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THE WORLD HERITAGE CONVENTION AND ITS APPLICATION TO MARINE AND COASTAL SITES

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Introduction:

The purpose of this paper is to:

- provide a short background to the World Heritage Convention (WHC),
- introduce the concept of the Global Strategy for WH sites,
- set out the process to be followed in placing sites on the WH list,
- consider the main issues which the WHC currently faces, emphasising those which are most relevant to the focus of the workshop,
- highlight several aspects of the marine environment that present a challenge to the operation of the WHC, and
- identify what IUCN sees as the main challenges before the workshop.

The World Heritage Convention

The WHC (full title "The Convention Concerning the Protection of World Cultural and Natural Heritage") was adopted in 1972. There are now more than 150 State Parties (SPs). It has become one of the most important instruments of international co-operation for environmental protection. The Convention's focus on both the cultural and natural heritage makes it unique. It is founded on the premise that the world's great cultural and natural sites constitute a common heritage for all humankind. Since their destruction would be an irreparable loss to humanity, their protection concerns us all.

By signing the Convention, each SP pledges to conserve the sites in its territory, some of which may be recognised as World Heritage. Their preservation for future generations then becomes a responsibility shared by the international community as a whole. At present there are 690 WH sites, of which 529 are cultural sites, 138 are natural sites and 23 are mixed. More sites will be added at the next meeting of the WH Committee (December 2001).

The WH Committee (assisted by the WH Bureau) decides which sites to add to the WH List and helps SPs to protect those already on the list. It is advised by the World Conservation Union (IUCN) on natural properties and by the International Council on Monuments and Sites (ICOMOS) on cultural ones. UNESCO's World Heritage Centre assures the day-to-day management of the Convention. The implementation of the WHC is subject to guidance in the Operational Guidelines, adopted and periodically revised by the WH Committee.

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The key test for inclusion on the WH List is that of "outstanding universal value" (OUV). Four natural criteria have been developed to help establish if a site is of OUV. A natural site must (i) exemplify major stages of the earth's history, (ii) represent ongoing ecological and biological processes, (iii) be of exceptional natural beauty, or (iv) contain the valued natural habitats, including those of endangered species. Sites must also meet high standards of integrity, both in the sense of "wholeness" and by being protected and managed to the required standard.

When a site on the WH List is seriously endangered, it may be inscribed on the List of WH in Danger, which entitles it to special attention and international assistance. Such assistance may come from the WH Fund.

The Global Strategy for World Heritage

The Global Strategy is the term used to describe "the framework and operational methodology for implementing the WHC. It relies on regional and thematic definitions of categories of heritage which have outstanding universal value, to ensure a more balanced and representative WH List" (UNESCO, 1998). The strategy is implemented by encouraging countries:

- to become Parties to the Convention,
- to prepare tentative lists of sites that they plan to nominate, and to harmonise these,
- to prepare nominations from categories and regions not currently well represented on the WH List.

A key aim of the Global Strategy is to ensure a better balance, and greater representivity of sites on the WH List, both in regional and thematic terms. A lot of attention has been given to the cultural side of the Convention in this respect, but there have also been important initiatives to ensure a more balanced and representative list of natural sites. The basic framework for analysis for natural WH sites of ecological and biodiversity value (i.e. criteria (ii) and (iv)) has been the bio-geographical approach, amplified by species data; for sites selected for their importance under criterion (i), geological, geomorphological and palaeontological frameworks are required. No systematic framework has been developed for natural beauty (criterion (iii)).

The following steps have already been taken to develop a framework for the Global Strategy for natural sites (and into which, of course, the Philippines marine workshop also fits):

- in 1982, IUCN published a global indicative inventory on The World's Great Natural Areas, which served as a stimulus to countries to nominate sites

- in 1996, the Australian authorities supported the publication of a global framework to assist in assessing WH fossil site nominations,
- in 1997, IUCN produced two Global Overviews, on wetland and *marine* areas, and on forests, (emphasis added),
- in 1998, IUCN published a global overview on the Human Use of Existing World Heritage sites,
- in 1998, UNESCO, CIFOR and the Government of Indonesia sponsored a meeting on World Heritage Forests - the World Heritage Convention as a Mechanism for Conservation of Tropical Forest Biodiversity, at Berastagi, Sumatra.

The 1997 overview paper on wetland and marine areas is relevant as an earlier effort to address some of the issues before the marine workshop, and the Berastagi meeting is relevant to the process to be adopted at the Philippines meeting.

The 1997 overview paper covers both wetland areas and marine sites, a rather confusing approach. Its main purpose was to provide an overview of sites already on the WH List, but it does also contain a table with a preliminary list of prospective wetland and marine areas with potential for WH nomination. Much of the 1997 paper has now been superseded by the more thorough WCMC's Global Overview paper for the marine workshop; also the approach to its compilation, through a limited expert consultation, was far less exacting than that planned for the marine workshop. Nonetheless, it may be interesting to consider the list of marine sites proposed by IUCN at that time (reproduced in summary form at Annex 1).

The Berastagi meeting on tropical forests marked an important step forward in the process by which sites for potential WH listing are identified (CIFOR/UNESCO, 1999). Its basic conclusion was that while 33 tropical forest sites were on the WH List, a number of sites of outstanding universal value had not yet been inscribed. Drawing on work undertaken by WRI, WWF, CI, IUCN, WCMC and BirdLife International, it analysed the exiting coverage of tropical forest WH sites in 63 of WWF's Global 200 ecoregions. The meeting then drew up a list of potential additional sites in each of these ecoregions, which might satisfy natural criteria (ii) and/or (iv). (A few of these sites have since been added to the WH List).

At the same time the participants noted that the assessment of nominations was based largely on "globally accepted standards of quality of sites" and "so extreme care must be taken in both assessing new nominations, and monitoring existing sites to ensure that the criteria of the WHC continue to be rigorously adhered to".

It should be noted that the Berastagi meeting also addressed a number of issues which go beyond those which are directly identified on the agenda at the marine workshop, such as: research and monitoring; tolerance of human use; finance and other support;

and information. On the other hand the meeting did not give much attention to the issues of multi-country nominations.

To conclude, the Berastagi meeting is a good model for the approach to be followed at the marine workshop. In particular it focuses on a method of selecting sites considered suitable for WH nomination by looking at the existing sources of advice, the present coverage of WH sites and a critical review of candidate sites against relevant criteria. The result is a call to countries to nominate more WH tropical forest sites in future, and a framework to assist the WH Committee, IUCN and others to assess these nominations.

Putting sites on the WH list

While it may seem self-evident, it is important for the marine workshop to recall that WH sites can only be nominated when a country has become a SP. Though the WHC has over 150 signatories, not all countries with potential WH tropical marine sites are members. Annex 2 lists those topical countries with coastlines which have yet to sign the Convention; a number of these would be expected to have tropical marine sites worthy of consideration.

Only governments, of course, can nominate WH sites (though NGOs and others can make the case). State Parties are strongly encouraged to compile and submit a "tentative list of properties which it intends to nominate for inscription in the WH list during the next 5-10 years" (UNESO, 1999). The Committee is pressing all countries to compile such lists and to update them before nominating sites (in the case of cultural sites, this is an absolute requirement).

The Operational Guidelines stress that to go on the WH List, sites must be of OUV, they should be carefully selected and the case for their inscription well-argued. If a site is identified through the kind of comparative assessment envisaged at the marine workshop, this would greatly strengthen the case for inscription. Nonetheless, the nomination must be thorough, demonstrate under which criteria it is considered that the site should be inscribed, and also how the conditions of integrity will be met. In IUCN's experience, many nominations are quite seriously deficient and do not do justice to the quality of the site itself.

Nominations are sent to the WH Centre and, providing they are in order, those involving natural sites are transmitted to IUCN for evaluation. The IUCN evaluation is an exacting process with several components:

- a data sheet on the site is provided by UNEP-WCMC,
- a number of expert reviewers are asked to examine and comment on the documentation submitted by the SP,
- a field evaluation by an IUCN expert(s) takes place,

- the field evaluation report and the reviewers' comments are examined by IUCN's WH Panel, which consists of protected area staff at IUCN HQs and key members of IUCN's expert network, the World Commission on Protected Areas,
- on the basis of this advice, the Panel decides on its recommendation to the WH Committee (or Bureau),
- staff of the Programme on Protected Areas at IUCN HQs complete the evaluation report for the Committee/Bureau.

The Operational Guidelines call on the Advisory Bodies to be "as strict as possible in their evaluations" (Para. 61a). IUCN is also specifically required to compare natural sites "with other sites of the same type, both inside and outside the SP's borders, within a biogeographic province or migratory pattern" (para. 60). IUCN's approach to the evaluation process is therefore a rigorous one, seeking the select few sites that have undisputed WH values. In its evaluation, it addresses questions both of criteria and of integrity. In making its recommendations, IUCN is informed by previous advice from IUCN and past decisions of the WH Committee to ensure consistency as far as possible. Very often IUCN makes recommendations for rejection. Many more are recommended to be referred back to the SP for more information, for boundary adjustment or for action to assure the integrity of the site (for example, the preparation of a management plan).

To secure the inscription of a site on the WH List is therefore a major challenge for the SP. But if successfully inscribed at the end of this thorough process, WH status will bring benefits to the area concerned. In particular, WH designation:

- enhances prestige, raises status and increases public and political awareness - thus promoting greater attention to conservation and management of the area,
- provides possible access to the WH Fund, and increases the chances of securing other forms of international assistance, e.g. from the UN Foundation , the GEF and bilateral sources,
- provides international recognition to the site and encourages international solidarity in its protection,
- attracts international tourists, and
- in the case of WH sites shared by two or more countries, increases the opportunity for international co-operation between them.

Issues facing the WHC and their relevance to the workshop

The Convention will be 30 years old next year, and its many achievements will be celebrated then, notably at a meeting in Venice in September 2002. IUCN considers the WHC to be one of the most important international instruments of co-operation in the environmental field and notes that it is attracting increasing attention, especially in light of the decision by the UN Foundation to focus its support for biodiversity conservation on the operation of the convention. WH sites are important not only in themselves but also as standard setters for conservation in general.

However, the operation of the Convention has revealed a number of challenges, many of which are common to those facing protected areas in general, and most of which go beyond the scope of the marine workshop. The main points are these:

- *The imbalance between cultural and natural sites:* there are many more cultural than natural sites, though this is a poor measure of balance as most natural sites are bigger and different criteria apply in their selection. Even so, there is a tendency for the Convention to appear to be more concerned with the cultural than the natural heritage. One way in which this can be corrected is if experts in the natural heritage were to play a more prominent part in national activities relating to WH, as well as having a stronger natural heritage presence in national delegations at the WH Committee.
- *The imbalance between terrestrial and marine protection:* this, of course, is the rationale behind the workshop. There are relatively few WH marine and coastal sites, and their distribution is unsatisfactory, as the UNEP-WCMC analysis shows. Just as with protected areas as a whole, the marine side lags behind. (It has to be said that there are also terrestrial biomes, e.g. lakes and grasslands, where this is also true).
- *The balance between the attention given to site inscription and to site management*: there are certainly serious gaps in the present coverage of WH sites, but there is a concern that the WH Committee, and the efforts of SPs, should be focused more on the better management of sites already on the list. There is ample evidence from IUCN's regular State of Conservation reports to the WH Committee that many sites are neglected and are not receiving the priority attention that they should. As the list of WH sites grows in length, more attention ought to be given to the better management of those already on the list; indeed this is essential to the credibility of the WHC.
- *The importance to be attached to monitoring and evaluation*: this is a related point. There is a need to make the reporting to the WH Committee on the State of Conservation of WH sites more thorough and systematic. The UN Foundation is supporting a project by UNESCO and IUCN to develop and refine the methodology for monitoring and evaluation.
- *The evidence of mounting threats to many natural WH sites*: IUCN's reports to the WH Committee show that many WH sites are under threat. Where the threat seriously affects WH values, sites can be placed on the WH in Danger list to help focus international attention on solving these threats: there are currently 19 natural properties on the danger list. In extreme cases (e.g. Central Africa) war and civil unrest mean that some sites are in imminent danger of losing the very values for which they were inscribed. Many others have to contend with a range of challenges, e.g. from encroachment and poaching, mining, damaging infrastructure and invasive species. In some cases the SP and the WH Committee have addressed these problems most effectively, but in other cases the dangers persist. The issue is a serious one in the marine environment because threats, or the effects of them, are often unseen. Certainly many WH marine sites are adversely affected by legal and illegal fisheries operations.
- *Working with people*: nearly every WH site presents the challenge of developing an effective partnership between the manager and the local community. Marine sites are no exception.
- *Capacity building*: the effective management of WH sites requires skills, and access to resources. Capacity development is therefore an urgent requirement in many countries. In making proposals to expand the number of marine WH sites, it will be important to recognise that there should be a parallel expansion in capacity to manage. This is especially important in the case of small island developing States surrounded by large EEZs.

- *Single sites v. serial sites*: as the Convention has proceeded, the advantage of serial nominations has become more evident, as it is often the case that a cluster of separate sites with common features better represent WH values than a single property. This applies to marine sites, as the workshop programme recognises.
- *Transboundary WH sites:* a potential benefit of WHC is that it can encourage co-operation between countries sharing WH sites. A report from IUCN on the topic of transboundary protected areas (IUCN, in print) will show that there are both ecological and political/security benefits from developing cross-border co-operation between neighbouring States sharing the same ecosystem and managing adjoining protected areas. It is welcome therefore that the marine workshop will address this issue.
- *Linkage with other international agreements:* there are benefits to be obtained by linking the operation of the WHC at a national level with that of the Ramsar Convention, the Man and Biosphere Programme (Biosphere Reserves) and regional conventions. In some cases these designations may be more appropriate means of protecting significant marine or coastal sites.

Issues that arise in the marine environment

IUCN's experience suggest that there are a number of aspects of planning and managing marine protected areas - including WH sites - that raise specific issues, in addition to those above, that should be taken into account in planning the use of the WHC as a conservation tool:

- *A biogeographical framework*: IUCN has used Udvardy's biogeographical classification system in assessing terrestrial WH nominations. IUCN needs advice on a comparable framework that could be used to assess marine WH sites.
- *The relevance of WH natural criteria to the marine environment*: IUCN uses the four natural criteria developed to assess all natural sites. But how well do these work for such marine habitats as hydrothermal vents, sea mounts, deep-sea trenches and submarine canyons, whose importance we are only now realising?

- *Boundaries:* the integrity of many marine protected areas cannot be secured without the inclusion (at least as a buffer zone) of the adjoining land area. But this means different jurisdictions, agencies and communities. Plans for WH sites, must, though address this question.

- *Legal aspects:* there are several aspects of legal regimes as they apply in the marine environment that create special challenges for marine protected areas. For example, there is the effect of the Law of the Sea and of EEZ regimes; and also in many cases rights of navigation, or fishing rights, will complicate management. These matters will be particularly challenging in multi-country WH marine sites. WH designation should not go ahead without addressing such issues as far as possible. In addition, there is the question of how to give protection to places beyond national jurisdiction which might still be considered to be of OUV, i.e. certain marine habitats as hydrothermal vents, sea mounts, deep-sea trenches and submarine canyons? IUCN and WWF have raised such questions in a recent publication (WWF/IUCN/WCPA, 2000).

- *Fisheries and tourism sectors*: these sectors are very important partners in the management of WH sites. Experience suggests that their early inclusion in

discussions over marine protected areas will bring dividends. They need to be involved in the debate about WH sites alongside marine scientists.

IUCN has drawn together its experience in these and many other aspects of marine protected areas planning and management in recently published guidance (IUCN, 2000). Managers of WH marine sites should use this and other advice in developing plans for their own sites.

The Challenge to the Workshop

The marine workshop has a commendably focused agenda upon the priority issues of developing a framework for determining representative areas in the tropical marine environment, drawing up a list of potential sites and determining priorities for multi-site and multi-country nominations.

As noted above, IUCN will itself be greatly assisted by such a framework in assessing nominations in future, but it will be of even greater value to SPs with tropical marine environments. The marine environment has not benefited as much as the terrestrial environment from the WHC, and a well-argued, scientifically convincing and concise report from the workshop, based on a global assessment of the tropical marine environment, will do much to address this deficiency. The development of advice of this kind is therefore the major challenge to the workshop.

IUCN also believes however that:

- The workshop should be presented as a part of the IUCN contribution to the development of the WH Global Strategy (see above) in order to help secure the support of the WH Committee.
- A follow-up strategy will be needed to deliver the arguments from the workshop to the SPs and others. It is not enough to report to the WH Committee. Other avenues like IUCN membership should also be used. The workshop should consider this.
- It will help IUCN and the WH Committee if the workshop leads to a stronger network of advisers on marine aspects of the WH, especially in evaluating future nominations and reporting on the State of Conservation of sites on the WH List.
- The issues of the many small island States which are not at present parties to the WHC must be faced up to. As Annex 2 shows, there are a large number of such small island countries and territories in the Pacific, West Africa and Caribbean regions in particular, many with important marine environments. They would need to become party to the WHC if the global strategy for marine WH sites is to become a reality. Though the populations of some are very small, their EEZs are often vast, especially in the Pacific. There are two challenges: to persuade these countries to join the WHC, and to develop their capacity to manage any sites that they may then nominate.
- Looking further to the future, there will be a need to address another gap. The question arises how places of OUV beyond national jurisdiction can be recognised and protected. Even if WH status cannot be applied to such sites, can some kind of alternative or "shadow" designation be developed?
- Identifying potential WH sites for inclusion on a SP's tentative list is only the start of the story. Many SPs will need advice on putting together their nominations. It is important that the workshop sends out a strong message about the high standards

that will be applied by IUCN and the WH Committee in considering any WH nominations. In this connection, it may be sensible to urge also the use of other instruments, such as Biosphere Reserves or Ramsar sites, to strengthen protection and give international recognition to marine sites that might not fully meet the WH tests of OUV and integrity.

- Once a site has been successfully nominated, the challenge of management to WH standards begins. As this paper notes, WH sites face threats of many kinds, and they often require stronger support and more resources. WH management capacity is frequently weak, and its effectiveness needs to be monitored and evaluated. There is a particular requirement to work more closely with local communities. This agenda represents the long-term challenge to all WH sites. The workshop might like to consider proposing some follow up activities, specific to the marine environment, to address these.
- The forthcoming World Parks Congress (September 2003) provides an opportunity to assess progress in implementing the workshop's recommendations. The workshop should devote some time to looking forward to this event.

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Annex 1 - list of tropical coastal and marine regions, which may contain potential WH sites (as recommended by IUCN in 1997)[2]

Egypt, Eritrea, Saudi Arabia, and Sudan: **The Red Sea**
Guinea-Bissau: **coastal wetlands and Bijagos Archipelago**
South Africa: **Lake St Lucia**
India: **Andaman and Nicobar Islands**
Indonesia (Irian Jaya): **Teluk Cenderwasih Marine NP**
Indonesia (Sulawesi): **Taka Bone Rate Atoll**
Indonesia (Kalimantan): **Tanjung Putting**
Malaysia: **the Kinabatangan floodplain**
Myanmar: **Irrawaddy floodplain and delta**
UK: **Chagos Archipelago**
Australia: **Cape York Peninsula**
Fiji: **Great Astrolabe Reef**
New Zealand: **Farewell Spit**
Palau: **Thousand Islands**
Papua New Guinea: **Sepik and Ramu floodplains**
Solomon Islands: **Rennell Island**
Bahamas: **Andros Island Barrier Reef**
Cuba: **Zapata Swamp**
Cuba: **Jardines de la Reina**
Honduras, Nicaragua and El Salvador: **Gulf de Fonseca**
Mexico: **Usumacinta Delta and Tabassco Lagoons**
Nicaragua: **Miskitia coast and lowlands**

[2] Note that many of the above areas contain associated terrestrial areas as well as coastal and marine habitat.

Annex 2 - list of tropical countries/territories with coasts that are not yet State Parties of the WHC.

Anguilla
Bahamas
British Virgin Islands
Brunei Darusallam
Guinea-Bissau
Cayman Islands
Cook Islands
Equatorial Guinea
Eritrea
Hong Kong (China)
Kuwait
Liberia
Marshall Islands
Micronesia - Federation of
Montserrat
Nauru
Palau
Puerto Rico
Sahara, Democratic Arab Republic of
Saint Vincent and Grenadines
Samoa
Sao Tome and Principe
Sierra Leone
Singapore
Somalia
Taiwan (China)
Tokelau
Tonga
Trinidad and Tobago
Tuvalu
Vanuatu
West Indies Associate States

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