the various institutions and stakeholders regarding the meaning, purpose, nature and consequently extent of the property's buffer zone. The mission stressed that the Committee had in principle approved the buffer zone envisioned at the time of inscription in 2003, which included the area where coal mining is currently under way, and would therefore not agree on the reduced buffer zone gazetted by the State Party in 2009.

The State Party acknowledges the need to resolve these matters to enable effective protection and management of the property, including the transfer of targeted land to the managing authority and the conclusion of the establishment of the Trans-frontier Conservation Area.

The mission noted that the HIA has revealed a large number of applications for prospecting rights in the current nationally adopted buffer zone of 2009, some of which have been approved with around twenty of these relating to the coal mining seam that runs south-west from the Vele area under the buffer zone. Future coal mining areas have been delineated and farms purchased by coal mining companies. The Mission learned that several companies are carefully monitoring the development of the Vele colliery project and considered that there is a need for clear protection policies within the Buffer Zone which prohibit opencast and underground mining.

The State Party stated in its report that "Whilst the State Party is making tremendous efforts to regularize such [mining] activities, however, with full compliance to local legislation and effective monitoring, the impacts can be minimized." This statement appears to indicate that the State Party is ready to approve even more mining projects in the buffer zone, as has been reported to the mission by the HIA team.

e) *State of conservation of the property*

The Mission was made aware of several large installations in the northern part of the property that are related to the de Beers Venetia diamond mine on the south of the property. These installations provide the mine with water from the Limpopo River. The mission considered that these have a substantial adverse visual impact.

The State Party stated that it is concerned by this assertion as the Venetia mining infrastructure predates inscription and no adverse impact has been mentioned before.

At the time of inscription, the State Party had agreed to phase out other on-going economic activities within the property. Plans are needed to dismantle or hide the infrastructures of mining in the core area, whether or not they were already there at the time of inscription.

The mission also noted that whereas the Shroda site and Mapungubwe Hill appear to be in a reasonable state of conservation, the K2 archaeological site is seriously deteriorated putting at risk the major source of archaeological evidence for the time when the centralised state of Mapungubwe emerged.

The State Party reports that it has located resources for immediate intervention aimed at improving the situation and this will include condition surveys and rehabilitation of sites such as K2 and Mapungubwe Hill. This conservation intervention should be completed by the end of 2012.

It also reported that a copy of the management plan will be submitted to the World Heritage Centre by 1 February 2013. They also acknowledge the need to revise the plan in line with the recommendations of the mission.

Conclusion

The World Heritage Centre and the Advisory Bodies note that opencast mining was resumed before the mission took place and assessed the results of the requested additional Heritage Impact Assessment. The World Heritage Centre and the Advisory Bodies also note the clear conclusion of the mission that open cast mining would irreversibly damage the setting of the property in terms of the way it supports the cultural landscape of Mapungubwe. They further note that no mitigation measures are possible to reduce the impact of opencast mining, and do not accept the view put forward in the HIA that recording archaeological sites prior to destruction could safeguard the landscape. Although it is clear that sites related to the Mapungubwe Kingdom are widespread and that the most important ones are within the property, the buffer zone, as agreed at the time of inscription, provides the landscape context and setting for the property.

As assurances were given to the mission that there are no technical reasons why Coal of Africa could not mine underground across the entire Vele Colliery site, instead of only near the Limpopo River as currently proposed to protect the citrus farms, the World Heritage Centre and the Advisory Bodies consider that opencast coal mining cannot be justified. They advise that opencast mining operation should stop after the current existing footprint and that all future mining operations in the area of the buffer zone as envisaged at the time of inscription should be carried out underground with appropriate measures being put in place in relation to vibrations, stability of the mines, escape and ventilation measures and arrangements for supporting infra-structures and road transport and safety measures for workers.

The World Heritage Centre and the Advisory Bodies consider that the mining issues have highlighted the need for a buffer zone to be formally put in place around the property, as envisaged at the time of inscription, and with appropriate planning controls to protect the landscape context and setting particularly in relation to mining, as they note the apparent intention of the State Party to authorise further mining projects.

As the OUV of the property relates in particular to the archaeological evidence associated with the sequential development of three separate capitals of the Mapungubwe State between 900 and 1,300 AD, the World Heritage Centre and the Advisory Bodies consider that the integrity of the property could be at risk unless urgent measures are taken to protect, conserve and consolidate the evidence from one of these, Leopard's Kopje (K2), which the mission reported to be seriously deteriorated. They welcome the assurance of the State Party that conservation work will be carried out during 2012.

Draft Decision: 36 COM 7B.48

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.44**, adopted at its 35th session (UNESCO, 2011),

3. Regrets that mining activities were re-started before the joint World Heritage Centre/ICOMOS reactive monitoring mission was able to consider the Heritage Impact Assessment on site;
4. Considers that the mining activities as planned, including a large area of opencast mining, would have a highly detrimental impact on the setting of the property;
5. Also considers that there is no technical reason for only part of the mining within the Vele Colliery area being underground, and requests the State Party to halt opencast activities outside the current existing footprint and ensure that all future mining operations are carried out underground in the area of the buffer zone envisaged at the time of inscription with appropriate measures being put in place in relation to vibrations, stability of the mines, escape and ventilation measures and arrangements for supporting infra-structures and road transport and safety measures for workers;
6. Urges the State Party to progress with the establishment of a buffer zone, as envisaged at the time of inscription, that surrounds the property within the national boundaries and has appropriate planning controls, particularly in relation to mining;
7. Also urges the State Party to ensure that measures are taken as soon as possible to protect, conserve and consolidate the archaeological evidence on the property and particularly at the Leopard's Kopje (K2) site, which the mission reported to be seriously deteriorated;
8. Also requests the State Party to submit a copy of the Integrated Management Plan to the World Heritage Centre for review by the Advisory Bodies, by **1 February 2013**;
9. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

ARAB STATES

50. Ancient Thebes with its Necropolis (Egypt) (C 87)

Year of inscription on the World Heritage List
1979

Criteria
(i) (iii) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/87/documents>

International Assistance
Global amount granted to the property: USD 7,000
For details, see page <http://whc.unesco.org/en/list/87/assistance>

UNESCO extra-budgetary funds
Total amount provided to the property: USD 1,131,000 from the Japanese Funds-in-Trust 2002-2004 and 2008 (wall paintings restoration in the tomb of Amenophis III).

Previous monitoring missions
2001: ICOMOS mission; 2002: hydrology expert mission; July 2006 and May 2007: World Heritage Centre missions; April 2008: World Heritage Centre/ICOMOS mission; May 2009: World Heritage Centre /ICOMOS mission.

Factors affecting the property identified in previous reports

- a) Raise of the underground water level;
- b) Risks of flooding (Valleys of Kings and Queens);
- c) Absence of a comprehensive Management Plan;
- d) Major infrastructure and development projects taking place or scheduled;
- e) Uncontrolled urban development;
- f) Housing and agricultural encroachment on the West Bank;
- g) Demolitions in the villages of Gurna on the West Bank of the Nile and transfer of the population.

Illustrative material
See page <http://whc.unesco.org/en/list/87>

Current conservation issues

The State Party did not submit a state of conservation report on the property as requested by the World Heritage Committee at its 34th session (Brasilia, 2010). Therefore, no update is available on the status of implementation of the recommendations of the World Heritage Committee at its previous sessions.

Nevertheless, the State Party submitted a retrospective Statement of Outstanding Universal Value which is currently being reviewed.

Previous reports had highlighted the need to develop a management plan that would integrate all components of the property and that would provide a comprehensive policy framework for all interventions at the property. Large scale buildings, developments, urban sprawl and clearing projects had also been noted as potential threats to the integrity of the site. In particular, the works on the Avenue of the Sphinx have certainly progressed as the Governor of Luxor wrote to the World Heritage Centre announcing its inauguration in March 2012.

Conclusion

Due to the absence of updated information, the World Heritage Centre and the Advisory Bodies cannot estimate the progress made by the State Party in implementing the recommendations of the World Heritage Committee nor the works undertaken by the State Party in the property. They recommend that the World Heritage Committee reiterate its requests made at previous sessions.

Draft Decision: 36 COM 7B.50

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.56**, adopted at its 34th session (Brasilia, 2010),
3. Regrets that the State Party did not submit a report as requested;
4. Reiterates its request to the State Party for:
 - a) an integrated management plan for the property as a whole,
 - b) the establishment of a West Bank buffer zone;
5. Also reiterates its request to the State Party, in accordance to Paragraph 172 of the Operational Guidelines, to provide detailed information on the planning and design of proposed and on-going projects, in particular the Corniche and the landing stage for cruise boats on the West Bank, for review prior to implementation;
6. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

51. Historic Cairo (Egypt) (C 89)

Year of inscription on the World Heritage List
1979

Criteria
(i) (v) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/89/documents>

International Assistance
Total amount granted to the property: USD 467,900 for technical cooperation
For details, see page <http://whc.unesco.org/en/list/89/assistance>

UNESCO Extra-budgetary funds
Total amount provided to the property: Special Account for the safeguarding of the cultural heritage of Egypt: USD 2,203,304 dollars for the project Urban Regeneration of Historic Cairo (URHC).
For details, see page <http://whc.unesco.org/en/activities/663/>

Previous monitoring missions

August 2002, March 2005: ICOMOS reactive monitoring missions; April and December 2007: World Heritage Centre missions for the Cairo Financial Centre; October 2008: World Heritage Centre/ICOMOS reactive monitoring mission; 2009-2012: several World Heritage Centre missions for the URHC project.

Factors affecting the property identified in previous reports

- a) Rise of the underground water level;
- b) Dilapidated infrastructure;
- c) Neglect and lack of maintenance;
- d) Overcrowded areas and buildings;
- e) Uncontrolled development;
- f) Absence of a comprehensive Urban Conservation Plan;
- g) Absence of an integrated socio-economic revitalization plan linking the urban and the socio-cultural fabric of the city core.

Illustrative material

See page <http://whc.unesco.org/en/list/89>

Current conservation issues

At the time of drafting the present document, the State Party had not submitted a report on the state of conservation of the property. Since the political events of January 2011, the situation in Egypt has witnessed many changes at the institutional level, in particular concerning the Ministry of Culture and the Supreme Council of Antiquities (SCA).

Nevertheless, in the framework of the "Urban Regeneration project for Historic Cairo" (URHC), managed by the World Heritage Centre, protocols of cooperation with the different stakeholders involved in the management of the property are being established as a first step towards the definition of the required future institutional set-up and management system. A deep analysis to clarify the boundaries of the property and the revision of the draft retrospective Statement of Outstanding Universal Value have been carried out by the project team in cooperation with the Egyptian counterparts, but their official submission will be possible only after the presidential elections in June 2012 and the stabilization of the institutional framework.

Meanwhile, the URHC team has completed a quick survey of the whole central area of Historic Cairo. This comprehensive and systematic assessment of the heritage values in the different parts of the urban fabric has provided the basic information to outline a more accurate conservation zoning, with sub-zones of different degrees of protection according to their heritage values. It also offers a unique documentation of the state of the property in 2011 through an extensive photographic campaign. Sector studies on socio-economic evolution of Historic Cairo, housing issues, community activities, and environmental risks have been launched. A proposal for the communication strategy of an awareness campaign addressed to the residents and the tourists is being prepared.

On the other hand, the World Heritage Centre has been repeatedly alerted on the state of conservation of the property after the events of January 2011. During the survey visits, the URHC team observed scattered interventions of demolition and reconstruction, constructions on vacant plots of out of scale buildings with inconsistent materials, and vertical elevations of existing buildings up to seven or eight storeys. The second alarming information was provided by the Aga Khan Trust for Culture's (AKTC) staff in Darb al-Ahmar who witnessed a major campaign in land grabbing and illegal construction. They estimate that since March 2011 hundreds building sites are under construction in the historic city. A letter sent by UNESCO to the Secretary General of the SCA in September 2011 on this subject remains unanswered.

This widespread and harmful process of renovation stems from both a lack of control and the consequent spreading of illegal interventions, and also the totally inadequate regulations and procedures. The demolition decrees concerning hundreds of buildings and the new

alignments imposed for their reconstruction, with a setback from the previous street front, seriously threaten the fabric and the street pattern of the old city of Cairo in a non-reversible manner.

Finally, the building site of the Cairo Financial Centre has been in a state of abandonment for more than two years, and there is no information on resuming the works.

Conclusion

The World Heritage Centre and the Advisory Bodies take note of the information on the URCH project and on the state of conservation of the property. They recommend the Committee to request the State Party to take decisive and necessary action to stop the illegal activities which seriously threaten the fabric of Historic Cairo in a non-reversible manner. They also recommend that the World Heritage Committee urge the State Party to put in place protection measures and enforce them in order to preserve the Outstanding Universal Value for which Historic Cairo was recognized as a World Heritage site.

Draft Decision: 36 COM 7B.51

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.48**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not provide a state of conservation report as requested;*
4. *Acknowledges the information provided by the team of the Urban Regeneration project for Historic Cairo (URHC) on the progress made in the implementation of the project;*
5. *Expresses its deep concern about the state of conservation of the property;*
6. *Urges the State Party to put in place urgent protection measures and to enforce them;*
7. *Encourages the State Party to continue its cooperation within the URHC project to define and apply an effective management system;*
8. *Requests the State Party to submit to the World Heritage Centre the revised draft of the retrospective Statement of Outstanding Universal Value and the boundaries' clarifications for the property;*
9. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*

52. Tyre (Lebanon) (C 299)

Year of inscription on the List of World Heritage

1984

Criteria

(i) (iii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/299/documents>

International Assistance

Global amount granted to the property: USD 55,667

For details, see page <http://whc.unesco.org/en/list/299/assistance>

UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 19,173 (1997-2001) for the International Safeguarding Campaign

Previous monitoring missions

2004: Evaluation mission by the UNESCO Office in Beirut; September 2006: UNESCO mission following the 2006 summer conflict; February 2009: World Heritage Centre/ICOMOS reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Major, and often illegal, urban development;
- b) Major highway development near the property and the redevelopment of the port;
- c) Unplanned tourism development;
- d) Lack of management and conservation plans;
- e) Insufficient maintenance.

Illustrative material

See page <http://whc.unesco.org/en/list/299>

Current conservation issues

The State Party submitted on 25 April 2012 a summary of actions implemented in response to the decisions made by the World Heritage Committee at its 35th session (UNESCO, 2011). The communication mentions that a more exhaustive report would be submitted by May 2012. Additionally, the State Party postponed the dates of the reactive monitoring mission from March to end of May 2012, which would not have allowed its outcomes to be integrated in the documents for the 36th session of the World Heritage Committee. It was finally agreed that the mission would take place in September 2012.

The State Party indicates that the General Directorate of Antiquities (DGA) requested from the Council for Development and Reconstruction (CDR), within the framework of the World Bank Cultural Heritage and Urban Development project (CHUD), the recruitment of four qualified personnel to assist the DGA in the conservation and management of the property. The work undertaken includes the inventory of existing documentation and its organisation in one database which is to be integrated in the geodatabase aiming at creating the Archaeological map of Tyre. It is expected that this will serve as baseline documentation for the revision of the boundaries of the World Heritage property and the establishment of buffer zones as well as of the Marine Protected zone. The process will include consultation with the CHUD project and the Municipality of Tyre to assist in the identification of areas of archaeological potential located in the Tyre peninsula. It is expected that a request for a minor boundary modification will be submitted by February 2013.

The communication from the State Party also notes that a new amended request for the Marine Protected Zone is to be submitted to the Council of Ministers, taking into account the latest information to ensure the protection of areas of high archaeological potential. The compiled documentation should also assist efforts for the drafting of a management plan. It indicates that the DGA is working toward the definition of a management framework and strategy while trying to secure funding for the full development of the management plan. The process foresees consultations with the concerned stakeholders, including authorities and civil society representatives.

Finally, the NGO “Association internationale pour la sauvegarde de Tyr”, has regularly alerted the World Heritage Centre and the media about on-going projects in the property which might affect its Outstanding Universal Value. Only when the mission takes place will it be possible to confirm these alerts.

Conclusion

The World Heritage Centre and the Advisory Bodies note that previous state of conservation and mission reports have pointed out several conditions that could constitute a threat to the Outstanding Universal Value of the property. These include the construction of a highway that might affect archaeological resources, the decay of material fabric, urban encroachment and uncontrolled development. They also note that deficiencies in the management arrangements and in the definition and enforcement of regulatory measures have remained unaddressed and have hindered the effective protection of the property from inadequate development. They welcome the information that a management plan is to be developed for the property as well as the information concerning the revision of boundaries and the definition of a buffer zone but note that the limited resources available and the indication that the situation might not improve in the short term, are a matter of concern. Additionally, projects are being implemented, including redevelopment of areas, without comprehensive Heritage Impact Assessments being carried out, which could prove detrimental to the conservation of the attributes that sustain the Outstanding Universal Value of the property.

The World Heritage Centre and the Advisory Bodies note that limited progress has been made in addressing the threats to the property, identified in the reactive monitoring mission report of 2009. This report stated that the overall state of conservation of the property was then in an alarming condition, and could potentially warrant its inscription on the List of World Heritage in Danger. Since then, there has been little information to suggest that this overall condition has improved.

Draft Decision: 36 COM 7B.52

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.51**, adopted at its 35th session (UNESCO, 2011),*
3. *Notes the information provided by the State Party on the implementation of actions at the property and urges it to secure the necessary resources to address holistically pressing concerns at the property and to prioritise the development of a management plan;*
4. *Also urges the State Party to finalize the process of definition of a buffer zone for the property, including the definition of appropriate regulatory measures, to protect the property from excessive development and to submit a request for minor boundary modification to this end according to paragraphs 163-165 of the Operational Guidelines;*
5. *Requests that a Heritage Impact Assessment be carried out for projects being undertaken in heritage areas and that these, along with the technical specifications for the redevelopment projects be submitted, in accordance to Paragraph 172 of the Operational Guidelines, to the World Heritage Centre for review by the Advisory Bodies prior to approval and implementation;*

6. *Also requests the State Party, the World Heritage Centre and ICOMOS to organize the foreseen reactive monitoring mission to the property before the end of 2012, in order to assess any changes in the state of conservation of the property since the 2009 mission;*
7. *Further requests the State Party to submit to the World Heritage Centre, by 1 February 2013, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013, with a view to considering, in the absence of substantial progress, the possible inscription of the property on the List of World Heritage in Danger.*

53. Ouadi Qadisha (the Holy Valley) and the Forest of the Cedars of God (Horsh Arz el-Rab) (Lebanon) (C 850)

Year of inscription on the World Heritage List
1998

Criteria
(iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/850/documents>

International Assistance
Global amount granted to the property: USD 62,500
For details, see page <http://whc.unesco.org/en/list/850/assistance>

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
June 2003: World Heritage Centre reactive monitoring mission; April 2012: joint World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports
a) Absence of legislative framework and comprehensive management plan;
b) Absence of coordination mechanisms;
c) Illegal constructions and encroachments;
d) Degradation of the mural paintings and buildings;
e) Uncontrolled tourist development and absence of visitor management

Illustrative material
See page <http://whc.unesco.org/en/list/850>

Current conservation issues

The State Party, as requested by the World Heritage Committee (**35 COM 7B.52**), invited a joint World Heritage Centre/ICOMOS reactive monitoring mission to visit the property and submitted a state of conservation report on 31 January 2012. The mission report is being finalised and will be available at the following internet address: <http://whc.unesco.org/en/sessions/36COM>

The State Party's report reiterates many of the issues raised in the state of conservation report presented to the 35th session of the World Heritage Committee in 2011 (document WHC-11/35.COM/7B.Add), the retrospective Statement of Outstanding Universal Value adopted by the World Heritage Committee at its 34th session (Brasilia, 2010) and the Report on the Second Cycle of Periodic Reporting in the Arab States presented at the same meeting in Brasilia. It explains that the legislative and management systems are in place but that effective implementation is not undertaken; similarly, while the elements of the property which contain the Outstanding Universal Value are intact and their integrity and authenticity are not significantly affected by the problems encountered, their conservation, setting and spiritual values are under threat. The accompanying letter from the Minister of Culture indicates that the State Party would like to develop an Action Plan, with the help of the World Heritage Centre, to safeguard the spiritual, cultural, natural and socio-economic values of the property.

The report lists the components of the legislative and management framework for the protection of the property and reiterates the continuing problems faced. These include: the complex ownership of the property with many stakeholders with different aspirations, the isolation of the valley, the previous neglect and poverty suffered by the residents who now wish to capitalise on the inscription, and the consequent development of illegal and inappropriate tourist facilities and unmanaged visitor access. While a management plan, developed in 1998 and complemented by management principles in 2007, is in place, its lack of implementation renders it ineffective and, for example, decisions to demolish inappropriate developments remain unfulfilled. The Community for the safeguarding of the Qadisha Valley (COSAQ), in charge of the management of the property, has been ineffective in bringing together the requirements and aspirations of different stakeholders, specialist conservators and the administrative authorities. There remain difficulties of rubbish disposal, policing and monitoring development and visitor access. Many of the wall paintings require conservation treatment.

The State Party is evidently aware of the management difficulties encountered, and steps have been taken to remedy the situation. Conservation projects, presentation and access improvement schemes have been developed using a variety of funding sources. A zoning plan for specific and appropriate types of development and an administrative plan establishing a legal framework appropriate for the valley have been adopted.

The joint World Heritage Centre/ICOMOS monitoring mission took place from 9 to 13 April 2012 and, although very short, it was able to confirm the information provided by the State Party and assess the global issues faced by the property, including:

- a) Lack of an operational management structure;
- b) Tourism development projects;
- c) Illegal constructions in the Valley and on its margins;
- d) Lack of waste management;
- e) Uncontrolled visitor access;
- f) Insufficient site custody;
- g) Lack of maintenance of the roads and trails;
- h) Lack of a conservation strategy for historic buildings;
- i) Lack of a socio-economic development policy.

In addition, the mission was informed about a large development project within the property, entitled *Planning Wadi Qannoubine*, and had the opportunity to discuss it with various stakeholders, stressing in particular the severe negative impact it would have on the integrity and the Outstanding Universal Value of the property were it to be executed. Within the scope of this project, the elements which would cause the highest impact on the property relate to the means of access to the valley (electric cars, cablecars), the widening of the existing road in the bottom of the valley and the creation of five model villages for tourism accommodation.

The main recommendations of the mission for actions to be carried out in the near future include:

- a) Establishment of a management structure with a permanent team in charge of maintenance, custody and visitor management;
- b) In parallel, establishment of a funding mechanism to allow the functioning of the management structure and the implementation of rehabilitation and enhancement projects;
- c) Undertaking of cadastral surveys to establish a detailed cartography of the property and an inventory of all buildings;
- d) Revision of the recently submitted maps of the property and its buffer zone, so as to include all neighbouring villages in the latter;
- e) Abandon the project of enlarging the road, creating cablecars or building model villages in the property;
- f) Establishment of a conservation and restoration plan, for historic buildings as well as for rural habitat;
- g) Establishment of a visitor management plan;
- h) Establishment of a risk management plan;
- i) Undertaking of studies aimed at improving the living conditions of the inhabitants within the property and of surrounding villages, notably through the branding of local agriculture products and handicrafts, and the development of an infrastructure for visitors and pilgrims.

Conclusion

The World Heritage Centre and Advisory Bodies note the continuing problems on this property described in the State Party's report as well as the new developments envisaged. If these issues are not remedied in the near future, it seems inevitable that the Outstanding Universal Value of the property will be at risk. They stress the need for a coordinated official response to development control issues, stakeholder involvement, monitoring, appropriate funding and specialist conservation input. The request for assistance with the development of an Action Plan is noted.

Draft Decision: 36 COM 7B.53

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.52**, adopted at its 35th session (UNESCO, 2011),*
3. *Notes with concern the persistence of problems of management on the property reflected in the State Party's report;*
4. *Also notes the report of the joint World Heritage Centre/ICOMOS reactive monitoring mission to the property and endorses its recommendations;*
5. *Urges the State Party to take all appropriate measures to maintain the attributes of the Outstanding Universal Value at the property, as recommended in the mission report, and in particular to:*

- a) *Revise the management mechanism for the property and establish a permanent management structure,*
 - b) *Update the 1998 management plan on the basis of the 2007 principles, including a conservation plan and a sustainable visitor management plan,*
 - c) *Abandon the project of enlarging the road, creating cablecars or building model villages in the property,*
 - d) *Undertake socio-economic studies aimed at improving the living conditions of the communities in and around the property;*
6. Encourages the State Party to submit a Request for International Assistance for the development of the Action Plan mentioned in its report;
7. Requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

54. Archaeological Site of Cyrene (Libya) (C 190)

Year of inscription on the World Heritage List
1982

Criteria
(ii) (iii) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/190/documents>

International Assistance
N/A

UNESCO Extra-budgetary funds
N/A

Previous monitoring missions
January 2007: Joint World Heritage Centre/ICOMOS reactive monitoring mission; August 2008: World Heritage Centre mission.

Factors affecting the property identified in previous reports

- a) Need to complete the Management Plan in order to co-ordinate actions in the short- and medium-term;
- b) Need to provide a detailed map at the appropriate scale showing the boundaries of the property and buffer zone;
- c) Threat to rock-hewn monumental tombs as a result of inadequate protection, leading to vandalism and the development of agricultural activities in the rural zone and urban constructions;
- d) Inappropriate earlier restoration work;
- e) Problem of discharge of sewage from the modern town into the Wadi Bel Ghadir;
- f) Inadequate on-site security and control systems;
- g) Need for a presentation and interpretation system for visitors and the local population.

Illustrative material
See page <http://whc.unesco.org/en/list/190>

Current conservation issues

At its 31st session (Christchurch, 2007), the World Heritage Committee requested the State Party to complete and finish the management plan begun in 2006, to provide a map indicating the exact boundaries of the property and its buffer zone, and to inform the Committee of any new project, in particular those concerning the creation of a new urban development adjacent to the city of Shahat.

It also requested the State Party to strengthen staff at the Department of Antiquities responsible for the property, to avoid all violent and corrosive cleaning treatment, as well as excessive restoration work of the monuments that would adversely impact the authenticity and integrity of the property.

At the time of preparation of the present document, no report had been transmitted by the State Party, nor any new information has been received.

The World Heritage Centre has no knowledge on the current state of conservation of the property or progress in the application of successive recommendations of the World Heritage Committee. The only information available is that presented by the experts who participated in the international expert meeting convened by UNESCO on 21 October 2011 (<http://whc.unesco.org/en/events/777>), by the Blue Shield mission that visited the property in November 2011 and by international archaeological missions. According to these informations, it would appear that the recent conflict has not caused any damage to the property.

In this context, UNESCO has drafted two project documents to enable emergency safeguarding measures for Libyan cultural heritage to be undertaken. Funding for these projects is being negotiated.

Conclusion

The World Heritage Centre and the Advisory Bodies wish to underline the impact of the absence of documentation and management measures on security, control and protection of the property. Whilst understanding the difficulties caused by the recent conflict and the current situation in the country, they emphasize the need for a better knowledge of the precise boundaries of the property, the need to take into account the threats linked to agricultural activities and uncontrolled urban spread, and an improved knowledge of the value of the property for visitors and the local population. Attention to the above would enable improved effectiveness in the conservation and management of the property.

Draft Decision: 36 COM 7B.54

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.53**, adopted at its 35th session (UNESCO, 2011),
3. Regrets that the State Party has not submitted a state of conservation report to its previous four sessions;
4. Urges the State Party to implement its earlier decisions and measures recommended by the joint World Heritage Centre/ICOMOS mission of January 2007;
5. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a state of conservation report on the property and the implementation of its Decision **31**

COM 7B.63 for examination by the World Heritage Committee at its 37th session in 2013.

55. Rock-Art Sites of Tadrart Acacus (Libya) (C 287)

Year of inscription on the World Heritage List
1985

Criteria
(iii)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/287/documents>

International Assistance
N/A

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
January 2011: World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports
Vandalism

Illustrative material
See page <http://whc.unesco.org/en/list/287>

Current conservation issues

The World Heritage Committee has examined the state of conservation of this property at its 33rd, 34th and 35th sessions. In April 2009, ten rock art sites, in two of the main wadis, were vandalised with spray paint. The State Party submitted a report in February 2010 which summarised the significant damage that had occurred to some of the most well-known rock art paintings in the region. A joint World Heritage Centre/ICOMOS reactive monitoring mission took place in January 2011. As a result, a comprehensive condition assessment was developed and detailed methodologies for conservation and restoration were defined, including a 5-year action plan.

No report was submitted by the State Party in 2011 and in 2012, so the current situation of the property is unknown. It is also unknown whether the recent conflict has affected the property.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend to the Committee to express concern about the conservation and recovery of the vandalised sites and the general protection and management of the property. They note that current political conditions preclude the possibility to implement sustained measures to reverse the vandalism damage. They also note that ensuring long-term conservation and management will require considerable resources, time and capacity-building to develop adequate management and conservation structures. They call upon the international community to support, once conditions allow, the implementation of a multi-faceted conservation strategy for the property.

Draft Decision: 36 COM 7B.55

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.54**, adopted at its 35th session (UNESCO, 2011),
3. Encourages the State Party, once conditions allow, to implement the action plan and the recommendations made by the 2011 reactive monitoring mission;
4. Invites the State Party to consider submitting an International Assistance request for the implementation of priority measures and for the development of a multi-faceted conservation and management strategy for the property;
5. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and on the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

56. Ancient Ksour of Ouadane, Chinguetti, Tichitt and Oualata (Mauritania) (C 750)

Year of inscription on the World Heritage List
1996

Criteria
(iii) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/750/documents>

International Assistance
Global amount granted to the property: USD 166,000
For details, see page <http://whc.unesco.org/en/list/750/assistance>

UNESCO Extra-budgetary Funds
Total amount provided to the property: USD 44,166 in the framework of the France-UNESCO Convention; USD 40,860 for the supervision of the World Bank/Mauritanian Government/UNESCO tripartite project (USD 1,245,000).

Previous monitoring missions
April 2001: World Heritage Centre; 2002-2004: six World Heritage Centre missions in the framework of the World Bank project; December 2006: France-UNESCO mission and joint World Heritage Centre/ICOMOS reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Socio-economic and climatic changes;
- b) Gradual abandonment of the towns;
- c) Transformations made to houses affecting their authenticity;
- d) Tourism pressure;
- e) No technical conservation capacities;
- f) No management mechanism (including legal);
- g) Lack of human and financial resources;
- h) Weak institutional coordination.

Current conservation issues

The State Party has not submitted a report on the state of conservation requested by the World Heritage Committee at its 34th session in 2010.

In October 2010, a request for Emergency International Assistance was approved for the site of Tichitt affected by torrential rains. Initially, the World Heritage Fund allocated an amount of 20,000 USD to finance a mission to assess the damage and the emergency consolidation work required. Following this mission, the State Party submitted a restoration project for the Tichitt Mosque which was discussed with ICOMOS. A revised request for the funding of expertise and a part of the restoration work was expected, but has not yet been received by the World Heritage Centre.

No information on progress in the Tichitt project or on the state of conservation of the entire property is available.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the World Heritage Committee regret the absence of the report and express its concern as regards the state of conservation of the property and progress in the restoration project for the Tichitt Mosque which should have begun following the expert mission of December 2010.

Draft Decision: 36 COM 7B.56

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.60**, adopted at its 34th session (Brasilia, 2010),*
3. *Regrets that the State Party has not submitted the requested report;*
4. *Strongly urges the State Party to implement all the recommendations, notably those concerning the establishment of legal protection, the consolidation of appropriate local management mechanisms and the preparation of a management plan for the property;*
5. *Requests the State Party to transmit to the World Heritage Centre a technical report on the restoration of the Tichitt Mosque;*
6. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on progress accomplished in the implementation of its recommendations for examination by the World Heritage Committee at its 37th session in 2013.*

57. Bahla Fort (Oman) (C 433)

Year of inscription on the World Heritage List

1987

Criteria

(iv)

Year(s) of inscription on the List of World Heritage in Danger

1988-2004

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/433/documents>

International Assistance

Total amount granted to the property: USD 66,772

For details, see page <http://whc.unesco.org/en/list/433/assistance>

UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 25,000 (private funding).

Previous monitoring missions

2000, 2001, 2002 and 2003: World Heritage Centre expert missions; December 2009: World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Deterioration of the earthen structures of the Fort;
- b) Use of inappropriate conservation techniques;
- c) Urban pressure;
- d) Lack of a management plan and appropriate legislation.

Illustrative material

See page <http://whc.unesco.org/en/list/433>

Current conservation issues

On 2 March 2012, the State Party submitted a report which addresses the progress concerning the souq rehabilitation project, past and present restoration measures as well as the implementation of some of the recommendations of the 2009 World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission.

a) Souq rehabilitation project

Based on the recommendations of the 2009 reactive monitoring mission, the proposed souq rehabilitation scheme was revisited by the State Party, and a largely revised project outline was submitted to the World Heritage Centre on 14 January 2011. While the revised proposal is far more consistent with cultural heritage objectives and addresses most of the issues identified during the reactive monitoring mission in 2009, it should be expanded to better describe the detailed project design and implementation schedule, address emergency actions for the rapidly decaying and disintegrating shop structures and consider the need for archaeological investigation. Given the rapid disintegration of a number of shops, the emergency actions should be given high priority. A governmental funding commitment to the souq rehabilitation seems an important prerequisite for further preparatory and emergency measures.

b) Management plan

The State Party reported that the final version of the Management plan was submitted in January 2011. ICOMOS provided comments on this version and requested the State Party to finalize the Management plan in the light of the comments and initiate its official approval by decree or equivalent promulgation. The finalization of the Management plan should be guided by considerations for the implementation of management strategies, the legal framework in which it would operate, as well as roles and responsibilities of the different authorities involved. It should also consider the wider landscape and community of the site by enlarging the buffer zone and incorporating capacity-building aspects and a monitoring mechanism for all measures, in particular "change control".

c) Quality of bricks used in restoration

Based on a study of the quality achieved in different brick production methods with different ingredients, the bricks selection for restoration measures has been revised. Following the State Party's report, preference is now given to air-dried bricks of clay, which have been mixed with straw and water for up to 15 days. The World Heritage Centre and the Advisory Bodies are of the view that long-term studies should be conducted to evaluate the aging characteristics of this and other compositions.

Conclusion

The World Heritage Centre and the Advisory Bodies indicate that the revised souq rehabilitation schemes is better suited to protect the historic souq structures while enhancing them for contemporary use. Detailed plans for the souq rehabilitation should now be developed and supported by the financial commitment of the respective government authorities. The World Heritage Centre and the Advisory Bodies further advise to base the detailed project design and implementation schedule on the results of a heritage impact and risk assessment of the proposed measures. The World Heritage Centre and the Advisory Bodies recommend that the Committee request the State Party to finalize the management plan, taking into consideration all comments provided by ICOMOS, and that it needs to be formally adopted, following its finalization. In addition, the State Party should be encouraged to continue its commitment to implementing the recommendations of the 2009 World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission.

Draft Decision: 36 COM 7B.57

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.62**, adopted at its 34th session (Brasilia, 2010),*
3. *Acknowledges the revised project scheme for the souq rehabilitation, requests that details of the final plans be submitted to the World Heritage Centre for review by the Advisory Bodies and recommends that the State Party undertake immediate emergency measures for the shops affected by critical decay or disintegration;*
4. *Notes the submission of the revised Management plan, also requests the State Party to finalize it, taking into account the comments provided by ICOMOS and to officially adopt it by decree, and further requests the State Party to provide three printed and electronic copies of the finalized Management plan to the World Heritage Centre;*
5. *Requests furthermore the State Party, as indicated in the annex of the Management plan, to define an enlarged buffer zone and submit the buffer zone boundaries according to the procedure for minor boundary modification, outlined in paragraphs 163-164 of the Operational Guidelines;*
6. *Encourages the State Party to monitor over a longer period the aging characteristics of the different brick types in order to continuously improve the selection of materials for restoration and rehabilitation and to continue its training activities to develop local masonry and brick production expertise;*
7. *Requests moreover the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above.*

60. Old City of Sana'a (Yemen) (C 385)

Year of inscription on the World Heritage List

1986

Criteria

(iv) (v) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/385/documents>

International Assistance

Global amount granted to the property: USD 72,000

For details, see page <http://whc.unesco.org/en/list/385/assistance>

UNESCO extra-budgetary funds

Total amount provided to the property: 1988: USD 374,800, UNDP/UNESCO project in support of local staff training and fund-raising. 2004-2006: USD 60,000 for the Inventory of the historic city (Italian Funds-in-Trust)

Previous monitoring missions

1998, 1999, 2003: World Heritage Centre monitoring missions; 2003 to 2005, and 2010: World Heritage Centre and experts missions

Factors affecting the property identified in previous reports

- a) Uncontrolled vertical and horizontal additions;
- b) Use of inappropriate building materials and techniques;
- c) Densification of the historic fabric through occupation of green areas;
- d) Functional decay of the residential neighborhoods.

Illustrative material

See page <http://whc.unesco.org/en/list/385>

Current conservation issues

The State Party did not submit a state of conservation report as requested by the World Heritage Committee at its 35th session. In March 2011, the State Party had reported that since the World Heritage Committee's 25th session (Helsinki, 2001), the state of conservation of the property had not significantly improved and that uncontrolled development of new constructions and vertical additions had continued to occur, impacting the skyline of the old city and generating structural instability due to the use of modern materials in the additions.

The State Party noted that these issues were related to the lack of a functioning management system, with adequate resources for implementation of conservation and protection measures and the lack of a finalised conservation plan. In addition, legal measures were still pending approval and capacity building was still needed for the adequate management and conservation of the property.

The reactive monitoring mission requested by the World Heritage Committee could not take place due to security restrictions. Therefore, no official information is presently available on the state of conservation of the property. Nevertheless, several reports in the press have highlighted the vulnerability of the urban fabric and the continuing number of houses falling into disrepair or being demolished. In February 2012, UNESCO addressed a letter to the Yemeni authorities urging them to ensure the protection of the cultural heritage of the country.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the Committee regret that the mission could not take place and insist that such a mission is highly needed. While understanding the difficult situation that prevails in the country, the Committee should also urge the State Party to take some substantial actions to preserve the historic city and to prepare an efficient and adequate management system, and should highlight the need for the international community to support the State Party in this endeavour.

Draft Decision: 36 COM 7B.60

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision 35 COM 7B.60, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not submit the report as requested;*
4. *Expresses its concern at the increasing vulnerability of the property as a result of the current difficult situation as well as the potential threats to its integrity;*
5. *Calls upon the international community to support the State Party, in co-operation with the World Heritage Centre and the Advisory Bodies, to develop priority conservation and management measures and capacity building programmes;*
6. *Requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to evaluate the state of conservation of the property and identify measures needed to reverse the decay and ensure the conservation and protection of the property;*
7. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*

ASIA-PACIFIC

63. Town of Luang Prabang (Lao People's Democratic Republic) (C 479rev)

Year of inscription on the World Heritage List
1995

Criteria
(ii) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/479/documents/>

International Assistance
Total amount granted to the property: USD 117,242 for Preparatory, Promotional and Training Assistance, and Technical cooperation.
For details, see page <http://whc.unesco.org/en/list/479/assistance/>

UNESCO Extra-budgetary funds
Total amount provided to the property: USD 200,000 (France / UNESCO Cooperation Agreement).

Previous monitoring missions
September–October 2007: UNESCO/Region Centre/Ville de Chinon international co-operation project mission;
November 2007: joint World Heritage Centre/ICOMOS reactive monitoring mission; January 2009: UNESCO/Ville de Chinon/ADUC cooperation program mission

Main threats identified in previous reports
a) Lack of enforcement of the Luang Prabang Conservation Plan (PSMV) and illegal constructions;
b) Public works (proposed new town, airport extension, pedestrian bridge) which may affect the Outstanding Universal Value.

Illustrative material
See page <http://whc.unesco.org/en/list/479>

Current conservation issues

On 24 February 2012 a report on the state of conservation was submitted by the State Party, which was complemented by a second report submitted on 12 April 2012, providing details on the progress made to address the World Heritage Committee's requirements.

- a) *Revision of the Urban Plan for the province of Luang Prabang and the establishment of a buffer zone for the property*

The State Party submitted a revised urban plan, which includes the designation of a buffer zone. The establishment of a buffer zone, as a minor boundary modification, will be examined by the World Heritage Committee at its 37th session in 2013, as it was submitted after the official deadline for examination by the World Heritage Committee at its 36th session in 2012.

The revised urban plan applies to construction cavities and demolitions/modifications of existing buildings and was approved by the Prime Minister in February 2012. It is foreseen that the revised plan be evaluated and, if necessary, modified after a period of five years.

In cooperation with the Technical University of Tokyo an updated inventory and maps of the property were prepared which also included an inventory of constructions between 1999 and 2010. The cartography in this context illustrates that architecture of traditional style has

increased from 31% to 44%, while non-local styles of construction have decreased from 55% to 33%. What may raise concerns however is that the percentage of residential use within the property has decreased from 1380 houses to 719 buildings.

b) *Major development projects*

The initial state of conservation report did not include any reference to the major development projects, which had been identified in previous Committee decisions. Therefore the World Heritage Centre requested additional information in this regard from the State Party on 2 April 2012. The requested information was received by the World Heritage Centre on 13 April 2012, and included references to the development projects, with the notable exception of the new town.

The report clarifies that the airport runway planned in 2008 has meanwhile been constructed and is in use. The new airport terminal will be completed in 2013. The State Party provided assurances that the realignment of the airport runways as well as its extension have been conducted in line with the overall strategy for development, proposed by Le Schema de Coherence Territoriale (SCOT) as well as the newly revised urban plan approved by the relevant government agencies.

At the 33rd session of the Committee, the State Party provided assurances that no decision had been made on a new town to be built in the Chompeth Valley and, if the concept was endorsed, its location would be included in the revised urban plan. The revised urban plan submitted by the State Party does not include any reference to the new town.

The primary school has been restored as was committed by the State Party and will continue to be used in its original function as a school. The State Party further informed the World Heritage Centre, that the 5 star hotel project near the old port over the Mekong River had been suspended and will be revised in line with the new urban plan.

c) *Luang Prabang conservation plan (PSMV) and Reinforcement of heritage authority*

The State Party remains committed to the strict application of the heritage regulations, in particular the Luang Prabang conservation plan (PSMV). The Maison du Patrimoine was restructured as the Department of Heritage in 2009, and its position towards other governmental authorities was reinforced. The new Department of Heritage ensures the strict application of the PSMV and monitors planning permission requests. It is funded by a fund, established in 2012, and managed by a local Committee currently chaired by the Vice-Governor.

d) *Planned Mekong mainstream dam at Luang Prabang*

Following earlier explanation that the planned Mekong dam, to be constructed 60 km upstream of the property, would not lead to any raises in water level, the State Party is now undertaking an environmental-social impact assessment, the results of which would be sent to World Heritage Centre. The World Heritage Centre and ICOMOS recommend to also conduct a Heritage Impact Assessment (HIA), in conformity with the ICOMOS Guidelines on Heritage Impact Assessments for World Heritage cultural properties.

Conclusion

The World Heritage Centre and the Advisory Bodies note that the large scale hotel projects previously envisaged have been suspended and that the State Party provided assurances to revise these projects in line with the newly adopted urban plan. They note that the administration of the property has been strengthened through the reinforced Department of Heritage and the on-going commitment to the implementation of the conservation plan (PSMV) of the property.

The World Heritage Centre and the Advisory bodies also note the submission of the revisited urban plan in February 2012, however, this was requested by the Committee at 33rd session

(Seville, 2009), for submission in February 2011. The plan will be reviewed by Advisory Bodies.

The World Heritage Centre and the Advisory Bodies underscore that despite concerns expressed by the World Heritage Committee, based on recommendation of the 2007 reactive monitoring mission that the new airport would have an adverse impact on the property, both in terms of visual integrity and noise pollution, the State Party completed the airport runway realignment and terminal extension without prior information being provided to World Heritage Centre in line with Paragraph 172 of the *Operational Guidelines*.

The World Heritage Centre and the Advisory Bodies note that no details were provided with regard to the new town development in Chompeth Valley and that no information was provided within the urban plan as to whether or not a new town is to be developed at Chompeth Valley. They consider that clarification is needed on the status of this proposal.

To avoid similar situations, which may lead to a negative impact on the Outstanding Universal Value in future projects, they consider that the State Party should be requested not to take any decisions that would be difficult to reverse before Heritage Impact Assessments have been carried out and full information is provided to the World Heritage Centre in line with Paragraph 172 of the *Operational Guidelines*, including on the Mekong dam project. The World Heritage and the Advisory Bodies recommend that the Committee further encourage the State Party to continue implementing the recommendations made by the 2007 reactive monitoring mission.

Draft Decision: 36 COM 7B.63

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **33 COM 7B.77** adopted at its 33rd session (Seville, 2009);*
3. *Acknowledges the submission of the revised urban plan which proposes a buffer zone, as well as priority zones for development;*
4. *Notes the suspension of the hotel projects near the Mekong River and requests the State Party to revise these projects in line with the new urban plan and based on full Heritage Impact Assessments;*
5. *Regrets that the airport runway realignment and terminal extension was implemented despite the concerns expressed by the World Heritage Committee and urges the State Party not to take any decisions on future developments, which may impact on the Outstanding Universal Value of the property without prior Heritage Impact Assessments and provision of information in line with Paragraph 172 of the Operational Guidelines;*
6. *Requests the State Party to clarify the current status of proposals for the development of the new town in Chompeth Valley and also notes that no details are included in the new urban plan;*
7. *Also requests the State Party to submit the Environmental Impact Assessment (EIA) and Heritage Impact Assessment (HIA) for the Mekong dam to be constructed 60 km upstream of the property;*

8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

64. Vat Phou and Associated Ancient Settlements within the Champasak Cultural Landscape (Lao People's Democratic Republic) (C 481)

Year of inscription on the World Heritage List
2001

Criteria
(iii)(iv)(vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/481/documents>

International Assistance
Total amount granted to the property: USD 15,000 (1999) for the preparation of the nomination dossier.
For details, see page <http://whc.unesco.org/en/list/481/assistance>

UNESCO Extra-budgetary Funds
Total amount provided to the property: Japanese-funded project: USD379,040 (1996-97), Total Italian-funded projects through Leric Foundation: USD 482,194 (1996-2004; 3 project phases): Phase I (1996-1997) = USD161,124; Phase II (1998-1999) = USD 164,000; Phase III (2003-2005) = USD 157,070

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
a) New infrastructure construction including new proposed road
b) Lack of coordinated management mechanism
c) Parking lot and visitor centre
d) Lack of sufficient professional staff

Illustrative material
See page <http://whc.unesco.org/en/list/121>

Current conservation issues

By the time of writing the present report, the State Party had not submitted the state of conservation report, which was requested by the World Heritage Committee at its 35th session (UNESCO, 2011). From 15 to 21 February 2012 a reactive monitoring mission was carried out. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/36COM/documents>

a) *Route 14A*

The construction of the road, which would pass through Zone 1 and Zone 3 of the property, began in April 2010. The World Heritage Committee expressed its concern about the potential impacts on the Outstanding Universal Value of the property and subsequently requested the State Party to halt construction work until the heritage impact assessments had been carried out. A rapid impact assessment was undertaken in early 2011 which concluded that the road would impact the property in particular the cultural landscape, buried archaeology and standing earthworks. Given its alignment, it would cut through the

landscape and create adverse visual and cultural impacts. It recommended mitigation actions and to modify the design and alignment proposals, with provisions for mitigating foreseen impacts.

The mission reported that at the time of the visit, all work had been stopped from km 29 +050 to 34 +261 while the remaining part of the route has been largely finished. It recognised that the road will bring more traffic to and through the property. Number of vehicles and speed will require monitoring and control. Additionally a viable alternate route, namely Route 14 B, to the west of the property, will need to be created to redirect heavy traffic. It noted that the visual impact of the road, from all four zones, is not as large as expected. It recommended refraining from planting a linear screen of trees on the sides of the road as this would emphasize the cut through the landscape. In terms of the adjustment of the alignment, the mission concluded that it could damage archaeological remains. It reported that the bypass around Ban Tang Kob has apparently been cancelled and the existing road was being upgraded. However, it is important to obtain an official notice of cancellation of the bypass. As for the bridges, it mentioned that the colour of the bridge railings needs to be changed from white to another which is fitting better the natural landscape. The mission also noted that related infrastructure will need to be located outside the property. This requires comprehensive land use planning and zoning for the entire property, which needs to be prioritised. Street furniture plans, particularly roadside lighting, need to be planned for and submitted to the World Heritage Centre and the Advisory Bodies prior for review prior to approval and committing to its implementation.

b) *Other developments and construction at the property*

The increase in building activity at the property over the past ten years has started to change its character. The situation is expected to be further exacerbated with the construction of the new road but cannot be assessed without a detailed land-use plan. Among other issues of concern, the construction of a new site management office and the construction of 25 meter high water tanks were underscored.

The mission reported that the water tower project to the north of the property has been cancelled, which is a positive step as it will allow sufficient time to carry out a Heritage Impact Assessment and explore other options to address the issue of the water supply system. However, there is no cancellation of the construction of the tower to the south, which still raises concerns given its potential visual impact. The mission recommends that visual impact assessments need to be carried out for both potential locations. As for the administrative/visitor facilities compound, the mission reported that the newly constructed site management office has had a negative impact on zone 4 of the property (Monument Management Zone) in terms of the location, scale, design, materials and colour used. It recommends that, at the very least, the colour of the buildings and the main entrance gate be changed to better blend with the landscape. Comprehensive landscape planning is needed to consider relocation of facilities and to ensure that actions implemented at the property sustain its Outstanding Universal Value rather than erode it. Attention needs to be placed on zoning and use but also on design guidelines for facilities, buildings and street furniture, among others.

c) *Management system*

The mission considers that the legal and institutional elements as well as human and financial resources are adequate and that a management plan has been produced. However, there does not seem to be a monitoring framework and foreign missions continue to operate outside the action plan and there are deficiencies in coordination among decision-making bodies which allow for major infrastructure projects to be approved without appropriate consultation.

d) *State of Conservation of the property*

The mission reports that progress has been made with the restoration of the Vat Phou temple complex. The review of the action plan for 2011-2016 should assist in addressing pending conservation and management issues. The mission underscored that one of the existing challenges pertains to interpretation and awareness-raising about all component parts that make the property significant, including associated living communities. Interpretation materials need to be developed and a local community engagement programme launched.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the Committee regret that the State Party did not submit a report on the state of conservation as was requested by the World Heritage Committee and that it expresses its concern that infrastructure developments have occurred at the property without adequate heritage impact assessments carried out and that these could have eroded the conditions of authenticity and integrity of the property. They also note that the absence of comprehensive land use plan has contributed to the situation and note that addressing this gap is critical to ensure that no further impacts to the attributes that sustain the Outstanding Universal Value of the property occur. They further note that impacts that have occurred require mitigation measures that also need to be adequately planned for.

Draft Decision: 36 COM 7B 64

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.72**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not submit a report on the state of conservation of the property as requested by the World Heritage Committee;*
4. *Expresses its concern that infrastructure developments have occurred at the property without heritage impact assessments carried out or without a landscape plan in place and urges the State Party to implement necessary measures to mitigate their identified impacts;*
5. *Notes the results of the February 2012 reactive monitoring mission and encourages the State Party to implement its recommendations, with a particular emphasis on:*
 - a) *Monitor road traffic on route 14A and implement measures to control the number and speed of vehicles and consider creating a viable alternate route to the west of the property,*
 - b) *Develop a comprehensive land-use plan that addresses zoning, use, potential infrastructure development and guidelines for facilities,*
 - c) *Carry out visual impact assessments on the proposed locations for the construction of water towers and submit their results to the World Heritage Centre and the Advisory Bodies for review prior to committing to its implementation,*
 - d) *Implement measures to mitigate the visual impact of the new site management office and the entrance gate,*
 - e) *Develop an interpretation and awareness raising strategy for the property, including a local community engagement programme, to enhance the interpretation of the property and appropriation by associated living communities,*

- f) *Develop a policy for engaging foreign missions based on actions proposed in the Management Plan instead of ad-hoc decisions;*
6. *Requests the State Party to submit to the World Heritage Centre, by 1 February 2014, a report on the state of conservation of the property and on the implementation of the recommendations set out above, for examination by the World Heritage Committee at its 38th session in 2014.*

66. Kathmandu Valley (Nepal) (C 121)

Year of inscription on the World Heritage List
1979

Criteria
(iii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger
2003-2007

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/121/documents>

International Assistance
Global amount granted to the property: USD 374,287 (1980 to 2006) for technical co-operation
For details, see page: <http://whc.unesco.org/en/list/121/assistance/>

UNESCO Extra-budgetary Funds
Total amount provided to the property: USD 10 million (1979-2001) - International Safeguarding Campaign; USD 45,000 (2005) - Netherlands Funds-in-Trust

Previous monitoring missions
February 2003: World Heritage Centre/ICOMOS high level mission; April 2007: joint World Heritage Centre/ICOMOS reactive monitoring mission; March 2011: UNESCO international expert advisory mission; November 2011: joint World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports
a) Uncontrolled urban development resulting in the loss of traditional urban fabric, in particular privately-owned houses;
b) Lack of coordinated management mechanism.

Illustrative material
See page <http://whc.unesco.org/en/list/121>

Current conservation issues

A joint World Heritage Centre/ICOMOS reactive monitoring mission was undertaken from 23 to 28 November 2011 to the property to assess the state of conservation of the property including examination of the proposed road constructions and airport extension.

On 30 January 2012, the State Party submitted a concise state of conservation report.

a) Proposed Tunnel Road Construction at Pashupati Monument Zone

The State Party reports that the proposed tunnel road construction crossing the Pashupati monument zone has been abandoned, as requested by the Committee. This road, started in 2007, would have bifurcated the monument zone. Active work was stopped after the threat that constituted to the property was recognized. Mitigation to return the area to its pre-2007 appearance was requested by the World Heritage Committee decision. The State Party

informs that this mitigation was discussed with the November 2011 mission but provides no further detail about implementation of such mitigation measures.

The November 2011 joint World Heritage Centre/ICOMOS mission recommended that mitigation work on the road construction already undertaken in the Pashupati Monument Zone is essential, especially the construction work had been abandoned and an ecological restoration which should be undertaken immediately to return the area to its pre-2007 appearance. The resolution of the question for a transport infrastructure, in particular a new road proposal is urgently required, and clearly defined procedures to guide future traffic planning and road building should be developed and respected.

The mission also recommended that the Committee should review the progress made on the issue of an alternative route around the boundary of the property.

The mission considered that the Army's presence within the property should be minimized and its use of part of the property as a Golf Club should cease. A transport and urban planning strategy for the whole city should be developed and adopted, and the impact of the proposed airport extension, ring road widening and new development to the north of the Pashupati Monument Zone should be assessed. Only projects judged not to impact adversely upon the Outstanding Universal Value of the property should be included in the Strategy.

b) Implementation of the Integrated Management Plan (IMP)

The State Party indicates that the current Integrated Management plan for the property is five years old and will need to be reviewed and updated.

The November 2011 mission considered that the Nepali government agencies should be commended, for their efforts towards implementation of the property's 2007 Integrated Management Plan (IMP).

The mission recommended that the successful development of the IMP should be followed by the formation of a collaborative structure between government departments, other agencies and communities to support implementation and by mechanisms to undertake impact assessments of proposed developments. Site specific management regimes and building regulations for each of the seven areas of the property need to be developed and the Outstanding Universal Value communicated by the Department of Archaeology to all stakeholders. Further, the mission considered that additional resources should be made available to support the Coordinative Working Committee to implement the IMP. In addition, a disaster risk management plan should be developed.

c) Conservation

The mission noted that inappropriate development, such as that near the Pashupati Shrine and Hanuman Dhoka site, should be avoided. Efforts should be made to preserve key historical buildings across all monument zones. Furthermore conservation projects must be subject to heritage impact assessment and monitoring to ensure that conservation standards are applied, as they were found to be variable. Grant aid should be available for conservation of private buildings within the property.

In terms of on-site conservation of the property, the mission recommends that the new structure adjacent to the Pujari Math in the Bhaktapur site has an adverse impact on the historic character and setting and should be demolished. However, the reuse of a historic building to house the Patan Museum is exemplary and this example should be followed with other structures. Traditional building crafts should be encouraged. Communication with the general public should be improved to ensure appropriate understanding and appreciation of the property's Outstanding Universal Value.

d) Heritage Impact Assessment

A Heritage Impact Assessment (HIA) for the proposed developments was requested by the Committee in Decision **35 COM 7B.75**, for review by the Advisory bodies. The Decision implied that this should be produced for both developments mentioned in the Decision – the proposed road and the proposed airport extension. The same decision requested a report on the implementation of the recommendations of the March 2011 advisory mission, which examined the new road proposals and necessary repairs to the damaged natural drainage system, restoration of damaged forest areas, controls over pedestrian and vehicular access and the need to secure clear boundaries for the property.

The State Party has not produced a formal HIA for either proposal, and the report merely states that this will be produced for the new road once a consensus on the new proposal has been reached. The March 2011 advisory mission recommendations are not addressed by the State Party report.

e) Proposed reconstruction of Bhaidegah Temple, Patan Durbar Square

The Mission noted a draft proposal for this reconstruction. The State Party should provide full justification for the rebuilding and detailed architectural drawings including information on the materials and ornamentation so that a full review maybe undertaken by ICOMOS. A report compiled by ICOMOS assessing the State Party's proposals for reconstruction of Patan Durbar Square is added to the mission report.

Conclusion

The World Heritage Centre and the Advisory Bodies note that progress has been made with the implementation of the Integrated Management Plan. They concur with the conclusions and recommendations of the November 2011 mission. However, they consider that several issues raised in Decision **35 COM 7B.75** remain unresolved. The confirmation of the abandonment of the new tunnel road is welcome.

The resolution of the transport infrastructure issue to be followed by the realigned road and the mitigation of the work already undertaken are urgently required. The World Heritage Centre and the Advisory bodies underscore the importance of implementing the mission's recommendations for the development of an urban transport strategy, the removal of inappropriate structures and land usage, the establishment of development control measures including regulations for heritage impact assessments, the development of disaster risk management plan, the encouragement of better, and appropriately funded conservation projects and the establishment of improved coordination and communication between relevant government departments and with the general public.

Draft Decision **36 COM 7B.66**

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.75**, adopted at its 35th session (UNESCO, 2011),*
3. *Takes note of the results of the November 2011 joint World Heritage Centre/ICOMOS reactive monitoring mission to the property;*
4. *Welcomes the cancellation of the tunnel road construction;*
5. *Urges the State Party to propose an alternative new route by determining a trajectory which passes around and outside the property boundary and to mitigate urgently the*

road construction work at Pashupati Monument Zone through a scheme of ecological restoration;

6. Requests the State Party to implement the recommendations of the November 2011 mission with regard to the development of an urban transport strategy, strengthened development control, including regulation for heritage impact assessment, a disaster risk management plan and improved systems of coordination and communication between government departments and other stakeholders;
7. Encourages the State Party to take measures to ensure adherence to international conservation standards for major conservation projects and to mobilize funding and grant aid for these projects;
8. Also requests the State Party's to consider all ways to mitigate the impact of the inappropriate new structure adjacent to the Pujari Math of Bhaktapur site, and to minimise the presence of the Army within the property to levels necessary for security;
9. Considers that the State Party decision to review the Integrated Management Plan provides an opportunity to implement the recommendations of the 2011 mission;
10. Further requests the State Party to submit to the World Heritage Centre detailed information, including independently prepared heritage impact assessments, for proposed developments for the revised new road, the airport extension or any other major scheme of development, conservation or reconstruction, in particular for the Bhaidegah Temple in accordance with Paragraph 172 of the Operational Guidelines, for review by the Advisory Bodies;
11. Requests furthermore the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property, and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

67. Historical Monuments at Makli, Thatta (Pakistan) (C 143)

Year of inscription on the World Heritage List

1981

Criteria

(iii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/143/documents/>

International Assistance

N/A

UNESCO Extra-budgetary Funds

Total amount provided to the property: UNESCO Regular Programme Funds USD 30,000 for condition survey of Jam Nizzammuddin tomb (2011)

Previous monitoring missions

November-December 2006: Joint World Heritage Centre/ICOMOS reactive mission; October 2010: World Heritage Centre fact-finding mission to the property following the major flood that devastated the area in August 2010; May 2012: joint UNESCO/ICOMOS reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Significant decay of the property caused by local climatic conditions and alluvial erosion;
- b) Stability of the foundations (earth mechanics) of the Jam Nizamuddin tomb;
- c) Lack of definition of boundaries of the property and buffer zone of the necropolis;
- d) Lack of monitoring.

Illustrative material

See page <http://whc.unesco.org/en/list/143>

Current conservation issues

The State Party submitted a state of conservation report to the World Heritage Centre in November 2011. The issues raised in Decision **35 COM 7B.76** were addressed in the State Party's report.

The property is very large and access is therefore difficult to monitor. Theft and uncontrolled digging are not uncommon, littering and fires also occur and the sites are subject to vandalism as well as general wear and tear. Facilities for visitors are very basic, with, for example, only limited water supply, difficult access arrangements and little interpretation on site. Local amenities are few, with a few small shops and limited public transport and tourist accommodation. Some suggestions for monument zoning, access arrangements, custody and fencing are made.

In response to a request by the Committee at its 35th session, a joint UNESCO/ICOMOS mission visited the property between 5 and 10 May 2012. At the time of writing this report, only a draft of the mission report was available. This mission reports confirms that almost none of the recommendations made by the World Heritage Committee contained in Decision 35 COM 7B.76 have been fulfilled.

a) *Management of the property*

The State Party report states that in 2011, responsibility for the property had passed from the Federal to the Provincial Government (Culture Department, Government of Sindh).

The mission reported that according to the 18th Constitutional Amendment, cultural properties have been decentralized to the provinces. Since then, the World Heritage Site of Makli as well as Moenjodaro are under the custody of the newly founded Directorate of Archaeology in Sindh Province under the ambit of Culture Department, Government of Sindh.

The mission considered that the present capacity of this directorate is insufficient to professionally run the Directorate of Archaeology, being the custodian of over more than 1200 monuments in the province. During the mission, the custodian was absent and no technical personnel attended the meetings. However the mission was informed that work at the property has been outsourced to the NGO 'Heritage Foundation', who was represented by a conservation architect through a Memorandum of Understanding drawn up between the Sindh Government and the Heritage Foundation for joint caretaking of the property.

b) *Conservation Work*

The State Party reports that no major conservation work has been undertaken since the last Monitoring visit and hence no information report was sent to the WHC.. The report gives a detailed exposition of the present condition of the monuments of the property. The threats affecting the monuments range from decay of brickwork and masonry from weathering, wind action, thermal expansion, lack of structural repair, chemical action due to salts to undefined earthquake damage to structures. The report provides details on schemes of repair of

individual monuments but with little detail as to their content, implementation or funding arrangements.

The report does list proposals to combat the many problems encountered on the property. These include the analysis of chemical components and programmes of desalination and monitoring; the report rightly advocates repair and repointing of masonry rather than the stone replacement or redressing that has previously been undertaken on site to prevent the degradation of the integrity of the structures. It sets out technical guidance for repair, repointing and grouting of brickwork and masonry structures, recommending minimum interventions rather than large scale replacement or rebuilding and emphasizes the necessity of undertaking archaeological and architectural surveys prior to intervention.

The mission reported that hardly any measures have been implemented to address the serious degradation of the property, aggravated by the two monsoon seasons of 2010 and 2011. Recently the Heritage Foundation has started work on two monuments of the Samma period close to the Nizamuddin tomb and has executed a first general damage assessment of 36 monuments and a detailed documentation at the Tomb of Jam Nizamuddin.

c) *Emergency Action Plan*

The State Party reports states that an emergency Action Plan has been prepared by the Culture Department in collaboration with the district administration as requested at the 33rd session of the World Heritage Committee. Encroachment onto the property by people displaced by the recent floods (an issue noted in the 2010 Post Flood Assessment Mission) has been prevented by fencing and the provision of emergency relief outside of the property, in accordance with this plan.

The mission noted that the disaster contingency plan for Thatta District prepared by the District Disaster Management Authority (DDMA) does not specify the individual situation of the World Heritage property and does not refer to a specific emergency plan for the Makli property. The mission recommended that a disaster risk management plan should be prepared to ensure that the property is not used as an evacuation area in any future emergency.

d) *Adoption of a Comprehensive Master Plan and Preparation of a Management plan.*

The report states that a Plan for the Conservation and Preservation of the Makli monuments will be completed by December 2011 and will be submitted to the World Heritage Committee for approval. So far, no further information has been received by the World Heritage Centre. No information has been provided on the development of a management plan.

The mission reported little progress with any of the plans. It did stress the great size and complexity of the property with thousands of individual monuments. In addition, the site is partly still in use as an adoration place, combining tangible and intangible components. The mission recommended dividing the site into several clusters with a monument identification system that works as a reference system for the damage assessment and treatment plans for each of the clusters. Such a system needs to be reflected in the Master Plan, Management Plan and Conservation Action Plan.

e) *Conservation of Tomb of Jam Nizamuddin*

A plan for the conservation of this structure is one of the projects listed in the State Party report but with no detail as to its methodology, conservation techniques or funding.

The mission reported that dry core drilling had been carried out, financed by UNESCO Regular Programme decentralized to UNESCO Islamabad. The interpretation of the data does not give essential information regarding the stability problems of the monument. No crack monitoring system has been installed to determine any movements in the monument. The documentation of the tomb has been professionally done by the Heritage Foundation.

However, as the tomb has the highest quality three dimensional carved sandstone surfaces, a laser scan of the building is highly recommended.

The mission also reiterated the need for fixing of an adequate monitoring system along with a weather station in the very near future. It also recommended that a restudy of the dry core samples by an earth mechanic engineer, research into the horizontal cracks on the floor inside the monument, checking whether the cracks are continuing in the rock (due to possible effects of earthquake).

f) *Definition of Boundaries of the property and Buffer Zone*

The report states that this work has been commissioned and will be submitted to the World Heritage Centre for its approval when completed.

The mission noted that the boundaries and buffer zone of the property have not yet been identified and that the property boundaries are unclear to the north and especially to the west. A surface survey has to be made to identify the extent of the archaeological/structural remains especially towards the west. The District Commissioner Thatta offered cooperation from his side to the Director of Archaeology. This activity should be carried out within the coming month and should serve as the basis for the Master Plan and the other plans.

g) *Encroachment control*

The mission noted that no actions could be observed regarding the implementation of encroachment control.

Conclusion

The World Heritage Centre and the Advisory Bodies note that serious problems beset the property. The lack of a realistic Management Plan or of adequate funding for repair, protection and interpretation/access/visitor facilities is a matter of real concern. Very little work has been undertaken since the last monitoring mission and in response to the decision of the Committee at its 35th session. The very extensive property with its thousands of monuments could be considered to be under serious threat, and substantial interventions are needed together with extensive capacity building to begin to make any impact.

The World Heritage Centre and the Advisory Bodies acknowledge that the new management arrangements that came into force last year have brought great constraints. However very recent activities observed by the mission are quite promising, such as the work of the Heritage Foundation, and the approval of certain funding.

The World Heritage Centre and the Advisory Bodies consider that this positive work should be encouraged to see if sufficient progress can be made to begin to reverse the extreme decline in the state of conservation of the property within the next year.

Draft Decision: 36 COM 7B.67

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.76**, adopted at its 35th session (UNESCO, 2011),*
3. *Expresses concern that little progress has been made in addressing the requests of the Committee at their last session or the recommendations of the previous mission in relation to the serious degradation of the property;*

4. Considers that the very extensive property with its thousands of monuments could be considered to be under serious threat;
5. Notes that the new Memorandum of Understanding on management with an NGO and welcomes the very recent activity and the promise of some funding;
6. Also notes that investigative work has been undertaken on the Tomb of Jam Nizamuddin and the recommendations of the mission that further investigation and monitoring is urgently needed;
7. Urges the State Party to develop a Management Plan to address the critical issues facing the property;
8. Suggests that the State Party considers requesting international assistance for survey, monitoring and conservation projects, especially for the Tomb of Jam Nizamuddin;
9. Further urges the State Party to undertake a survey of the boundaries of the property in order to establish the boundaries and a buffer zone as a basis for management and planning;
10. Reiterates its request to the State Party to submit to the World Heritage Centre defined boundaries and proposals for the establishment of a buffer zone for approval by the World Heritage Committee;
11. Also requests the State Party to submit to the World Heritage Centre by **1 February 2013** a detailed report of the state of conservation of the property including progress on implementing the recommendations of the 2012 joint UNESCO /ICOMOS reactive monitoring mission, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to considering, in the case of confirmation of the ascertained or potential threats to the Outstanding Universal Value, the possible inscription of the property on the List of World Heritage in Danger.**

68. Old Town of Galle and its Fortifications (Sri Lanka) (C 451)

Year of inscription on the World Heritage List

1988

Criteria

(iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/451/documents>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

2002: World Heritage Centre/ICOMOS mission; November 2007: UNESCO expert advisory mission; April/May 2008: UNESCO New Delhi Office advisory mission; World Heritage Centre/ICOMOS reactive monitoring mission February 2010.

Factors affecting the property identified in previous reports

- a) Need for development and management plan;
- b) Intrusive and illegal constructions within the Galle cricket ground impacting on the integrity of the property;
- c) Potential impacts of a proposed port construction on the integrity of the property.

Illustrative material

See page <http://whc.unesco.org/en/list/451>

Current conservation issues

A Joint World Heritage Centre and ICOMOS reactive monitoring mission was undertaken in February 2010 to review the state of conservation of the property especially with regard to recent developments on the Cricket Ground and proposed development at the port; progress on conservation works; and the recommended revision of property and buffer zone boundaries. These issues had been previously examined by monitoring missions in 2007 and 2008, as a result of which the State Party's state of conservation report in 2009 indicated acceptance of the recommendations, agreeing to the demolition of various buildings at the Cricket Ground; a reduction in scale of the proposed new building at the ground and of the proposed port development; the extension and revision of the boundary of the property and its buffer zone; as well as the conservation of structures within the property.

The 2010 mission report considered that disappointingly little progress had been made in implementing previous recommendations.

The State Party has not submitted a state of conservation report since 2009 despite World Heritage Committee's repeated requests for 2010, 2011 and 2012. Consequently none of the issues raised in the 2010 Mission report have been satisfactorily addressed.

a) *Proposed new port*

The 2010 mission reported that the development plans for the port, albeit reduced in scale, still lacked any firm detail and therefore its potential impact on the Outstanding Universal Value of the property and on the newly discovered submerged archaeological wrecks in the harbour remained unclear. No detailed proposals including a statement regarding its impact on the marine archaeology and on the overall Outstanding Universal Value of the property were submitted by the State Party.

b) *Cricket Ground*

The mission considered that the buildings in the Cricket Ground seemed likely to remain in the short term,

c) *Boundaries and buffer zone*

The clarification of the property's boundaries has not been finalized. No information has been provided on reviewing the buffer zone surrounding the Old Town of Galle and its fortifications and marine archaeology in the context of protecting its setting from the adverse effects of any future development.

d) *Management Plan*

Copies of the Galle Management Plan have now been submitted to the World Heritage Centre. The Plan contains a detailed description of the background to inscription and the main features of the property as well as describing the inter-relationship between the property and the expanding modern town. It accepts that the present situation in conservation, management, funding and presentation is poor and must be improved, and provides an Action Plan with recommendations for improving management effectiveness.

Conclusion

The World Heritage Centre and the Advisory Bodies note the submission of the Management Plan for the property. However, the document falls far short of what is required to provide guidance to relevant management agencies to improve conservation work. Also it is far from clear whether the Plan has received formal endorsement from the listed public bodies responsible for its development. It lacks any details of potential developments affecting the property, including in the port area or the Cricket Ground. While it makes welcome suggestions for new staffing and management structures, development control, funding opportunities and strategies for tourism development and access arrangements, it is unclear as to how implementation is to be achieved or how the future management of the property is to be improved. It advocates the development of Conservation Plans for key buildings and refers to conservation schemes already undertaken without addressing the criticisms in the 2010 mission report about the quality of the conservation work.

The World Heritage Centre and Advisory Bodies underscore that the Management plan is very general and therefore it requires underpinning by more detailed Conservation Plans with specific specialist guidance and conservation principles to be adopted for projects in the property: may also consider that a Supplementary Planning Guidance to assist with development control in the property is needed, as well as an agreed management structure responsible for implementation of the plans, and an endorsement from appropriate authorities. Separate plans for Tourist Development and Access and Parking arrangements are also desirable.

Further, the World Heritage Centre and the Advisory Bodies recommend that the Committee request the State Party to undertake a heritage impact assessment for the proposed port development to assess the impact of the proposed works on the Outstanding Universal Value of the property and on the recently discovered wrecks in the harbor. They recall that Paragraph 172 of the *Operational Guidelines* emphasizes that notice be given to the World Heritage Centre as soon as possible and before drafting basic document for the proposed new developments.

They note that the Management Plan reiterates the benefits of revising the boundaries and buffer zone of property to include the harbor and recommend that the World Heritage Committee consider the lack of progress in submitting such proposals regrettable.

The lack of dedicated professional staff and funding has a serious impact upon the successful management of this property. In this regard, international assistance from the World Heritage Fund might be usefully sought to further the ambitions articulated in the Management Plan.

Draft Decision: 36 COM 7B.68

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.78**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that no state of conservation report has been submitted by the State Party since 2009 despite the requests of the Committee at its 34th and 35th sessions and notes that the concerns raised by the 2010 reactive monitoring mission remain unaddressed;*

4. *Also notes the submission of the Galle Management Plan (2010) by the State Party, and urges the State Party to continue his efforts and develop more detailed Conservation Plans;*
5. *Expresses its concern at the lack of management system and control, coherent conservation principles and plans, appropriately qualified staff and suitable levels of funding risk which jeopardize the conservation of the property;*
6. *Strongly urges the State Party to review the buffer zone surrounding the Old Town of Galle, its fortifications and marine archaeology, in the context of protecting its setting from adverse effects of any future development;*
7. *Reiterates its request to the State Party to submit to the World Heritage Centre, for review by the Advisory Bodies, details of the proposed developments in the port area accompanied by heritage impact assessment detailing potential impact on the Outstanding Universal Value of the property and the newly discovered marine archaeology within the harbour;*
8. *Requests the State Party to submit to the World Heritage Centre, in conformity with Paragraph 172 of the Operational Guidelines, detailed information concerning any significant new developments before their approval, for review by the Advisory Bodies;*
9. *Invites the State Party to explore all the possibilities to attract financial and technical assistance for conservation schemes including through international assistance from the World Heritage Fund;*
10. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and progress with the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*

EUROPE AND NORTH AMERICA

71. Walled City of Baku with the Shirvanshah's Palace and Maiden Tower (Azerbaijan) (C 958)

Year of inscription on the World Heritage List

2000

Criteria

(iv)

Year(s) of inscription on the List of World Heritage in Danger

2003 - 2009

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/958/documents/>

International Assistance

Global amount granted to the property: USD 15,000

For details, see page <http://whc.unesco.org/en/list/958/assistance/>

UNESCO Extra-budgetary funds

Total amount provided to the property: USD 30,000 (American Funds Special Account, 2005/06); USD 22,000 (Netherlands Funds-in-Trust, 2005/06)

Previous monitoring missions

February 2002: UNESCO mission; October 2002: UNESCO/ICOMOS mission; January 2003 and April 2003: UNESCO missions; November 2003: ICCROM mission; October 2004: UNESCO mission to participate in the Round Table; September 2005: UNESCO mission (with the University of Minnesota, USA); March 2007 and January 2009: joint World Heritage Centre/ICOMOS missions.

Factors affecting the property identified in previous reports

- a) Changing urban fabric due to the demolition of buildings and uncontrolled construction within the Walled City;
- b) Overall lack of any management system and in particular insufficient coordination between the national and municipal authorities;
- c) Absence of a comprehensive management plan that addresses conservation problems, urban development control and tourism activities.

Illustrative material

See page <http://whc.unesco.org/en/list/958>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 1 February 2012 as requested by the World Heritage Committee at its 34th session (Brasilia, 2010). A reactive monitoring mission was carried out from 6 to 10 February 2012. The mission report is available at the following Web address: <http://whc.unesco.org/en/sessions/36COM/documents/>.

a) *Conservation Master Plan and Integrated Area Management Plan*

The State Party indicates that the Conservation Master Plan (CMP) was approved by the Cabinet of Ministers in November 2010. A consulting firm was contracted to integrate the CMP with the Integrated Area Management Plan (IAMAP) into a single document called "Development Strategy of Icherisheher" that includes high-level strategies and an action plan for implementation. The report notes that the CMP was approved as a legal act in 2010,

which makes its implementation mandatory for all state authorities, including for the urban planning system. Further, a Special Legal Regime Regulation of the Buffer Zone of Icherisheher was approved by the Cabinet of Ministers in September 2011. Given that any works at the buffer zone will require the consent of Administration of the State Historical-Architectural Reserve "Icherisheher" (SHAHAR) and the Executive Power of Baku, it is expected that the area will enjoy greater control and protection.

The mission noted that stronger measures, including planning and enforcement of regulations, are needed to ensure that no further impacts arise from high-rise and big volume constructions around and close to the buffer zone of the inscribed property. Planning and formulation of integrated urban policies need to take into account the Outstanding Universal Value of the property. In addition, closer cooperation and interaction between SHAHAR and the Greater Baku Planning Authority is required. It recommended implementing the four actions for interface of planning and management with the Greater Baku Plan. The mission reported that illegal new constructions and destruction of the historic urban fabric within the inscribed property and its buffer zone have been halted, which reflects an improvement in the overall management system. The mission considers that illegal constructions already built will need proper legal, consultative and technical actions to neutralise their impacts. It also considers that Heritage Impact Assessment processes need to be systematically implemented for the evaluation of all projects presented for development. It further notes that street view surveys are needed to ensure the preservation of the visual connections between the Walled City and the Caspian Sea and also to develop adequate landscaping policies. It also suggested designating of the inner historic city of the 19th - early 20th century, adjacent to the Walled City, as an urban conservation area and developing adequate regulatory measures to sustain its environmental and architectural qualities.

b) *Guidelines for rehabilitation and restoration of historic buildings*

The State Party reports that SHAHAR has adopted the "Rules on enjoyment and protection of historical buildings" and "Agreement on the protection of historical documents". Additionally, guidelines for rules and procedures on restoration and rehabilitation of historic buildings, design of new constructions, street furniture and communications were prepared, taking into account the recommendations from IAMAP and best practices from other historic towns. These were formulated and approved in 2011 and are being utilised for the authorization of project proposals for repair works, for use of historical monuments/ houses by owners and for the organisation of supervision activities in this field.

The mission noted that on-going conservation and restoration processes are of better quality than previous attempts and experiences. It underscored the need to strengthen research and documentation of monuments and to apply the Conservation Master Plan through proper practice. It also reported there is a need to develop a guidance manual for regular economic and architectural maintenance of historic buildings and to consider further discussions of Contemporary Architecture in Historic Environments.

c) *Actions implemented at the property*

The State Party report mentions additional actions in place since 2010. These include the development of a programme proposal on restoration, preservation of immovable historical and cultural monuments, improvements and developments of activities of historical and cultural reserves during 2012-2020. No further information is provided on the approval of this project or the allocation of funding for its implementation. A Commission of Emergency Situations has been established to address risk preparedness, and a Scientific/Technical Council and a Council of Elders have also been established to respectively study and implement scientific-technical achievements and to engage inhabitants in decision-making processes for the property.

The State Party also reported on restoration, conservation and renovation works at Icherisheher which included repairs on state housing buildings which are historical monuments. For this project, a system was put in place to facilitate consultation between

residents and authorities and to improve transparency and accountability. Processes for improving infrastructure for services have continued including street lighting, repaving, and replacement of gas pipelines and sewage systems. Restoration works were implemented at the facades of 40 buildings, at the Archaeological Garden, the Complex of Small Caravanserai, at the Mohammad Mosque and some parts of the Fortress walls among others. A series of outreach and public awareness activities were also implemented, including the improvement of museum activities. A geographic information system (GIS) was also created and launched by SHAHAR to facilitate information about the property and to support other services, such as the Tourism Information system.

The mission noted that although several actions are being implemented, the provisions made in IAMAP, particularly those pertaining to research and conservation of authentic urban elements, need to be prioritised, as well as the rehabilitation action plan for the urban residential quarters as prescribed by the CMP. It noted that threats to the built fabric are derived from air pollution, salts and wind erosion. It also recommended strengthening the living city approach policy to maintain inhabitants within the Walled City, to sustain one of the key attributes of the property. This will require financial and administrative support to prevent detrimental socio-economic transformations. They also encouraged expanding representation on the Council of Elders to include NGO's and other representatives from organised bodies working in the Walled City.

Conclusion

The World Heritage Centre and the Advisory Bodies note the progress made in improving of the management system and the halting of illegal constructions and demolitions. They note the integration of the both planning tools for the property (CMP and IAMAP) and underscore the importance of implementing the derived document, ensuring that regulations and provisions from both are cross-referenced. They also highlight the importance of developing the necessary inputs to include in the Greater Baku proposal and to ensure the adequate recommendations are presented to the State Committee on Urban Planning and Architecture (SCUPA) for consideration, as well as the continuous updating of information during the process.

Notwithstanding, the World Heritage Centre and the Advisory Bodies recommend that the Committee express its concern at the degradation of the setting of the property due to the construction of the high-rise buildings, such as the "Flame-Towers" which have generated a significant visual impact on the attributes that sustain its Outstanding Universal Value. They note that no adequate information on these development projects and the status of their approval was provided by the State Party, in accordance to Paragraph 172 of the *Operational Guidelines*.

They also wish to highlight to the Committee that further developments, including those already approved by the City Administration, need to be halted until new legal provisions and integrated urban policies have been developed and adopted to address urban pressure, to effectively impose restrictions on the height of buildings and to equip the national authorities with the necessary tools to review major development projects.

They further recommend that the World Heritage Committee request the State Party to introduce a moratorium on the construction of tall buildings until a survey has been conducted of the overall urban landscape surrounding the property. The World Heritage Centre and the Advisory Bodies further recommend that a Technical Review Committee be established by the State Party, including representatives of all stakeholders, to review all major development proposals and proposed planning controls and policies that could adversely impact on the Outstanding Universal Value.

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.77**, adopted at its 34th session (Brasilia, 2010),
3. Takes note of the progress made by the State Party in addressing concerns raised in prior sessions of World Heritage Committee and urges it to secure the necessary resources for the sustained operation of the management system currently in place and for the implementation of prescribed priority conservation and rehabilitation actions;
4. Expresses its serious concern about the degradation of the setting of the property and the visual impact generated by high-rise buildings and also urges the State Party to introduce a moratorium on further construction of tall buildings until legal provisions, integrated urban policies and a survey of the urban landscape of the property have been developed and adopted to ensure the protection of the property's surroundings;
5. Requests the State Party to submit technical specifications of all on-going and planned new construction projects, in accordance with Paragraph 172 of the Operational Guidelines, to the World Heritage Centre and the Advisory Bodies for review prior to granting approval for implementation;
6. Recommends that the State Party establish a Technical Review Committee, including representatives from all stakeholders, to review all major development proposals that could adversely impact on the Outstanding Universal Value, and to propose planning controls and policies;
7. Notes the results of the February 2012 reactive monitoring mission and encourages the State Party to implement its recommendations, with particular emphasis on:
 - a) Ensuring closer cooperation between State Historical-Architectural Reserve "Icherisheher" (SHAHAR) and the Greater Baku Planning and collaboration in the formulation of integrated urban policies,
 - b) Implementation of Heritage Impact Assessments prior to the approval of projects within the property and its buffer zone,
 - c) Development of a guidance manual for maintenance of historic buildings,
 - d) Prioritisation of the implementation of research and conservation of urban elements set out in the Integrated Area Management Plan (IAMAP) and the rehabilitation action plan for urban residential quarters prescribed in the Conservation Master Plan (CMP),
 - e) Strengthening the implementation of the living city approach policy by providing financial and administrative support to maintain inhabitants within the Walled City,
 - f) Expanding representation on the Council of Elders to ensure larger participation and transparency in decision-making processes;
8. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 38th session in 2014.

74. Mont-Saint-Michel and its Bay (France) (C 80 bis)

Year of inscription on the World Heritage List

1979

Criteria

(i)(iii)(vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/80/documents/>

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

November 2012: Joint World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Development pressures
- b) Environmental constraints
- c) Natural disasters (earthquakes, wind storms (1987 and 1999), earth slides)
- d) Tourism/ visitor pressure (including the intensification of fish/shell industries and pasture in the bay)
- e) Problems related to the presentation of the site: Car parking at the foot of the Mount, sign posts
- f) potential impact of wind turbines on the landscape setting of the property

Illustrative material

See page <http://whc.unesco.org/en/list/80>

Current conservation issues

The State Party submitted a state of conservation report on 15 February 2012 which addressed the concerns of the Committee at its last session and provided information on protection and management of the property. In a letter of 9 April 2012, the State Party provided information on the cancellation of a wind turbine project.

A joint World Heritage Centre/ICOMOS reactive monitoring mission visited the property between 22 and 24 November 2011, as requested by the Committee at its 35th session (UNESCO, 2011), to consider the impact of wind turbines on the property and its setting. The mission report is available online at the following Web address: <http://whc.unesco.org/en/sessions/35COM>

a) *Wind Turbines*

The mission noted the extreme sensitivity of the open, almost flat landscape surroundings of Mont-Saint-Michel to wind turbines which are visible from the mount even if over 20 km away – such as the Trémeheuc wind farm at a distance of some 23 km – far beyond the boundaries of the buffer zone (where wind turbines are excluded). The movement of the wind turbine blades in the day time and their lights at night have a detrimental impact on what is seen as the timeless landscape of earth and sea. They disrupt the long views of the mount, particularly for visiting pilgrims. The mission considered that they impact adversely on the landscape setting of the property which provides its context and supports its Outstanding Universal Value.

The mission also noted that the current methods of assessing whether proposed wind turbines visually impact the property were subjective and sometimes inconsistent. No precise

instruments are used to consider impact on views from the mount, and analyses of visibility that are carried out as part of the Heritage Impact Assessment (HIA) only consider the property as being of the same importance as national or local heritage assets. The State Party has begun a process to define an exclusion area for wind turbines beyond the buffer zone but this is not yet complete. The mission considered that the definition of such an exclusion area should be carried out on the basis of indisputable computer-based cartography, which maps areas where turbines over 50 metres in height could be seen from the mount. This would allow rigorous, fast and consistent appraisals for all projects. Such an area would need to be approved and integrated into planning processes. The mission also recommended improvement be made in the way visual impact is measured by promoters through the use of digital terrain modelling.

In a letter of 9 April 2012, the State Party reported that a project concerning three wind turbines in the commune of Argouges in La Manche had been cancelled.

b) *Restoring the Maritime Character of Mont-Saint-Michel*

The mission was made aware of the details of a major project addressing the negative visual impact of the 19th century causeway and the silting that results from its obstruction of tidal dynamics. The causeway is being replaced by a new crossing for which work started in 2011. This will allow the recovery of the mount as an island surrounded by water. The mission recommended that the height of the access area immediately around the mount should be kept at 6.8 metres rather than being made higher, in order to reduce the visual impact next to the ramparts and the main entrance.

The mission also recommended that a plan be prepared for the so called area of "la Caserne" to reduce its commercial nature, provide housing for residents and hidden parking spaces, and allow some public squares. Finally the mission recommended that a planting plan be prepared for the garden of the mediaeval cloister based on historical evidence.

c) *Management Plan*

The mission considered that there was an urgent need to create and approve a Management Plan for the property and to put in place a more coordinated management system around a site "Management Committee" that could integrate the needs of heritage conservation, urban planning, and agriculture. The Plan could also bring together the various public authorities, private bodies, associations and volunteers who are involved in the management of the property. The Management Plan needs to be based on an agreed Statement of Outstanding Universal Value and to take a landscape approach so that management addresses the needs of the property, its buffer zone and its wider setting. The mission considered that the present Steering Committee for the restoration of the Maritime Character might be improved to fulfil these requirements and become a Coordination Committee for the property with responsibility for overseeing the implementation of the Management Plan. In its report, the State Party indicated its support for this approach.

Conclusion

The World Heritage Centre and the Advisory Bodies note the commitment of the State Party to formulate an exclusion area for wind farms over a certain height in areas beyond the current buffer zone in order to ensure that wind turbines do not compromise the setting of the property that provides its context and supports its Outstanding Universal Value. They also note that at the moment no satisfactory method of delineating such an area has been agreed. They consider that, as the mission recommended and in order to minimize subjectivity and to ensure consistency, such an area should be defined through computer-based cartography that can map all areas from where turbines over a certain height might be visible from the mount. They consider that until such an area has been defined and integrated into the planning system, no new proposals for turbines should be approved.

The World Heritage Centre and the Advisory Bodies also take note of the project to restore the Maritime Character of the property. They note the recommendation of the mission that the new raised access area immediately around the mount (terre-plein) should be no higher than 6.8 metres in order to reduce its visual impact.

The World Heritage Centre and the Advisory Bodies support the recommendation of the mission to develop an overall Management Plan for the property, based on the approved Statement of Outstanding Universal Value. Such a plan should bring together all stakeholders, harmonize the input of the various disciplines involved at the property and adopt an integrated landscape approach to the management of the property, its buffer zone and wider setting. The World Heritage Centre and the Advisory Bodies note the commitment of the State Party to produce a Management Plan and to strengthen the existing Project Steering Committee so that it could be transformed into a Coordination Committee for the property with responsibility for overseeing the implementation of the Plan, once it has been completed and approved.

Draft Decision: 36 COM 7B.74

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.83** adopted at its 34th session (Brasilia, 2010),*
3. *Takes note of the results of the November 2011 joint World Heritage Centre / ICOMOS reactive monitoring mission, particularly, the conclusion that wind turbines impact adversely on the landscape setting of the property which provides its context and supports its Outstanding Universal Value;*
4. *Strongly recommends the State Party to implement all the recommendations of the mission;*
5. *Welcomes the commitment of the State Party to put in place an exclusion zone beyond the buffer zone to exclude wind turbines, and requests the State Party to incorporate into the planning process this exclusion zone, and appropriate terrain modelling procedures for assessing visual impact;*
6. *Notes that a satisfactory method of defining such a zone has yet to be agreed, and considers that this should be based on computer-based cartography in order to minimise subjectivity;*
7. *Urges the State Party to suspend decisions on wind turbines in the vicinity of the property until this exclusion zone is in place;*
8. *Also notes the project to remove the 19th century causeway, and replace it with a permeable bridge that will allow the mount to be seen as an island, and also requests the State Party to ensure that the raised access area immediately below the mount (terre-plein) is no higher than 6.8 metres in order to minimise its visual impact;*
9. *Further notes the urgent needs for an integrated Management Plan for the property, and further requests the State Party to produce such a plan based on the Statement of Outstanding Universal Value and a landscape approach to the management of the property, its buffer zone and its wider setting, and to put in place a Coordination Committee to oversee its implementation;*

10. Requests furthermore the State Party to provide copies of the draft Management Plan for review by the World Heritage Centre and the Advisory Bodies by **1 February 2013**;
11. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above for examination by the World Heritage Committee at its 38th session in 2014.

76. Villa Adriana (Tivoli) (Italy) (C 907)

Year of inscription on the World Heritage List

1999

Criteria

(i)(ii)(iii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/907/documents/>

International Assistance

N/A

UNESCO Extra-budgetary funds

N/A

Previous monitoring missions

N/A

Factors affecting the property identified in previous reports

N/A

Illustrative material

See page <http://whc.unesco.org/en/list/907>

Current conservation issues

Following information about a planned waste dump and a development project in the vicinity of the World Heritage property, the World Heritage Centre requested the State Party to submit details on the above. On 27 March and 5 April 2012, the State Party submitted a response including maps, and on 30 May 2012 a further response on the status of the waste dump project.

a) Planned development of a waste dump in the vicinity of the property

In December 2011, the World Heritage Centre was informed by an NGO about plans to build a waste dump in the Corcolle area, in the vicinity of the property. A public appeal was presented to the Administrative Tribunal of the Lazio region, and the Italian National Commission for UNESCO publicly expressed concern about the authorities' plans for this development.

An online petition against the waste dump near the World Heritage property has been initiated (see <http://www.ipetitions.com/petition/protect-hadrians-villa/>). Several thousand stakeholders have signed the petition addressed to the Extraordinary Commissioner for Refuse of the Lazio region, the authority in charge of this proposal.

According to information provided by the State Party on 27 March 2012, no approval had yet been granted for the proposed waste dump.

On 30 May 2012, the Italian authorities informed the World Heritage Centre that the project for a waste dump in the Corcolle area has been cancelled.

b) Planning proposal for a group of buildings in the vicinity of the property

In December 2011, the World Heritage Centre was also informed about plans to construct a group of buildings, totalling approximately 120,000 m³, in the buffer zone of the property. The State Party submitted maps concerning the corresponding "Comprensorio di Ponte Lucano" parcelling plan on 4 April 2012.

c) Structural issues

In July 2011, the press reported that Villa Adriana is at risk of collapsing. The World Heritage Centre addressed this issue to the State Party on 27 July 2011 and was informed by the State Party on 24 November 2011 about the allocation of EUR 4 million for the conservation of the property. Moreover, the State Party assured the World Heritage Centre that the property is in good condition and referred to the footage taken by the Japanese TV producer NHK in September 2011.

d) Other issues

On 19 January 2012, the State Party submitted a retrospective Statement of Outstanding Universal Value to the World Heritage Centre.

Conclusion

The World Heritage Centre and the Advisory Bodies note with satisfaction the information that the waste dump project has been cancelled. They consider as well that additional information on the housing development in the buffer zone of the site, including a Heritage Impact Assessment, is required to assess its potential impact on the Outstanding Universal Value of the property.

Draft Decision 36 COM 7B.76

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Welcomes the State Party's allocation of funding for the conservation of the property;*
3. *Commends the State Party for its decision to abandon the construction of a waste dump in the Corcolle area;*
4. *Requests the State Party to inform the World Heritage Centre in due time about any major development project planned in the buffer zone of the property, including the housing development at Comprensorio di Ponte Lucano, for which a Heritage Impact Assessment should be included, in accordance with Paragraph 172 of the Operational Guidelines, before any irreversible commitment is made;*
5. *Also requests the State Party to submit to the World Heritage Centre by **1 February 2014** an updated report on the state of conservation of the property.*

80. Centennial Hall in Wroclaw (Poland) (C 1165)

Year of inscription on the World Heritage List

2006

Criteria

(i) (ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/1165/documents>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

N/A

Factors affecting the property identified in previous reports

N/A

Illustrative material

See page <http://whc.unesco.org/en/list/1165>

Current conservation issues

The State Party submitted a state of conservation report on 15 March 2012. This addressed the Eastern Bridge Road project and provided details of proposed new projects in the property and its buffer zone. As requested by the Committee at its 35th session (UNESCO, 2011), a joint World Heritage Centre/ICOMOS Reactive Monitoring Mission visited the property between 14-17 November 2011 to assess the state of conservation of the property and to consider the impact on the Outstanding Universal Value of the property of the rebuilt Pavilion and of the proposed Eastern Bridge road project. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/36COM/>.

a) Renovation of the Main Restaurant Pavilion

The mission found that since its inscription in 2006, some major components of the property have undergone conservation and upgrading projects. These include the Pergola, the Centennial Hall, the Pool, and the Main Restaurant Pavilion. Together these have improved the overall conservation conditions of the property, which today can be considered as satisfactory. However the mission noted that the renovation of the Main Restaurant Pavilion, which has been carried out following an international design competition, shows some shortcomings in design and realization that make the final result of this intervention not entirely satisfactory. The mission considered that some of the shortcomings might be related to the practice of accepting the lowest tender.

b) Proposed Eastern Bridge Road Project

The proposed Eastern Bridge road, or Great Island Avenue, was planned to run eastwards of the inscribed property, outside its boundaries and next to a stretch of the buffer zone boundary. The road was planned to be a dual carriageway extension of the city centre ring road. At the time of the mission, no detailed plans were provided to the Mission by the State Party. The mission was informed that the project had been temporarily halted on 30 June 2011 by the Administrative Court's invalidation of the Municipality approval of the

Environmental Impact Study, following an appeal by NGOs. The mission team verified that no works have been carried out on site.

The State Party report informs that by virtue of a November 2011 decision of the Mayor of Wrocław the road will be downgraded to a single carriageway up to 7 m wide with a total width of 25 metres that includes pavement, cycling routes, vegetation and acoustic protection.

The State Party report states as well that no information had been submitted to the World Heritage Centre on the road project in advance as it was outside the buffer zone and in their view would not impact on the property. However, it also states that, as any revision of the road would require the planning process to start again, they will examine the possibility of including a Heritage Impact Assessment in accordance with ICOMOS guidelines in the process.

The Mission team considered that the court ruling provides an opportunity for examining alternative routes and modifying the road project proposal so as to avoid any adverse impact on the Outstanding Universal Value of the property.

According to the mission team, the Heritage Impact Assessment for any revised scheme would need to consider potential impact on the Outstanding Universal Value of the property and on its setting, taking into consideration the historic and cultural context of the Centennial Hall and of the Exhibition Grounds as well as the role that the property had in the planning and development of its surroundings.

c) Proposed Underground Car Park and related above-ground facility

The mission was provided with a few details of a proposed two-storey underground car park on the eastern side of the Centennial Hall, the location of the current car parking. The State Party report provides information that the car park, with two underground and one ground (open) floors will provide space for 800 cars and 15 buses. The details shown to the mission as well as those provided in the State Party report are insufficient for a full assessment of the possible impact of the planned structure on the property, including on the nature of the ground of the Island and on the structure of the Centennial Hall, and of the visual impact of the above ground structures on the overall property and its setting.

d) Proposed Renovation of the Four Dome Pavilion

The mission was provided with some details of an extensive conservation and adaptive re-use project to renovate the Pavilion to allow it to house a collection of modern art. The Four Domes Pavilion, originally called the Historical – Artistic Exhibition Pavilion, was built in 1913 as one of the buildings on the Exhibition Grounds. The mission team was informed that the project had been approved and will be implemented as soon as funds are available. The State Party report includes architectural drawings of the scheme. It states that the project will reverse alterations made in the second part of the 20th century when the Pavilion was used as a film studio. The project includes a new light weight roof over the courtyard between the four domes.

e) Other projects:

The State Party provides information on plans for a project in the buffer zone for a new pavilion which will be a reception area as well as housing an Oceanarium – Africanarium. The height will not exceed 15 metres. It is stated that preparations are being made to launch the construction. The report also informs that a new project called Revitalisation of the Wohnung und Werkraum Ausstellung (Dwelling and Workplace) 1929 complex is foreseen to start in 2013. The project will include examples of modernist architecture.

Conclusion

The World Heritage Centre and the Advisory Bodies take note of the findings of the mission that the overall state of conservation has improved since the inscription of the property on the

World Heritage List, although some shortcomings are observed in the restoration of the Main restaurant pavilion, possibly related to the tendering process.

The World Heritage Centre and the Advisory Bodies also note the information about the newly proposed projects, including the underground car park, the renovation of the Four Domes pavilion in the property, the proposed development of an Oceanarium – Africanarium and the revitalisation of the Wohnung und Werkraum Ausstellung 1929 complex in the buffer zone. They recommend that, for all of these, the Committee request the State Party to submit to the World Heritage Centre, for review by the Advisory Bodies, detailed plans and appropriate heritage impact assessments, before any irreversible decisions are made, in line with the requirements of Paragraph 172 of the *Operational Guidelines*.

The developments of these projects, most within the footprint of the original Exhibition grounds, highlights the need for a clearer understanding as to how future developments around the Centennial Hall, grounds, buffer zone and setting, fit into the overall Spatial Plan of 2004 (part of the Management plan), how they relate to each other, and how the design concepts respect the clear unity of design and planning that was recognised at the time of inscription and contributes to the Outstanding Universal Value of the property.

The World Heritage Centre and the Advisory Bodies take note that the project for the proposed four land Eastern Bridge road, or Great Island Avenue, along part of the buffer zone boundary has been halted by a Court Order and that the Mayor has subsequently decreed that the road should be downgraded. They also recommend to the Committee to request the State Party to submit details of any revised project, in line with Paragraph 172 of the *Operational Guidelines*, to the World Heritage Centre for review together with a Heritage Impact Assessment of its potential impact on the Outstanding Universal Value of the property and its setting, in relation to the design of its island hinterland.

Draft Decision: 36 COM 7B.80

The World Heritage Committee,

1. Having examined Document WHC-12/36 COM/7B.Add,
2. Recalling Decision **35 COM 7B.101** adopted at its 35th session (UNESCO, 2011),
3. Takes note of the results of the mission concerning the overall improved state of conservation of the property but notes certain shortcomings in the quality of works on the Main Restaurant Pavilion and urges the State Party to ensure higher standards during future works;
4. Requests the State Party to provide to the World Heritage Centre, for review by the Advisory Bodies, full details of all proposed projects which may have an impact on the Outstanding Universal Value of the Property, including the underground car park, the Four Domes Pavilion and the future projects in the buffer zone, together with heritage impact assessments, in line with Paragraph 172 of the Operational Guidelines, before any commitments are made;
5. Also requests the State Party to provide an overall development plan for the property and its buffer zone to allow understanding as to how the various proposed projects relate to the Spatial Plan, 2004 and, in terms of design concepts, to the Outstanding Universal Value of the property;
6. Also takes note of the halting of the Eastern Bridge road proposal, along the edge of the buffer zone as well as of its downgrading to a single carriageway, and further

requests the State Party to submit any revised plans, together with a Heritage Impact assessment of its potential impact on the setting of the property, to the World Heritage Centre for review by the Advisory Bodies, in line with Paragraph 172 of Operational Guidelines;

7. *Requests furthermore the State Party to submit to the World Heritage Centre, by 1 February 2014, an updated report on the state of conservation of the property and on the implementation of the above.*

83. Kizhi Pogost (Russian Federation) (C 544)

Year of inscription on the World Heritage List

1990

Criteria

(i) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/544/documents/>

International Assistance

Global amount granted to the property: USD 38,540

For details, see page <http://whc.unesco.org/en/list/544/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

1992, 1993, 1994: ICOMOS mission; 2002: UNESCO/ICOMOS/ICCROM mission and on-site workshop; 2007: World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Structural integrity of the Church of the Transfiguration ;
- b) Absence of an integrated management plan that addresses overall management of the World Heritage property ;
- c) Tourism development pressures affecting the property.

Illustrative material

See page <http://whc.unesco.org/en/list/544>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 28 February 2012. An ICOMOS reactive monitoring mission was carried out from 20 to 25 February 2011 and an ICOMOS Advisory mission was undertaken from 29 November to 4 December 2011. Both mission reports are available online at the following Web address: <http://whc.unesco.org/en/sessions/36COM/documents>

a) *Management Plan*

The report indicates that the development of the management plan started in 2011, through a government contract with the Institute of Economics of the Karelian Research Centre of the Russian Academy of Science; work is expected to conclude by the end of 2012. As of the date of the report, the general strategy was developed, the concept structure approved and information collected. It is foreseen the management plan will include provisions for

development and use of the site in consideration of its values and protection of authenticity and integrity. The report also states that the Supervising Committee at the Ministry of Culture was established in 2011 and has assessed works carried out for the interventions at the Church of Transfiguration. It also reports that the Kizhi parish of Petrozavodsk eparchy was given legal status in 2011.

The February 2011 mission reported there were two approved planning tools for the property, the Master Plan (1972-95) and the Technical and Economic Plan. It received information on the on-going initiative for the development of an integrated management plan and stated the need to expedite its production to coordinate all activities at the property, including development on Kizhi Island. It noted the importance of balancing the benefits derived from tourism against the negative impacts as it relates to tourism strategies to be considered within the plan. It also called for inclusion of an archaeological monitoring and rescue programme, to be implemented in areas impacted for construction. Finally, it recommended that the draft document be sent to the World Heritage Centre and the Advisory Bodies for review prior to approval at the Federal level. Regarding coordination mechanisms among stakeholders, the February 2011 mission noted that the Special State Board had been approved but that the precise membership had yet to be established. It also reported that further information is needed on the proposed new coordinating body for World Heritage properties in Russia, to assess its role and potential function. The November 2011 mission met with the members of the Supervising Committee for discussions on current works and confirmed that it has an active and important role to play in the overall direction of the project.

b) *Land use and new development*

The State Party indicates that large-scale works on the development of the museum infrastructure have continued and are expected to improve conditions around the Kizhi Museum and Kizhi Pogost. In regard to protected and buffer zones, in December 2011 the Ministry of Culture issued a Decree of Approval for the "Project of protected zones for the Kizhi Pogost Monuments". It considered four models of land use and town planning for Kizhi Island to ensure development of infrastructure for the Kizhi Museum. These zones, with corresponding regulations for land use and town planning, were fixed within the boundaries of protected landscapes in historic villages. It reports that the loading terminal on Kizhi Island is complete and will receive cargo, allow for mooring of small sized boats and has a ramp for snowmobiles. The project for the Administrative and Public Centre on Kizhi Island is on-going as well as works on electric power supply. A road to connect Velikaya Guba to Oyativtshena Villa has also started. The technical specifications for these works were not included.

The World Heritage Centre and the Advisory Bodies note that the 2010 reactive monitoring mission expressed concern at development proposals within certain areas of the Kizhi Museum-Reserve and considered that these should be immediately halted. In particular it was recommended to significantly reduce the loading near to the Kizhi Pogost and to establish coordination with the Direction of the River Cruises in order to define an appropriate strategy and preventive measures to reduce their negative impact. Notwithstanding this recommendation, no action was implemented by the State Party on this important issue and the apparent intent is to develop more this kind of tourism. As for the Administrative and Public Centre, the mission evaluated the project and did not provide a positive assessment. The findings that recommended its review have apparently not been taken into account as these construction works have continued.

The February 2011 mission reviewed documentation regarding the boundaries of the inscribed property, the buffer zone and land use and regulations. It noted the progress made in this regard and recommended that the documentation be submitted for review prior to approval at the Federal level. Furthermore, upon review of the documentation, the new proposed boundaries should be formally submitted as a request for minor boundary modification according to paragraphs 163-165 of the *Operational Guidelines*. It considers that

infrastructure and changing land-use, derived from the disappearance of agriculture from the land, continues to represent a threat to the property's setting. With respect to the Land Use Plan, it underscored that the regulations for the five zones for construction development are not sufficient given that they do not consider provisions for design, visibility analysis, massing, materials, etc. It noted the projects that are in the planning stages and recommended that the planning and design of all new construction be done in the context of the overall management plan and in consideration of the property's outstanding universal value. Furthermore, the mission considered that all constructions in the vicinity of the Kizhi Pogost or having visual impact should be prevented. The zoning proposal that has been established in coordination with the Kizhi Museum-Reserve and which plans to use all surrounding lands for the Museum and tourism facilities cannot be accepted as it stands given the potential impact on the setting of the property.

c) *Restoration works*

The State Party reports that the first stage of the restoration process was continued throughout 2011 on a year round basis and has considered the capacity building of restorers. At the Church of the Transfiguration, progress has been made in dismantling the VI and VII restoration tiers, building the foundations for the underground part of the church, the porch and refectory. Second state of interventions, expected to begin in 2012, will correct major deformations in the remaining part of the church and reinforce weak parts. The report also mentions that restoration techniques were tested in two log buildings so as to develop adequate methods and provide hands on training. Restoration work was also carried out on the iconostasis frame of the Church of the Transfiguration by the Moscow Art Research and Restoration Directorate. Actions were also implemented to prepare the Church of the Transfiguration for the winter period.

The missions noted the work carried out in terms of recording and conditions surveys for the areas under restoration. It reported that on-going work is adequate and should continue without interruption so that the deterioration of the material fabric of the Church of the Transfiguration and the Church of the Intercession, which might constitute a threat to the Outstanding Universal Value of the property if left unattended, is comprehensively and sustainably addressed. The missions highlighted that ongoing practices have taken into account recommendations made by the 2010 mission for repair methods and for the definition of restoration principles. They also consider that further development of guiding principles take into account the Statement of Outstanding Universal Value of the property, to ensure that all aspects of authenticity and integrity are taken into account and balanced. The November 2011 mission further positively noted the workmanship and standards, including complying with guidelines developed by ICOMOS for timber restoration that have been maintained in the restoration work and underscored that quality in the interventions will need to be prioritised over speed in implementation. Additional recommendations were made for the interventions, including aspects of log restitution, use of inserts, application of tools and tool marks, among others. They reiterated the need for developing guiding principles to address issues such as the treatment of elements from various periods, treatment of witness marks, introduction of modern materials, and structural reinforcement.

d) *Other issues*

The State Party report indicates that funding has been allocated for the restoration of the Kizhi Pogost monuments. Site security measures at the property were also improved with a system of infrared scanners which is expected to deter unauthorized access and vandalism. Approval of the project for the outdoor fire fighting system is expected to conclude in 2012 with construction expected throughout 2013. Monitoring of monuments has also continued. Deformations are being assessed through the fixing of reference points on facades of buildings, based on results from the geodetic survey carried out in June and September 2011. No deformations on heights and turns of the monument have been reported. Biodeterioration is also being monitored through regular inspections to detect fungal activity

and monitoring of temperature and humidity. Throughout 2011, monuments had overall stable conditions. Preventive measures, undertaken between 2010 and 2011, have improved the microclimate at the Church of the Intercession and eliminated highly humidified areas. Research and outreach activities have continued, including exhibits, TV and radio broadcasts, conferences and publication of research papers and mass media articles. Landscape protection activities included sanitary felling and clearing out of meadows from growth of bushes. As for the landscape management plan, materials have been compiled and a three-dimensional landscape model produced to assist the analysis and ascertain potential impacts so as to develop specific strategies within the management plan for the property.

The 2011 mission notes that funding for the site appears to be adequate at the moment but that threats of delays in approval continue to be a concern since projects are approved on a stage by stage basis. It underscored the need to update funding requirements and the project schedule to ensure continued financial support and approvals to adequately meet protection, restoration and management requirements beyond 2014. With regard to fire protection measures, it recommended implementing the developed plan and considering the addition of an indoor suppression system in the churches and Bell Tower.

Conclusion

The World Heritage Centre and the Advisory Bodies note the positive progress made in the restoration works, the quality of workmanship and consideration of standards for interventions. They would underscore, however, the need to develop additional guidelines for interventions to ensure that the Outstanding Universal Value of the property and the conditions of authenticity and integrity are balanced in the overall process.

They would also highlight the need to finalise the process for the formulation of the management plan to ensure that the setting of the property is adequately protected and that development of infrastructure does not compromise its attributes.

They also wish to point out that despite the World Heritage Committee's decision requesting the State Party to halt any inappropriate development and new constructions within the property, its buffer zone or protected areas of the Kizhi Museum-Reserve, the State Party reported that large-scale works on the development of museum infrastructure have continued, the project for the Administrative and Public Centre on Kizhi Island is on-going and a road to connect Velikaya Guba to Oyativtshena Villa has also started, without any submission of these projects to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, for review and comments prior to any approval.

Draft Decision: 36 COM 7B.83

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **34 COM 7B.94**, adopted at its 34th session (Brasilia, 2010),
3. Acknowledges the progress made by the State Party in the implementation of the World Heritage Committees decisions and in the restoration works and urges it to continue these efforts in close collaboration with the World Heritage Centre and the Advisory Bodies;

4. Takes note of the results of the reactive monitoring mission of February 2011 and the advisory mission of November 2011 and encourages the State Party to implement their recommendations and to prioritise the implementation of the following actions:
 - a) Formally submit to the World Heritage Centre the new proposal of the buffer zone of the property as a request for minor boundary modification, in accordance to paragraphs 163-165 of the Operational Guidelines, by **1 February 2013**,
 - b) Finalise the development of the integrated management plan, including a revised zoning proposal with adequate provisions for the protection of the landscape setting, a tourism strategy, risk preparedness and an archaeological rescue and monitoring strategy, all in consideration of clear boundaries and buffer zone definitions, and to submit the draft plan for review prior to approval,
 - c) Update the project schedule and funding requirements upon completion of stage 3 to secure the necessary resources for the conservation, management and protection of the property beyond 2014,
 - d) Develop guidelines for interventions to address restoration criteria and issues such as the treatment of elements from various periods, treatment of witness marks, introduction of modern materials, structural reinforcement, among others,
 - e) Develop guidelines for the planning and design of new construction to regulate scale, massing and materials to ensure compatibility with the attributes that sustain the Outstanding Universal Value of the property ;
5. Reiterates its concern regarding proposals for new developments in the vicinity of the property, such as new visitor facilities and a new visitor centre and also urges the State Party to halt any developments within the property, its setting and protected areas of the Kizhi Museum-Reserve and Kizhi Island, and to submit to the World Heritage Centre, in conformity with Paragraph 172 of the Operational Guidelines, all projects for review and comments prior to their approval;
6. Requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission in early 2013 to assess the progress made in the restoration works and on the implementation of the above;
7. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 37th session in 2013.

84. Historic Centre of the City of Yaroslav (Russian Federation) (C 1170)

Year of inscription on the World Heritage List
2005

Criteria
(ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1170/documents>

International Assistance

Global amount granted to the property: USD 18,695

For details, see page <http://whc.unesco.org/en/list/1170/assistance/>

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

May 2009: World Heritage Centre / ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Gradual changes to the urban fabric: construction and restoration projects
- b) Inappropriate urban development
- c) Major changes to the property's skyline through the construction of the new Cathedral of the Assumption
- d) High rise projects

Illustrative material

See page <http://whc.unesco.org/en/list/1170>

Current conservation issues

No report has been submitted by the State Party. An ICOMOS reactive monitoring mission visited the property from 13 to 21 February 2012, at the request of the Committee at its 35th session, in order to consider the numerous constructions and re-construction projects reported in the city and review the existing management system and decision-making mechanism for the property, including legislative and regulatory framework, institutional arrangements and existing planning tools. The Committee also requested the State Party to halt "on-going projects which may have an impact on the Outstanding Universal Value of the property, until these projects can be submitted to the World Heritage Centre for review by the World Heritage Committee."

a) *Legislative and Planning Framework*

The mission noted the various changes and amendments to laws at the regional and national level that had taken place over the past few years. Until 2011, only discrete buildings or groups of buildings could be protected and there was thus no protection for urban landscapes. The property is now recognized on a preliminary basis under one Federal Law as a 'site' and under another as an 'historic area'. So far the categories have not been defined, but the laws do appear to allow for the components of the urban fabric to be protected, and thus offer the opportunity to protect historic urban landscapes. The mission considered that there was a need for greater clarity as to how these categories are defined and what impact the new laws will have, particularly in terms of transferring responsibility from the Ministry of Culture to the regional level. The mission further considered that if too much responsibility is transferred, there is a risk of weakening the federal role, in terms of the State being the main guarantor for the preservation of the property.

Since 2008 the property and its buffer zone have had a clear system of protective regimes for protected areas, approved by the Ministry of Culture and adopted by the Government of Yaroslav Region in 2011. However, the mission considered that these regulations were too general and do not adequately protect the Outstanding Universal Value of the property in terms of protecting the specifics of the urban structure, the particular scale of the urban fabric, silhouettes, panoramas, proportions between spaces, the relationship with nature, etc. Nor do studies appear to have been conducted to identify the attributes of Outstanding Universal Value. The way the regulations are applied is occasionally in conflict with the protection of the traditional urban fabric. The mission also noted that there could be gaps in the protection of the Protected Areas.

The mission also noted that the current planning system does not allow an analysis of architectural projects in terms of their potential impact on Outstanding Universal Value, that

the monitoring of projects is totally inadequate, and that there is a lack of a detailed urban plan for the property and its buffer zone.

b) *Management*

In terms of the management of the property, the mission noted that this encompasses three levels: national, regional and municipal. Considerable powers are delegated to the municipal level. The mission considered that the system had a good level of functionality in terms of managing the process of planning and urbanism in a city facing difficult conditions and the dynamics of strong market pressures and conflicts of interests. However, they also noted the lack of a Site Manager. This role was said to be assumed by the Russian World Heritage Committee. However, this Committee is limited to making recommendations – although it appeared to the mission that it had exceeded its remit for certain development projects. The mission also considered that the management system lacked transparency and provided local citizens and NGOs with little opportunities for engagement.

c) *Conservation of the property*

The mission noted that, as preparation for celebrations of the thousandth anniversary of the city's foundation, extensive restoration work had been carried out on churches and other religious buildings during a relatively short period (2008-2010). While the restoration work was conducted on an impressive scale, the mission considered that it lacked a systematic conservation approach, based on extensive studies and long-term plans.

d) *Development and re-development projects in the property and its buffer zone*

The mission noted the recent intensification of new construction, and that no Heritage Impact Assessments have been conducted prior to new developments. Furthermore, no detailed plans for any of these projects have been submitted to the World Heritage Centre in line with Paragraph 172 of the *Operational Guidelines*.

According to the Municipality, since 2005, in the territory of the property and its buffer zone, 35 buildings have been constructed and ten buildings are under construction, while three construction projects remain unimplemented. However, the mission noted a sharp drop in the numbers of new constructions during the past year. The mission made the following observations on implemented projects:

- *Cathedral of the Assumption*

This new building is a complete reconstruction of the cathedral. The mission considered that this reconstruction is unacceptable as it is in breach of the regulations (which only allow a reconstruction within the framework of "historical documentation") and its dimensions far exceed those of the original building. The project to re-build the Cathedral is also not in compliance with paragraph 86 of the *Operational Guidelines*, which states that reconstruction is acceptable 'only on the basis of complete and detailed documentation and to no extent on conjecture'. Moreover, details of the project were not provided to the World Heritage Centre for review by the Advisory Bodies before the project's approval as requested by Paragraph 172 of the *Operational Guidelines*.

The mission considered that the new building has a severe negative impact on the city skyline, particularly on the silhouette towards the Volga and Kotorosl. It is totally unsympathetic to the ensemble of harmonious churches that contribute to the overall panoramas of the city and the Outstanding Universal Value of the property. Furthermore, the mission considered that the removal of the original archaeological foundations of the old cathedral is unacceptable, especially since they formed an archaeological monument of federal significance.

The mission considered that this project illustrates the deficiencies in legal protection and the management system. The standard parameters for construction limits were waived and 'the decision was imposed despite protests from organizations, both professional and civil. No

impact assessment was carried out to assess the impact on the silhouette of the property and the Outstanding Universal Value.

The mission was also informed of a further project to rebuild the bell tower of the Cathedral. The mission considered that if this project was implemented, the damage to the silhouette of the property would be irreversible.

- *Millennium Monument complex*

The memorial complex is designed as an urban focus that competes with the traditional urban fabric. It breaks the visual axis to the 17th century Korovniki church on the opposite bank of the Kotorosl river. The construction of the complex is in violation of the rules of the "zone of protected natural landscape" in the buffer zone.

- *Two level Bridge across the river Kotorosl*

The mission considered that this bridge conflicts with the authenticity of the landscape in the buffer zone, and that the road access it provides is not justified since it directs traffic, in a threatening manner, toward the property. Subsequently, two new communication solutions have been found which reflect a positive attempt to reduce the flow of cars into the property, while showing that the bridge was unnecessary. This points to the need for a comprehensive transportation plan that does not increase the transit of cars on the property.

- *The Prince Pozharsky monument, Spasso-Preobrazhensky monastery*

This stele has been erected in the centre of the monastery. The mission considered it an example of impermissible interference that conflicts with the authentic environment of the monastery and should be removed. It also illustrates the deficiencies in the management system.

- *Other development projects*

The mission visited many areas where development and re-development was taking place and noted that the scale of new constructions was in many cases inconsistent with the characteristic of the urban fabric and with current regulations, and that non-traditional materials were being used for re-roofing.

The mission also assessed some projects that are not yet implemented and are administered on a regional level. At this point, the mission considered that debates on these projects within the Council of the Russian Committee on World Heritage were very helpful. The following projects were considered:

- *Hotel project in the vicinity of the Cathedral of the Assumption and the Quai de la Volga*

The mission noted that in principle a new building in this area is possible. In its present form, however, they considered that the project is unacceptable. The boundaries and size of building permitted by the Master Plan exceed the scale of the traditional urban fabric of the surroundings. Although the project has evolved, the absence of a detailed urban plan and adequate regulations means that an optimal solution has not been found. The mission recommends that further modifications need to be made to the height and design of the proposed building.

- *Volkov cultural centre*

This project proposes an approximate reconstruction of a demolished hotel attached to the Znamenskaya tower and Znamenié church. The mission considered that this approach, as well as the proposals to build an underground car park for 500 cars, is in contradiction with the recommendations of the Committee and the mission in 2009. The mission considered that this site should remain undeveloped.

Conclusion

The World Heritage Centre and the Advisory Bodies note the concern expressed by the mission at the major projects within the property that have had a negative impact on its skyline, on its archaeological remains and on its overall urban fabric. This is particularly the case with the rebuilding of the Cathedral of the Assumption, which impacts adversely on the overall silhouette of the property, and with the *Two level Bridge across the river Kotorosl* that is now regarded as unnecessary. They note the view of the mission that there is now awareness that certain structures built since the inscription are in contradiction with the Outstanding Universal Value. The mission noted that this awareness is leading to greater caution for future interventions.

However, the various negative projects highlight the inadequacy of the protection and management arrangements in controlling development, the apparent ease with which their constraints can be overridden, the lack of an overall Master Plan for the city, the lack of a Management Plan, lack of monitoring, and the lack of a property manager. Overall the governance is not underpinned by an understanding of the attributes of Outstanding Universal Value, and development projects are not assessed for their impact on Outstanding Universal Value. No heritage impact assessments have so far been prepared. There is also no overall conservation strategy that might over-arch decisions on re-construction and re-development.

The World Heritage Centre and the Advisory Bodies note the fact that some projects have been halted, but note that all of these need to be re-assessed, in some cases quite fundamentally, if development is not to impact adversely on Outstanding Universal Value. They recommend that the Committee request the State Party to develop guidelines for the planning and design of new construction to regulate scale, massing and materials to ensure compatibility with the attributes that sustain the Outstanding Universal Value of the property. They also wish to highlight the fact that all project proposals should be accompanied by detailed heritage impact assessments, in conformity with the ICOMOS *Guidance on Heritage Impact Assessments for World Heritage cultural properties* and submitted to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, for review and comments prior to their approval.

The World Heritage Centre and the Advisory Bodies wish to draw the attention of the Committee to the fact that it could recommend to the State Party to develop a national law for all cultural World Heritage properties in the Russian Federation to ensure that they meet the State Party's obligations to the *Convention*.

Draft Decision: 36 COM 7B.84

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.103**, adopted at its 35th session (UNESCO, 2011),
3. Expresses its concern at the impact of a considerable number of major projects completed in recent years in the property and its buffer zone on the overall urban silhouette and on the harmonious relationship of the 16th- 18th century buildings within their planned urban surroundings;
4. Notes the highly negative impact of the reconstructed Cathedral of the Assumption on the skyline of the property; and considers that the proposed addition of a tall bell tower could irreversibly damage the skyline;

5. *Also notes that certain projects have been halted and considers that these need major reconsideration if they are to be acceptable;*
6. *Further notes that inadequacies within the current protection and management arrangements, and the apparent ease with which planning constraints are avoided, has contributed towards negative development;*
7. *Strongly urges the State Party to establish an appropriate management system for the property in order to handle planning permissions in a clear and transparent manner, to ensure effective coordination between the authorities concerned and stakeholders and to improve monitoring, as well as to consider appointing a property manager;*
8. *Also urges the State Party to finalize the Urban Master Plan, underpinned by a clear understanding of the attributes of Outstanding Universal Value, to ensure that Area Regulations are related to the attributes of the Outstanding Universal Value in terms of the character of urban fabric, its scale, and strong silhouettes, and to develop an Urban Traffic Plan to minimize car traffic within the property;*
9. *Further urges the State Party to produce a management plan for the property and a conservation strategy that might inform decisions on reconstruction and re-development projects;*
10. *Urges furthermore the State Party to regulate the buffer zone in federal law;*
11. *Requests the State Party to develop guidelines for the planning and design of new construction to regulate scale, massing and materials to ensure compatibility with the attributes that sustain the Outstanding Universal Value of the property and reiterates its request to the State Party to submit to the World Heritage Centre, in line with Paragraph 172 of Operational Guidelines, documentation of all current and proposed major projects, together with Heritage Impact Assessments, in line with ICOMOS Guidance, for review and comments prior to their approval.*
12. *Also requests the State Party to ensure that development projects are supported by adequate archaeological investigations and recording;*
13. *Strongly recommends to the State Party to develop a national law for all cultural World Heritage properties in the Russian Federation to ensure that they meet the State Party's obligations to the Convention;*
14. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a state of conservation report for the property that addresses the above points for examination by the World Heritage Committee at its 37th session in 2013.*

86. Cultural and Historic Ensemble of the Solovetsky Islands (Russian Federation) (C 632)

Year of inscription on the World Heritage List

1992

Criteria

(iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/632/documents/>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

N/A

Factors affecting the property identified in previous reports

- a) Lack of joint management system
- b) Lack of monitoring

Illustrative material

See page <http://whc.unesco.org/en/list/632>

Current conservation issues

The State Party did not submit a state of conservation report as requested by the World Heritage Committee. In a letter dated 9 April 2012, the President of the Russian World Heritage Committee within the National Commission for UNESCO explained that the delay of the report and the implementation of the Retrospective Inventory for some World Heritage properties in the Russian Federation, which were transferred to the Russian Orthodox Church, is due to organizational management issues concerning the interaction between the State authorities and the Russian Orthodox Church. He further indicated that the Ministry of Culture of the Russian Federation is currently engaged in finding an appropriate solution and as soon as the solution is found, the State Party will submit the necessary documents to the World Heritage Centre. No further information was provided by the State Party.

According to information available on the website of the Russian Orthodox Church, the issue regarding cultural heritage of religious interest in the Russian Federation was discussed on 22 February 2012 during a special Board on Culture. Also, according to information available on the website of the Solovetsky monastery, on 23 March 2012 the Governor of the region of Arkhangelsk visited the monastery together with the newly appointed Vice-Governor of the Arkhangelsk region in charge of the development of the Archipelago of Solovetsky and with other high-level state representatives. According to this information, during the visit, the delegation discussed the approved Master Plan of the Solovetsky monastery with all concerned stakeholders, including the representatives of the Russian Orthodox Church. The information also highlights that the development strategy of the Archipelago of Solovetsky was discussed in detail and appropriate measures regarding revitalisation of the cultural monuments have been identified.

The World Heritage Centre and the Advisory Bodies have informed the State Party that the joint reactive monitoring mission, requested by the Committee, could be carried out in July 2012. At the time of the preparation of the report, the State Party had not provided feedback concerning the dates of the mission.

Conclusion

The World Heritage Centre and the Advisory Bodies note, from the available information, that some measures towards the revitalisation of the Solovetsky monastery and the development of the Archipelago of Solovetsky are developed by the local authorities in coordination with the Russian Orthodox Church. It also appears that a Master Plan for the Solovetsky monastery was approved. Since this information has not been communicated by the State Party, the World Heritage Centre and the Advisory Bodies recommend to the Committee to

request the State Party to provide relevant details concerning the Master Plan and the revitalisation projects.

They recommend that the Committee reiterate its concern regarding planned reconstruction of the monastery buildings mentioned by the representative of the Moscow Patriarchate during the Kyiv Seminar in November 2010. They consider that all project proposals should be accompanied by detailed heritage impact assessments, in conformity with the ICOMOS *Guidance on Heritage Impact Assessments for World Heritage cultural properties* and submitted to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, for review and comments prior to their approval.

The World Heritage Centre and the Advisory Bodies recommend that the Committee reiterate all requests included in the decision taken at the 35th session of the Committee (UNESCO, 2011), considering that no information has been provided by the State Party regarding those requests.

Draft Decision: 36 COM 7B.86

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.107** adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not submit a state of conservation report and has not otherwise provided information on the implementation of its decision;*
4. *Requests the State Party to submit to the World Heritage Centre detailed information concerning the Master Plan of the Solovetsky Monastery and any other planning documents prior to the mission;*
5. *Reiterates its concern about the possible reconstruction of the monastery buildings and other major interventions in the landscape of the property, in terms of impact on its Outstanding Universal Value, and also requests the State Party to provide detailed information to the World Heritage Centre prior to the mission;*
6. *Reiterates its request to the State Party to submit to the World Heritage Centre all project proposals that may threaten the Outstanding Universal Value of the property, in conformity with Paragraph 172 of the Operational Guidelines, as well as to accompany all new proposals by Heritage impact assessments, in conformity with the ICOMOS *Guidance on Heritage Impact Assessments for World Heritage cultural properties*;*
7. *Also reiterates its concern about the apparent lack of monitoring mechanisms and adequate management structures and urges the State Party to develop and implement appropriate legal measures and rules for conservation, restoration and management and use of religious World Heritage properties, as well as to develop a joint management system by establishing a special board including all stakeholders, as well as representatives of the Patriarchate of Moscow and All-Russia;*
8. *Also reiterates its request to the State Party and the Moscow Patriarchate to organise a special training workshop, in close coordination with the World Heritage Centre and Advisory Bodies, for the religious representatives involved in the management and use of the World Heritage properties in the Russian Federation;*

9. Further reiterates its request to the State Party to invite a joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission to the property to:
 - a) Review the existing management system and decision-making mechanisms,
 - b) Assess the overall state of conservation of the property;
10. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

88. Cathedral, Alcázar and Archivo de Indias in Seville (Spain) (C 383 rev)

Year of inscription on the World Heritage List
1987

Criteria
(i) (ii) (iii) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/383/documents/>

International Assistance
N/A

UNESCO Extra-budgetary funds
N/A

Previous monitoring missions
November 2011: ICOMOS Advisory Mission

Factors affecting the property identified in previous reports
High-rise development in the vicinity of the property

Illustrative material
See page <http://whc.unesco.org/en/list/383>

Current conservation issues

At the request of the State Party, an ICOMOS Advisory Mission visited the property from 7 to 9 November 2011, in order to review the potential adverse impact of the Torre Pelli-Cajasol on the property.

In particular, the mission considered whether and what progress had been made in halting the construction of the Torre Pelli-Cajasol, and what options might be possible for modifying the project, as requested by the Committee at its 35th session, and the mechanisms in place for the protection of the buffer zone and the wider setting of the property within which the tower is located.

The mission met with representatives of the national, regional and local authorities responsible for the conservation of the property (Ministry of Culture, the Region of Andalusia, the city of Seville), of the developers of the tower, of ICOMOS Spain and other non-governmental associations.

On 2 February 2012, the State Party submitted to the World Heritage Centre a state of conservation report consisting of three letters in Spanish from the mayor of Seville and from two urban planning departments of the city of Seville in response to the recommendations of the mission (20 January 2012: Alcalde de Sevilla and Servicio de Licencias Urbanísticas, as well as 1 February 2012: Gerencia de Urbanismo). At the time of drafting this report, only the letter from the Urban Management Department (Gerencia de Urbanismo) was provided in English on 21 March 2012. On 27 March 2012, documentation on the “Special Plan of Protection of the Sector 7” (in Spanish) was submitted by the State Party.

a) *Torre Pelli-Cajasol*

The Torre Pelli-Cajasol is planned to be 178 m high with 40 floors. In a plain landscape, the tower project is located outside the property’s buffer zone at approximately 1600 m from the Giralda, the highest building of the property, at 103 metres high.

Since its 33rd session, the Committee has expressed concern about the potential adverse impact of the tower and requested a comprehensive impact assessment. At its 34th session it acknowledged that the assessment concluded that the tower will have a potential adverse impact on the transitional area of the historic city. At its 35th session, the Committee reiterated its concern about the potential adverse impact of the Torre Pelli-Cajasol project on the Outstanding Universal Value (OUV) of the property, requesting the State Party to halt the construction works and to reconsider the current high-rise project in order to avoid any possible adverse impact on the Outstanding Universal Value of the property.

b) *Recommendations of the Mission Report*

The mission noted that since the last Committee session, no efforts appeared to have been made to halt the tower project. Work had continued on the Tower, which at the time of the mission was up to ten floors and construction was proceeding at the rate of about one floor per week. They also noted the continued request by many associations and stakeholders that the construction of the tower be halted.

The mission confirmed that the tower would have a highly negative visual impact on the setting of the property and thus, on its context and relationship to the river and other buildings which support its attributes that convey Outstanding Universal Value.

As is acknowledged in the Statement of OUV, the Cathedral, the Alcázar and the Archivo de Indias in Seville form a remarkable monumental complex that establishes a complex dialogue with its surroundings that contributes to its identity. The prominence and verticality of the cathedral and the Giralda tower have always been a characteristic and powerful reference for the city.

The tower which will rise to 178 m (40 floors) considered to be located in a sensitive place between the right bank of the Guadalquivir river with the "conjunto de la Cartuja" and the historical neighbourhood of Triana and the left bank of the river with the historical centre of Seville; the two latter areas forming the property’s buffer zone. The strong vertical development of the building, together with the close physical connection with historical areas and monuments, amplifies its impact.

The mission identified certain visual axes where the Torre Pelli-Cajasol would dramatically change the prominence and significance of the Giralda. It considered that already the partly built tower changed the perceptions of the Giralda, inverting the relations between the object and its background.

The mission recommended that the local authority find ways to stop the construction of the Torre Pelli-Cajasol and revise the project, through the modification of its profile in relation to the perceived impact that it could have in relation to the adjacent historic areas and to the property.

It considered that any new architecture must avoid the negative effects of drastic or excessive contrasts in the urban landscape but rather embrace the spirit of the place, respect

the Outstanding Universal Value of the property, contribute to the enrichment of the city, reinforcing the value of urban continuity.

The mission's attention was further drawn to other emerging new projects for high-rise buildings (not yet approved by the municipality), which could also have a significant impact on the skyline of the city. It underlined that, in accordance with Paragraph 172 of *Operational Guidelines*, any future project that might adversely impact on the property and its setting has to be submitted to the World Heritage Centre.

In its response to the mission report, the State Party transmitted the views of the Municipal Government (City of Seville) that expressed its wish to ensure that the property is not excluded from the World Heritage List and that it would immediately revoke the licensing of the project to suspend the construction work of the tower. The Urban Management Department (Gerencia de Urbanismo) further states that, on the basis of an initial assessment of the mission report, it recommended Cajasol, the developer of the project, to stop the construction work of the tower, without paralysing the rest of the work on the surrounding lower buildings that are being developed according to the legally granted license.

No confirmation has been received that the work was suspended or the licence revoked. Furthermore, although during the mission, the Mayor's Representatives stated the readiness of the Mayor of Seville to negotiate, review and explore modifications and solutions to the Torre Pelli-Cajasol project, subsequent reports in the Press appear to indicate that the Mayor of Seville has, following a meeting with the Chair of Cajasol, not taken the necessary steps to halt the work and that construction works have reached 25 floors, at the time of the drafting of this report.

c) *Protection and Management*

The mission noted that the current Urban Development Plan of Seville (Plan General de Ordenamiento Urbano, PGOU), approved in 2006, considerably differs from the one that existed at the time of inscription of the property and that it was not submitted to the World Heritage Centre. The current plan provides significant freedom for future interventions, in terms of volume and scale, in areas close to the three parts of the property, thus changing the framework of urban relationships with the monumental complex. The mission noted that the PGOU authorized 68,000 square metres of development for the parcel of land where the Torre Pelli-Cajasol is located. However, the local Special Plan (Plan PERI) which is drawn up to implement the objectives of the PGOU, has authorized a larger development area of 180,000 square meters, and 'a slim body, high-rise', without limitations on height but rather emphasis on architectural quality.

d) *Buffer Zone and wider setting*

The buffer zone of the property is included within the extended Conjunto Histórico, which was declared by Royal Decree on 2 November 2009. It covers many 'sectors' for which the Decree requires Special Protection Plans to be approved.

The mission considered that in order to provide effective protection of the buffer zone, it is important for the Special Protection Plans to be completed and approved for all 'sectors'. Currently the plan for the "inner" sector and two plans for other sectors are in the process of public consultation and still awaiting approval.

In terms of the wider setting, the mission noted that any protection of the wider setting is still missing. The mission considered that it is important to protect the setting beyond the buffer zone where this development area relates to the property through landscapes within and around the city.

Conclusion

The World Heritage Centre and the Advisory Bodies note that the State Party had not halted work on the Torre Pelli-Casajol at the time of the mission, as requested by the Committee at its 35th session. They further note that both the ICOMOS advisory mission and other sources affirm that work on the tower has been progressing. They underline that the mission affirmed that the tower has a highly adverse visual impact on the setting of the property and thus on its context and relationship to the river and other buildings which support its attributes that convey Outstanding Universal Value. They are of the view that, following the mission's recommendations, the work on the tower needs to be halted (excluding the lower adjoining structures of the project) while options for lowering the tower and mitigating its adverse impact on the property are being discussed.

Taking into account the continuing work on the tower part of the project and the absence of any dialogue on measures to lower the height of the tower, the World Heritage Centre and the Advisory Bodies consider that the Outstanding Universal Value of the property is potentially endangered. They recommend that the Committee express its strong concern about the on-going construction work, urge the State Party to immediately halt the work on the tower and to engage in a dialogue to identify options for mitigating the adverse impact on the property's Outstanding Universal Value.

The World Heritage Centre and the Advisory Bodies therefore recommend that the Committee inscribe the property on the List of World Heritage in Danger in order to allow the State Party to implement the following corrective measures: halt the work on the Torre Pelli-Cajasol; identify options to modify the height and design of the tower to mitigate its adverse impact on the property; and implement measures to modify the height and design of the tower to ensure that it no longer adversely impacts on the property.

The World Heritage Centre and the Advisory Bodies also recommend that the Committee support the recommendations of the mission that the Special Protection Plans be finalized and approved for all 'sectors' of the buffer zone in order to fully activate the necessary protection and that it also stress that protection for the setting beyond the buffer zone is still needed in order to protect areas, skylines and vistas that relate to the property and its context in response to current urban pressures.

Draft Decision: 36 COM 7B.88

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.110**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that work on the Torre Pelli-Cajasol has not been suspended, as requested by the Committee at its last session, and is continuing, and that no discussions or consultations have been undertaken to consider how the structure might be lowered;*
4. *Notes with concern the findings of the ICOMOS Advisory Mission that the tower has a highly negative visual impact on the setting of the property and thus on its context and relationship to the river and other buildings which support its attributes that convey Outstanding Universal Value;*
5. *Urges the State Party to suspend immediately all work on the Torre Pelli-Cajasol in order to allow a dialogue to be undertaken on how the height and design of the tower might be modified to mitigate its adverse impact on the property;*

6. *Also urges* the State Party to complete and approve the necessary Special Protection Plans for all sectors of the buffer zone and to put in place appropriate protection for the wider setting in order to address the current development pressures;
7. *Requests* the State Party to submit to the World Heritage Centre for review by the Advisory Bodies, details of all major building projects planned for the buffer zone and setting, that might impact on the Outstanding Universal Value of the property, together with appropriate Heritage Impact Assessments, in line with Paragraph 172 of the Operational Guidelines, before any irreversible commitments are made;
8. *Also requests* the State Party to inform as soon as possible the World Heritage Centre and ICOMOS about any new developments related to the Torre Pelli-Cajasol project;
9. In the absence of confirmation by the State Party that work has been halted on the tower project and that measures are in place to modify the design and height of the building, ***decides, in conformity with Paragraphs 177 and 179 of the Operational Guidelines, to inscribe the Cathedral, Alcázar and Archivo de Indias in Seville (Spain) on the List of World Heritage in Danger;***
10. *Adopts* the following Desired State of Conservation for the removal of the property from the List of World Heritage in Danger:
 - a) Completed modifications to the height and design of the Torre Pelli-Cajasol ensuring that the tower no longer adversely impacts on the Outstanding Universal Value of the property,
 - b) Appropriate protection in place for the wider setting in order to address development pressures;
11. *Further urges* the State Party to implement the following Corrective Measures according to a time frame as follows:
 - a) by 15 August 2012: Halt work on the Torre Pelli-Cajasol tower,
 - b) by end of 2012: Put in place measures to modify the height and design of the tower so that it no longer adversely impacts on the Outstanding Universal Value of the property,
 - c) by end of 2013: Implement the measures to modify the height and design of the tower,
 - d) by 2014: Put in place appropriate protection measures for the wider setting of the property;
12. *Further requests* the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including a progress report on the work to modify the Torre Pelli-Cajasol project, for review by the World Heritage Committee at its 37th session in 2013.

90. Kiev: Saint-Sophia Cathedral, Kiev Pechersk Lavra and Related Monastic Buildings (Ukraine) (C 527 bis)

Year of inscription on the World Heritage List
1990

Criteria

(i) (ii) (iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/527/documents/>

International Assistance

Global amount granted to the property: USD 44720 (1998-2009)

For details, see page <http://whc.unesco.org/en/list/527/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

May 1999: ICOMOS expert mission; April 2006: expert mission (Italian Funds-in-Trust); November 2007: World Heritage Centre information meeting for site managers; March 2009 and November 2010: joint World Heritage Centre/ICOMOS reactive monitoring missions.

Factors affecting the property identified in previous reports

Urban development pressure

Illustrative material

See page <http://whc.unesco.org/en/list/527>

Current conservation issues

The State Party submitted a state of conservation report on 30 March 2012 prepared by the National Kiev-Pechersk Historical and Cultural Preserve. The report addresses only those recommendations of the Committee at its 35th session (UNESCO, 2011) regarding the state of conservation of the Kiev-Pechersk Lavra.

a) *Accelerated urban development*

The State Party recognizes in its report that three high-rise buildings under construction in the Pechersk district threaten the dominance of the property's silhouette along the Dnieper River. The State Party reports that these buildings are situated in the protected landscape zone for which specific building regulations exist. The National Kiev-Pechersk Historical and Cultural Preserve informs in the report that numerous letters regarding these constructions have been sent to the Ministry of Culture of Ukraine and to the Kyiv City State Administration.

The State Party did not provide detailed information on these high-rise construction projects which the Committee has requested to be halted since 2009, in accordance with the recommendations of the 2010 reactive monitoring mission. The constructions have continued despite assurances that a moratorium would be established.

The World Heritage Centre has also been informed about new construction in the buffer zone of Saint-Sophia Cathedral, which may adversely impact on the Outstanding Universal Value of the property. The State Party report does not contain information about the survey of the overall monastic river landscape that was requested at the 35th session, as a basis for planning and impact assessment.

At the end of April 2012, the State Party invited a high-level advisory mission to visit Kyiv in May 2012 to discuss these issues with the national authorities. The time constraints before the 36th session of the Committee did not allow a mission to be organized.

b) *Concept of the Master Plan of the Kiev-Pechersk Lavra*

The State Party reports that in 2010 the concept of the Master Plan of the development of the National Kiev-Pechersk Historical and Cultural Preserve, including a conservation Master Plan, land-use and monument use rules, hydrological monitoring system, has been

developed and approved by the Ministry of Culture of Ukraine. Due to the lack of funding, however, the development of the Master Plan has been suspended until 2012.

c) *Management Plan*

The State Party has not submitted a management plan, as it has been requested by the World Heritage Committee for several years. The State Party reports on the intention to develop such a plan for the Kiev-Pechersk Lavra, but no progress has been reported on a unified system of management for the property.

d) *Rehabilitation programme for the Varangian caves*

The State Party reports that the National Kiev-Pechersk Historical and Cultural Preserve jointly with the authorities of the Holy Dormition Pechersk Lavra developed the concept of conservation of caves for 2012-2015. The report states that the emergency projects for individual sections of the caves will be developed on the basis of technical surveys of the state of conservation of the complex of the Far and the Varangian caves. The overall rehabilitation plan for the caves requested by the Committee has not been submitted.

e) *Possible extension of the buffer zone boundaries*

The State Party states that the Scientific and Methodological Council of the Ministry of Culture of Ukraine decided to unify the buffer zones of both components of the property. This proposal and project documentation have been approved by the Ministry of Culture in July 2011. No maps have been provided nor has a minor Boundary modification been submitted.

Conclusion

The World Heritage Centre and the Advisory Bodies note with alarm that the most pessimistic prognosis mentioned in the 2009 mission report on the panorama along the River Dnieper is becoming a reality, as tall buildings are being constructed even in regulated areas.

Despite the fact that the City Administration has been charged by the Prime Minister of Ukraine to inspect all disputable constructions in the historical part of the city, from the point of view of their compliance with existing legislation, currently no survey of the monastic river landscape has been undertaken or even planned. The World Heritage Centre and the Advisory Bodies consider that the property and its setting are vulnerable to irreversible changes in their urban context and that there is an urgent need to control the scale and design of building development and overall development.

In spite of repeated requests from the Committee, no moratorium has been imposed on all high-rise buildings that may have a negative effect on the panorama along the Dnieper River, until a survey has been conducted of the overall monastic river landscape.

The World Heritage Centre and the Advisory Bodies consider that unless urgent action is taken to halt and, in places, reverse the development along the Dnieper River, the landscape will be irreversibly damaged.

The World Heritage Centre and the Advisory Bodies also consider that the lack of protection and planning mechanisms has reached an alarming level. Although a Master Plan has been drafted, it is not in effect. Furthermore no Management Plan has been prepared and no progress has been made with a unified management system. They consider that it is now essential that strengthened protection and planning mechanisms are introduced for the property, its buffer zone and wider setting based on studies of the urban landscape and views if the integrity of the property is not to be irreversibly damaged.

They recommend to the Committee that it request the State Party to implement, in coordination with the City Administration, all necessary measures, identify alternative solutions to the ongoing high-rise building projects and reduce their adverse effect by commissioning heritage impact studies, modifying proposed projects and demolishing already constructed levels which exceed an appropriate scale.

They also recommend inviting the State Party to develop Special Area Plans for the inscribed property, its buffer zone and its setting, based on a careful analysis of important views, typologies and urban fabric, that would provide planning controls and guidance at a more detailed level, as well as to create a World Heritage Board, and submit a report on the implementation of the above to the World Heritage Centre by 1 February 2013, for review.

The World Heritage Centre and the Advisory Bodies consider that new legal provisions in the protection and management system for the World Heritage property should be introduced that would enable the national authorities to review and, if necessary to introduce veto proposals for major development projects, and, if necessary, impose vetoes on such developments.

Further, the World Heritage Centre and the Advisory Bodies recommend the establishment of a special board of representatives or a Technical Review Committee, comprised of representatives of the national authorities, City administrators and site managers, to review all major development proposals and proposed planning controls and policies that could impact adversely on the Outstanding Universal Value of the property.

The World Heritage Centre and the Advisory Bodies note that the State Party had invited a high-level advisory mission to Kyiv and recommends that the Committee requests the State Party to invite a reactive monitoring mission to discuss all sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, as well as the development of the national strategy for the implementation of the *World Heritage Convention* in Ukraine, including reinforcement of the management system.

The World Heritage Centre and the Advisory Bodies note the surveys undertaken of the Varangian caves but regret that no detailed documents have been provided on the rehabilitation project, as requested by the Committee.

If no substantial progress is accomplished by the State Party, they further recommend to the Committee to consider inscribing the Kiev: Saint-Sophia Cathedral, Kiev Pechersk Lavra and Related Monastic Buildings (Ukraine) on the List of the World Heritage in Danger at its 37th session 2013.

Draft Decision: 36 COM 7B.90

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35COM 7B.112**, adopted at its 35th session (UNESCO, 2011),*
3. *Expresses its grave concern at the degradation of the panorama along the Dnieper river and that the ongoing construction of high-rise buildings could affect the Outstanding Universal Value of the property;*
4. *Reiterates its requests to the State Party to impose a moratorium on all high-rise buildings, to implement, in coordination with the City Administration all necessary measures to reduce their adverse effect, by modifying projects and by demolishing constructed levels to an appropriate scale and also to undertake a survey of the overall monastic river landscape as a basis for planning and impact assessment;*
5. *Considers that the lack of legal protection and planning mechanisms that would enable the national authorities to exercise control over the property constitute a potential threat for the Outstanding Universal Value of the property and urges the State Party to strengthen protection and planning mechanisms as a matter of urgency, to define a*

protected historic urban area for central Kyiv and to develop special Area Plans for the property, its buffer zone and its setting, based on a careful analysis of important views, typologies and urban fabric, and to submit these to the World Heritage Centre by 1 February 2013, for review;

6. *Also expresses its grave concern about the continuous lack of a management system and defined mechanisms of coordination for the management of the property, and also urges the State Party to put in place a unified system of management for the property;*
7. *Regrets that adequate information on these development proposals and the status of their approval was not provided by the State Party prior to the beginning of the construction works, in accordance with Paragraph 172 of Operational Guidelines and as previously requested and further urges the State Party to ensure that all major projects have adequate impact assessments in line with the ICOMOS Guidance on Heritage Impact Assessment for Cultural World Heritage properties and be then presented to the Committee before any irreversible decisions are made;*
8. *Invites the State Party to consider the establishment of a special board, including representatives of the national authorities, the city administration, as well as site managers of the property and other relevant stakeholders, and to review all major development proposals and proposed planning controls and policies that could impact adversely on the Outstanding Universal Value of the property;*
9. *Notes the multi-disciplinary study that has been carried out on the Varangian caves, and also reiterates its request to the State Party to submit to the World Heritage Centre details of the proposed rehabilitation plan for the caves;*
10. *Requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to the property which will discuss, at the highest decision makers level, the development of a national strategy for the implementation of the World Heritage Convention in Ukraine, including all sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv;*
11. *Also requests the State Party to submit to the World Heritage Centre, by 1 February 2013, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to considering, in the absence of substantial progress, to inscribe the property on the List of the World Heritage in Danger.***

91. Tower of London ((United Kingdom of Great Britain and Northern Ireland) (C 488)

Year of inscription on the World Heritage List

1988

Criteria

(ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/488/documents/>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

November 2006: joint World Heritage Centre / ICOMOS reactive monitoring mission; December 2011: joint World Heritage Centre / ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Construction proposals in the immediate vicinity of the Tower of London that could harm the setting, related vistas and integrity of the World Heritage property;
- b) Lack of an in-depth visual impact study on possible impacts of development projects, as well as the lack of an approved management plan;
- c) Lack of protection of the immediate surroundings of the Tower of London through an adequate and commonly agreed buffer zone.

Illustrative material

See page <http://whc.unesco.org/en/list/488>

Current conservation issues

The State Party submitted a state of conservation report on 22 March 2012. A reactive monitoring mission to the property was carried out from 5 to 8 December 2011. The mission report is available online at the following web address: <http://whc.unesco.org/en/list/488/documents/>.

a) Tower of London Local Setting Study and visual integrity of the property

The State Party reports that the study provides guidance for managing change in the immediate setting of the Tower, essentially the area visible at ground level from its perimeter. It acknowledges the impacts on the visual integrity that have occurred as a result of past developments, but also notes that other proposals have been modified to lessen their potential impact which reflects efforts in protecting the historic environment. Strengthened policies now in place should lessen the risk of inappropriate development that could cause additional impact on the visual integrity of the property.

The mission noted that the visual integrity of the property has been compromised by the Shard of Glass which will be 310m tall on completion. It underscored the need to better regulate the further build-up of the area and recommends that if any tall buildings are planned, these should not exceed the height by which they would become visible above the on-site historic buildings that are part of the Tower complex. The mission considers that any additional tall buildings in the area would destroy the visual integrity of the property and severely compromise its Outstanding Universal Value (OUV), possibly beyond repair.

b) Mechanisms for the protection of the setting

The State Party's report provides information about the measures currently in place to protect the setting, including Planning Policy Statement 5, CLG (Communities and Local Government) Circular 07/09 *Protection of World Heritage Sites* and English Heritage's *The Setting of Heritage Assets* elaborated in 2011. The State Party indicates that the need to protect or enhance the setting of heritage assets will be further elaborated into the new draft National Planning Policy Framework which will consolidate government planning policies into a more concise and useable format. In addition, the revised London Plan, adopted in July 2011, includes explicit requirements for the protection of the property and its setting. Additional Supplementary Planning Guidance (SPG), London's World Heritage Sites - Guidance on Settings SPG (2012), has also been published by the Mayor of London to clarify implementation through decision-making and plan-making processes. The London View Management Framework SPG was also updated in 2012 in line with the London Plan policies 7.11 and 7.12. It identifies geometrically defined "Protected Vistas" which are subject

to development control and designated views that are subject to Qualitative Visual Assessments. A series of assessment points were identified and linked to form a dynamic view to ensure that the silhouette of the White Tower is protected. The State Party notes that the publication of English Heritage's "Seeing the History in the View" is also a methodological tool for managing change in the view. These tools provide the framework, at the national level, for boroughs, in this case the City of London and Southwark, to develop their own policy and decision making; in the case of the Tower of London, adjoining boroughs manage the setting of property which currently includes policies in their plans to protect the property. The report notes the intention of Southwark Council to develop a Supplementary Planning document to clarify how and where development can take place and to define building height thresholds so as to inform the appropriateness of subsequent development proposals.

The mission noted the shift in development strategies of Greater London resulting from the change of Mayor which is reflected in the spatial development strategy published in July 2011. Although areas surrounding the property are still earmarked as "opportunity areas" or "areas for intensification" and "regeneration", emphasis has been placed on identifying appropriate areas for high-rise development based on local character. It notes that guidance documents have been approved and published to address gaps highlighted by the 2006 reactive monitoring mission. It further noted that provisions in the Management Plan for the property have been included in the new London Plan's Policy on World Heritage sites.

c) New construction projects

The State Party indicates that developments affecting the property and its setting are screened to evaluate whether an Environmental Impact Assessment is required, including an evaluation of potential impacts on the OUV of the property. It states that the recent issuing of SPG on *London's World Heritage Sites – Guidance on Settings (2012)* will provide further guidance on how to assess impacts of development on the setting of the property.

The mission evaluated two redevelopment projects, one underway and one proposed. The proposed 8-storey Tower House is situated to the north of the property at the entrance of the Tower Hill Underground station at Trinity Gardens. The area is highly visible from the Tower so the mass and scale of this new building should be kept within the perceived scale of the World Heritage site so that the monument can maintain its prominent place within the setting. The other redevelopment project concerns Three Quays Wharf, a recently started warehouse-style construction. Considering its close proximity to the Tower's entrance at the Middle Tower, the mass and height of this redevelopment will be important in terms of the perceived scale of the Tower in its setting. The scheme was approved under the previous city administration. The mission also noted that the development project of Potters Field has been revised and the new proposal includes less bulky buildings and maintains only one tall structure.

d) State of conservation

The mission noted that the property is in a good state of conservation in terms of the fabric within the boundaries. The London Tower has been completely restored, including the Outer Curtain Wall (the fortress walls), and trees that obstructed the viewpoints have been removed.

Conclusion

The World Heritage Centre and the Advisory Bodies take note of the mechanisms currently in place for the protection of the property and the local setting. They would highlight, however, that the current local setting comprises only a small area around the property and not the wider setting, and that the definition of what a setting entails requires further elaboration in relation to the OUV of the property. They consider that the process to develop the new National Planning Policy Framework will be crucial in addressing these remaining gaps and developing an effective system with clear provisions and mechanisms to stop adverse development and for dispute resolution. In addition, they consider that ensuring

robustness of the system, through statutory protection in some cases, is critical to withstand shifts derived from changing politics and the potential that continues to exist to overrule decisions made by the boroughs and English Heritage.

Draft Decision: 36 COM 7B.91

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.114** adopted at its 35th session (UNESCO, 2011),
3. Acknowledges the information provided by the State Party on the protection of the visual integrity of the property and in respect to major developments in the area and urges it to continue to develop the National Planning Policy Framework to consolidate existing planning policies;
4. Notes the results of the December 2011 reactive monitoring mission to the property and encourages the State Party to implement its recommendations, in particular:
 - a) Further define the immediate and wider setting of the property in relation to its Outstanding Universal Value and embed these in the policies of all relevant planning authorities,
 - b) Define specific measures, based on the definition of the setting of the property, to ensure the protection of the property and minimize its vulnerability to potential threats to its Outstanding Universal Value,
 - c) Regulate further build-up of the area surrounding the Shard of Glass building, ensuring that approved heights do not exceed a height whereby they would become visible above the on-site historic buildings;
5. Requests the State Party, in accordance to Paragraph 172 of the Operational Guidelines, to submit to the World Heritage Centre, for review by the Advisory Bodies, any major proposed development project before any irreversible commitment is made;
6. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 38th session in 2014.

92. Westminster Palace, Westminster Abbey and Saint Margaret's Church (United Kingdom of Great Britain and Northern Ireland) (C 426bis)

Year of inscription on the World Heritage List
1987

Criteria
(i) (ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/426/documents/>

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

November 2006: joint World Heritage Centre / ICOMOS reactive monitoring mission; December 2011: joint World Heritage Centre / ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Construction proposals in the immediate vicinity of Westminster Palace, Westminster Abbey and Saint Margaret's Church that could have an adverse impact on the setting, related vistas and integrity of the property;
- b) Lack of an in-depth visual impact study on possible impacts of development projects, as well as lack of an approved management plan;
- c) Need for protection of the immediate surroundings of the property through an adequate buffer zone.

Illustrative material

See page <http://whc.unesco.org/en/list/426>

Current conservation issues

On 22 March 2012, the State Party submitted a report on the state of conservation of the property that responds to the requests made by the World Heritage Committee at its 35th session (UNESCO, 2011). A reactive monitoring mission to the property was carried out from 5 to 8 December 2011. The mission report is available online at the following web address: <http://whc.unesco.org/en/list/426/documents/>.

a) Protection of the visual integrity of the property and the immediate wider settings

The State Party's report includes information about the general measures and policies that have been developed to protect the setting of London's World Heritage properties. In particular, the revised London View Management Framework Supplementary Planning Guidance (LVMF SPG, 2012) identifies four assessment points of dynamic views including the provision of the protected silhouette of the Palace of Westminster. Additional Supplementary Planning Guidance on how to manage change in the setting of London's World Heritage properties through decision-making and planning processes has also been published by the Mayor of London, so as to clarify the implementation of London Plan policy 7.10. The Guidance adopts English Heritage's approach to setting and incorporates components of Heritage Impact Assessment processes. The report also states there is protection at the level of boroughs through local plans which include policies to protect the property. The report recognizes the importance of developing a Local Setting Study to provide specific guidance for the protection and enhancement of areas adjacent to and visible from the inscribed property.

The mission noted that the areas surrounding the property are still earmarked as "opportunity areas" or "areas for intensification" and "regeneration", but that emphasis has been placed on identifying appropriate areas for high-rise location based on local character. It notes that guidance documents have been approved and published to address gaps highlighted by the 2006 reactive monitoring mission. It further noted that provisions in the Management Plan for the property have been included in the new London Plan's Policy on World Heritage sites. The mission recommended preparing a Local Setting Study for the property, similar to what was developed for the Tower of London. It also noted the diverse planning and policy frameworks under preparation that will trim back the extensive and intricate maze of policies to a more manageable proportion.

b) Major developments in the area

The State Party indicates that major developments have been turned down since the 2006 reactive monitoring mission to the site. It notes that the planning system and policies contain provisions for evaluation of impacts in respect to the Outstanding Universal Value of the property and to prevent development if considered to have an adverse impact. It acknowledges concern about the potential impacts of inappropriate development of Elizabeth House at Waterloo Station, but expects that the proposal will be evaluated against policies at the national, London and borough levels. The proposal, currently at pre-application stage with formal submission in May 2012, will be considered against respective development plan policies including the London Plan, Lambeth's Local Development Framework and relevant supplementary planning guidance and documents. The State Party indicates that no other major restorations or new constructions are foreseen within the area.

The 2011 mission reported that the redevelopment of Elizabeth House might include a tall building which, depending on its absolute height, could become visible in the backdrop of the view that encompasses Westminster Palace and the Big Ben. The proposed project falls under the jurisdiction of the Borough of Lambeth, but the key concern lies with the Borough of Westminster. The mission noted that if the LVMF SPG 2012 is approved, it would allow for better decision-making in terms of developments that would appear in the views and backdrops of Westminster. The mission pointed out the criticism of the Borough of Westminster regarding the LVMF in general as "not clear, not simple and too open for interpretation where more prescription would be needed" and the proposed Protected View which should have been a view cone so as to automatically put a limit on the height of possible developments in Lambeth. Finally, it considered that the project will test the robustness of the planning system in terms of the protection afforded to the setting of the property. If a planning proposal for a tall building is given planning consent in spite of an ascertained negative impact, the "inevitable conclusions will have to be drawn concerning the effectiveness of the management system currently in place".

c) State of conservation

The mission noted that the property is in a good state of conservation regarding the fabric within the boundaries. Security measures which affected negatively on the aesthetics of the surrounding urban area are currently being replaced with well-designed "street furniture" of bomb-proof quality. Plans are under consideration to divert part of the traffic away from Parliament Square to turn it into a pedestrian area, which will contribute to the visual appearance of the property.

Conclusion

The World Heritage Centre and the Advisory Bodies note the existence of guidance and planning documents that set out how to protect aspects of the setting of the property. However, there are still challenges in adequately defining the immediate and wider setting in relation to its Outstanding Universal Value, including protecting silhouettes and backgrounds to key views and vistas. In addition, they note the importance of getting neighbouring boroughs to adopt policies that protect the property, which is related to the formalization of a structured link for decision-making that puts in place appropriate constraints for the setting. The World Heritage Centre and the Advisory Bodies further note that if protection is to rely on setting studies, the defined settings would need to be approved and incorporated into the local plans of the boroughs adjacent to and in the immediate vicinity of the property. Finally, they note that the question of providing statutory protection might warrant further review to ensure that the property is not vulnerable to potential threats to its Outstanding Universal Value and to the conditions of authenticity and integrity.

Draft Decision: 36 COM 7B.92

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.115**, adopted at its 35th session (UNESCO, 2011),
3. Acknowledges the information provided by the State Party on the protection of the visual integrity of the property and in respect to major developments in the area;
4. Notes the results of the December 2011 joint World Heritage Centre / ICOMOS reactive monitoring mission to the property and encourages the State Party to implement its recommendations, in particular:
 - a) Further define the immediate and wider setting of the property in relation to its Outstanding Universal Value and embed these in the policies of all the relevant planning authorities,
 - b) Define specific measures, based on the definition of the immediate and the wider setting of the property, and ensure that adequate mechanisms are in place to protect the property and minimize its vulnerability to potential threats to its Outstanding Universal Value;
5. Requests the State Party, in accordance to Paragraph 172 of the Operational Guidelines, to submit to the World Heritage Centre, for review by the Advisory Bodies, the proposed development project at Elizabeth House and any other major proposals, before any irreversible commitment is made;
6. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, a report on the state of conservation of the property and on the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

93. Liverpool – Maritime Mercantile City (United Kingdom of Great Britain and Northern Ireland) (C 1150)

Year of inscription on the World Heritage List

2004

Criteria

(ii) (iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/1150/documents/>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

October 2006: joint World Heritage Centre / ICOMOS reactive monitoring mission; November 2011: joint World Heritage Centre / ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

Urban development projects:

- a) Lack of overall management of new developments;
- b) Lack of analysis and description of the townscape characteristics relevant to the Outstanding Universal Value of the property and important views related to the property and its buffer zone;
- c) Lack of clearly established maximum heights for new developments, for the backdrops of the World Heritage areas as well as along the waterfront;
- d) Lack of awareness of developers, building professionals and the wider public about the World Heritage property, its Outstanding Universal Value and requirements under the World Heritage Convention.

Illustrative material

See page <http://whc.unesco.org/en/list/1150>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 28 February 2012 responding to the decisions made by the World Heritage Committee at its 35th session (UNESCO, 2011). A joint World Heritage Centre / ICOMOS reactive monitoring mission was carried out from 14 to 16 November 2011. The mission report is available online at the following web address: <http://whc.unesco.org/en/list/1150/documents/>

a) Proposed development of Liverpool Waters

Liverpool Waters is a major, large scale £5.5 bn development project that will be implemented over a 30-year period. The project has been submitted by the company, Peel Holdings, for outline planning permission. The development site of 60 ha covers part of the inscribed property as well as part of its buffer zone. It stretches 2 km along the waterfront from Princes Dock and the King Edward Triangle, north of Pier Head, up to Bramley Moore Dock, at the northernmost extent of the site and covers 12 docks or former docks. It foresees a total mixed use development of 1 278 000 m² (residential, offices, restaurants, cafés, shops, community services) plus 413 000 m² of underground parking, and includes proposals for a cluster of tall buildings within the buffer zone. It also includes a Conservation Management Plan that contains policies and principles for the protection of heritage and an action plan for their repair and conservation.

In 2011, the developer submitted updated planning applications which were considered by the Liverpool City Council; the materials included a new Heritage Impact Assessment, following guidance developed by ICOMOS. As for the impact assessments, the State Party indicates that the ones produced by Peel Holdings, the developer, and Liverpool City Council have come to different conclusions than those from English Heritage (the State Party's statutory advisor) which noted the significant and damaging negative impact on the Outstanding Universal Value (OUV) of the property. English Heritage supports the need to regenerate the extensive areas of former docks, but considers that the proposals would impact adversely on the historic character of Liverpool as a whole and on the OUV, authenticity and integrity of the property. It noted, among other impacts, that the proposed tall buildings could potentially cause the loss of the links between the docks and the river, an important attribute of the property.

Additional information received from the State Party includes the statutory advice from English Heritage.

Regarding compliance with the World Heritage Management Plan and with the Liverpool Urban Development Plan, the State Party indicates that both Peel Holdings and Liverpool City Council consider that the proposed development is, in principle, in compliance with both

planning tools. It states the vision in the Management Plan considers that the Central Docks development should result in a premier residential scheme with improved access and linkages while the area is considered for mixed used developments in the Unitary Development Plan.

Finally, the State Party describes the planning procedures in place to determine whether planning consent should be granted, but states that the UK Government cannot direct that a proposal be rejected.

The mission concluded that, in terms of visual perception, the redevelopment scheme will fragment and isolate the different dock areas, instead of integrating them into one continuous historic urban landscape. The mission considers that the development scheme does not reflect, nor evolve from the fragile and subtle yet significant heritage structures present in the dock areas. Instead it treats the inscribed site and its buffer zones very differently (in terms of building height), while introducing the same mass and typology throughout. It also considers that the introduction of a cluster of high-rise buildings, with towers three times the height of the Three Graces, would destroy the more or less symmetrical city profile which is expressed as a three-tiered urban structure including the waterfront, the massing and height of the Three Graces, and the shoulders of the Anglican Cathedral on the ridge overlooking the city, with the historic docklands to the north to complement those to the south, putting the Three Graces centre-stage.

The mission supported the findings of the comprehensive Heritage Impact Assessment commissioned by English Heritage and noted that, in spite of the differing conclusions in terms of the rate and extent of visual and physical impacts on heritage assets, even Peels' Heritage Impact Assessment indicates that several key views from the north back to the Three Graces will be blocked by the new developments, and the hard-won views of the Three Graces from Albert Dock, over the residential buildings of Mann Island, will disappear against a backdrop of super towers (including the "Shanghai Tower").

The mission further concluded that, if the proposed Liverpool Waters scheme as outlined were to be implemented, the World Heritage property would be irreversibly damaged due to a serious deterioration of its architectural and town-planning coherence, a serious loss of historical authenticity, and an important loss of cultural significance. It also noted that the proposed development in the buffer zone would result in the modification of the functional hierarchy and morphology expressed by the port circulation system (river – sluices – dock – water basins), as well as by the historical typologies of the port industrial structures and services, thus affecting the conditions of authenticity. It also considered that the possible loss of important archaeological assets and the alterations of the relationship of the different areas of the property would affect its integrity.

The report submitted by the State Party notes the conclusions of the reactive monitoring mission regarding the proposed Liverpool Waters development. It mentions that discussions between the Liverpool City Council, Peel Holdings and English Heritage have, over the past two years, continued to seek a compromise that would allow the development to happen while preserving the status of the property. The application has changed in terms of preparing an Archaeological Deposit Model to provide better protection for below-ground archaeology. The State Party notes that since no physical evaluation has been implemented to test the model, the possibility of developing effective mitigation strategies is limited given that there is no certainty where significant archaeology exists. Overall English Heritage has concluded that the proposed amendments represent adjustments rather than substantive responses to concerns raised.

On 8 March 2012, the State Party informed the World Heritage Centre that Liverpool City Council is inclined to grant consent to the proposals submitted by Peel Holdings. Given that English Heritage has maintained an objection to the proposal, the City Council will now refer the planning application to the Secretary of State for Communities and Local Government who will decide whether the City Council can grant consent, or whether the application

should call in for a public inquiry. The State Party considers there is a robust process in place to examine all issues to reach an objective decision.

b) State of conservation of the property

The State Party reports conservation conditions have improved through the concerted actions of the City Council and other stakeholders to develop conservation schemes and to improve the spatial planning system, both at the national level and at the local one through the development of Supplementary Planning Document (SPD, 2009), which expands on the provisions made in the Unitary Development Plan. The criteria are to seek to ensure that no development is allowed that can impact on the OUV of the property. The report also mentions the on-going process to review planning policy guidance to develop a more succinct National Planning Policy Framework (NPPF). The State Party recognizes the concerns about the potential constructions of two secondary clusters of tall buildings that were raised by the mission. The report also notes the proposal for interventions at the Stanley Dock Warehouses that has received planning consent subject to completion of a Section 106 Agreement. As for Wellington Dock, the report indicates that the proposal pertains to the infill of Wellington Dock to extend the wastewater treatment plant at Sandon Dock. English Heritage raised concerns about the impact of the proposals on the integrity and authenticity of the dock and recommended that alternative locations were considered for the treatment works, but recognized that this option would not represent a sustainable solution. Given the exceptional justification, English Heritage withdrew previous objections and consent for the works was granted in January 2012. Works are expected to be finalized by 2016.

The mission noted the significant progress made in the implementation of the recommendations of the 2006 reactive monitoring mission to the site and the positive actions carried out for the conservation of the property as well as the improvement in terms of the management and planning frameworks. The mission reported that the property is in overall good state of conservation.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend to the World Heritage Committee to express serious concern about the proposed development of Liverpool Waters and the fact that Liverpool City Council is inclined to grant consent to the proposals submitted by Peel Holdings, in spite of the objections that have been expressed by English Heritage.

They are of the view that amendments made to the planning application have not substantially addressed concerns regarding the major negative impacts that have been identified through the Heritage Impact Assessment undertaken by English Heritage.

While acknowledging the need for the regeneration of the historic docklands, the World Heritage Centre and the Advisory Bodies note that this application is an outline, with development foreseen over a period of almost 30 years and with lack of precision in terms of which parameters would be approved and fixed and which would be merely indicative. This blanket approval for development is an additional reason for concern as there are no precise indications on how future proposals might further impact the heritage attributes and the setting of the property.

The World Heritage Centre and the Advisory Bodies are also of the view that the scale and extent of the proposed development would overwhelm the northern dock area and make it extremely difficult for the property to convey its OUV. The proposed development has the potential to irreversibly damage the attributes that sustain the OUV of the property and threaten its authenticity and integrity. They consider that the property meets the criteria of potential danger and recommend to the World Heritage Committee to inscribe it on the List of World Heritage in Danger. Furthermore, the World Heritage Committee might wish to

consider deletion of this property from the World Heritage List, should the current project be approved and implemented.

Draft Decision: 36 COM 7B.93

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.118** adopted at its 35th session (UNESCO, 2011),
3. Acknowledges the information provided by the State Party in regard to the state of conservation of the property and welcomes the progress made in the implementation of the recommendations from the 2006 joint World Heritage Centre / ICOMOS reactive monitoring mission;
4. Notes the results of the November 2011 reactive monitoring mission, including the evaluation of the current conditions of the property, and encourages the State Party to implement its recommendations;
5. Also notes that the Liverpool City Council is inclined to grant consent to the application submitted by the developer and expresses its serious concern at the potential threat of the proposed development of Liverpool Waters on the Outstanding Universal Value of the property;
6. Urges the State Party to reconsider the proposed development to ensure that the architectural and town-planning coherence, and the conditions of authenticity and integrity of the property are sustained;
7. Considers that the proposed development of Liverpool Waters constitutes a potential danger to the World Heritage property and, therefore, **decides to inscribe Liverpool – Maritime Mercantile City (United Kingdom of Great Britain and Northern Ireland) on the List of World Heritage in Danger, with the possibility of deletion of the property from the World Heritage List, should the current project be approved and implemented;**
8. Requests the State Party to develop, in consultation with the World Heritage Centre and the Advisory Bodies, a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger and a set of corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;
9. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the steps taken to implement the above-mentioned recommendations for examination by the World Heritage Committee at its 37th session in 2013.

94. Cornwall and West Devon Mining Landscape (United Kingdom of Great Britain and Northern Ireland) (C 1215)

Year of inscription on the World Heritage List
2006

Criteria
(ii) (iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/1215/documents/>

International Assistance
N/A

UNESCO Extra-budgetary Funds
N/A

Previous monitoring missions
N/A

Factors affecting the property identified in previous reports
N/A

Illustrative material
See page <http://whc.unesco.org/en/list/1215/gallery/>

Current conservation issues

On 22 February 2012, two reports on the state of conservation of the World Heritage property “Cornwall and West Devon Mining Landscape” were submitted by the State Party – one covering the resumption of mining at South Crofty and the other one covering the development proposals for Hayle Harbour. Upon the World Heritage Centre’s request for further details on these and other development proposals at the property, with particular regard to the inclusion of the property’s state of conservation on the agenda of the 36th session of the World Heritage Committee (St. Petersburg, 2012), the State Party replied on 16 March 2012 that it might not be able to provide all requested information. Further details on the proposals were transmitted on 23 and 29 March 2012.

a) Resumption of mining at South Crofty

In its state of conservation report of 22 February 2012, the State Party notified the World Heritage Centre about plans to resume mining within the World Heritage property at South Crofty, which was the last working mine in Cornwall until its closure in 1998, and that planning consent for new buildings and for underground mining activities had been granted. The report also included visuals of the proposed mine buildings in the context of the cultural landscape. According to the State Party planning consent for the resumption of mining at South Crofty was issued on 3 November 2011. On 28 May 2008, the State Party had sent an advance notice of a possible planning application for the resumption of mining operations in the Cornwall and West Devon Mining Landscape.

The proposed scheme for South Crofty Mine would allow the continuation of winning and working of minerals by relocation to land surrounding the Tuckingmill Decline and by erection of buildings, plant and works for ore processing, ancillary processes, associated operations and deliveries, comprising: a main processing plant building, an aggregate store, an electricity substation, a fuel storage, tailings treatment, an emergency tailings store, ancillary buildings (including chemical silos and storage containers), mine shaft ventilation caps, a

water treatment plant, access roads and car park areas. The planning application is available online at <http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=L6MSCQFG0K600>. The Environmental Statement provides an assessment of the impact of the proposal on the World Heritage property and stresses the opportunity to open a visitor attraction with the processing plant as an interpretation centre.

The State Party considers that the resumption of mining is strongly in accord with the intangible values of the site and the traditions of the Cornish mining industry. They further consider that the impact on the Outstanding Universal Value will be minimal. The proposals involve one structure that needs to be moved and some new waste tips.

The Management Plan for the property, which was included in the nomination, noted that at the time of drafting there were proposals for the resumption of mining activity outside the property at the South Crofty Tin Mine which might affect the setting of the property. The current proposals are, however, for an area partly within the property.

b) Development proposal for Hayle Harbour

Hayle Harbour was the main port for the Cornish mining industry on the north Cornish coast. The State Party in its state of conservation report of 22 February 2012 notified the World Heritage Centre about the current South Quay proposal, an outline application for a large supermarket with a net sales area of approximately 40,000 sqft (c71,300 sqft gross) and parking for 310 cars on a privately owned area of open land in the centre of Hayle Harbour. The outline application further includes four small retail units around an area of public open space and 30 residential units to the end of South Quay, along with a restaurant. The report also included visuals of the proposed development.

English Heritage in its letter of 26 September 2011 addressed to the Planning & Regeneration Cornwall Council as attached to the State Party report, noted that this proposal would harm, rather than enhance or better reveal, the ability of Hayle Harbour to express the Outstanding Universal Value. Therefore, English Heritage had objected to this proposal. The Council voted to approve the scheme in October 2011. Despite the lack of agreement between the Planning & Regeneration Cornwall Council and English Heritage on this matter, the Secretary of State for Communities and Local Government did not call the case in for a public inquiry and therefore, the Cornwall Council can decide this application.

c) Other issues

Besides the development projects above, the World Heritage Centre was informed by individuals about the proposed erection and operation of a waste management facility within the immediate periphery of the Gwennap Mining District to include the storage, recycling and transfer of suitable wastes and the storage, processing and transfer of other suitable wastes for production of Refuse Derived Fuel (RDF), provision of a new office building, vehicle workshop and vehicle parking to serve the above and ancillary developments including provision of foul and surface water drainage, fencing and landscaping. The planning application is available online at <http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=L9XJNFG0K600>. The World Heritage status of the Cornwall and West Devon Mining Landscape is not mentioned under the list of application constraints, although the area surrounding the proposed development, including the access Byway (301/1/3), the surrounding Bridleways and part of the bridleway across the site and the sites peripheral are within the World Heritage property. The State Party has not provided any comments to the World Heritage Centre on this project so far.

Conclusion

At the time of inscription of the property, the World Heritage Committee requested “that any proposals concerning the re-opening of mines in the nominated areas be forwarded to the World Heritage Committee for debate and scrutiny” (see Decision **30 COM 8B.50**). The

World Heritage Centre and the Advisory Bodies note that full details concerning the resumption of mining at South Crofty have only been transmitted after planning consent had been granted. They also note that the mining proposals would be partly within the property and that the main large processing building would be fully within the property. From the information available it is not clear what the extent of the underground mining is, nor where the waste tips will be sited. Thus the overall impact on the property and its setting is not known.

The World Heritage Centre and the Advisory Bodies recall that mining within a property is generally not accepted, in line with the agreed standards of the International Council on Mining and Metals (ICMM) and recommend that the Committee urge the State Party to explore options to allow all mining to take place outside the property boundaries, subject to a heritage impact assessment of the overall mining proposals including buildings, traffic and waste tips on the setting of the property and on its Outstanding Universal Value.

At the time of inscription, the evaluation report of ICOMOS expressed concern at possible proposals for this site where the new structures would dominate Hayle Harbour and compromise its integrity as the main port for the Cornish mining industry. The World Heritage Centre and the Advisory Bodies note that the current proposal would have such an adverse impact on the open landscape of Hayle Harbour and on the Outstanding Universal Value of the property. They share the opinion of English Heritage that the supermarket development, due to its scale and scope, would compromise the integrity of Hayle Harbour and urge the State Party to find ways to halt this project and promote alternative smaller-scale heritage-led regeneration.

The World Heritage Centre and the Advisory Bodies note that no information was submitted on the planned waste management facility at the Gwennap Mining District.

Draft Decision: 36 COM 7B.94

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **30 COM 8B.50**, adopted at its 30th session (Vilnius, 2006),*
3. *Expresses its utmost concern that full details of the resumption of mining at South Crofty were submitted to the World Heritage Centre after planning consent had been issued, contrary to the request of the World Heritage Committee at the time of inscription, and considers that these projects should be halted until an assessment has been made of their impacts;*
4. *Takes note that mining within World Heritage properties violates the standards recognized by the World Heritage Committee and the International Council on Mining and Metals and recommends that the State Party considers proposing a significant modification of the boundaries of the property to assure the removal of areas that are proposed for the resumption of commercial mining from the property, prior to any resumption of mining;*
5. *Requests the State Party to halt the development of Hayle Harbour in the light of its potential impact on the Outstanding Universal Value of the property to allow for smaller-scale heritage-led regeneration;*
6. *Also requests the State Party to inform the World Heritage Centre in due time about any major development project planned within the property or in its vicinity, including*

about the planned waste management facility at the Gwennap Mining District, in accordance with Paragraph 172 of the Operational Guidelines;

7. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*

LATIN AMERICA AND THE CARIBBEAN

96. City of Potosi (Bolivia) (C 420)

Year of inscription on the World Heritage List
1987

Criteria
(ii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/420/documents/>

International Assistance
Global amount granted to the property: USD 53, 785
For details, see page <http://whc.unesco.org/en/list/420/assistance/>

UNESCO Extra-budgetary Funds
USD 10 000:World Heritage Centre/ICOMOS technical mission in 2005 financed by the Spanish Funds-in-Trust for World Heritage

Previous monitoring missions
November 2005: World Heritage Centre/ICOMOS Technical mission; November 2009: WHC meeting; February 2011: UNESCO/ICOMOS technical mission to the World Heritage property following the collapse of a part of the summit of the Cerro Rico Mountain

Factors affecting the property identified in previous reports

- a) Potential degradation of the historic site by continued and uncontrolled mining operations in the Cerro Rico Mountain;
- b) Instability and risk of collapse of the Cerro Rico;
- c) Deficiencies in conservation: special attention required for the restoration and upgrading of structures with residential use and the archaeological industrial heritage;
- d) Inefficient enforcement of protective legislation;
- e) Environmental impacts on the river which in turn affects the historic fabric and the local population.

Illustrative material
See page <http://whc.unesco.org/en/list/420>

Current conservation issues

The State Party submitted a succinct report on 29 March 2012 that provides an update on actions implemented in response to Decision **35 COM 7B.120**.

The final report of the geophysical study was received by the World Heritage Centre on 28 March 2012 and contained a report dated 30 January 2012 from the *Corporacion Minera de Bolivia* (COMIBOL).

a) *Implementation of emergency measures identified by the 2011 Technical Mission*

The State Party reports that the following emergency measures were taken in relation to the geotechnical and stabilization studies for the Cerro Rico Mountain:

- i) The report of the first phase of the geophysical and stabilization study of the Cerro Rico Mountain undertaken by the Ministry of Mining and Metallurgy, dated 12 August 2011, was submitted by the State Party. It includes the mapping of cavities found in the mountain and the geotechnical and stabilization study (Phase I) prepared by SERGEOTECMIN, a decentralized entity of the Ministry. The

recommendations made by the study include: (i) the necessity to complete as a matter of urgency, the measurements of galleries in order to dispose of updated data and exact coordinates of the location of the mine entries and their dimensions; (ii) the urgent need for a detailed topography of the mountain which will allow the localization of the mine entries and other specificities which are affecting the mountain, as a tool for monitoring; (iii) the need to sensitize the miners to ensure that they use modern technology in the design of galleries, blasting systems and extraction, systems of extraction of minerals and sewage systems.

The study concludes that only when adequate and precise topography and measurements are available can the second phase of the geotechnical and stabilization study of Cerro Rico commence.

- ii) Creation of the Emergency Committee for the Safety of the Cerro Rico Mountain in December 2011, which includes representatives from the following Ministries: Cultures, Mining and Metallurgy, Environment and Water, Presidency and Foreign Affairs. The report states that this entity is still evaluating the various Ministry reports for the development of a Strategic Emergency Plan for Cerro Rico. No information was provided on the terms of reference for the operation of the Emergency Committee; however, it has held six meetings and produced two reports which were submitted to the World Heritage Centre;
 - iii) Signing of an agreement with the *Manquiri* Mining Enterprise by the Ministry of Cultures which will allow work on the consolidation and protection of the top of the mountain and the conservation of old mine remains for future tourism activities;
 - iv) Presentation of a project by the *Corporacion Minera de Bolivia* (COMIBOL) for the consolidation and protection of the top of the mountain; this project will have a cost of USD 2,700,000 and will be supported by the local government and COMIBOL. No further details or a proposed course of action were provided for this project. The report also states that the Ministry of Mining and Metallurgy will be involved in the development of projects for the consolidation of the mountain;
 - v) A report dated 30 January 2012 presented by the Regional Director of COMIBOL on the suspension of exploitation works on the mountain was also submitted. In this report, it is also stated that based on the recommendations made by the geophysical study, legal measures have been taken against illegal mining activity at the property. No information was presented on amendments to Supreme Decree 27787 or on the monitoring system to assess conditions of stability.
- b) *Development of a participatory Management Plan for the property and the official submission of the buffer zone*

The State Party reports that a seminar will be held in April 2012 to initiate a process for the development of the Management Plan for the property and also for the delimitation of a new buffer zone. The seminar will also evaluate the work of the Emergency Committee for the Safety of Cerro Rico, as well as the various tourism projects to be developed by private entities. As for the delimitation of boundaries for the property and the buffer zone, this is expected to be submitted within the Retrospective Inventory process of the Periodic Reporting exercise of the Latin America and the Caribbean region.

Conclusion

The World Heritage Centre and the Advisory Bodies note the establishment of the Emergency Committee for the Safety of the Cerro Rico, as well as the plans for the development of a Strategic Emergency Plan for the property. They would also encourage the involvement of stakeholders and representatives from non-governmental organisations concerned with the protection of the Cerro Rico Mountain and the City of Potosi.

They note the completion of the geophysical study and consider its recommendations important in further identifying the anomalies affecting Cerro Rico, and also in undertaking a more complete analysis. In particular, the study recommended performing or conducting seismic refraction profiles in the mines directly on ceilings or floors of the galleries to check the speed values and if possible, drilling exploratory wells to verify the physical characteristics of the resistivity and seismic anomalies of the mountain, and based on the collected information, creating a three dimensional model covering the entire Cerro Rico in the range of elevations studied.

They note the various projects planned to ensure the consolidation and structural stability of the mountain, and also the legal measures put in place to halt illegal extraction, but note that there is no updated information on the changes to Article 6 of Supreme Decree 27787. They also note that no information was provided on the undertaking of a comprehensive topographic study and the installation of a monitoring system to assess the stability of the mountain at monthly intervals.

The World Heritage Centre and the Advisory Bodies note the progress made in addressing the unstable and dangerous conditions of Cerro Rico Mountain, but wish to highlight to the Committee that further information is needed on how the recommendations of the geophysical study will be implemented and the proposals for stabilizing the top of the mountain. Given the urgent need to ensure the safety of existing mining activities, they recommend that the Committee reiterate its request to install as soon as possible, a monitoring system to assess the stability of the mountain at regular intervals. They also recommend to the Committee that in the case of confirmation of the ascertained or potential danger to Outstanding Universal Value, or in case that no intervention will be undertaken as a matter of urgency to prevent any further collapse of the summit of the mountain, to consider the possible inscription of the property on the List of World Heritage in Danger.

Draft Decision: 36 COM 7B.96

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.120**, adopted at its 35th session (UNESCO, 2011),*
3. *Acknowledges the submission of the Geophysical study of the Cerro Rico Mountain;*
4. *Notes the creation of an Emergency Committee for the safety of Cerro Rico Mountain which will be responsible for the development of a Strategic Emergency Plan, and urges the State Party to finalize this Strategic Emergency Plan as soon as possible;*
5. *Encourages the State Party to consider widening the scope of the Emergency Committee to involve stakeholders and representatives from non-governmental organizations concerned with the protection of the Cerro Rico Mountain and the City of Potosi;*
6. *Requests the State Party to clarify whether Article 6 of Supreme Decree 27787 has been modified and to halt all exploration, extraction and any other interventions under and above ground between altitudes 4400m and 4700m;*
7. *Also notes that a project has been developed to consolidate the top of the Mountain and also requests the State Party to provide further details on the scope and extent of this project and its time-frame for implementation by **30 September 2012**;*

8. *Also notes with concern that no information has been provided on putting in place a comprehensive topographic study and a monitoring system, and also urges the State Party to install as soon as possible a system for monitoring the safety of the existing mining activity on a regular basis and provide information on the development of a topographic study;*
9. *Further requests the State Party to complete the geophysical study following its final recommendations in order to further identify the anomalies affecting Cerro Rico, to undertake a more complete analysis, and to elaborate a three dimensional model covering the entire Cerro Rico in the range of elevations studied;*
10. *Requests furthermore the State Party to finalize the development of the participatory Management Plan for the property and upon completion to provide an electronic copy of the draft revised Management Plan for review by the World Heritage Centre and ICOMOS;*
11. *Invites the State Party to submit to the World Heritage Centre and Advisory Bodies for review, any proposals for development at the property, prior to approval and implementation, in accordance to Paragraph 172 of the Operational Guidelines;*
12. *Finally requests the State Party to submit to the World Heritage Centre, by 1 February 2013, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013, with a view to considering, in the case of confirmation of the ascertained or potential danger to Outstanding Universal Value, or in case that no intervention will be undertaken as a matter of urgency to prevent any further collapse of the summit of the mountain, the possible inscription of the property on the List of World Heritage in Danger.*

97. Brasilia (Brazil) (C 445)

Year of inscription on the World Heritage List

1987

Criteria

(i) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/445/documents/>

International Assistance

Global amount granted to the property: USD 42,000

For details, see page <http://whc.unesco.org/en/list/445/assistance/>

UNESCO extra-budgetary funds

N/A

Previous Monitoring Missions

November 2001: World Heritage Centre / ICOMOS mission; March 2012: joint World Heritage Centre/ICOMOS mission

Factors affecting the property identified in previous reports

- a) Urban pressure that may affect the original city plan (*Plano Piloto*) that warranted inscription in the World Heritage List;
- b) Lack of a Master Plan.

Illustrative material

See page <http://whc.unesco.org/en/list/445>

Current conservation issues

On 6 May 2012, the State Party submitted a state of conservation report, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011). From 13 to 17 March 2012, a joint World Heritage Centre / ICOMOS reactive monitoring mission was carried out at the property. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/36COM>

a) *Legislative and regulatory frameworks and urban planning mechanisms*

The State Party reports that the Preservation Plan for the Urban Complex of Brasilia (*Plano de Preservação do Conjunto Urbanístico de Brasília - PPCUB*) has not been completed. The *Instituto do Patrimônio Histórico e Artístico Nacional* (IPHAN) considers that the Plan still requires considerable review of its provisions and has yet to be completed. No timeframe for its finalization has been provided. Regarding the Land Management Master Plan (PDOT), the State Party notes that it is currently being updated. IPHAN did not participate in the drafting of the Plan and it is not indicated whether this national agency, mandated with the conservation and protection of cultural heritage, will be involved in the on-going review process. As for the Law on Land Use and Occupation (LUOS), this is also in the process of being developed.

The mission noted the various pieces of legislation, regulations and decrees which provide protection for the *Plano Piloto* of Brasilia. It also reiterated the findings of the 2001 reactive monitoring mission that since the time of inscription, the Government of the Federal District has issued additional urban and architectural regulations that have not always been in conformity with previous legislative measures passed at the national and local level.

The *Plano Diretor de Ordenamento Territorial do Distrito Federal (PDOT)* is the main tool for decision making regarding urban development of the area comprising the *Plano Piloto* and 30 satellite cities. The *Plano de Preservação do Conjunto Urbanístico de Brasília (PPCUB)*, which is the tool for the preservation, planning and management of Brasilia's urban compound, is at the final phase of development. Although two public hearings have taken place, the mission noted expressions of dissatisfaction from civil society regarding the consultation methods. After a third public hearing and finalization of the draft document, IPHAN-DF will review it and then submit for approval by the Government of the Federal District. The mission reviewed the preliminary draft of the PPCUB and noted several contradictions in the provisions in terms of legal protection measures already in place and alterations in zoning and land use that could prove detrimental to the conservation and protection of the characteristics and spirit of the original *Plano Piloto*. These deficiencies will need to be addressed as a matter of urgency; the ongoing consultation process should be halted and reformulated to allow for a thorough review of the provisions in the document and to ensure that the attributes of the World Heritage property and the conditions of authenticity and integrity continue to be met.

b) *Buffer zone*

The State Party reports that IPHAN has issued Directive No. 68 in February 2012 which provides for delineation of the boundaries of Brasilia's Urban Compound. Guidelines to maintain the preservation of the *Plano Piloto* and to protect the visibility were also identified. These include restrictions to land use as well as building height limits. The effects of the Directive will be monitored over the coming six months to guide the final directives enacted

for all areas within the buffer zone. The proposed boundaries, as well as regulatory measures will be examined as part of the Retrospective Inventory process within the framework of the Periodic Reporting exercise of the Latin America and the Caribbean region.

c) *Management structure*

The mission reported that there are several government agencies at the national and local level which have mandates that include the protection, conservation and management of the property. However, there is no management structure in place or inter-institutional platform to coordinate the conservation of the property which leads to an overlapping of functions, efficiency problems in the decision-making processes and in the implementation of actions. Generally, there is a lack of cooperation between the Government of the Federal District and IPHAN for the protection of the property.

d) *Current conditions*

The State Party reports on the current status of sectors noted by the World Heritage Committee in its previous sessions. Regarding the South Commercial District, it notes that since the passing of legislation, few adaptations have occurred, but that their full enforcement will require the adoption of a firmer stance by the Federal District Government in their implementation. As for the Vila Planalto District, it reported that the discussion of the Action Plan will be undertaken within the context of the review of the PPCUB. In regard to the Lake Paranoa Waterfront, it is also reported that the PPCUB will address regulations, although standards for development have yet to be fully formulated. Particular attention will need to be placed on the landmarked status of the area and the proposals for intervention. The State Party also reports that information pertaining to development at the Grandes Areas Norte (901 Sector) indicate the intention of the Federal District Government to alter current use to allow for high rise buildings. IPHAN has not approved any projects for this area. The report also notes that a comprehensive Urban Transportation Master Plan needs to be developed to address existing needs and also project longer-term solutions.

The mission noted that Brasilia is a dynamic city facing challenges in terms of the preservation of the *Plano Piloto*. Various social and economic factors have resulted in a steep increase in housing prices, increase in pressures to change land use, increase in construction volumes or pressure to privatize open areas foreseen as public spaces. Today, there are thirty satellite cities that have different levels of development, infrastructure and services needs. A metropolitan strategy that considers both the *Plano Piloto* and the surroundings needs to be developed to have coherent practices across the board in terms of land policies, transport policies and criteria for the protection of the inscribed property and the adequate development of its surroundings. It is particularly relevant to control land sale policy in the interior of the *superquadras* to prevent degradation of the original Costa project in terms of alterations to volumes and heights. It is also important to discontinue the privatization of common property, as this leads to the enclosing of open spaces and impacting an essential attribute of the project, which considers maintaining the interior space of the *superquadras* unaltered as a fundamental priority in the *Plano Piloto*. Public transport between satellite cities, the pilot nucleus and areas designed for leisure activities in the original Costa project remains one of the critical issues to be addressed.

In terms of the monumental scale, the mission found that green spaces and buildings are in generally good condition. As in 2001, it found some small and informal structures between buildings, so the incipient introduction of aggregates needs to be better controlled. As for the residential scale, the mission considers the general status is acceptable and there has been no alterations to the residential axis and the layout and form of occupation of the *superquadras* that characterize this scale. However, the situation of the *entrequadras* has been altered as there have been irregular expansions into free spaces. Stricter control is needed to prevent further loss of green sectors and to deter irregular construction of structures in a disorderly and precarious fashion. The mission noted the serious state of deterioration of the W3 Avenue sector and the alteration in appearance and scale of the

attached houses which have been changed from residential use. There is a project for interventions in the area both in terms of open space and buildings and proposals for regularization of the existing occupations. The mission considered it critical to prevent further expansions.

Regarding the gregarious scale, the mission reported that the four areas which comprise it have a heterogeneous aspect and have varied the most from the original project. Variations in building heights disturb the general harmony which characterizes the city. In terms of the bucolic scale, the mission noted the pressure on the area regarding changes in use, inappropriate occupation and loss of open spaces. It considered that this area requires most attention to sustain the attributes that warranted inscription on the World Heritage List and to maintain the conditions of authenticity and integrity. Particular attention needs to be placed on planning for the north-west sector to maintain the original relationship between the *Plano Piloto* and its surroundings. The Paranoá Lake Shore is another critical area that needs to be prioritized for interventions to ensure that facilities developed do not have irregular uses for the scale and that the characteristics of an open and natural space are preserved. The expansion of Vila Planalto also needs to be controlled and efforts made to preserve the original vernacular character of the village. Priority should be placed on the legal definition of the polygonal of the area to prevent further expansions. The mission considered that formal alterations in original design, control of use and control of development in the setting need to be better managed and planned for in order to prevent loss of authenticity. In terms of integrity, it is critical that accurate legal provisions are made to ensure that pressures derived from land speculation do not jeopardize the conditions that warranted inscription on the World Heritage List.

Conclusion

The World Heritage Centre and the Advisory Bodies note that there are critical issues which need to be comprehensively addressed by the State Party to ensure that the attributes sustaining the Outstanding Universal Value of the property are adequately protected and managed. They recommend that the Committee express its concern about the limited progress made in addressing the recommendations of the 2001 mission which has exacerbated the conditions previously highlighted. They also note that numerous developments are foreseen and that the technical specifications for these projects have not been submitted, in accordance with Paragraph 172 of the *Operational Guidelines*, for consideration and review. These include, among others, the intervention in the Stadio area and the project for VLT-Light Vehicles on Rails, which has started construction without the requisite Heritage Impact Assessment. The World Heritage Centre and the Advisory Bodies are of the view that land speculation and development pressures could potentially threaten the property, particularly in light of the development foreseen within the framework of the 2014 FIFA World Cup in Brazil. There is also a need for strict and urgent enforcement of regulations and coordination of approval processes for planned infrastructure to ensure that there are no impacts on the property and that security of attendees is guaranteed through adequate design of new construction.

Draft Decision: 36 COM 7B.97

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision 35 COM 7B.121, adopted at its 35th session (UNESCO, 2011),

3. Takes note of the results of the 2012 reactive monitoring mission to the property, endorses its recommendations and urges the State Party to implement them, with priority actions on the following processes:
- a) *Halt the ongoing consultation process related to the Plano de Preservacao do Conjunto Urbanistico de Brasilia (PPCUB), and establish an intersectoral official working group to revise the document and the related regulations through a broad participatory process, according to the recommendations expressed by the mission in order to ensure that the original characteristics, spirit and scale of the original project designed by Lucio Costa, which warranted inscription on the World Heritage List, are sustained,*
 - b) *Establish an operational and efficient management system to coordinate the decision-making process and enhance cooperation regarding the conservation and management of the property through the definition of a legal framework, the creation of a central management structure for the World Heritage property, the clarification of roles and responsibilities of the involved administrative authorities and the allocation of necessary resources for its adequate operation at the local, regional and national levels,*
 - c) *Put in place mechanisms to ensure that heritage impact assessments are carried out prior to granting approvals, and submit to the World Heritage Centre and the Advisory Bodies detailed information and technical specifications as they become available, on proposals for land use and new urban interventions prior to approval and implementation,*
 - d) *Submit the proposals for infrastructure development at the Stadio and its surroundings, in accordance to Paragraph 172 of the Operational Guidelines, for evaluation by the World Heritage Centre and Advisory Bodies, prior to any intervention,*
 - e) *Strictly enforce regulations to prohibit the construction of new buildings in open spaces defined by the Plano Piloto, and to maintain the approved heights in each scale,*
 - f) *Develop a comprehensive strategy for public transportation and submit, in accordance to Paragraph 172 of the Operational Guidelines, technical specifications for major developments foreseen;*
4. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

98. Port, Fortresses and Group of Monuments, Cartagena (Colombia) (C 285)

Year of inscription on the World Heritage List

1984

Criteria

(iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/285/documents>

International Assistance

Global amount granted to the property: USD 108,800

For details, see page <http://whc.unesco.org/en/list/285/assistance>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

2003: ICOMOS reactive monitoring mission; 2006: joint World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Construction of TRANSCARIBE, a new public transportation system and its impact on the wall;
- b) Lack of a regulatory conservation management system for the property;
- c) Impact of the harbour public works on the fortifications of Cartagena;
- d) Need for urban regulations for the protected area;
- e) Lack of a Management Plan.

Illustrative material

See page <http://whc.unesco.org/en/list/285>

Current conservation issues

The State Party submitted a state of conservation report on 30 March 2012 which succinctly responds to the Decisions made by the World Heritage Committee at its 34th session (Brasilia, 2010).

a) *Delimitation of the property*

The State Party submitted the demarcation of the group of monuments located within the Historic Centre which follows, as previously reported, the delimitation proposed by the Special Protection and Management Plan (PEMP). This will be reviewed within the framework of the Retrospective Inventory process of the Periodic Reporting Exercise for Latin America and the Caribbean. As for the forts located outside this area, their delimitation continues to be pending, although efforts have been made in the development of management and protection plans.

b) *Conservation study and conservation action plan for the ensemble of walls and the fortified city*

This report was submitted to the World Heritage Centre in December 2010. The report considers actions to be implemented at part of the property, which include strengthening of residential and touristic activities, including restoration of historic areas for housing, changing inappropriate use of buildings and implementing strategic projects in different areas. Among these, the restoration of several buildings is foreseen as well as the recovery and adaptation of public spaces. There are plans also to improve educational facilities and services, as well as enhancement of touristic infrastructure and services, particularly through the recovery of public spaces. Special actions are foreseen to improve the connection between the Historic Centre and its surroundings.

c) *Special Plan for Management and Protection (PEMP)*

The State Party reports that the document is under final review by the Ministry of Culture. The financial tools to secure resources for implementation have yet to be finalized but it is expected that the document would be submitted by the end of April 2012 to the World Heritage Centre. The legal approval of the Plan is pending, however the State Party reports that upon obtaining it, the implementation of projects and provisions made will start. No timeframe has been provided on when this is expected to occur.

Conclusion

The World Heritage Centre and the Advisory Bodies note that until the delimitation of all component parts of the property is complete, the process cannot be fully considered.

The World Heritage Centre and the Advisory Bodies also note that the development of the Special Protection and Management Plan has been finalized, but however express their concerns that a lengthy approval process will preclude the possibility to systematically implement the provisions made. They finally note that it is critical that the boundaries of all component parts of the property are clearly identified so that the integrity of the property is maintained.

Draft Decision: 36 COM 7B.98

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **34 COM 7B.107**, adopted at its 34th session (Brasilia, 2010),*
3. *Notes the finalization of the Special Protection and Management Plan for the property, and urges the State Party to finalize its approval process as soon as possible, and to secure the required resources to guarantee the sustained implementation of the provisions made; and requests the State Party to provide copies of this Plan to the World Heritage Centre and the Advisory Bodies for review;*
4. *Acknowledges the development of the conservation action plan for the ensemble of walls and the fortified city, and also requests the State Party to begin the implementation of identified priority measures;*
5. *Reiterates its request to the State Party finalize the delimitation of the property, including all elements of the fortified system according to the required formats, and to submit it to the World Heritage Centre and the Advisory Bodies for their consideration and review;*
6. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.*

99. National History Park – Citadel, Sans Souci, Ramiers (Haiti) (C 180)

Year of inscription on the World Heritage List

1982

Criteria

(iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/180/documents/>

International Assistance

Global amount granted to the property: USD 246,110

For details, see page <http://whc.unesco.org/en/list/180/assistance/>

UNESCO extra-budgetary funds

USD 74,780: technical mission July 2010, World Heritage Centre technical mission January 2012; technical multidisciplinary mission March 2012, financed mainly by the Spanish Funds-in-Trust for World Heritage.

Previous Monitoring Missions

September 2006: UNESCO Havana Office Technical Visit; July 2010: Joint Expert Technical Mission; March 2011: Preparatory Mission for Haiti Donor's Conference, CLT; January 2012: World Heritage Centre technical mission; March 2012: Multidisciplinary technical mission

Factors affecting the property identified in previous reports

- a) Lack of a Management Plan;
- b) Lack of a Conservation Plan;
- c) Water damage;
- d) Vandalism;
- e) Seismic activities;
- f) Infrastructure projects;
- g) Lack of a Risk Preparedness Plan;
- h) Potential uncontrolled touristic development.

Illustrative material

See pages <http://whc.unesco.org/en/list/180> and <http://whc.unesco.org/en/list/180/documents/>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 15 February 2012 with the draft Retrospective Statement of Outstanding Universal Value prepared by the Haitian Institute for the Preservation of the National Heritage (ISPAN). This report provides a global vision of the current situation at the property and the measures undertaken following the decisions of the Committee.

A World Heritage Centre technical mission was conducted from 9 – 15 January 2012 and a multidisciplinary technical mission visited the property from 6 – 22 March 2012.

a) National Road RN003

With regard to the completion of the National Road RN003, funded by the European Commission, the State Party briefly makes mention that the second section of the road linking Hinche to Saint Raphael was approved by the national authorities in January 2012 and that the third section to the Haitian Cape, which will include an alternative road around the National Park, will shortly be put up to tender by the Ministry of Public Works. Nevertheless, it should be noted that so far no study has been transmitted to the World Heritage Centre as regards the proposal for an alternative road, as was requested by the Committee at its last sessions by Decisions **34 COM 7B.110** and **35 COM 7B.125**.

As concerns the improvement of the existing road within the Park between Milot and Dondon, the local authorities informed the mission that funding for this work had yet to be confirmed. In addition, the Haitian national authorities have not yet submitted a technical improvement project for the road within the Park.

b) Architectural interventions within the National Park

It has further been noted that construction work on the historic wrought iron gates and railings limiting access to the property at the northern entrance of the Sans Souci Palace was completed during the first quarter of 2011. The report also notes the completion in August 2011 of a study on the waterproofing of the floors and shoring up of the walls of the Sans Souci Palace. In addition, it was reported that some rehabilitation work at the Citadel Henri

was completed in November 2011 with United States support (restoration of the sentry posts, stairs, walls etc.).

c) Cadastral survey and land ownership

With regard to the retrospective inventory of the property, the survey work of the types of ownership within the boundaries of the property, as well as the surrounds are ongoing but the cadastral study has experienced some difficulties, chiefly due to the opposition of the inhabitants in the area. The Mayor of Dondon and the Haitian Institute for the Preservation of the National Heritage (ISPAN) conducted a communal development study to regulate construction in the Park, including the forestry and/or green areas around the Park boundaries.

d) World Heritage Centre technical mission

With funding from the Spanish Agency for International Development Cooperation (AECID), the World Heritage Centre undertook a mission to Haiti from 9-12 January 2012 in the framework of the preparations of a conservation plan. The mission objectives were to evaluate the current situation from the cultural perspective, particularly in northern Haiti, two years after the earthquake and to identify potential partners to implement the overall conservation plan for the property, and begin to utilize the extra-budgetary funds granted at the Donors' Conference for Culture in Haiti which was held in Paris on 19 April 2011. This mission also prepared the technical mission foreseen for March 2012 and discussed with the national authorities and the local and international partners the evolution of conservation activities undertaken since 2011.

As regards tourism development projects, the conclusions of the mission note a series of initiatives aiming at a significant increase in the number of visitors to the National Park in the framework of a multi-destination offer. The mission reiterated to the partners of this project, mainly the Inter-American Development Bank (IDB), the Royal Caribbean Cruise Lines and the Ministry of Tourism, recent decisions adopted by the World Heritage Committee, requesting the State Party to undertake all the necessary measures at the interministerial level to ensure that no undertaking, work or facilities destined for tourism be developed before being taken into consideration in the conservation plan. The World Heritage Centre seized the opportunity to reaffirm its intention to provide technical support for the development of a participatory tourism approach that takes into account in a future project the needs of the local population for the improvement in their quality of life. The January 2012 mission also indicates that the infrastructure of the property and its buffer zone with regards to access and facilities for visitors remain lacking, which constitutes an obstacle for any significant increase in visitor frequentation.

It was noted, furthermore, that security measures are inadequate to cope with this tourism offer. The mission emphasized the need to engage a participatory process with the local communities, taking into account the socio-economic impact on the communities living around the Park, and actively involve them in the long-term conservation, management and preservation measures for the property. It also insisted upon the involvement of other ministries concerned (public works, education, social affairs, environment and the Inter-sectoral Council for Territorial Planning (CIAT), among others).

As regards the renovation work of the National Road RN003, the mission recalled the Committee decisions in this respect and reiterated its request for the submission of detailed technical reports concerning (i) the alternative road project around the National Park; (ii) improvement of the road in the Park between Milot and Dondon, and (iii) the road project between the Acul du Nord and Milot that would transport tourists from the cruise ships at Labadee. On 27 January 2012, the World Heritage Centre wrote to the Secretary of State for Heritage at the Ministry of Culture and Communications in this respect, requesting official information on the construction works. To date, the Centre has not received the requested information. Finally, as regards the boundary issue for the National Park, the mission considered it counter-productive to commence a physical demarcation of the Park and

preferably to await the completion of the current cadastral surveys and the establishment of a participatory strategy for the conservation and management of the Park.

e) *Multidisciplinary technical mission*

From 6-22 March 2012, a technical mission comprising a multidisciplinary team of five international experts visited the property. This mission worked in close cooperation with the ISPAN and the Secretary of State for Heritage to conduct an in-depth analysis of the structural situation of the property and to identify the most damaged components. The mission also identified the necessary conservation measures to ensure the preservation of the property over the long-term, while indicating the priority measures that must be taken into account in the conservation plan, the timetable of interventions, the emergency measures to be taken to ensure the safety of the visits, and the required budget.

The recommendations resulting from the mission mainly emphasize the need to carry out interventions in the National Park to address urgent problems linked to: (i) structural stability; (ii) visitor security, and (iii) water damage, keeping in mind an individual approach and respecting the particularities of each of the components of the property. With regard to Sans-Souci, the mission recommended a two-level approach to ensure both the structural stability of the property and the establishment of a seismic study. The mission also identified important problems at the Citadel, mainly involving deterioration of the structure as well as security repercussions for visitors to the Queen Battery and the Coidavid Battery. In order to mitigate major infiltration problems affecting the Citadel structures, the mission recommended emergency measures be undertaken to seal the damaged walls, repair the ceilings and ensure the appropriate evacuation of rainwater and reservoir water. The mission also emphasized the need to install security railings for visitors. As concerns the Ramiers, the mission recommended to seal the walls to reduce the general deterioration, a halt to archaeological digs, and the cutting back of excessive vegetation throughout the area to enable the implementation of restoration work on the forts and ruins. The reports may be consulted at the following Internet link: <http://whc.unesco.org/en/sessions/36COM>.

Conclusion

The World Heritage Centre and the Advisory Bodies observe that although the State Party has begun, to the extent possible, to progressively implement the Committee decisions, it is a matter of urgency to carry out an intervention to ensure the stability of the structures that risk collapse. The conclusions of the studies conducted and the diagnostics of the components and structures have revealed the serious vulnerability of the property and clearly identified, in its recommendations, the urgent measures to be undertaken. The World Heritage Centre and the Advisory Bodies consider that if the proposed urgent safeguarding measures are not implemented between August and November 2012, the Committee should consider inscribing the property on the List of World Heritage in Danger, as the problems linked to its structural stability constitute a risk of collapse of the major components of the property which could, in time, endanger its Outstanding Universal Value.

Draft Decision: 36 COM 7B.99

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.125** adopted at its 35th session (UNESCO, 2011),*

3. *Takes note of the information provided by the State Party concerning the steps taken to implement the World Heritage Committee decisions and recognizes the efforts deployed by the ISPAN to ensure the safeguarding of the property,*
4. *Thanks the Government of Spain and the Spanish Agency of International Development Cooperation for the generous contribution that enabled the further implementation of the World Heritage Committee decisions,*
5. *Takes note of the World Heritage Centre mission report (9-15 January 2012) and the multidisciplinary technical mission (6-22 March 2012) and endorses the recommendations developed to ensure the maintenance of the Outstanding Universal Value of the property, in particular the urgent interventions regarding (i) structural stability, (ii) visitor security, and (iii) the solution to the water infiltration problems, so they are integrated in the conservation plan without delay,*
6. *Reiterates its request to the State Party, in accordance with Paragraph 172 of the Operational Guidelines, to submit to the World Heritage Centre and the Advisory Bodies for examination prior to any intervention, the final project for the construction of the third section of the National Road RN003, as well as environmental, heritage and socio-economic impact assessment studies on the site;*
7. *Also reiterates its request to the State Party to submit the technical project for the improvement of the existing road within the Park boundaries, including the route, the engineering work for the canalization of the river, the type of asphalt and the width of the route;*
8. *Requests the State Party to continue its efforts to complete the cadastral survey as well as the delineation of the Park boundaries and its buffer zone, and the legal framework for their protection in the context of the retrospective inventory undertaken in the Latin America and the Caribbean Region and to await the results of the study before proceeding with the physical demarcation of the property, to facilitate the establishment of a participatory strategy for the conservation and management of the Park;*
9. *Also requests the State Party to await the completion of the conservation plan before pursuing tourism development projects so that the conservation measures of the plan may be taken into account in the implementation of these projects and to actively involve the local communities in the conservation and management process;*
10. *Further requests the State Party to submit to the World Heritage Centre before **30 November 2012**, a timetable of interventions indicating the technical needs, as well as a detailed budget;*
11. *Calls upon the international community to ensure by every possible means, its support in the implementation of the recommendations to rapidly approve financial and human resources in order to assist the State Party to ensure the conservation of the entire property;*
12. *Finally requests the State Party to submit to the World Heritage Centre by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*

103. Archaeological Site of Panamá Viejo and Historic District of Panamá (Panamá) (C 790bis)

Year of inscription on the World Heritage List

1997, extension in 2003

Criteria

(ii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/790/documents/>

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

March 2009: Joint World Heritage Centre / ICOMOS reactive monitoring mission; March 2010: On the occasion of the joint World Heritage Centre / ICOMOS reactive monitoring mission to Portobelo and San Lorenzo, a technical visit to the Archaeological Site of Panamá Viejo and the Historic District was undertaken as requested by the authorities of Panamá; October 2010: Joint World Heritage Centre / ICOMOS reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Severe deterioration of historic buildings that threaten the Outstanding Universal Value of the property;
- b) Conflicting interests of different stakeholders with regard to the use, management and conservation of the Historic Centre;
- c) Limited capacity for the rehabilitation and maintenance of historic structures;
- d) Deficiencies in the implementation of the legislative framework for protection;
- e) Lack of implementation of clear conservation and management policies for the property;
- f) Demolition of urban ensembles and buildings;
- g) Forced displacement of occupants and squatters;
- h) Urban development projects within the protected area (i.e. Cinta Costera).

Illustrative material

See page <http://whc.unesco.org/en/list/790>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 31 January 2012. Since the 35th session of the World Heritage Committee, the World Heritage Centre has received multiple requests and complaints from the civil society of Panamá, NGO's and international heritage experts, concerning the construction of the Cinta Costera III project. In August 2011, the State Party requested the World Heritage Centre to support the implementation of Decision **35 COM 7B.130** by assisting in the establishment of a technical group of experts to identify means for addressing conservation and management issues, as well as alternatives to traffic congestion and mobility in the Historic Centre. The World Heritage Centre and ICOMOS subsequently submitted a proposal for a panel of experts; however the mission was cancelled by the State Party on two occasions between September and November 2011. Notwithstanding, the state of conservation report indicated that the State Party organized a meeting of national and international technical experts on 7 and 8 December 2011 to evaluate the draft proposal of a maritime viaduct prepared by the Oderbrecht Company. The meeting concluded with the State Party's decision on a definitive proposal of the Cinta Costera III project, which was presented on 31 January 2012 to the World Heritage Centre and ICOMOS. The State Party officially stated that the

aforementioned proposal is the only alternative the Government of Panama is submitting for consideration and review by the World Heritage Committee.

a) *Buffer zone*

The State Party has submitted the delineations of the buffer zone of the Historic District. Although an aerial photograph was received from the State Party after the submission of the state of conservation report, which marks potential boundaries and the terrestrial and maritime boundaries, the official cartographic documentation has yet to be submitted. Furthermore, the proposed buffer zone should be formally submitted as a request for minor boundary modification according to paragraphs 163-164 and Annex 11 of the *Operational Guidelines*. The information submitted was not according to the official format request for the Retrospective Inventory process. When officially submitted in its correct format, the Advisory Bodies will commence the evaluation process. It should be recalled that one of the components of the property, the Archaeological Site of Panama Viejo, had legally established its land and waterfront buffer zone in 2007, along with regulatory measures for its maritime buffer zone and restrictions for land use. The State Party was informed that they should establish zoning and define regulatory measures to allow for a controlled transition between the Historic Centre and the modern city.

b) *Legislative framework and policies for the property*

The deficiencies in governance mechanisms and in the enforcement of regulations and sanctioning of various processes that are detrimental to the conservation of heritage buildings in the Historic District have been underscored for the past six years. Given the poor state of conservation of a significant number of built heritage properties, including several at risk of collapse, the World Heritage Committee requested the State Party in 2011 to establish a special legal framework for the Historic District. The State Party indicated in the 2012 report that, in accordance with Panamanian law, it is not possible to establish a new and distinct administrative unit. It does not provide alternatives for the potential legislative frameworks that would allow for adequate and efficient protection and management of the property and its surroundings. According to information received from the State Party, the Minister of Education has been mandated to submit a proposal of Law 64-11 to the Legislative National Assembly, and civil society is being consulted. Subsequent to careful evaluation, the draft text of the Decree renders it insufficient to deal with the complexity of the case in addressing issues of land ownership and built heritage at risk of collapse. This is underpinned by the lack of a conservation plan and an updated and legally-adopted Master Plan for the Historic District. No housing policy or plan has been developed, representing the only viable solution to revert the critical state of conservation of the built heritage of the Historic Centre. Finally, no financial information has been submitted to ensure that the appropriate technical resources to preserve and manage the Historic Centre on a daily basis have been secured. The *Oficina del Casco* has changed direction and staff recently, and the available human resources are largely insufficient to adequately deal with the threats to the property.

c) *Management arrangements and resources*

The State Party started the process to update the Management Plan, including conservation, legislative and capacity-building components. In relation to the implementation of the Emergency Plan requested by the World Heritage Committee in 2009, the Ministry of Public Works called to tender a project to valorize the monumental built ensemble of Casco Viejo, to improve infrastructure, electric installations, drainage systems, and to construct a parking lot within the protected area. The Oderbrecht Company won the tender. The National Authority of the Environment (ANAM) and the National Institute of Culture (INAC) authorized the intervention. Proposals to regulate vehicular traffic and accessibility were included in the report.

According to the request to assign one management authority, the State Party stated that the National Directorate of Cultural Heritage of the National Institute of Culture (INAC) would

assume the coordination role between the two components of the property. However, no decision-making process has been identified to ensure a well-informed decision and a holistic policy for interventions for both component parts of the property, such as the re-design of the *Via Cincuentenario* where the technical opinion of the *Patronato* of Panamá Viejo was not fully considered when the new deviation was approved.

d) State of conservation of the property

The 2010 reactive monitoring mission expressed its concern regarding the Historic Centre, particularly in regard to the existence of a significant number of largely deteriorated and neglected historic buildings, the continuing gentrification process, and issues of poverty, insecurity, living conditions, and vehicular traffic. Current information submitted by the State Party confirms that 66 buildings of the Historic District are at serious risk of collapse.

e) Cinta Costera Project

The State Party has stated that the water viaduct is the only option presented for consideration by the World Heritage Committee, which is planned to be constructed around the perimeter of the peninsula and comprises two versions: A (2500m) and B (2650m). The two versions include a speed water highway (3 lanes in both directions), parking, leisure equipment, public green areas, peripheral platforms on both sides of the peninsula where the property is located, and an artificial island construction in front of the Government Palace, for institutional purposes. None of these elements avoid direct visual, acoustic, environmental and physical impacts to the property. The area concerned is protected by Executive National Decree No. 51 of 22 April 2004 according to the Procedures for the Restoration and Rehabilitation of Old Panama City and Law No. 16 of 22 May 2007. At its 35th session, the World Heritage Committee regretted that the authorities approved the construction works for Cinta Costera II, and expressed its deep concern that the planned peripheral highway works would irreversibly damage the Outstanding Universal Value of the property. The 2010 mission considered that Phase 3 of the project would pose an even larger threat to the integrity of the property as it would transform the District's traditional form and appearance on its coastline, an important attribute which warranted its inscription on the World Heritage List. The mission recommended that the tunnel alternative be re-assessed and present studies on its possible heritage, social or functional impacts and risks. In addition, the World Heritage Committee requested the State Party to halt the current construction works and urged it to reconsider the alternative of the tunnel option. The latter has since been discarded by the State Party on the grounds of costs. The construction of the overland solution has also been rejected in terms of cost and the expropriation that would be needed. The World Heritage Centre and ICOMOS consider however that alternative solutions have not been sufficiently explored nor technical comprehensive assessment been submitted in order to justify feasible geomorphologic risk in the area or other reasons for discarding the options.

The State Party presented its rationale for a viaduct as the mainland urban area is densely urbanized and tightly constrained, restricting an overland solution. No concrete figures and/or comprehensive study of traffic or mobility have been presented to warrant these statements and no alternative overland solutions have been explored by the State Party which would respond to comprehensive studies. The State Party submitted the Environmental Impact Assessment of the encircling viaduct intervention prepared by the Oderbrecht Company (the company awarded the contract), in which there is no consideration of the Outstanding Universal Value of the World Heritage property in the Terms of Reference for the assessment. Complementary studies (bathymetry, oceanographic exploration, underwater archaeology, sea flora and fauna, hydrology, geology, historical studies, a scoping study and heritage impact assessment) were submitted. Conscious of the high impact in linking the *Avenida Balboa* to *Puente de las Americas*, the State Party recognizes that it is a problematic project, but has stated it cannot be deferred as the geography is considered as a constraint to increase the growth of the capital. The new construction to upgrade the Panama Canal, a major infrastructure development foreseen, needs a more accurate communication

system with the capitol. The statement of the State Party requesting the assessment of only this proposal does not allow for dialogue about potential solutions.

The Heritage Impact Assessment commissioned by the State Party was included in the information about the project. No details are provided on the methodological approach considered neither for its development, nor on how the attributes under assessment were identified or selected. It is not correlated to the retrospective Statement of Outstanding Universal Value of the property; also, no mention is made of the conditions of authenticity and integrity that need to be met. Furthermore, it does not indicate whether a participatory process was implemented for the formulation of the assessment. Consultation was only noted as part of the Environmental Impact Assessment, and the Heritage Impact Assessment apparently reflects the work of two individuals. The report notes that the Historic Centre, given its location and characteristics, is an urban landmark recognized from various coastal areas of the Coast and Bay of Panama. The report considers that as an urban landmark, the Historic Centre is not only readable from its interior (in the relationship between architecture and public space) but also from outside and afar, constituting the emblematic image of Panama City. Although the assessment indicates several negative impacts, it notes that these can be mitigated through planning, design and valorization. Segment 2 is recognized as high impact given that it will impede the reading of the relationship between the fortified wall and the sea and would also entail changes in the original wall, and will modify the original scenery and create a new one by superimposing a new platform on the historic fortified wall. In addition, the area is foreseen to have additional impacts derived from the proposed new use as a parking area. In terms of the maritime viaduct itself, the report notes that it would entail a high visual, morphological and aesthetic impact and that the significance as a historic peninsula would be irreversibly lost. It argues however that it is an opportunity for dialogue between the past and the present, although no other tangible benefit is identified. Additional letters submitted by the State Party indicate that the proposal falls under the criteria of cultural landscape, to allow for the continuous evolution of the property. It should be recalled that the property was not inscribed as a landscape but as a group of monuments, as a Historic Centre with two component parts.

The proposed maritime viaduct project and corresponding Heritage Impact Assessment has been reviewed by the World Heritage Centre and ICOMOS. The viaduct would encircle the beach which has historically bordered the Historic District since its foundation. The advantages noted in the assessments are not beneficial to the property and the conditions of integrity and authenticity would be irreversibly compromised. The existent relationship of the Historic Centre with the sea would be lost and there would be radical transformations of the natural seascape, both critical attributes of the Historic District that warranted its inscription on the World Heritage List and that differentiates this Historic Centre from others in the region. The artificial island of San Felipe in front of the Government Palace would also entail a radical visual transformation of the historic seascape and of all the views to and from the Historic Centre. These impacts are also recognised in the heritage impact assessment carried out. In addition, the World Heritage Centre and the Advisory Bodies consider that the preliminary proposal of the viaduct proposed by the State Party could further increase vehicular traffic. A detailed study on mobility and traffic should be prepared prior to any intervention, so as to identify a long-term solution for mobility and urban growth and in compatibility with the commitment made to sustaining the Outstanding Universal Value of the property. They wish to recall the Outstanding Universal Value of the property with reference to the Historic District component, which emphasizes its setting in the peninsula, encircled by a fortified precinct, as a singularity in comparison with Panama Viejo. Since the archeological city lacked this wall precinct, it was abandoned once the city moved to the peninsula in 1673, representing an exceptional testimony of the nature of the early settlements with a layout and urban design that have been maintained until today. The complementary layouts were considered when the property was extended. As in the case of outstanding maritime facades (like the Archaeological site of Panama Viejo and Colonia del Sacramento, among other World Heritage properties), a buffer zone should be considered to protect the values of the

site in terms of outstanding setting, visual integrity and underwater archaeological potential. The World Heritage Centre and ICOMOS wish to recall the Declaration of the Historic Urban Landscape, adopted by the UNESCO General Conference in 2011, which includes key principles that need to be taken into consideration by the World Heritage Committee to assess impact and to identify proper alternatives when faced with urban growth challenges.

f) Project of Avenida Cincuentenario, Panama Viejo

The 2010 reactive monitoring mission considered that the *Avenida Cincuentenario* remains the main threat to this component of the property. The mission requested the State Party to implement the alternative presented by the *Patronato* to deviate the road to improve the conditions of visual integrity of the property and at the same time, implement a research/conservation plan for the archaeological area. The State Party presented a detailed course of action undertaken since August 2011 to proceed with the implementation of the outlined plan of *Via Cincuentenario* as requested by the World Heritage Centre. However a new trajectory was submitted and the State Party confirmed that the itinerary suggested by the reactive monitoring missions in 2008 and 2009 was not chosen since the number of expropriated lands increased the total cost of the intervention. The World Heritage Centre and ICOMOS wish to recall that Panamá Viejo, which was founded in 1519, is the oldest European settlement on the Pacific coast of the Americas, and the oldest European settlement with visible, fully identified ruins, and an urban plan on the American mainland. It was inscribed on the World Heritage List as a case of well-preserved pre-Hispanic remains that reveal a very long history of occupation that adds considerable significance. The fact that it was abandoned after a relatively short period of existence, without being completely demolished or altered, makes the site an exceptional testimony of town planning of its period and culture. For the same reasons, the site is an exceptional example of urban planning, and the current and proposed plans are incongruous with the conditions of authenticity and integrity of the site. The National Directorate of Cultural Heritage approved on 29 December 2012, archaeological surveys and excavations at the property in areas that are susceptible to being directly impacted by the relocation of the road. Colonial structures were identified which entails an impact on the conditions of integrity according to the attributes that sustain the Outstanding Universal Value of the property. Moreover, this kind of intervention does not follow the international standard-setting texts of archaeological interventions on monumental areas. The new plan will affect four important archaeological ensembles.

Conclusion

The World Heritage Centre and the Advisory Bodies acknowledge with concern the state of conservation of the property and the threats that remain unaddressed, including the lack of effectiveness of the management system, governance and decision-making mechanisms between the two components of the property, the significant number of historic buildings at risk of collapse, and the ownership figures of the Historic District which reveal an increase in real estate speculation and the lack of a housing policy. They further consider that the on-going development of the Cinta Costera III and the alternative of the encircling viaduct, in spite of the Decisions of the World Heritage Committee and the recommendations of the reactive monitoring missions, constitute a real threat to the attributes that sustain the Outstanding Universal Value of the property. It is recommended that much higher standards of protection and development need to be set in this area. The tunnel proposal, which would have assured minimal impacts on the property, should be reconsidered as requested by the World Heritage Committee in 2011, in combination with other overland infrastructures in the framework of a comprehensive and solid planning strategy for urban development, in which the traffic component should be carefully studied. Given the scale and the proximity of the proposed water development around the property, impacts on the visual integrity of the historic landscape and seascape cannot be avoided. It should be noted that all the graphic information received of the viaduct does not include any example of the functioning of the

highway. The World Heritage Centre and the Advisory Bodies therefore recommend studying alternatives that do not include the marine highway encircling the historic areas, in consideration of the Outstanding Universal Value of the site and the character of the national maritime protected area.

The assessment of all relevant documents concludes that the planned works on the viaduct are continuing and that the project has not been halted. The World Heritage Committee may decide to inscribe the property on the List of World Heritage in Danger and consider to delete this property from the World Heritage List at its 37th session in 2013, as proceeding with the construction would irreversibly compromise the attributes that sustain the Outstanding Universal Value of the property and the conditions of authenticity and integrity.

The viaduct project will irreversibly damage the Outstanding Universal Value, authenticity and integrity of the property. The World Heritage Centre and the Advisory Bodies were informed that activities planned have started and the construction of the platforms has begun. As per Committee Decisions at the 33rd, 34th and 35th sessions of the World Heritage Committee, the State Party was requested to halt the project Cinta Costera II and Cinta Costera III, and requested to consider alternative proposals for a solution to traffic congestion and mobility at the property. These have not been sufficiently explored by the State Party and no comprehensive studies exist to substantiate reasons for being discarded. According to the project now being implemented, the World Heritage Centre and the Advisory Bodies consider that the construction will irrevocably impact the Outstanding Universal Value of the property, and could result in the World Heritage Committee considering the deletion of the property from the World Heritage List.

Draft Decision: 36 COM 7B.103

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Recalling Decision **35 COM 7B.130**, adopted at its 35th session (UNESCO, 2011),*
3. *Reiterates its deep concern regarding the state of conservation of the property, in particular unaddressed issues including the efficacy of the management system, the risk of collapse of historic buildings, the increase in the gentrification process of the Historic Centre and the impacts related to the Cinta Costera project;*
4. *Also recalls the report provided by the reactive monitoring mission of October 2010, and notes that the critical issues have not been comprehensively and sustainably addressed, and that some of the recommendations were discarded;*
5. *Also notes that the actions requested by the World Heritage Committee at its 35th session on legal improvements and management issues are still in the planning phase, and requests the State Party to undertake as a matter of urgency, the implementation of the following actions:*
 - a) *Revise the draft Law as to reinforce the role of the institutions responsible for World Heritage protection in the decision-making process for any intervention at the World Heritage property,*
 - b) *Officially submit a comprehensive and legally-supported policy for the protection of the property and buffer zone, including the maritime area and the related enforcement of their regulatory measures,*

- c) *Improve coordination and an equitable decision-making process between the Directorate of Cultural Heritage and the Patronato of Panama Viejo to ensure the appropriate measures for the preservation of both components of the property,*
 - d) *Submit three printed and electronic copies of the updated Management Plan;*
6. *Regrets that the construction of the Cinta Costera Phase III was not discontinued as requested by the World Heritage Committee at its 35th session;*
 7. *Urges the State Party to halt work immediately on the Cinta Costera III project, and to reverse the work already carried out, and to explore other alternatives, including a tunnel option together with heritage impact assessments, and to submit these to the World Heritage Centre for the review of the Advisory Bodies before any irreversible commitment is made, in accordance with Paragraph 172 of the Operational Guidelines;*
 8. *Further notes that the State Party has not complied with all the requests expressed by the Committee in Decision **35 COM 7B.130**, and considers that any continuation of the Cinta Costera III Maritime Viaduct project as foreseen, would lead to an irreversible impact on the Outstanding Universal Value of the property and therefore the property is in danger in conformity with Chapter IV.B of the Operational Guidelines, and **decides to inscribe Archaeological site of Panama Viejo and Historic District of Panama (Panama) on the List of World Heritage in Danger;***
 9. *Adopts the following Desired state of conservation for the removal of the property from the List of World Heritage in Danger:*
 - a) *The maritime viaduct of the Cinta Costera III project has been abandoned,*
 - b) *The work already undertaken has been reversed, with no consequences or negative impacts to the site;*
 10. *Also adopts the following corrective measures:*
 - a) *Abandon immediately the Maritime Viaduct project to avoid any irreversible damage to the property,*
 - b) *Reverse the work undertaken,*
 - c) *Develop a comprehensive urban transportation traffic strategy, and*
 - d) *Explore additional alternatives, including the tunnel option, and undertake the related heritage impact assessments for submission to the World Heritage Centre and the Advisory Bodies for evaluation;*
 11. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to considering, if the State Party continues with the construction of the Maritime Viaduct of the Cinta Costera III project, the deletion from the World Heritage List, in conformity with Chapter IV.C of the Operational Guidelines.***

104. Historic Centre of the City of Arequipa (Peru) (C 1016)

Year of inscription on the World Heritage List
2000

Criteria

(i) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/1016/documents>

International Assistance

Global amount granted to the property: USD 75,000

For details, see page <http://whc.unesco.org/en/list/1016/assistance/>

UNESCO extra-budgetary funds

N/A

Previous Monitoring Missions

February 2000: ICOMOS Expert Mission; April/May 2008: World Heritage Centre/ICOMOS joint reactive monitoring mission

Factors affecting the property identified in previous reports

- a) Lack of a Disaster Preparedness Plan;
- b) Ongoing planned development projects which impact the Historic Centre, such as the planned construction of the Chilina Bridge;
- c) Illegal demolitions involving historical buildings;
- d) Urban sprawl.

Illustrative material

See page <http://whc.unesco.org/en/list/1016>

Current conservation issues

The State Party submitted a report on the state of conservation of the property on 22 March 2012 that responds to the Decisions made by the World Heritage Committee.

a) Risk preparedness plan (RPP)

The report notes that the new administration of the Provincial Municipality of Arequipa which took office in January 2011 concluded that the developed document which was submitted in 2010 did not meet methodological standards. It therefore considered it necessary to update the document to include aspects pertaining to natural risks, as was requested by the World Heritage Committee at its 35th session (UNESCO, 2011). The Plan is in the process of being developed under the responsibility of the Urban Planning Management Unit of the Historical Centre Management Office, taking into consideration the legal framework established by the National System of Disaster Risk Management (SINAGERO) of 19 February 2011 and its related regulations of May 2011. The Plan is expected to be concluded July 2012.

b) Heritage Inventory

Work carried out until 2010 was evaluated and a decision was made to integrate new variables so that this can serve as baseline documentation for the Risk Management Plan and for updating the new Master Plan for the property. Thirty percent of data has been collected and processed (out of 10,000 buildings) and the catalogue of urban and architectural heritage will be undertaken in the second semester of 2012.

c) Boundaries of the property and buffer zone

The State Party indicates that there will be a new delimitation for the Historical Centre which will have only two polygons: the Historical Centre of the City of Arequipa, which will comprise the Historical Centre and the monuments area; and the monuments area of the District of Yanahuara, and the buffer zone. The report includes a draft ordinance for the new delimitation of the Historical Centre and the buffer zone. No timeframe for the expected

approval of this ordinance is mentioned. Regarding the declaration of the Chilina Valley, the report notes that the Provincial Municipality of Arequipa has prepared an ordinance for the protection of the urban basin of the Chili River, which will include the protection of the Andean Terraces of Chilina, Vallecito, Sachada and Tingo. The proposal has to be evaluated by the Ministry of Culture and regulated with specific zoning. No timeframe on the expected date for completion of this process was indicated.

d) Environmental Impact assessment for the Via Troncal Interconectora and Chilina Bridge

The State Party mentions that a Statement of Environmental Impact of the Chilina Bridge was prepared by the Regional Government of Arequipa. No updated information was included regarding the requests made by the World Heritage Committee at its 35th session. As for the evaluation of the Chilina Bridge by the Architectural Regional Technical Committee, the report notes that the current organization for the Ministry of Culture no longer incorporates this entity and that their functions now fall under the Direction of Colonial and Republican Historical Heritage. The report does not provide additional information on whether the proposals for the Chilina Bridge have been formally evaluated by the appropriate bodies.

e) Regulatory framework

The report notes the current legislations and measures applicable for the property and that a new Master Plan is being prepared. As noted above, no timeframe has been provided for the expected completion of this work.

Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the Committee express its concern that no significant progress has been achieved by the State Party in the implementation of the recommendations of the 2008 reactive monitoring mission to the property and of the Decisions made by the World Heritage Committee at its past sessions. Although actions have been implemented on the conservation and restoration of some historical buildings, most requests remain at the planning stages and no timeframe for expected conclusion is provided. This situation hinders the possibility of holistically addressing pressing issues that have been highlighted since 2008. As for the Chilina Bridge, the Environmental Impact Assessment submitted is the same as that previously evaluated by ICOMOS in 2011. The World Heritage Centre and the Advisory Bodies also recommend that the Committee reiterate the need to carry out Environmental and Heritage Impact Assessments for all component parts that pertain to the *Via Troncal Interconectora* and that these should take into account not only the boundaries of the proposed buffer zone but also the defined setting and views, particularly considering elements that serve to convey the Outstanding Universal Value of the property.

Draft Decision: 36 COM 7B.104

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.132**, adopted at its 35th session (UNESCO, 2011),
3. Takes note of the information provided by the State Party regarding work carried out at the property and expresses its concern that many of the required actions to ensure the holistic conservation and protection of the property have remained in planning stages since 2008;

4. Urges the State Party to implement the following activities:
 - a) Finalize the risk preparedness plan for the property and submit three printed and electronic copies to the World Heritage Centre and the Advisory Bodies for review by **1 February 2013**,
 - b) Finalize the approval process for the delimitation of the property and its buffer zone, including the definition of adequate regulatory measures, such as Municipal Ordinances and zoning, to ensure its protection,
 - c) Finalize the process for updating the Master Plan for the property,
 - d) Submit the technical evaluation of the Chilina Bridge by the appropriate body at the Ministry of Culture;
5. Requests the State Party to officially submit to the World Heritage Centre by **1 February 2013**, a request for the revised boundaries and proposed buffer zone of the property in accordance to Paragraphs 163-165 of the Operational Guidelines;
6. Reiterates its request to the State Party to conduct an Environmental Impact Assessment for the Via Troncal Interconectora project as a whole, including the assessment and potential mitigation measures for the landscape areas of Lari Lari, Los Tucos, Cayma and Yanahuara, and submit the assessment for review by the World Heritage Centre and the Advisory Bodies prior to the approval and implementation of the project;
7. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

AFRICA

106. Mali World Heritage properties (Mali)

On 22 March 2012 a military coup d'état ousted the President of the Republic of Mali. The cause of this uprising was the difficulties linked to the conflict in the north of the country that, since mid-January 2012, opposed the Mali army to the National Movement for the Liberation of Azawad (MNLA), mainly supported by the Islamic groups Ansar Dine and Al Qu'aida in Islamic Maghreb (AQMI). The primary demand of the MNLA rebels concerns the territory called Azawad that covers three regions in north Mali: Timbuktu, Gao and Kidal. These regions finally fell into MNLA rebel hands and Islamist groups on 1 April 2012. The populations evacuated the area in great numbers to seek refuge in other cities of Mali or frontier countries.

These regions contain two of the four World Heritage properties: Timbuktu – 1988 (C (ii), (iv), (v), serial property comprising three mosques and 16 tombs, and the Tomb of Askia – 2004 (C (ii), (iii), (iv)) in Gao. The two other World Heritage properties, the Old Towns of Djenné – 1988 (C (iii), (iv)) and the Cliff of Bandiagara (Land of the Dogons) – 1989 (C (v), (vii)) are located in the region of Mopti. In the face of this situation, the State Party addressed a letter to the Director-General of UNESCO dated 6 May 2012, to express the concern of the Mali authorities and requesting UNESCO assistance in the event that the situation should further deteriorate in the future. Thus, the Director-General immediately sent a mission to Bamako from 18 to 20 May, with the objective of gathering detailed information on the current state of conservation of the World Heritage properties and the provisions that the Mali Government intended to put in place in view of the present situation in the northern part of the country.

Current conservation issues

a) *Timbuktu*

On 4 May 2012, the Cheick Sidi Mahmoud Tomb of Timbuktu, one of the 16 tombs comprising the property inscribed on the World Heritage List, was damaged by the Ansar Dine Group. The door and the windows were torn down, and the white curtain that separates the sepulcher from the place of worship where the faithful pray, was burnt. People present at the time of the incident were violently threatened. Several stelae were destroyed. This degradation of the tomb of this erudite place marks the worsening of threats to World Heritage in Timbuktu. The same Ansar Dine group also vandalized the Cheick Mouhamed Tamba-Tamba Tomb, also part of the inscribed World Heritage property. This tomb is located within the military camp occupied by the Ansar Dine group.

Three weeks earlier, on 10 April 2012, the former premises of the Ahmed Baba Institute of Higher Learning and Islamic Research (IHERI-AB) that constitutes the biggest centre for manuscripts of West Africa, created in 1974 with UNESCO support, were damaged as well as other cultural institutes in Timbuktu by the Ansar Dine group. The IHERI-AB possesses a valuable collection of nearly 30,000 documents with many dating back to the Golden Age of Timbuktu, the cultural crossroads and centre of learning. During their visit, the rebels questioned the importance and value of the manuscripts, which has worried the owners of the private libraries of manuscripts for fear of threats of destruction and confiscation. This situation is a cause for concern on the part of UNESCO and the international community, all the more so as it exposes the manuscripts to illicit traffic and even destruction that may occur during their transfer, as many of them are originals of great commercial value and also in a fragile and bad state of conservation.

Moreover, the new building of the IHERI-AB located opposite the Sankore Tomb, built in 2009 with support from the Government of South Africa, to welcome researchers worldwide and better conserve the manuscripts than in the former building, has also been occupied and transformed into a mosque by the Ansar Dine group.

The Timbuktu Cultural Mission, the decentralized service of the State responsible for the management of the World Heritage property, is closed due to the conflict, and therefore cannot ensure the daily management in the protection and conservation of the property.

b) *Tomb of Askia*

Since the beginning of April 2012, the town of Gao where the Tomb of Askia is located, is entirely in the hands of the MNLA rebels and the Ansar Dine and AQMI groups. The Gao Cultural Mission, service responsible for the management of the World Heritage property, is also closed due to the conflict, and therefore cannot ensure the daily management in the protection and conservation of the property. This property, which has already experienced conservation problems in particular linked to the collapse of pillars of the Women's Tomb in 2011, is once again faced with serious deterioration of the architectural elements and is widely open to the risk of looting and the confiscation of its resources and objects.

c) *Cliff of Bandiagara (Land of the Dogons)*

A part of the Land of the Dogons is occupied by rebel groups. This area concerns the Douenza located 150 km from the town of Sévaré-Mopti. The heritage of this area reflects the repercussions of this occupation. Indeed, all symbols of art sculpture or decoration is systematically destroyed. Thus, the Great Toguna (shelter for men) in the centre of Douenza has been destroyed and the carved pillars burnt. This situation has created a massive retreat of the communities towards the south (Bamako, Sikasso or Ségou). The Bandiagara Cultural Mission responsible for the management of the property has no further means (the State subventions have been halted since the beginning of the crisis) to ensure its mission of protection and conservation, which is an obstacle in the preservation of the Outstanding Universal Value of the property.

d) *Old Towns of Djenné*

The Old Towns of Djenné are located approximately 300 km from the northern territory controlled by the MNLA rebels and the Ansar Dine and AQMI rebel groups. They have remained relatively spared for the moment, even although there is a general panic in the town following the advance of the rebels to Douenza. This situation provoked the fleeing of the administrative services. A fragile calm and the gradual return of the administrative services have since been observed but the situation still remains uncertain.

The Djenné Cultural Mission no longer has the means to ensure its protection and conservation missions. This situation is all the more worrying as the property is already confronted with serious conservation problems that threaten its Outstanding Universal Value. In fact, as indicated in Document WHC-12/36.COM/7B, the implementation of the management plan and town planning regulations are well below expectations. As an example, the ancient Justice Palace that constitutes a significant element of the exceptional architectural style of Djenné was demolished, producing a negative impact on the integrity of the property.

Results of the UNESCO mission of 18 to 20 May 2012

On 20 May 2012, the State Party addressed a letter to the Director-General of UNESCO, requesting that the World Heritage Committee inscribe the properties of Timbuktu and the Tomb of Askia on the List of World Heritage in Danger at its 36th session in 2012.

The World Heritage Centre encouraged Mali to prepare a detailed state of conservation report and priorities for intervention on the World Heritage properties in Mali, in particular the

properties of Timbuktu and the Tomb of Askia and to request technical and financial assistance from UNESCO and the international community.

Mali committed to finalizing the documents of adhesion to the Second Protocol relating to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, in order to impose the obligation for the integral protection of its cultural properties, notably all the scientific collections that bear witness to the Golden Age, both spiritual and intellectual, of Timbuktu, as well as all the sites and monuments in this region.

Conclusion

The World Heritage Centre and the Advisory Bodies note that due to the armed conflict situation in the northern region of Mali, the present conditions do not permit the satisfactory management, protection and conservation of the World Heritage properties of Timbuktu and the Tomb of Askia. The situation is particularly worrying in Timbuktu where two tombs have been damaged and the biggest centre for manuscripts in west Africa has been damaged, rendering their conservation, already judged to be fragile, difficult. They also consider that the optimal conditions are no longer present to ensure the preservation of these properties and that they are threatened by a specific and proven imminent danger, in accordance with Paragraph 179 of the *Operational Guidelines*.

They note with satisfaction the decision of the State Party to request the World Heritage Committee to inscribe the properties of Timbuktu and the Tomb of Askia on the List of World Heritage in Danger. They recommend that the Committee also encourage the State Party to request assistance from UNESCO and the international community to ensure the strengthened protection of the ensemble of its cultural properties, essential for the preservation of Mali culture, rich and tolerant, relating to the heritage of humankind. They confirm the need for the Committee to inscribe Timbuktu and the Tomb of Askia on the List of World Heritage in Danger. They are at the disposal of the State Party to prepare necessary corrective measures and the Desired state of conservation. Finally, they recommend that the Committee draw the attention of the State Party to the need to also safeguard all the properties inscribed on the Tentative List of Mali, located in the region of conflict.

Draft Decision: 36 COM 7B.106

The World Heritage Committee,

1. *Having examined Document WHC-12/36.COM/7B.Add,*
2. *Congratulates the State Party for having immediately expressed its concern regarding the worsening threats to the World Heritage properties, in particular to Timbuktu and the Tomb of Askia, and for having requested UNESCO assistance for measures to be undertaken in the event of a future deterioration of the situation;*
3. *Thanks the Director-General of UNESCO for having sent a mission to Mali to study with the State Party emergency measures to be taken to ensure the preservation of the World Heritage properties in Mali and takes note of the report on the state of conservation of the World Heritage properties in Mali threatened by armed conflict in the northern region of Mali;*
4. *Expresses its serious concern regarding the situation of armed conflict in the northern region of Mali and the seriousness of threats to the World Heritage properties following the degradation of the Timbuktu tombs, and the threats to the conservation of the Outstanding Universal Value of the Tomb of Askia;*

5. *Considers that the optimal conditions are not present anymore to ensure the preservation of the Outstanding Universal Value of the properties of Timbuktu and the Tomb of Askia and that they are threatened by a specific and proven imminent danger, in accordance with Paragraph 179 of the Operational Guidelines;*
6. **Decides to inscribe Timbuktu (Mali) on the List of World Heritage in Danger;**
7. **Also decides to inscribe the Tomb of Askia (Mali) on the List of World Heritage in Danger;**
8. *Requests the World Heritage Centre and ICOMOS to prepare in consultation with the State Party all the corrective measures as well as a Desired State of Conservation for the removal of the property from the List of World Heritage in Danger, once a return to stability is effective in the northern region of Mali;*
9. *Launches an appeal to the frontier States Parties to Mali (Algeria, Burkina Faso, Cote d'Ivoire, Guinea, Mauritania, Niger) to cooperate in the preparation of a joint conservation strategy for World Heritage properties in the northern region of Mali and combat the illicit traffic linked to these properties;*
10. *Also launches an appeal to the African Union and the CEDEAO in order that all the necessary measures may be undertaken to protect cultural heritage located in the northern region of Mali and to the international community to provide technical and financial support to ensure the strengthened protection of the World Heritage properties in Mali;*
11. *Encourages the State Party to request emergency funding from the World Heritage Fund to implement the priority actions identified during the UNESCO mission, and also requests the World Heritage Centre, ICOMOS and ICCROM to assist in this optic;*
12. *Further requests the State Party to submit to the World Heritage Centre **by 1 February 2013**, a detailed report on the state of conservation of the World Heritage properties in Mali and more particularly on the progress achieved regarding their Outstanding Universal Value for examination by the World Heritage Committee at its 37th session in 2013.*