

World Heritage Watch Report 2022



World Heritage Watch

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WORLD HERITAGE WATCH

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Preface

In 2022, for a third consecutive year, the World Heritage Committee has not met for a regular, physical session. While the 2020 and 2021 sessions were prevented by the global Covid-19 pandemic, in 2022 the reason was a political crisis: When the Russian Federation started its brutal, unprovoked attack on Ukraine with the stated objective to extinguish that country's independence and indeed nationhood, the idea that a country which openly negates the very principle upon which UNESCO was founded – namely to build the defences of peace in the minds of men – should preside over a UNESCO meeting was unacceptable to a very large majority of States Parties to the World Heritage Convention.

It became clear very soon, however, that for removing the Russian president of the Committee – elected *ad personam* – from his office there was no majority either in the World Heritage Committee or in its Bureau, and the General Assembly of State Parties – into whose hands the matter should have been put – had no power to intervene according to its Rules of Procedure. As a result, the Committee has remained paralyzed, and its 45th Session has been postponed indefinitely but not cancelled, with a prospect that this state of affairs could continue until Russia's term in the Committee is scheduled to expire in November 2023. As of today, it remains unclear whether there will be a World Heritage Committee session in 2023.

The paralysis of the Committee has also interfered with UNESCO's planning of an official event to celebrate the 50th Anniversary of the World Heritage Convention. Significant celebrations took place on the 20th, 30th and 40th anniversaries, and the absence of such an event organized by UNESCO on the 50th Anniversary sheds an ominous light on the condition of the Convention.

For many years, civil society and academic scholars alike have deplored the politicization of the Committee – the fact that certain countries have used their membership to promote decisions not taken exclusively in consideration of merit and facts but increasingly based on political considerations.

As a result, for years the problems haunting World Heritage sites have not been adequately acknowledged nor addressed, allowing developments to continue and facts being created which damage or outright destroy the sites which the State Parties have solemnly promised to protect for all of humankind.

The picture appears equally bleak as we look at other international conventions covering matters related to World Heritage, such as climate change, biodiversity, human rights and indeed, the entire body of international law ruling the conduct of nations at war. These international agreements seem to be plagued by some of the same phenomena of politicization, lack of compliance and outright defiance that we observe in the World Heritage Convention, casting into doubt whether all our efforts to create rule-based international relations will ever bear fruit.

Where does this leave civil society? At a moment when an increasing number of States Parties appear to be unable or unwilling to adhere to the rules of the Convention, rendering its bodies partly dysfunctional, the role and importance of civil society has never been greater. Actually, civil society has become the key steward and guardian of some World Heritage sites, and the good conscience of the Convention. For the sake of the World Heritage we care so much about, we – its civil society supporters – have to accept and assume these roles and live up to bigger tasks.

But how can we assume greater roles and take on bigger tasks when we have no power in the Convention, most of us work under precarious conditions, with little or no support from outside? Should we continue to allocate our limited resources to being involved in a Convention whose power seems to decrease, or would it be better to focus on the time-tested ways and means of civil society – petitions, demonstrations, political lobbying, and direct action?

There is no easy answer, and the larger context needs to be taken into account. Undeniably, the World Heritage Convention has been a huge success. Many of the sites inscribed in the World Heritage List would probably have been lost a long time ago had not UNESCO's good name and the power of the international community stepped in to save them. This potential must not be discarded lightly.

There are also systemic considerations. The convention is not only about inscribing sites on the World Heritage List and monitoring them. Its bodies have over time continued to raise new issues, and set technical standards in many fields. Suffice it to mention that the Convention has introduced the category of cultural landscapes to the conservation agenda, it has been the first to address climate change and sustainable development, and to create standards for the conservation and development of historic urban landscapes. Indigenous peoples have been able to make use of the Convention in order to have their lands, sacred sites and cultural heritage better protected. If civil society would turn away from the Convention, we would lose the option of making a difference through its standard-setting processes.

With the Potsdam Papers on the Future of the World Heritage, we have made a major contribution to improving and refining the documents ruling the work of the Convention, hopefully resulting in a reform which will make it survive its next 50 years, and a much stronger role of civil society. The response by the statutory bodies – the States Parties, the Committee and its secretariat and advisory bodies – to the suggestions made by us will amount to a first litmus test whether there will be a role for civil society in the Convention.

Berlin, October 2022

Maritta von Bieberstein Koch-Weser, President
Stephan Doempke, Chair

Special Report: World Heritage Sites Damaged by War in Ukraine

Stephan Doempke, World Heritage Watch

Among the many atrocities perpetrated by the Russian armed forces since February 2022 in Ukraine has been the widespread destruction of cultural heritage. Russian President Putin himself has denied Ukraine its cultural and national identity, claiming that Ukraine is a part of Russia. This false narrative has not only served him to justify his attack and his claims to the territory of Ukraine, but also explains why the invading forces seem to select cultural heritage objects as targets in order to extinguish all evidence of Ukrainian culture. In addition, thousands of artifacts have been looted from Ukrainian museums, most notably an irreplaceable Scythian gold treasure of the 4th century BC from the Museum of Local History in Melitopol. We may expect that some of these objects will be presented as part of Russian cultural heritage in Moscow museums.

As of 25 July, UNESCO has verified damage to 168 cultural sites since 24 February – 73 religious sites, 13 museums, 33 historic

buildings, 24 buildings dedicated to cultural activities, 17 monuments, and 8 libraries. However, no reliable information is available from the zones of combat and under Russian occupation, and the total number of damaged or destroyed cultural sites may be much higher.

Ukrainian World Heritage and Tentative List Sites

Information presented here has been obtained from various sources in the internet as well as from Iryna Nikiforova of the Initiative of the St. Andrew's Paysage.

To date, no UNESCO World Heritage site appears to have been damaged. However, four sites on Ukraine's Tentative List have been affected by the military invasion, and another one earlier on Crimea by harmful interventions.



Fig. 1: Sites on Ukraine's Tentative List damaged by the Russian military and civil authorities.

Map: Worldometer / Stephan Doempke

Historic Centre of Tchernigov (Ukrainian: Chernihiv), 9th – 13th centuries



Fig. 2: St. Catherine's Church, part of the historical ensemble of "Ancient Chernihiv", has suffered minor damage such as broken windows and plaster on its outside walls. In addition, a large part of the pavement surrounding it has been destroyed. World Heritage Watch has funded the restoration of the church, which has already been completed.

Photo: Iryna Nikiforova

Derzhprom (State Industry) Building



Fig. 3: Built in constructivist style in Kharkiv in 1928 when the town was the capital of the Ukrainian SSR, this huge modernist building complex was the first skyscraper of the USSR. The Derzhprom building has suffered structural damage from Russian shelling. It is now occupied by agencies related to the military, and no detailed information about the damage is available.

Photo: Oleksandr Malyon

Archaeological Site "Kamyana Mohyla"



Fig. 4: Kamyana Mohyla ("stone tomb") is a unique monument of geology and archeology. It is a sand hill whose the grottoes and caves contain several thousand petroglyphs of nomadic people who migrated in the Azov steppes for millennia. Kamyana Mohyla is the only place in the world where drawings dating from such a wide historical range can be found: from the Late Palaeolithic to the Middle Ages (XXIV-XX millennium BC - XI-XIII centuries AD). The site, located near the city of Melitopol, has reportedly been mined by the Russian occupants.

Photo: Sergey Goruppa

The National Steppe Biosphere Reserve "Askania Nova"



Fig. 5: The Askania Nova Nature Reserve, located in Kherson Oblast, consists of a zoological park, a botanical garden, and one of the last original steppe areas in Ukraine. In addition to endemic species such as the Przewalski's horse, grassland animals from other parts of the world have been introduced, too. Russian occupant heavy military vehicles have trespassed the reserve and damaged valuable ecosystems.

Photo: Ganna Gayova

Cultural heritage in illegally annexed Crimea

Ancient City of Tauric Chersonesus



Fig. 6: Construction work conducted by Russian authorities damaging the ruins of the ancient city of Tauric Chersonesus in occupied Crimea, Ukraine.

Photo: Radio Free Europe / Radio Liberty

As a result of information about harmful interventions by the Russian occupants, the World Heritage Committee in a 2016 Decision has urged “all parties currently associated with the state of conservation of the property to refrain from any action that would cause irreversible damages to the property and to fulfill their obligations under international law by taking all possible measures to protect the property;” and requested the State Party (Ukraine) “to invite, as soon as the situation allows, a joint World Heritage Centre / Advisory Bodies Reactive Monitoring mission to the property to assess its state of conservation.” (Decision 40 COM 7B.62 on the Ancient City of Tauric Chersonese and its Chora (Ukraine)).

Bagçesaray Palace of the Crimean Khans



Fig. 7: In the city of Bagçesaray, illegally created bodies have seized 32 real estate objects of the national monument “Khan’s Palace”, which are a part of the Bagçesaray State Historical and Cultural Reserve which is on Ukraine’s Tentative List. It has been established that this historical monument is being intentionally destroyed and damaged by large-scale illegal works.

No reliable up-to-date information is available on the state of conservation of the sites inscribed in the World Heritage List or Ukraine’s Tentative List in Crimea and other occupied territories. The European Parliament has stated on Crimea: “The peninsula is rich in cultural heritage and has been subject to politically motivated interventions and russification of its history. There has been unlawful transfer of artefacts to Russia and illegal archaeological excavations, the findings of which have been exported to Russia or sold on the black market. The unique cul-

tural heritage of Crimean Tatars has been destroyed, and biased conservation works have obscured its origins.” (<https://ethink-tank.eu/2022/04/22/russias-war-on-ukraines-cultural-heritage/>)

The Cultural Heritage Support Network for Ukraine

When the Ukrainian capital Kyiv was subject to heavy shelling from approaching Russian forces in March, its World Heritage sites, the Sophia Cathedral and the Kyiv-Pechersk Lavra Monastery, were under immediate threat of destruction. In that situation World Heritage Watch launched a public appeal to German museums to donate packaging materials to these and other World Heritage sites in order to pack up and store their movable objects away to safety in basements and bunkers. As a result, 26 museums responded, and World Heritage Watch has been able to send tonnes of packaging materials to Ukraine which have been disseminated to various churches, museums and monuments all across the country.

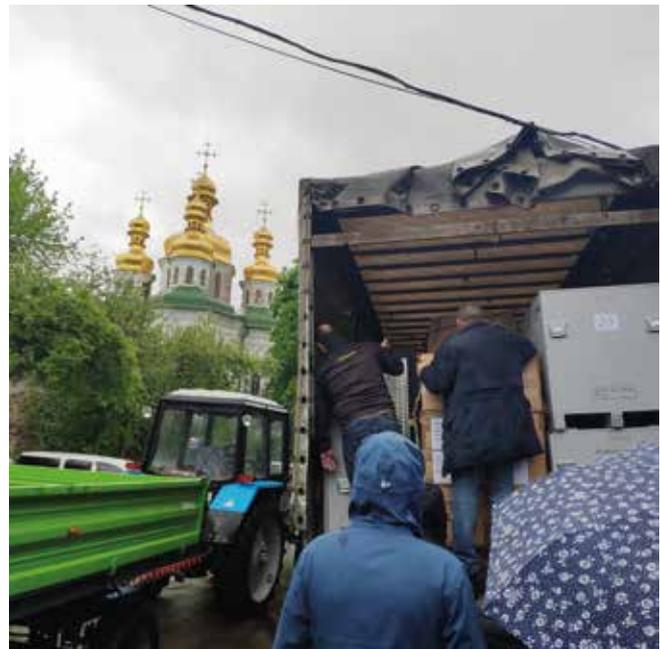


Fig. 8: Packaging materials are being delivered to the St. Sophia Cathedral in Kyiv, 19 May 2022.

Photo: Iryna Nikiforova

Our initiative merged later with others in order to create the Ukrainian Art Aid Network which has received substantial support from the German government, allowing it to continue delivering materials to Ukraine until today.

I. Natural Properties

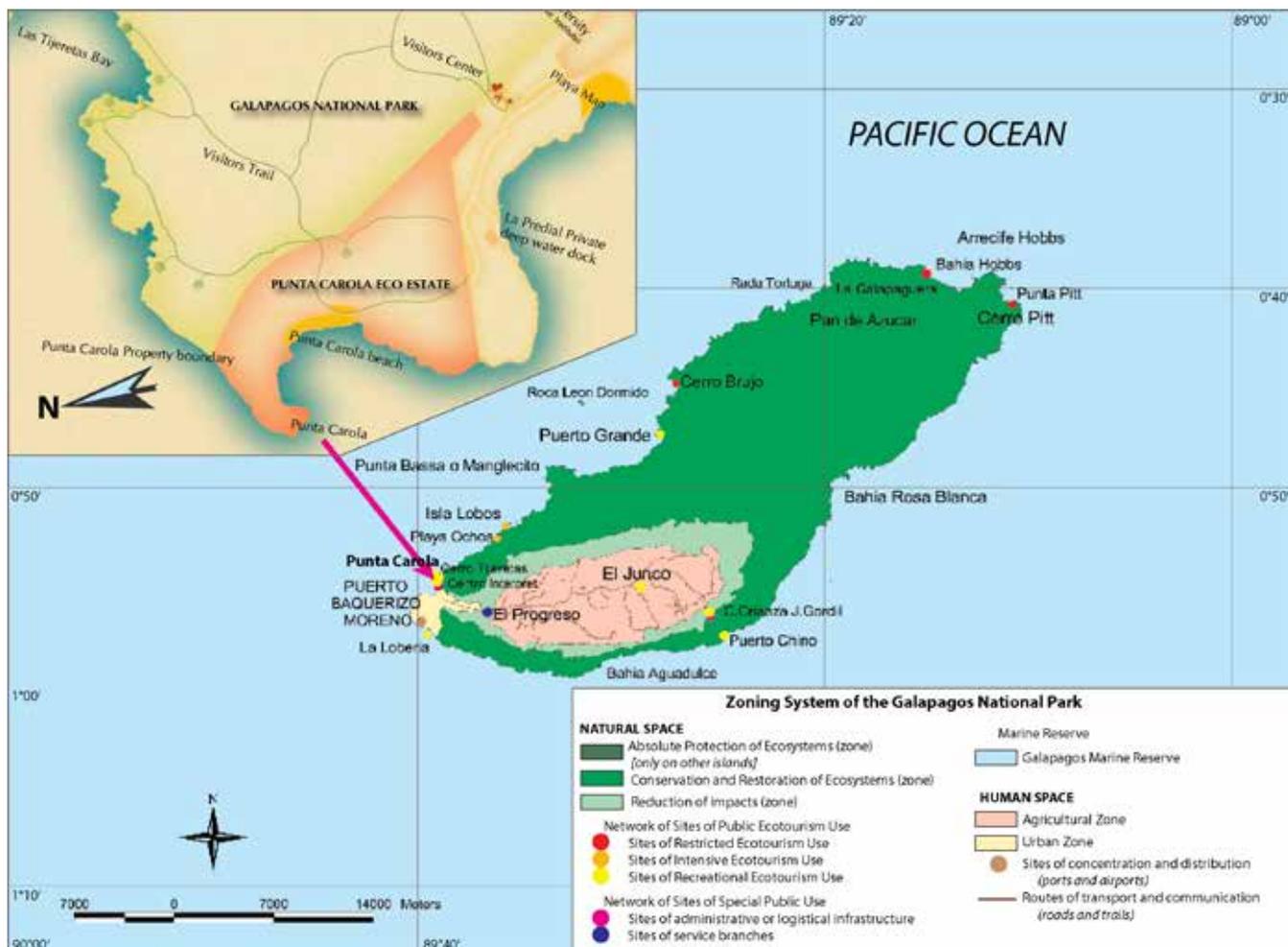


Fig. 4: Plan of the proposed development

Map: Parque Nacional Galápagos / HOGALAPAGOS investment brochure

once it was developed. As a precedent, the residents do not have free access to their surf beaches south of the port which are beyond the navy base (itself occupying public land).

HOGALAPAGOS is owned by a mixture of individuals, holding companies and hidden trusts, based in Ecuador and Panama. The sister of Raphael Correa (Ecuador’s president until 2017) was, at one time, reported, by the owners, to be a partner in the project (we do not know if that still holds). Only residents can own and develop property in Galapagos, so the HOGALAP-

AGOS resort, like most such projects, is fronted by local “testaferros” (straw men), seemingly and suddenly blessed with the means to hold a 51% interest in a fifteen-million-dollar project.

In October 2012, HOGALAPAGOS submitted plans for the resort, but the town’s architect advised against the issuance of a building permit, citing among other reasons: risk of inundation by tsunami, excessive building height, lack of construction plans, lack of an environmental impact study, failure to recognize public ownership of the first 8m above high tide, and high environmental impact. Nonetheless, a building permit was issued.



At about this time the Asamblea Ciudadana (Citizen Assembly), launched twin Facebook pages: “SOS Galapagos”¹ and “SOS Galapagos en Español”, with the stated aim of “Help-

¹ <https://www.facebook.com/SOSGalapagos>

Fig. 5: Carola as is – and as planned.
Photo: Juan Pablo Muñoz

ing to protect the Islands from opportunists and crass commercial exploitation”.

In July 2013, the Galapagos Governing Council (CGREG) imposed a moratorium on all new hotel construction or improvements. However, a year later, the CGREG released 20 select projects, including the HOGALAPAGOS resort, from the moratorium and allowed them to seek its approval for construction.

The HOGALAPAGOS resort was one of several hotel projects planned for the coastal zone between Playa Mann and the Tijeretas, including Carola and Punta Lido. On September 30, 2014, the Asamblea Ciudadana (Citizen Assembly) of San Cristobal resolved to declare the sector encompassing Playa Mann through Punta Lido and Carola to the Tijeretas “...a protected area of scientific, social, ecological, and recreational interest to the community of San Cristóbal”. Petitions to support the resolution were sent to the mayor and councillors of the Municipality of San Cristobal, the Governor of Galapagos, and the Minister and President of the CGREG.

After initial hesitation, San Cristobal’s municipal council voted unanimously to support the Citizen Assembly resolution. So far, the council and mayor have stood by the resolution but, after six years, have yet to incorporate it in the Regulatory Plan.

While the CGREG never responded to the Citizen Assembly petition directly, it did set a size limit of 35 rooms or 70 places for all new projects.

A direct appeal from the Citizen Assembly to the President of Ecuador did result in the Director of the Galapagos National Park commissioning a study into the feasibility of declaring Punta Carola and surroundings: “...a protected area of Galapagos.” The results of this study, if undertaken, were never published.

On November 27, 2014, the Asamblea Ciudadana submitted a constitutional challenge (Amparo) to the courts to prevent the Governing Council from giving permits to the hotels, in particular the resort at Carola, which, contrary to the Galapagos law, were foreign-owned, and presented an immediate threat to the environment. After a favourable first hearing, the parties reconvened for the second, at which time the judge subsequently declared the action “sin lugar” (without place).

While UNESCO and several conservation organizations did not respond to messages from the Asamblea Ciudadana and SOS Galapagos, a few conservation publications did publish articles to raise awareness of the environmental threat posed by the projects like Carola. Eventually the issue caught the attention of the Ecuadorian press and some offshore publications including Vice News. In July 2015, an article by Reuters was carried by several major publications including the Guardian, New York Times, and Washington Post.

On September 4, 2015, one year after its partial lifting of the moratorium, the Governing Council approved 3 of the projects then under consideration. The Carola resort was not approved. Since then, several developers have successfully appealed their initial rejection, and their projects are now proceeding. So far, the HOGALAPAGOS project has not been approved, despite the owners’ appeals to the Governing Council, Ministry of Tourism, the National Park, and even the President of Ecuador.

All the time it has failed to obtain regulatory approval, HOGALAPAGOS has been waging a campaign, through written and television media, to persuade the residents of San Cristobal that the resort will generate a thousand jobs, will not affect their access to the beach and will not harm the environment. The reasons for rejection by regulatory authorities are misrepresented if mentioned at all.

We appear to be at an impasse, with the resort being repeatedly rejected by the authorities but still aggressively promoted by the developer through direct appeals to the affected population. There is a real danger of this strategy succeeding. Whereas there was unanimous and vociferous opposition to the resort before the Pandemic, the population is now divided, with a greater post-pandemic need for investment and employment, and many buying the developer’s argument that since Carola is in private hands, the project cannot be stopped. The environmental argument is being pushed into the background with those striving to protect Carola being cast as “anti-investment” and “anti-recovery”. Civic elections are only 6 months away and a new mayor and council could issue a building permit, just as they did some 10 years ago, despite the same environmental and regulatory obstacles that already existed at that time.

While the moratorium of July 2013 continues to stifle local aspirations, it has proved no obstacle to those with sufficient funds or influence. Several major developments, including three waterfront hotels and a luxury holiday home complex at Playa Mann, have proceeded nonetheless. So long as the land between Playa Mann, Carola and Tijeretas remains in private hands, it remains in peril.

So, perhaps the only way to save Carola is to buy back or expropriate the property from HOGALAPAGOS. But we anticipate that being a considerable challenge, in legal terms, in cost, and efficacy, particularly in the long term. Accordingly, we need assistance in the following:

1. Determine and negotiate a reasonable price for expropriation of the land at Carola.
2. Determine who can and should be the new custodian of Carola: the municipality of Puerto Baquerizo Moreno; the Galapagos National Park; the CGREG, or some other body.
3. Raise funds for the purchase, in conjunction with the local government, conservation bodies and direct public appeals.

Pressure to Downsize Chapada dos Veadeiros National Park Again

Rede Nacional Pró-Unidades de Conservação



The Chapada dos Veadeiros National Park, located in the state of Goiás, in the Structural Province of Tocantins, was created in 1961 and currently protects 240,611 hectares of the Cerrado biome.

Recognized in 2001 by UNESCO as a Natural World Heritage Site, within the Cerrado Biosphere Reserve, this National Park contains extensive portions of high-altitude savannah and grassland formations, such as those found in the Pouso Alto and Paranã mountain ranges, with abundant springs, quartz crystals, buritis and endemic species, reflecting the unparalleled vastness of the Central Plateau.



Fig. 1: Garimpão I falls of the Rio Preto.

Photo: Zig Koch

Its climate is a transition between the Amazon region and the semi-arid northeast of Brazil, with humid summers and dry winters, which contributes to the richness of the biodiversity, formed by unique species of fauna and flora, besides hundreds of springs, water courses and waterfalls, and unique geological aspects.

The region has been the stage for fundamental scientific research for the understanding and preservation of natural resources and for the training of professional researchers, in addition to contributing to environmental education and public visitation projects - in the last ten years, the number of visitors to the Park has jumped from 23,000 to about 80,000 per year, which boosts the economy of the municipalities in the region due to ecotourism services.



Fig. 2: Tourism in the Cerrado..

Photo: Zig Koch

The international visibility given to the Chapada dos Veadeiros National Park through this report is fundamental to increase the attention given to this important conservation unit, responsible for protecting the water reserves of the Tocantins River, which runs for 2,416 kilometers and is one of the main water catchment basins of Brazil.

Threats

Although the Chapada dos Veadeiros National Park is emblematic in central Brazil for maintaining the balance of ecosystems in the region, some threats are already affecting its effective preservation of nature.

The Park has undergone a troubled process of changes in its size and boundaries over the years: its creation decree determined the protection of 625,000 hectares; more than a decade later, it suffered a reduction of 72% of its area, to 171,924.54 hectares; after a few years, a further reduction resulted in the protection of only 60,000 hectares, representing 9.5% of the original size; currently there are 240,585.56 hectares protected, according to the Decree of June 5, 2017.

Although the Brazilian Federal Constitution makes it impossible to reduce the area of any Protected Area unless it is done by law, there are still spurious attempts to get around this guideline by some representatives of the Legislative Power: There are two Legislative Decree Projects, PDL nº 338/21 and PDL nº 1.072/21, that intend, contrary to the constitution, to rescind the decree that outlined the current limits of the National Park.

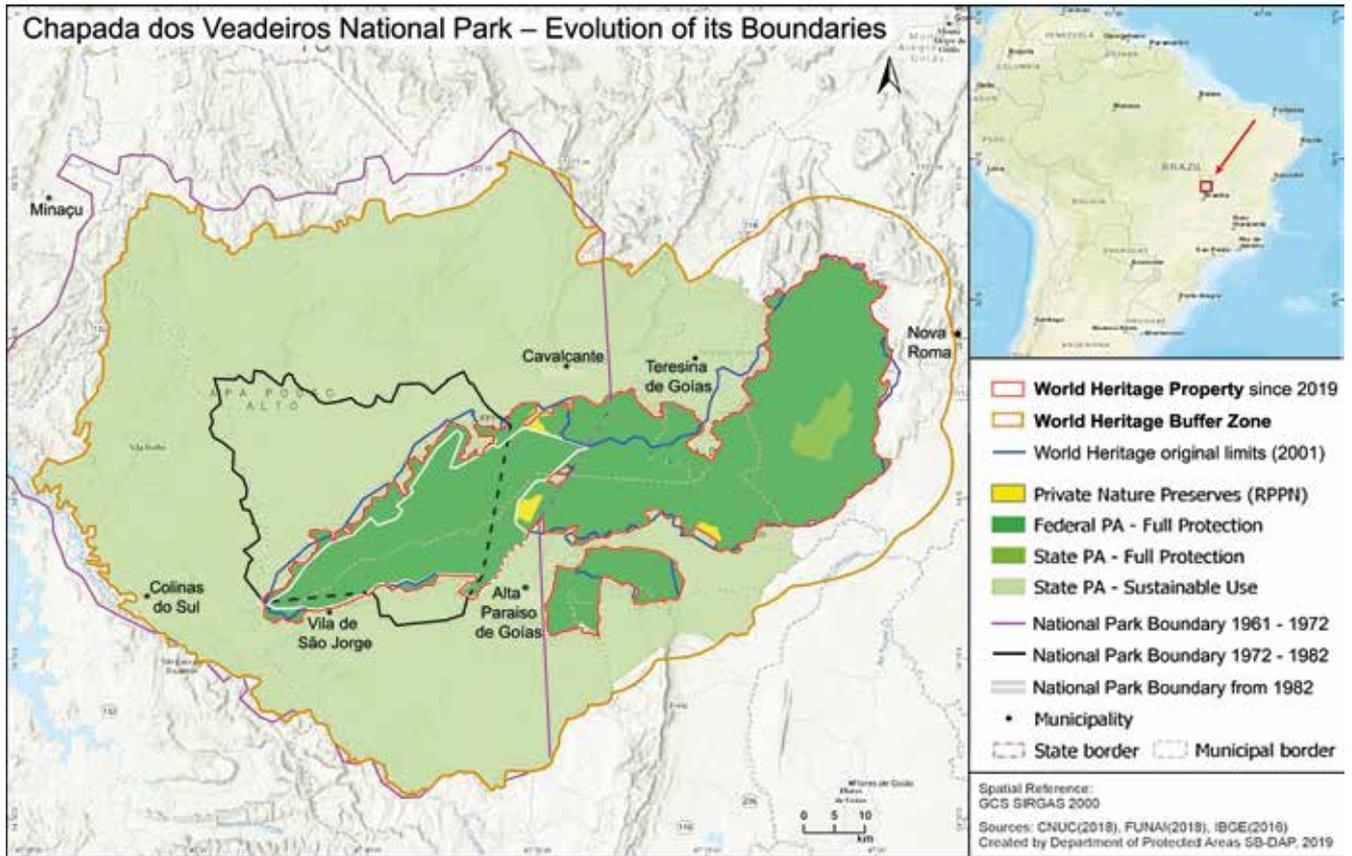


Fig. 3: The changing boundaries and present extension of the Chapada dos Veadeiros National Park and World Heritage Site. Map: Martin Lenk

The current pressure for downsizing occurs because owners of rural areas in and around the Chapada dos Veadeiros National Park, dissatisfied with the legal obligation of nature protection caused by the Protected Area, lobby some congressmen to annul the current Decree, who, in turn, seek popular support for these initiatives to prosper.

The problems take on greater contours when the owners of properties that have not yet been expropriated are stimulated to carry out prohibited activities, such as deforestation, mining, and burning, as well as when there are incentives for land grabbing and the consequent invasion of the interior of the Chapada dos Veadeiros National Park, with interventions in the vegetation, water resources, and soil that harm the natural resources.

Furthermore, although forest fires occur naturally inside and outside the boundaries of the Chapada dos Veadeiros National Park, due to atmospheric and environmental conditions, there are also criminal fires that affect the Protected Area when they get out of control, since they are set without legal permission and are provoked by rural land owners for agricultural practices.

In September 2021, a large forest fire with different initial outbreaks in the Chapada dos Veadeiros region burned approximately 36 thousand hectares of vegetation, of which 18 thousand hectares were inside the Park, which led the Municipality

of Alto Paraíso de Goiás to declare a state of emergency, prohibiting the use of fire to burn vegetation, garbage or furniture.



Fig. 4: Wildfire at the Chapada dos Veadeiros National Park. Photo: TV Anhanguera

Therefore, if measures against these threats are not imposed by the Executive and Legislative branches of government, the probability of losing considerable portions of the currently protected area increases, undermining its environmental function.

Importance

The Chapada dos Veadeiros National Park is home to various groups of fauna that depend on the conservation of the Cer-



Fig. 5: Charred vegetation after the fire.

Photo: TV Anhanguera

rado vegetation and on the quality of the water resources to develop their life habits, including several endangered species.

Special attention is given to the Brazilian Merganser, a rare bird used to mountainous rivers, bioindicator of springs and water courses in good conservation status, which seeks these ecological refuges as its habitat.

In geological terms, the National Park presents, predominantly, rocks originated from marine sediments. Its relief is characterized by the Goiana Central Plateau and the Tocantins Depression, with plateaus, plateaus, flattened surfaces, inselbergs and mountain escarpments.

The unique geological history, geomorphology, and soils condition this diversity of landscapes, which in turn has provided for the evolution of a diverse flora with species adapted to these adverse environments, such as the new grass genus *Alto para-*



Fig. 6: Jardim de Maitreya.

Photo: Zig Koch

disium and the new species *Triraphis devia*, and rare or endemic flora species such as *Maytenus chapadensis*, *Eremanthus veadeiroensis*, and *Chamaecrista cavalcantina*.

The preservation of significant samples of the diverse Cerrado physiognomic forms makes the Chapada dos Veadeiros National Park an in natura genetic bank of this Brazilian biome and a natural laboratory for recuperation and restoration practices of the countryside and savannah formations.

Extensive dry fields in the interfluves and floodable fields in the lowlands are cut by paths and gallery forests following the watercourses. In the higher areas and on stony soils with quartzite outcroppings are found the rupestrian cerrados. In the geological contacts to the North and East there are dry forests on the slopes.

Inserted in the region known as the cradle of the waters, the National Park protects aquifer recharge areas, hundred We also request the Committee eds of springs in the higher portions of the Central Plateau that supply the Tocantins-Araguaia river basin, the largest drainage basin exclusively in Brazil.

Its abundance of clean water is the attribute most sought-after by visitors, found in the many local waterfalls, wells, rivers and streams.

Recommendations

For the maintenance and preservation of the current area of the Chapada dos Veadeiros National Park, it is highly relevant that the Ministry of the Environment and the presidency of the Chico Mendes Institute for Biodiversity Conservation investigate and properly assess and appreciate the importance of this Protected Area for the surrounding municipalities, due to the ecosystem services provided and the economic activities that are made possible by it,

Furthermore, we call upon the UNESCO World Heritage Committee to request the Brazilian State Party to submit any draft law or plan to change the boundaries of the Park to the World Heritage Committee for approval according to Annex 11 of the Operational Guidelines.

We also request the Committee to urge the Brazilian State Party to implement promptly the due land title legalization of the Park, which would solve many of the threats it faces.

Uncontrolled Fires Threaten the Wetlands of the Pantanal Matogrossense National Park

Letícia Larcher, Angélica Guerra,
Betina Kellermann and Angelo Paccelli Cipriano Rabelo, Instituto Homem Pantaneiro



The Pantanal is the largest wetland in South America and one of the largest reservoirs of biodiversity in the world. It extends mainly into the Brazilian states of Mato Grosso do Sul and Mato Grosso, and into the territory of Bolivia and Paraguay. The level of fragility of the Pantanal is high, and the consequences of human practices represent serious pressures to the entire region. Excessive fishing, deforestation, acute erosion, dams generating hydrodynamic changes and others motivated the authorities to create in 1994 the Pantanal Matogrossense National Park (PARNA PANTANAL).

In 2000, part of this ecoregion, the 'Pantanal Conservation Area', representing 1.3% of the Brazilian Pantanal, was inscribed on UNESCO's World Heritage List. In the same year, 26,400,000 hectares were named a UNESCO Biosphere Reserve. The third largest biosphere reserve in the world, the Pantanal Biosphere Reserve is home to a diversity of flora and fauna that is particularly valuable, containing at least 4,700 described species. Nearly two million people live in the World Heritage site and Biosphere Reserve. The Pantanal Conservation Area comprises a cluster of five contiguous protected areas: the PARNA Pantanal and the Private Reserves of Acurizal, Penha, Doroche and Rumo Oeste, covering a total area of 190,363 hectares. All the components of the property are part of the larger Biosphere Reserve and the National Park is, furthermore, recognized as a Ramsar site.

The property includes the greater part of the Amolar mountainous ridge with a maximum altitude of 900 meters. The transition between the seasonally flooded areas and the mountains is abrupt. This ecological gradient is unique to the whole Pantanal region and offers a dramatic landscape. Located between the basins of the Cuiabá and Paraguay rivers, the site plays a key role in the spreading of nutritive materials during flooding as well as in the maintenance of fish stocks in the Pantanal. Although the property only covers a small part of the Pantanal, it is representative and of sufficient size to ensure the continuity of ecological processes. It also protects numerous threatened species, such as the giant armadillo, giant anteater, river otter, marsh deer and the hyacinth macaw, the largest species of parrot. The jaguar population in the property is probably the biggest in the entire Pantanal region. The number of aquatic plant species found there is also remarkable.

Forest fires – the biggest threat to the Pantanal Conservation Area

In 2020 The Pantanal Conservation Area was threatened by fires of unprecedented scale and magnitude. According to the Brazilian Agricultural Research Agency, this is due to a combination of factors: rainfall below the historical average, low relative humidity, and high temperatures. The rainy season in the region ranges from November to March. The historical rainfall average is 810 mm for the period. From November 2019 until March 12th, 2020 it has rained 350 mm, which corresponds to 43 % of the expected historical average. The Paraguay River reached the lowest level in 50 years. In turn, there has been an increase in hot spots. With no rain expected until September/October and with the occurrence of almost 5,000 fire spots from January to July 2020 (of which 80 % in Corumbá and along the Paraguay River mainstem), the region was declared in a situation of environmental and rural emergency by the state government.

In April, the first activities to fight forest fires began. On that occasion, fires were detected in the Serra do Amolar region, with outbreaks to the north of the mountain range (PARNA do Pantanal) and to the south (Santa Teresa farm). Thus, IBAMA hired 15 brigadiers on an emergency basis. The Corumbá Military Fire Department was responsible for monitoring the areas close to the city of Corumbá (Baía Negra). From the beginning, fighting in the south of the Amolar ridge was prioritized and fighting to prevent the fire from reaching the mountains, as it would make combat difficult, in addition to the greater environmental damage.

At the end of July, Operation Pantanal was launched, with the Operations Command remaining with the Brazilian Navy, after a request for support made by the State Government with the Ministry of Defense, initially and with the Ministry of the Environment in a second moment. At the end of August, with the situation in the Amolar ridge normalized, the Operations Command moved to SESC Pantanal, in the municipality of Poconé-Mato Grosso State with the worsening of the situation in the Pantanal North. On September 25, 2020, the situation became critical again in the Pantanal of Mato Grosso do Sul, which is why the Center for Combat Operations of the Prevfogo

National Center called brigades from other Brazilian states (BA, PE and PI) to take off to Corumbá-MS.

In October 2020, at the most critical moment, there were 173,152 hot spots in the Pantanal (as can be seen in the map below, Fig. 1). Instituto Homem Pantaneiro identified 23,883 hot spots in the buffer zone of the Natural Heritage Site of Humanity and 50,340 in the areas of PARNA Pantanal and Reserves. At this time, fire hotspots were identified in 80% of the PARNA

(including the Natural Heritage Sites). Professional and volunteer brigadiers worked with back sprayers and flappers (Fig. 2, next page).

The origin of these fires that reached the area of the World Natural Heritage Site were located in at least 05 (five) different sources, being: (1) fire in the northeast, originating in the area of farms located in the region of Estrada Transpantaneira, in Poconé-MT, which reached the PARNA Pantanal and the

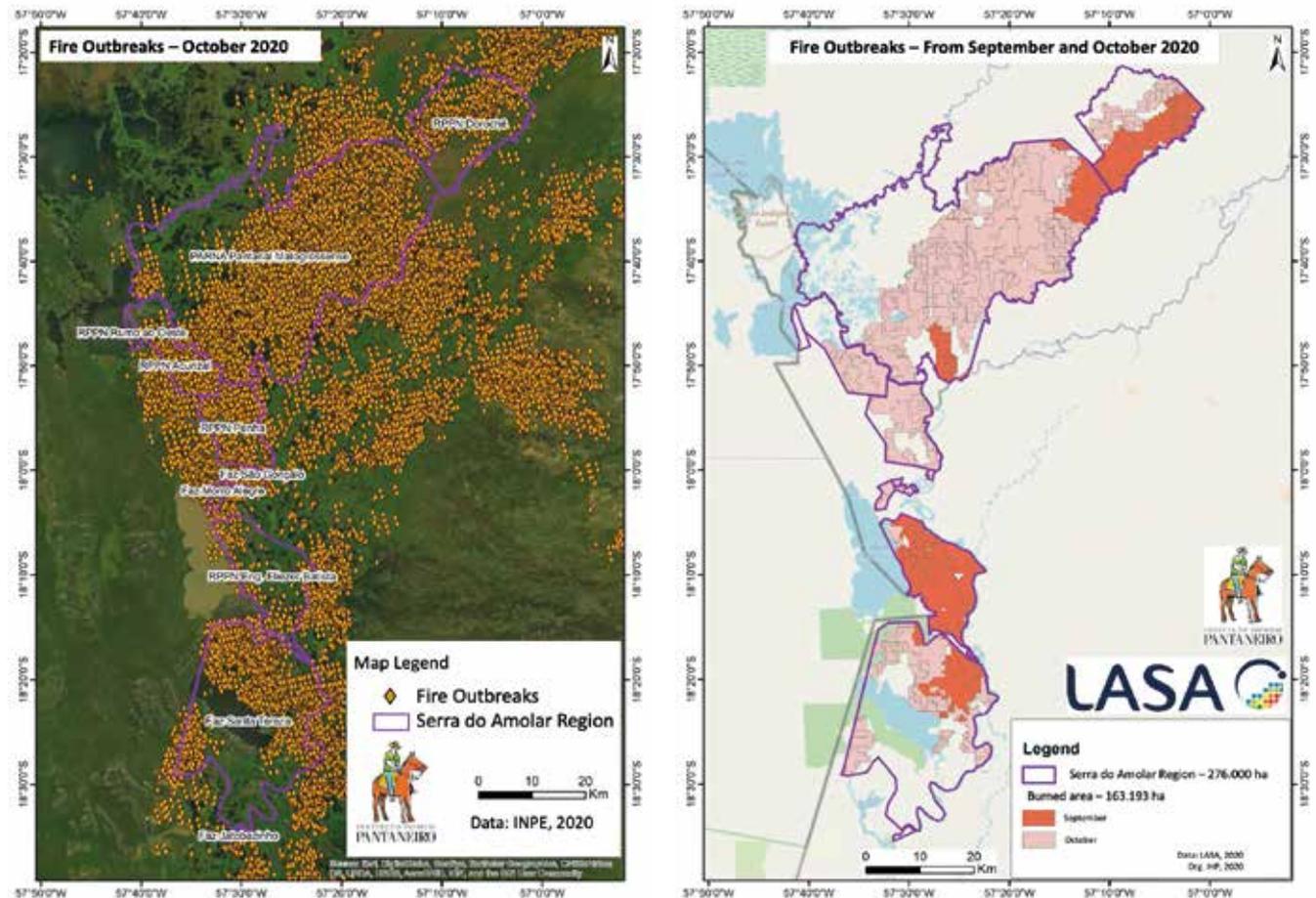


Fig. 1: Details of fires in the Serra do Amolar region in 2020: a) Total fires in October. b) Comparison of burned areas in September and October 2020.

Maps: Instituto Homem Pantaneiro

Pantanal and Reserves area. The areas that had incidence of hot spots were Fazenda Santa Tereza (7,409 hot spots), RPPN Dorochê (3,224 hot spots), RPPN Acurizal (2,118 hot spots), RPPN Penha (1,774 hot spots), RPPN Engenheiro Eliezer Batista (372 hot spots), Fazenda Morro Alegre (147 hot spots), Fazenda Vale do Paraíso (45 hot spots), Fazenda São Gonçalo (26 hot spots), Fazenda Santa Rosa (12 hot spots) and RPPN "Rumo Oeste" (2 hot spots).

Such an unprecedented situation has exceeded the human contingent and the local infrastructure for fighting forest fires. Airplanes of the Brazilian Air Force and helicopters of the Fire Department were used to control the lines of fire. However, as the fire spread towards the protected areas of greater biodiversity

RPPN Dorochê; (2) fire to the east, originating in a farm area in Porto Jofre region and Piquiri river, in MS, which affected the PARNA Pantanal and the RPPN Dorochê; (3) fire to the south, originating near the Paraguay river, south of the Chané region and close to the Paraguai-mirim, which reached the PARNA Pantanal; (4) fire to the southwest, originating in a farm area located in the foothills of Serra do Amolar, and to the west, in the Palmital region, and which affected RPPN Penha, RPPN Acurizal and PARNA Pantanal; (5) fire to the west, originating from an electrical discharge (lightning) in the region close to Baía Gaíva, and which reached the PARNA Pantanal. PARNA Pantanal had 85.66% of the area affected; RPPN Dorochê had 99.39% of its area affected; RPPN Penha had 77.49% of its area affected, and RPPN Acurizal had 85.29% of its area affected. Therefore,



Fig. 2: Some images from the fight against fire, with volunteers and professional brigadiers at Amolar ridge in October 2020.

Photos: André Zumak

approximately 87% of the area of the World Natural Heritage Site “Pantanal Conservation Areas” was affected by forest fires during the year 2020.

The Rapid Response Facility support in 2020

In August 2020, the Rapid Response Facility, a joint initiative of UNESCO and Fauna and Flora International (FFI), supported firefighting activity in the Pantanal Biosphere Reserve to prevent fires from spreading into the Pantanal Conservation Area.

Several governmental and non-governmental institutions collaborate to manage fires in the Pantanal, but resources are insufficient for this level of disaster. The RRF has therefore provided US\$ 37,745 to Instituto Homem Pantaneiro. With these resources IHP acquired equipment that was used in the combat, IHP hired overflight hours to carry out the exploration of areas, in addition to financing the displacement of the teams with fuel. In the RPPN Acurizal, around 40 brigades carried out day and night combat on several occasions and controlled forest fires that originated in the southwest of Serra do Amolar, a region known as Palmital, on the border with Bolivia. At

RPPN Penha, 10 brigadiers managed to control the outbreaks. At PARNA Pantanal we worked with ICMBio brigadiers to fight fire.

If there was no emergency resource, we could have fewer days of combat and a slower response. As a result, uncontrolled fire could pose a greater threat to the homes of communities surrounding the PARNA area. The purchase of the equipment was also essential to allow the mobilization of more teams, in addition to those provided by the government. We carried out the training of new brigade members, with the project's fuel resource added to the resources of IBAMA PrevFogo and IHP. If there were no financial resources, there would be no ready-made equipment, trained brigades, resulting in larger and more extensive fires.

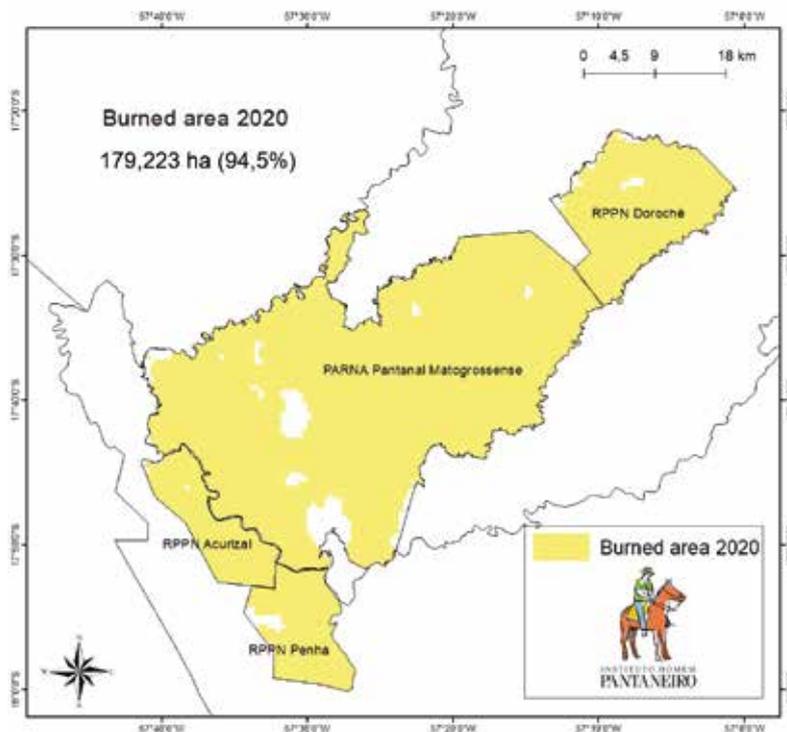


Fig. 3: "Pantanal Conservation Area": Total burned area in 2020.

Map: Instituto Homem Pantaneiro

Conclusion

Considering the "Pantanal Conservation Area", the total area burned in 2020 was 179,223 ha, corresponding to 94,5% of the total area (Fig. 3). In 2021, fortunately, there were no fires in this region.

Fires are relatively normal in the region during the dry season, which runs from April to September. However, what happened in 2020 is something unprecedented and the result of a climatic anomaly that resulted in only 40% of the rain expected for the summer period (November 2019 to March 2020). The probable cause of this catastrophic situation is climatic anomalies resulting from global climate change in addition to the traditional practice of burning pastures to improve grassland biomass for livestock.

Environmental plans, instruments and policies must increasingly incorporate elements of adaptation to extreme climate events, such as droughts and floods. It is essential that the protected area system of the Pantanal Natural World Heritage Site adopt contingency plans and responses to extreme weather events to increase their resilience. Thus, resources need to be invested in more equipment, materials, human resources, brigade training and preventive actions so that what happened in 2020 will never be repeated.

Potential Reopening of the Estrada do Colono Threatens Iguazu National Park

Rede Nacional Pró-Unidades de Conservação



Fig. 1: Devil's Throat Falls, Iguazu National Park.

Photo: Zig Koch

The Iguazu National Park protects the largest portion of the Atlantic Forest in the south of Brazil, a biome with one of the richest biodiversities in the world and strongly impacted by human activities. It was the second National Park to be created in Brazil, in 1939, and has a total area of 185,262.5 hectares. It is located in the state of Paraná and its main attraction is the Iguazu Falls, the largest set of waterfalls in the world, especially the Devil's Throat, which is 150 meters high and 80 meters wide. The canyon was formed on igneous rocks resulting from the spilling of volcanic lava and contains around 200 waterfalls.

The Iguazu National Park was the first Protected Area in Brazil to receive the title of World Natural Heritage Site, from the United Nations Educational, Scientific, and Cultural Organization (UNESCO), on November 28, 1986, for being considered exceptional in terms of biological diversity and landscape.

Threats

Despite its importance, the Iguazu National Park is currently under threat from two Bills, one in each House of Congress, that intend to allow the construction of a highway cutting through the Protected Area on the road previously known as Estrada do Colono (Colonizers Road).

In the House of Representatives, Bill 984/19 had a request for urgency in its processing accepted in 2021, which means that its legislative process is closer to being finalized, with a favorable vote by the House Plenary.

In the Federal Senate, the House Bill 61/13 is currently in the Environment Commission, ready to be put on the agenda and has already received a favorable vote, which increases its risk of approval and, consequently, dangers to the Iguazu National Park.

The extinct Estrada do Colono, a 17.6 km stretch of Highway PR-495, now deactivated, connected the municipal-

ities of Capanema and Serranópolis do Iguazu for a few years in the middle of the last century, and cut through the interior of the National Park, fragmenting it.

Although there is no historical certainty about the origin of the Colonizers Road, it is known that several trails were used by the population of western Paraná to travel between the settlements there at the beginning of the last century for the colonization of the region, which has always been associated with deforestation and increased pollution.

In 1986, the Federal Public Ministry judicially requested the closure of the road and the taking of the necessary measures for environmental restoration in the area occupied by it. The decision of the Judiciary, in 1987, was in favor of closing the Road, which generated a popular movement against the decision. The Associação de Integração Comunitária Pró-Estrada do Colono (Pro-Colonizers Road Community Integration Association) was founded, which, over the years, organized various movements for its opening.

In May 1997 the first invasion of the old road by locals occurred, and in January 1998 a new invasion took place, which led UNESCO to include the Iguazu National Park in the List of World Heritage in Danger in 1999. In 2001, the Judiciary imposed co-



Fig. 2: Iguazu National Park and the proposed Estrada do Colono.

Map: Meghie Rodrigues / Nature

After all, the problems related to the intended construction of the road are summarized by deforestation, use of polluting machinery to cut down vegetation, compacting the soil in closed forests, use of the road by invaders for illegal access to the Park, illegal hunting, including of endangered fauna species, biopiracy, illegal extraction of endangered plant species, invasion of the Atlantic Forest by exotic species, edge effect, and exposure of fauna and flora to external factors, among others.

These threats are even more serious in the ecosystems of the wider Iguazu National Park, which is one of the largest biodiversity refuges in Brazil.

ercive measures to close the Colonizers Road, carried out by the Federal Police, the Army, and IBAMA, which is why UNESCO removed the Iguazu National Park from the list of Endangered Heritage.

Currently, the vegetation has regenerated and occupies the old roadbed, although there is an attempt to rebuild it, through two initiatives of the National Congress.

In summary, House Bill No. 61/13 and Bill No. 984/19 seek to reopen the Colonizers Road by legislative means, despite the fact that the Judicial Power has already decided for the maintenance of its closure.



Fig. 3: Aerial view of Iguazu National Park. The former Estrada do Colono is completely overgrown and its former route visible only from the air. Photo: Marcos Labanca

Considering that the Iguazu National Park and its main attraction are recognized worldwide and are symbols of preservation and well-being close to nature, the approval of these projects would mean to create a stain on Brazil's image, which will thus indicate, before the international community, a total disrespect for its own natural heritage.

Importance

Among the more than 1,580 species of fauna located within the Park, the following endangered species are found: black-fronted piping-guan (*Aburria jacutinga*), white-bearded antshrike (*Biatas nigropectus*), oncilla (*Leopardus tigrinus*), helmeted woodpecker (*Dryocopus galeatus*), ocelot (*Leopardus pardalis mitis*), red myotis (*Myotis ruber*), butterfly (*Ochropyge ruficauda*), jaguar (*Panthera onca*), black-faced piprites (*Piprites pileata*), puma (*Puma concolor capricornensis*) and fasciated tiger-heron (*Tigrisoma fasciatum*).

The integrity of this Protected Area is especially important for the jaguar (*Panthera onca*) population, since, adding its Brazilian territory with the protected area in Argentina, the area is the only Atlantic Forest refuge in the southern part of the world where the population of this species is growing.

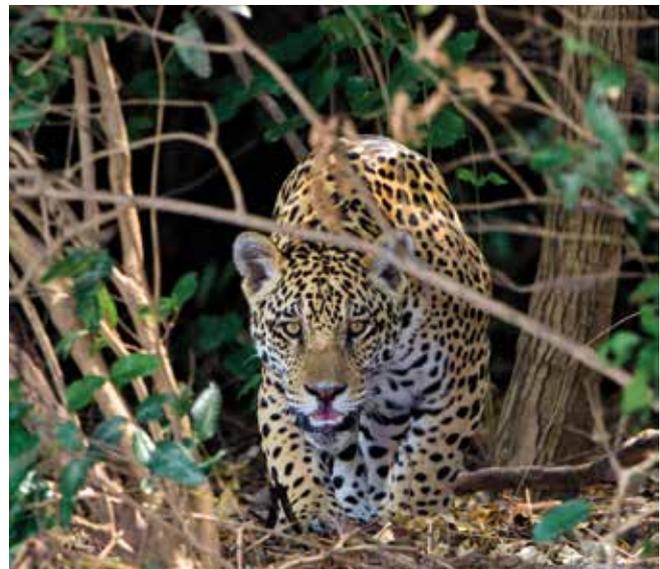


Fig. 4: Jaguar (*Panthera onca*).

Photo: Zig Koch

A census conducted by ICMBio revealed that the population of the species, in 2009, was composed of only 11 individuals, while in 2016 there were 22 and, in 2018, 28 jaguars were found in the Iguazu National Park.

As for the flora, among the more than 1,200 species found in the Park, two ecosystems predominate, the Seasonal Semideciduous Forest, with importance for the species peroba-rosa (*Aspidosperma polyneuron*) and assai palm (*Euterpe edulis*), and the Mixed Ombrophylous Forest, which predominates at altitudes above 700 meters, whose characteristic species are the yerba mate (*Ilex paraguariensis*) and the Brazilian pine (*Araucaria angustifolia*).

Recommendations

Given the importance of this Natural Heritage of Humanity, which is threatened by initiatives in the National Congress, the

rejection of Bill 61/13 in the Senate and Bill 984/19 in the House of Representatives is necessary for the Conservation Unit to be protected.

Thus, a direct communication from the World Heritage Centre with the respective Presidents of the Legislative Houses, warning about the importance of preserving the Iguazu National Park and about the environmental, economic and social risks that the bills in question bring, affecting Brazil as a whole, is fundamental.

Furthermore, the World Heritage Centre should request from the State Party of Brazil, according to §172 of the Operational Guidelines, to submit all plans for the reopening of the Estrada do Colono for examination by the World Heritage Committee before any irreversible decision may be taken.

Victoria Falls / Mosi-oa-Tunya Cultural Heritage Threatened by New Tourism Developments

Anonymous Author

Cataract Island Tours Launched

The World Heritage Committee will, no doubt, be fully aware of the issues and problems relating to the Victoria Falls / Mosi-oa-Tunya World Heritage Site (WHS) following the recent UNESCO monitoring visit to the site and report to be presented to the 2022 Conference. Despite all the focus on increasing tourism pressures surrounding the site, the Zimbabwe National Parks and Wildlife Authority have apparently authorised a local tourism operator to launch exclusive tours to the previously protected wildlife refuge of Cataract Island, including swimming in a natural pool on the edge of the Falls – a controversial development that was last proposed in 2016 and resulted in the Committee specifically requesting an ESIA for the development. This has, again, not been completed.

Together with the launch of a new website, www.cataractpool.com and Facebook group, a promotional launch email was sent in mid-April to tourism agents by Zambezi Crescent, operators of the Victoria Falls River Lodge:

“A fully guided experience including a short boat trip across the calm waters of the channel to Cataract Island. Once disembarked, a guided tour of the Island follows, including time to explore the new section of Victoria Falls that is busy forming. Enjoy plenty of free time for optional swimming in the warm,

clear pools on the face of the falls, or to explore some of the most spectacular scenery that nature has to offer.” (Cataract Pools launch email)

The new activity was launched without public or local stakeholder disclosure and consultation, with no Environmental and Social Impact Assessment (ESIA) process, and it would appear, without duly notifying UNESCO or waiting the Committee’s comments on the proposals.¹

Cataract Island, located at the western end of the Falls, was the last area of the Falls ‘rainforest’ untouched by tourism footfall and development. This fragile environment, the rich vegetation zone immediately surrounding the Falls and supported by the never ending spray, nourishes a diverse flora of rare ground plants and shrubs, highly vulnerable to trampling and disturbance. It is also, significantly, the point where the erosion of a new gorge and waterfall is beginning to form in the ongoing geological evolution of the Falls. It is not only, therefore, of key ecological importance to the Falls as we see them today, but also in the ongoing process of the development of a future rainforest zone alongside a new waterfall (see Fig. 1)

Tours to Livingstone Island became popular in the early days of tourism to the Falls, after the arrival of the railway and construction of the Bridge across the gorge, opened in 1905. At the official opening tours were arranged to see the tree that Livingstone’s had carved his initials, which it was claimed were still visible. Organised tours to the island appear to have ended in the 1960s, before being re-launched by a Zambian operator in the mid-1990s, including swimming in the now famous ‘Devil’s Pool’ on the edge of the Falls.



Fig. 1: Aerial view of Victoria Falls showing Cataract (left) and Livingstone Islands (centre).

Photo: the autor

In contrast Cataract Island, also known by its traditional name of Boaruka, has been largely protected as a pristine nature reserve

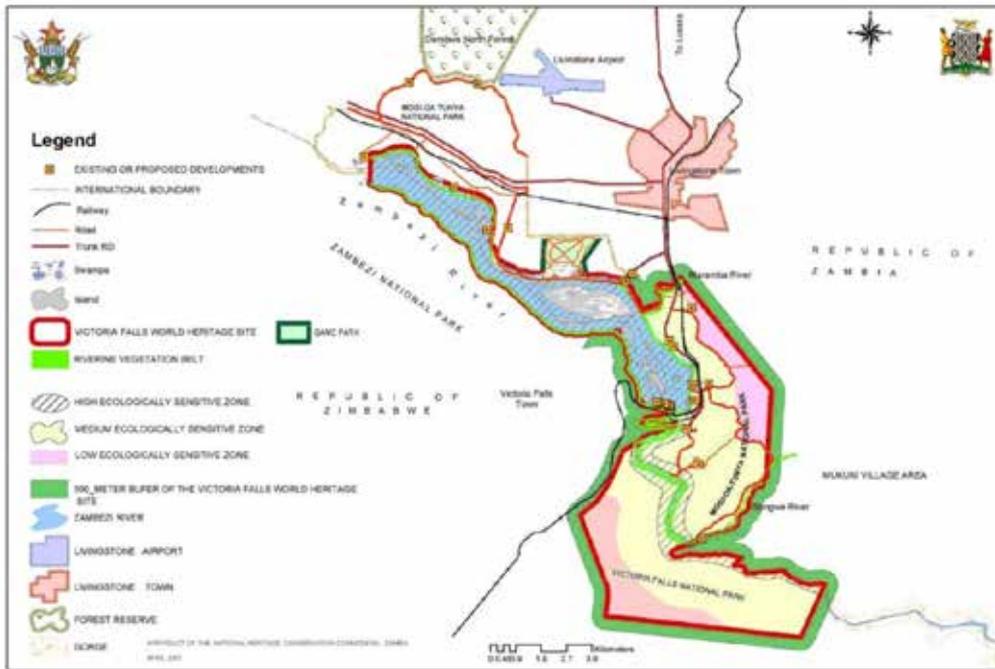


Fig. 2: Zoning of the Victoria Falls / Mosi-oa-Tunya World Heritage Site.

Source: State Parties 2007, p. 38

specifically requesting an Environmental and Social Impact Assessment (ESIA) for the proposal.

“Also noting with concern the State Party of Zambia’s intention to partner with private investors to construct a hotel and recreational facilities inside the property, further requests the States Parties to clarify the exact locations of all developments and the plans to utilize Cataract Island for tourism, and to submit to the World Heritage Centre for review by IUCN, an ESIA for each of these projects, including a specific assessment of the impacts on OUV.” (World Heritage Committee Decision, 2017)

and wildlife sanctuary as part of the surrounding Victoria Falls National Park, with no tourist access allowed – until now.

Déjà vu?

In 2016 the same operator attempted to launch this activity, again without due disclosure or consultation, resulting in widespread negative reaction and an online petition protesting against the development, signed by over 17,750 people.²

It also resulted in a letter to the State Parties requesting further details of the proposal:

“The World Heritage Centre sent two letters (dated 23 November 2016 and 25 January 2017) to the States Parties to request information on the proposed hotel and recreational facilities in Livingstone, [and] use of the Cataract Island for tourism.” (World Heritage Committee Comment, 2017)

This was followed by a specific request from the World Heritage Committee for details for the Cataract Island proposal,



Fig. 3: View of Cataract Island from the opposite side of the gorge. Photo: the autor

to the construction of a hotel, recreational facilities inside the property and utilisation of the Cataract Island for tourism. The States Parties therefore, would like to report that there are no developments on the ground and will update the committee in line with the operational guidelines.” (State Parties, 2018)

Yet this activity is now being advertised and bookings presumably taken, whilst the promised prior notification and ESIA reports do not appear to have been completed, as there was no public disclosure or stakeholder consultation, required elements of any Environmental and Social Impact Assessment.

It also appears that work has also started on preparing two sites along Zambezi Drive for reception and associated restaurant facilities relating to the tours to the island, immediately upstream of the Falls. This is in addition to a new Park’s building which appeared half-way along Zambezi Drive earlier this year (see Fig. 4). Scrub and trees have been cleared in preparation for these developments (see: Fig. 5). The riverbank area is supposed to be protected within the National Park, and well as being within the buffer zone surrounding the World Heritage Site. An additional proposal for a Tree Lodge development along the riverine fringe surrounding the Elephant Hills Golf Course also

In reply, in their 2018 ‘State of Conservation Report,’ the State Parties confirmed that there had been no developments on the ground and specifically committed to duly update the Committee on all future developments involving Cataract Island.

and wildlife sanctuary as part of the surrounding Victoria Falls National Park, with no tourist access allowed – until now.

appears to have started work before any ESIA process (access road created in 2021) and there are also two more exclusive riverside lodge developments, including at least one island camp, proposed along the upstream river section of the WHS (Kandahar camp and Picnic Site No.14).³



Fig. 4: New Parks building, along the riverbank above the Falls (Zambezi Drive).

Photo: the autor



Fig. 5: Recently cleared area, Zambezi Drive (April 2022).

Photo: the autor

This is after Zambia also proceeded with the development of the Mosi-oa-Tunya Resort without full disclosure to UNESCO or awaiting their comments on the revised development proposals. It appears that Zimbabwe is determined to get away with a similar disregard for due process and procedure.

Cultural Significance

The Falls, gorges and even the spray itself are all part of a sacred cultural landscape for the local Leya under Chief Mukini and Chief Sekute, a 'place of power' in the landscape. Many of these traditions have undergone a recent resurgence, represented for tourism, although the most significant aspects of these spiritual beliefs, including the use of the two islands along the line of the Falls, appear to be today largely forgotten.⁴

The river is associated with powers of healing, with sacred natural swimming pools on the very lip of the Falls used for cleansing rituals. Water, collected from sacred sites on the river, is used in rain-making and other traditional ceremonies.

At the heart of this belief system was that the eternal spray and ephemeral rainbows of the Falls were the home of ancestral spirits – the 'mists of the dead.' David Livingstone and other early visitors recorded that the both of the two islands on the edge of the Falls were used for traditional ceremonies and as a place to make offerings and pay respects to the ancestors.

"The ancient Batoka chieftains used Kazeruka, now Garden Island, and Boaruka, the island further west, also on the lip of the Falls, as sacred spots for worshipping the Deity. It is no wonder that under the cloudy columns, and near the brilliant rainbows, with the ceaseless roar of the cataract, with the perpetual flow, as if pouring forth from the hand of the Almighty, their souls should be filled with reverential awe." (Livingstone and Livingstone, 1865)

Today this deeper spiritual significance of the Falls and islands appears to be largely forgotten. Cultural history and traditions, suppressed for almost a century, have since independence received a resurgence of interest. But recent site management reports appear to overlook this cultural significance of these islands. The 2021-30 Strategic Environmental and Social Impact Assessment (prepared 'in-house' by the State Parties) makes no specific mention of their traditional sacred significance, despite extensive sections on the cultural traditions relating to the Falls. The recent Joint Integrated Management Plans for the site vaguely records:

"On the Zimbabwean side, according to Chiefs Mvutu, Shana and Hwange, there are ritual sites mainly on islands along the Zambezi River... Kazeruka (now Garden Island) and the Boaruka Island." (State Parties, 2016)

Conclusion

There are concerns that by preparing their own SESIA report, and by not insisting on comprehensive and independent Environmental and Social Impact Assessments for each development proposal affecting the site, that the State Parties are not assessing the full impacts of these developments on its Outstanding Universal Value, or respecting their obligations under the World Heritage Listing.

The State Parties have, in their recent actions in relation to both the Mosi-oa-Tunya Resort and Cataract Island tours, shown a disregard for due process, their own management and planning procedures and the guidance and advice of the World Heritage Committee. The state of development, current management and future status of this World Heritage Site needs serious review and investigation.

For the second time in the short history of this site, there appears to be a need for moratorium on new tourism developments (including expansion of existing developments) pending submission of detailed reporting on present tourism develop-

ments and impacts within and around the property – as requested by the 2006 Reactive Monitoring Mission Report (World Heritage Committee, 2007) and sadly still lacking from management documents, finalisation of the boundary and buffer zones, and presentation of appropriate ongoing management plans for the site.

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UNESCO and the European Union Come to the Rescue of Doñana



Juanjo Carmona and Teresa Gil, WWF Spain

With the objective of assessing the conservation status of the Doñana Protected Area, in the southeast of Spain (Andalusian region), in January 2011 a joint Reactive Monitoring Mission was carried out by the World Heritage Centre (WHC), IUCN and the Ramsar Council Secretariat, which concluded with a report detailing the challenges and problems faced by Doñana, as well as possible solutions.

Since then UNESCO has approved seven decisions on Doñana. The last being in 2021 included several requests including 15 recommendations, from the last mission to Doñana (February 2020), to be implemented by the Spanish government, together with those pending from previous decisions.

UNESCO will continue to monitor Doñana closely, and is concerned about the poor state of conservation of the area despite the efforts being made, the fact that the aquifer has been declared overexploited, and the ruling of the European Court of Justice. In addition, UNESCO has asked the Spanish government to create a buffer zone that includes not only the Natural Park, but also the Ramsar zone, the entire area declared by the EU as a Natura 2000 zone, and other protected areas in the immediate catchment areas. UNESCO also recommends that the Spanish government consolidate a proposal for a Marine Protected Area adjacent to the current protected area that includes possible assets of natural marine importance and that could be integrated into this World Heritage site. Last but not least, the Spanish Government has to update the Outstanding Universal Value (OUV) information accordingly by the end of 2022.

The EU Court of Justice issues a historic condemnation against Spain for the destruction of Doñana

The Court of Justice of the European Union has ruled in favour of WWF, finding that the administrative bodies responsible for the care of Doñana are in breach of European laws (Water and Habitats Directives), allowing “disproportionate extraction of groundwater” in the Doñana Natural Area, which is seriously damaging the biodiversity of this unique natural site, permitting the overexploitation of water and, consequently, the continuous deterioration of its natural values.

This legal process was initiated ten years ago following a complaint lodged with the European Commission (EC) by WWF, confirming the repeated damning reports that our organization has been submitting for decades to all types of institutions, warning of serious environmental deterioration in Doñana as a result of water theft, the impunity prevailing in the region and the inaction and lack of effective measures taken by the Junta de Andalucía (the regional government) and the central government to prevent this practice.

The current situation in Doñana is critical. Illegal irrigation in the Condado area has still not been shut down, and the irrigated area actually continues to grow every year; new pressures are appearing, such as the advance of intensive agriculture to the north of Doñana, which is rapidly transforming the Aznalcázar marshland by using all the water from the Guadiamar river; the lack of rainfall and sufficient surface water has meant that the northern marshes within the Doñana National Park have been practically dry for the last two years; the peridune lagoons of the natural area are continuously shrinking and becoming increasingly temporary; the deterioration of the aquifer, in terms of water quantity and quality, continues unabated; and further pressures on Doñana are multiplying due to the evident impact of climate change.

And if all these threats were not enough, the regional government, instead of eliminating the illegally irrigated hectares of strawberries, has established in 2014 in the “Special Plan for the management of irrigated areas located north of the forest crown of Doñana” (hereafter Special Plan), intends to approve in the Andalusian Parliament a law proposal to modify this plan in order to legalize around 1,500 ha. For WWF this is inadmissible and a mockery of UNESCO and the European Commission as Spain has the commitment with both international organisations to comply with this Special Plan and to close all the illegal wells and farms.

WWF demands that the central government and the Junta de Andalucía (Government of the Autonomous Region of Andalusia) immediately live up to their responsibilities and competences in order to prevent further damage to Doñana. The Junta de Andalucía, which is responsible for managing Doñana, its agriculture and land management, must urgently close all

illegal farms, which cannot be regularized under any circumstances. Similarly, it must restore the public forests occupied by illegal agriculture. It is therefore essential that there is sufficient political will and adequate resources to implement the Special Plan, which has been deliberately left to languish, without sufficient resources or staff. WWF would firstly like to highlight the need to create a Technical Office, with a fully dedicated Plan Coordinator and a working team to ensure the correct implementation of the measures.

On the other hand, the Guadalquivir River Basin Authority, which depends on the Ministry for Ecological Transition and the Demographic Challenge, must immediately close all illegal abstractions that are stealing water from Doñana. It must also urgently implement the measures planned for the Matalascañas abstractions and halt the hydraulic infrastructures to the north of Doñana that are designed to favour the advance of intensive agriculture and which will lead to the irreversible transformation of the valuable Aznalcázar marshlands.

WWF also considers it essential to ensure that the new EU Recovery, Transformation and Resilience Funds will not be used to finance new hydraulic infrastructures that will damage Doñana under the pretext of helping it to recover. These funds should be used to implement a new large-scale hydrological restoration project for Doñana, ensuring the arrival of the historical surface flows that use to flood the marshes through the Guadamar basin.

The new Guadalquivir Water Management Plan will not solve Doñana's problems

WWF warns that the future Guadalquivir Water Management Plan 2021-2027 does not ensure the conservation of Doñana's water resources, as it allocates only 11% of the money for Doñana to solving the problems of the rivers and aquifers that feed this wetland.

After a decade with no wet years, Doñana is experiencing a slow-motion drought, which has resulted in the park's marshes becoming parched. This situation will worsen in the coming years due to climate change, according to the warnings of this week's new IPCC report. On top of this, the expansion of illegal soft fruit cultivation, as well as the theft and overexploitation of water, are endangering the water resources of Europe's largest wetland. Half of the surface watercourses and almost 60% of the aquifers that supply water to Doñana do not meet European standards, according to the requirements of the Water Framework Directive.

The draft Guadalquivir Water Management Plan does not respond to the needs of Doñana, it does not comply with the July 2021 recommendations made by UNESCO for this natural area, nor does it propose all the measures necessary to comply with the ruling of the Court of Justice of the European Union. In WWF's view, this draft does not address the measures needed to remove the pressures that are threatening the health of the marshes and their associated ecosystems.

The poor state of Doñana's rivers and aquifer is not a new problem; in fact, the water plan in force already highlighted these issues, but the actions included in its Program of Measures – some of which appear again in the draft of this future Plan – have not been sufficient to remedy this situation and to ensure the recovery of Doñana.

The Doñana Biological Station highlights the poor state of Doñana's waters

This year, the Doñana Biological Station (EBD-CSIC) has published the doctoral thesis of researcher Irene Paredes, which involves a study into the spatio-temporal variation of nutrient concentrations (nitrogen and phosphorus) in the surface waters of the Doñana marshes and its main tributary streams. This research represents a major step forward in water qual-



Fig. 1: Alcalá del Río Dam on the Guadalquivir river. Photo: Juanjo Carmona/WWF



Fig. 2: Ship sailing on the Guadalquivir river.
Photo: JorgeSierra/WWF

ity management and the conservation of Doñana's aquatic ecosystems.

The conclusions indicate that the future evolution of the eutrophication process in the Doñana marsh and its catchment areas will continue to increase if adequate and urgent measures are not taken to reduce the impact of human pressures and competition for water resources. According to the researcher, some stretches of the streams are too polluted for fish and other fauna to survive, and the marsh is currently functioning as a green filter to purify these waters.

The Port of Seville is again trying to turn the estuary into a mere navigation channel

The Seville Port Authority (Autoridad Portuaria de Sevilla; APS) has presented a new project that could have serious consequences for the Guadalquivir estuary and Doñana.

For WWF, the project presented by the APS is, from its very title, misleading about the true nature of the project: "Navigation optimisation on Eurovía E.60.02". What it calls "optimisation" is, in reality, an attempt to convert the Seville - Sanlúcar de Barrameda section of the Guadalquivir estuary into a mere navigation channel, subordinating the rest of the human activities and natural processes that take place in it to the purposes of the APS. Once again, as in 1999 with the dredging project to deepen the channel, the APS is basing the project on its own needs and trying to adapt the river to these – employing, for

example, engineering works, dredging, and so on – instead of using the natural processes of the river as a starting point and adapting to these.

The sailing world will not adapt to the Port of Seville, instead the Port of Seville intends to adapt the Guadalquivir estuary to the sailing world, whatever the cost. In 1999, it tried to do so with a dredging project to deepen the channel and work to eliminate "turns" (bends) in the river. As alternatives for preventing erosion, it is now presenting engineering measures such as dams, longitudinal dykes, groynes and chevrons, which would entail a significant transformation of the physical environment and have potentially negative effects on the ecosystem; it also intends to install anchoring structures, establish areas that will improve the overtaking and crossing of ships so as to increase the areas of parallel navigation along the entire river by increasing the width of the navigation channel; and at the same time, it intends to continue dredging the river, among other proposed actions.

WWF has asked the Spanish government to reject this project, as it does not comply with Spanish and European regulations, while WWF will continue working towards the development of a 2030 green plan for the Guadalquivir Estuary that promotes a change in its management towards sustainability, fostering its resilience to climate change, the resolution of conflict between uses and an economic and social model oriented to the long term and based on ecosystem services.

Will a Waste Incinerator Threaten the Jurassic Coast?

Anne Morriss

“The Dorset and East Devon Coast has an outstanding combination of globally significant geological and geomorphological features. The property comprises eight sections along 155 km of largely undeveloped coast. The property’s geology displays approximately 185 million years of the Earth’s history, including a number of internationally important fossil localities. The property also contains a range of outstanding examples of coastal geomorphological features, landforms and processes, and is renowned for its contribution to earth science investigations for over 300 years, helping to foster major contributions to many aspects of geology, palaeontology and geomorphology. This coast is considered by geologists and geomorphologists to be one of the most significant teaching and research sites in the world.”

“The cliff exposures along the Dorset and East Devon coast provide an almost continuous sequence of rock formations spanning the Mesozoic Era, or some 185 million years of the earth’s history. The area’s important fossil sites and classic coastal geomorphologic features have contributed to the study of earth sciences for over 300 years.”¹

The Proposed Portland Incinerator

A company called Powerfuel Portland Ltd. was formed in 2019 by two men, neither of them local to Weymouth or Portland, for the purpose of building a huge “ERF”, otherwise known as a waste incinerator, on the north-east coast of the Isle of Portland. The chosen site is on land owned by Portland Port, who support the scheme. About 2.3 hectares in size, it is situated right by the sea on Balaclava Bay. To the West, it borders directly onto the steep slope of the Verne Citadel and onto land designated internationally, nationally and locally as being of special ecological importance. The removal of so much stone anchored directly into the seabed would cause irreparable damage and add to continuing climate change on and around the isle, all along the coast.

The Isle of Portland itself is a dead end, far removed from waste treatment centres, the nearest of which is at Wimborne. It is



Fig. 1: View of the Jurassic Coast with the Durdle Door landmark. Photo: Mark Simons

reached by a single road across a causeway which runs through further areas of great ecological importance for flora, fauna and geological features, including Portland Harbour, itself a Sensitive Marine Area. This road is prone to flooding during rainy seasons, which means emergency vehicles would not be able to reach the plant in case of fire or other potential disasters. There is also no plan in place for the safe removal of waste and ash; these would both need to be very carefully dealt with to avoid them ending up in the water and the waste ending up along the long shore. The plans also do not state there would be a system in place to monitor the burner, 24 hours a day, seven days a week, and there is no statement about contingency plans in case of fire or other disasters. According to the National Fire Chiefs Council, there are over 300 incinerator fires a year in England, causing tremendous amounts of pollution.

A critical feature of the chosen site is its position in the lee of a steep hill, which would make this the only incinerator in the world backed by solid rock, causing further issues with the stack’s polluting smoke “bouncing” off that rock. This means that the emissions from the chimney stack, as well as the stack itself, will exit at 90 metres above sea level and will be visible for many miles around the Jurassic Coast. The facility itself is enormous, 201 m long, 54 m wide, 47 m high, with a stack of 90 m high and 250 m plume (average). It will vent not only directly onto rare and precious limestone grasslands but also

¹ Statement of Outstanding Universal Value, <https://whc.unesco.org/en/list/1029>

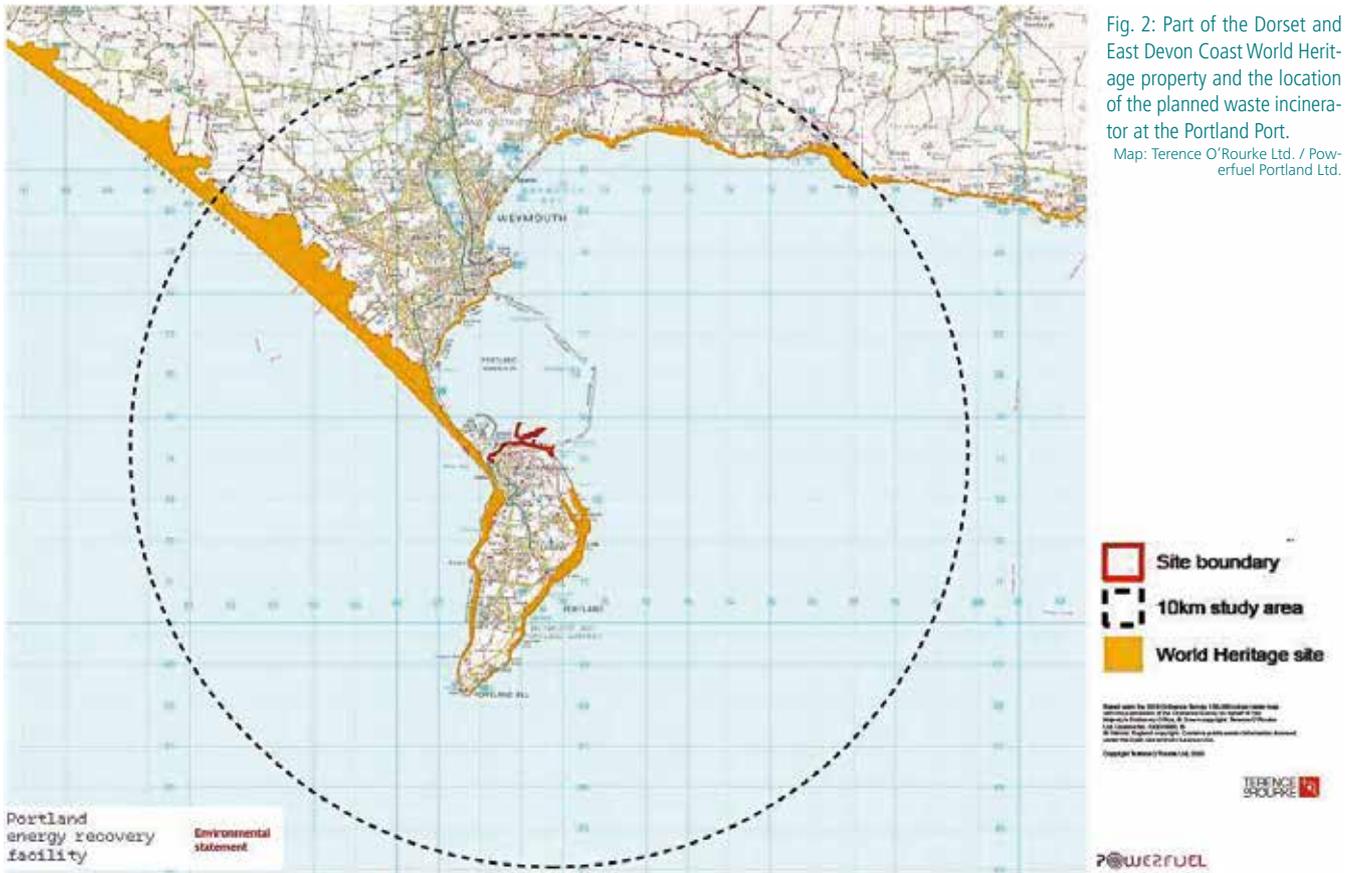


Fig. 2: Part of the Dorset and East Devon Coast World Heritage property and the location of the planned waste incinerator at the Portland Port.

Map: Terence O'Rourke Ltd. / Powerfuel Portland Ltd.

onto housing on the slopes of the Verne, and at The Grove, as well as HM Prison The Verne. The close proximity of human residents, some as close as 500 metres, is also an unusual feature of the chosen site. The heavy metals exiting the chimney and other polluting substances would also do serious damage to the important and unique rock formations along the coastline.

Portland's unique weather conditions, location and being completely surrounded by the sea mean eddying and turbulence caused by the steep cliffs of the Isle will result in conditions

that are not discussed by the model predictions claimed by this "company." Because records are kept regarding the capture of smoke coming out of the stacks of cruise ships that visit this coast, this phenomenon is well documented. All of the pollutants that would be produced by an incinerator are extremely damaging to the environment, to include the coastal beds that house precious fossils and other geological features. Portland is also prone to extreme flooding, which impacts the ability to get on and off the isle and carries with it debris that pollutes and impedes access to large parts of the WHS.



Fig. 3: Aerial view of Portland Isle from the North. The site of the planned waste incinerator is indicated by a red triangle. Photo / Graphic: BBC

The Dorset Council, who will make the final decision about planning permissions, have turned this proposal down once and the company reapplied; no date has been agreed upon as to when they will vote again. Meanwhile, the two companies which propose to fund the building of an incinerator on Portland are not British, they are Japanese and Dutch, which means they are not going to be local to iron out the issues, and there is no word of just who would run such a big facility which requires specialist knowl-



Fig. 4: Computer rendering of the smoke stack and emissions plume as it may affect Portland Isle.

Illustration: Stop Portland Waste Incinerator



Fig. 5: Computer model of the planned waste incinerator, as seen from Portland.

Graphic: BBC

edge of how they work. The UK is now in a position it has never experienced before; there are more jobs available than unemployed people to take those up. There has been no mention of where the workers necessary to run such an incinerator are going to be found.

“The development location means the stack in particular (and the continuous plume), will be widely visible in the landscape, and might in the future deter visitors to Portland due to a less natural visual offer, perceived reduction in air quality and/or traffic-related impacts, such as increased congestion.” Dorset Wildlife Trust

There is no stated source for the enormous amounts of waste needed to make fuel, and the company insists there be no restrictions on those sources. The entire Jurassic Coast does not produce enough waste to run one plant, which means there would have to be 160 trucks seven days a week, all year long, going to and from with something that is referred to as “world waste” meaning much more pollution going into the unique geology, doing irreparable damage to these natural structures.

All of this will impact climate change, which in turn will impact the geology of the Jurassic Coast, not just Portland. Many thousands of tourists flock to this part of the WHS every year, but with the pollution in the water and the issues with access because of an industrial site of this magnitude being so obvious and so dirty, that is likely to be impacted, meaning a loss of visitors seeing this magnificent site and a loss to the community of over £209 million (US\$ 250,8 million) per year, some of which goes to climate change projects like the Studland Bay project that has saved the sea horse population found there.

What about pollutants in the chimney emissions?

Some of the pollutants in the emissions would need to be kept within the levels set out in the EU Industrial Emissions Directive (adopted into UK regulations). These levels have been agreed as industrially ‘acceptable’ but are in no way without harms to ecological health. Typically, levels of acid gas emissions and micro-particle emissions from waste incinerators are high; these include but are not limited to chromium, cadmium and mercury. In addition, the proposed plant would emit about 577 tonnes of Carbon Dioxide every day. This all adds up

to incinerators producing climate changing airborne and water borne heavy metals and other pollutants. The fumes emitted from the stack would be a visual disturbance for miles around, and the metals can do great damage to geological formations of the Jurassic Coastline.



Fig. 6: A Short-snouted seahorse.

Photo: Russ Shears

would mean the end of its health and endanger the border of the wall of stone along its length.

What is the business model for such a plant?

Waste incineration plants are highly profitable. Waste authorities pay high fees to have their Refuse-derived Fuel incinerated, and the electricity thus generated is usually sold to the National Grid, generating further income (although the Powerfuel in-



Fig. 7: The Abbotsbury fleet, with the Portland Isle in the background.

cinerator is aimed more at providing shore power to moored ships). Metals extracted in the process are also sold, as is the 'Incinerator Bottom Ash,' but this process is very dirty and difficult to control as far as what ends up in the atmosphere. Occasionally, the plant can also sell heat produced but often this is too difficult. The underground pipes to carry the heat to recipients would be particularly difficult to install successfully around the site Powerfuel has chosen. The most recent information is

that Powerfuel has identified no customer for the heat their plant would produce.

The Climate Issue

The UK has adopted the International Framework Convention on Climate Change and the Paris Agreement which are international law as much as the World Heritage Convention is. The WH Convention requires the governments of members

do "all they can," in order to protect their WH Sites. Incinerators contribute to climate change by sending out enormous amounts of CO₂ into the atmosphere, thereby boosting climate change and with its detrimental effect on the World Heritage Site, not only does that go against the Paris Agreement, but it also is a direct attack on the WH Site. The emissions from the waste incinerator are bad for the climate, which is bad for World Heritage sites. Specifically, this incinerator and the road congestion caused by various activities it requires to take in the waste it would burn, then turning that around and going off of Portland to remove the ash created, means greater

amounts of pollution in the form of heavy metals and other particulates go into the air which then falls into the sea and onto the land, meaning the long stone covered beach known as Chesil Beach, a world famous part of this World Heritage Site, would be under threat from those pollutants. Those stones are a unique feature to this site but are not immune from harm via chemicals and other waste, nor are the other stone features found all along the coast immune.

Photo: wdlh.co.uk

Plans for More Oil and Gas Extraction Put the Wadden Sea at Risk

Deutsche Umwelthilfe

 Deutsche Umwelthilfe



Fig. 1: Shelducks on the Waddensea at low tide.

Photo: Imke Zwoch / BUND

The Wadden Sea World Heritage Site (WHS) has long been under severe threat, and new fossil projects in Germany and the Netherlands now pose an existential danger to this unique site. Through the extraction of additional oil and gas, these projects will fuel the climate crisis, which will affect the coastline, the biodiversity of flora and fauna, and the maritime ecosystem as a whole in an unprecedented and irrevocable way.

The Wadden Sea WHS covers the Dutch Wadden Sea Conservation Area, the German Wadden Sea National Parks of Lower Saxony, Hamburg and Schleswig-Holstein, and most of the Danish Wadden Sea maritime conservation area. The WHS was inscribed on the UNESCO World Heritage list in 2009, with extensions in 2011 and 2014¹. The UNESCO World Heritage Committee decided that the site met three of the criteria of outstanding universal value (OUV): criterion (viii) by virtue of the depositional coastline of unparalleled scale and diversity, criterion (ix) by virtue of some of the last remaining natural large-scale intertidal ecosystems where natural processes continue to function largely undisturbed and criterion (x) by virtue of the floral and faunal diversity.¹

The OUV of the Wadden Sea WHS was already under threat well before the area was even declared a WHS: oil has been drilled on the German side since 1987.² However, the WHS is

now the target of a new shock-doctrine-like wave of fossil fuel projects, in the wake of the Russian invasion of Ukraine: the fossil lobby has succeeded at making them look like a “necessary evil” in the name of “energy security”. Meanwhile, the International Energy Agency (IEA) stated last year that no new fossil projects can be developed from 2021 onwards if the crucial climate target of keeping global warming below 1.5 °C should be met, in line with the Paris Agreement, and thereby avoiding the extremely catastrophic, civilization-threatening consequences of global warming.^{3,4,5}



Fig. 2: Aerial view of the Mittelplate oil platform, inside the World Heritage.

Photo: Ralf Roletschek

On the German side of the WHS, a new oil drilling area with multiple wells starting from the existing platform “Mittelplate” and an extension of the existing drilling permit until 2069 were applied for in 2019 (approval not yet granted, decision pending).⁶ The Dutch government recently granted ONE-Dyas the license to drill until 2060 in a particular area 15 km away from the WHS, and the company is exploring potential additional gas fields nearby (see Fig. 3). These fossil projects will drastically affect all three OUV criteria, as will be explained in detail hereafter.

1. Germany

On the German side of the Wadden Sea WHS, in the federal state of Schleswig-Holstein, the Wintershall Dea company has



Fig. 3: Oil and gas fields that are in the production stage, in the drilling permit application stage, or in the exploration stage in German and Dutch areas of the Wadden Sea World Heritage Site. Map: Deutsche Umwelthilfe

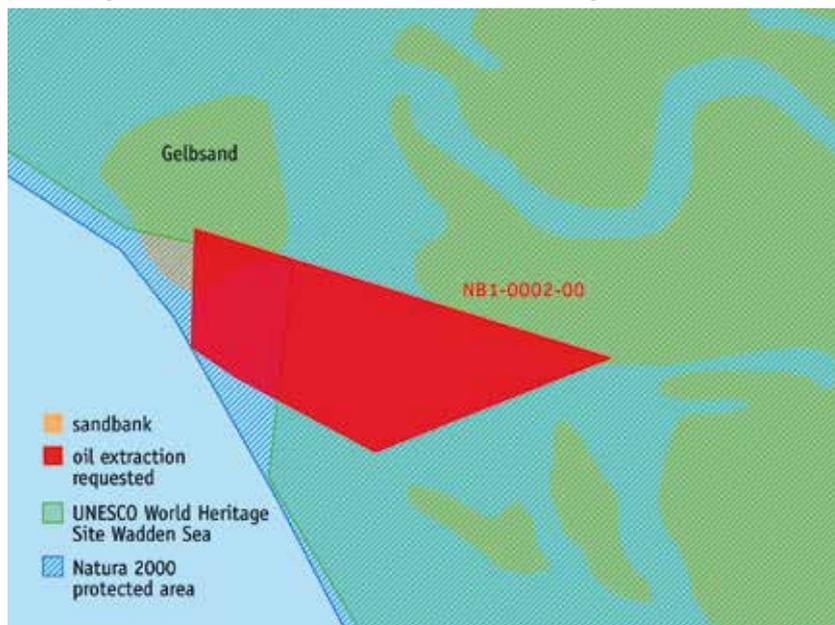


Fig. 4: Potential oil production field of Wintershall Dea corresponding to the drilling permit application “NB1-0002-00” from 2019, located in the German part of the Wadden Sea World Heritage Site. Map: Deutsche Umwelthilfe

been drilling for crude oil since 1987.² All the oil extraction takes place from the Mittelplate platform through extended-reach drilling.⁷ An exploration permit was originally granted in 1981 for the area “Heide Restfläche” and was extended periodically from then on, with the current one being valid until the end of 2023.⁸ A production permit was also granted back then, in this case until 2041, for the area “Mittelplate I”, located within the aforementioned exploration area (see Fig. 3).⁹

In 2019, Wintershall Dea applied for a new drilling permit (“NB1-0002-00”) for an area south of the current production area “Mittelplate I” (see Fig. 4), also within the exploration area, while simultaneously requesting to extend the production permit for the whole oil reservoir until 2069.⁶ The responsible authorities have not reached a decision yet in terms of granting or denying the permit, according to the currently limited information at our disposal. However, the new coalition contract of the ruling parties in the region of Schleswig-Holstein explicitly supports the fossil project.¹⁰

The new area would mean additional reserves of up to 2 million tonnes of crude oil,¹¹ the depth of the oil reservoir being somewhere between 2,000 and 3,000 m (Dogger beta reservoir).^{11,12} One well bore is initially planned. Based on the knowledge that would be gained from that well, additional boreholes would be developed (two additional wells are already being considered). Wintershall Dea indicated in its permit application that “the final number of wells can’t be predicted”.⁶

The new boreholes would be non-vertical, extended-reach ones, with a length of probably up to 10 km, thereby “reaching the current limit of what is technically possible”, in the words of the Board of Trustees of the Wadden Sea National Park.¹¹ Additionally, the platform itself is 36 years old, which increases the risk of an accident happening.¹³ In fact, the platform already needed an emergency intervention – without an official permit – back in 2007: there was an acute destabilization danger due to high levels of hydrodynamic scour caused by drilling.¹⁴ With increasing sea levels and heavier storms to be expected due to the climate crisis, the risk will only increase further and further.

The National Park Law of 1985 made an exemption for the oil drilling projects in the Mittelplate back then, explicitly allowing oil and gas extraction “only if the drilling takes

place from the already-approved drilling platform Mittelplate-A, in consultation with the national park authorities". However, a legal opinion commissioned in 2020 by the Ministry of Energy, Agriculture, the Environment, Nature and Digitalization of Schleswig-Holstein reached the conclusion that the new drilling plans of Wintershall Dea from 2019 are most likely not allowed under the current National Park Law, revised in 1999. According to the interpretation that the legal opinion makes of the National Park Law, the new drilling sites are most probably not covered by the original exemption and should therefore not be authorized.¹³

An approval of the drilling permit would not automatically grant Wintershall Dea the right to start drilling right away: an operating plan would be also needed. According to the legal opinion from 2020 and another one from 2022¹⁵, the operating plan would need to comprise a planning approval procedure including an Environmental Impact Assessment (EIA), a Habitats Directive Assessment (HAD) and a public consultation process. The approval process of Wintershall Dea's drilling permit application from 2019 has been extremely opaque so far. For instance, it is not clear, from the documents at our disposal, whether an EIA was ever conducted for the framework operating plan (first approved in 1985) or for any of the main operating plans (normally renewed every two years) related to the Mittelplate. Wintershall Dea and the responsible mining authority are very reluctant to share information with the general public. The last main operating plan was allegedly to be approved on May 25th this year.¹⁶

Apart from being a World Heritage Site, the area at stake in the case of the drilling permit application from 2019 is located fully within the Wadden Sea National Park of Schleswig-Holstein, is a Special Area of Conservation (SAC DE 0916-391) and an EU bird reserve (SAP 0916-491). The OUV criterion (x) could therefore be greatly in danger in case of an accident (e.g. oil spill or blowout). The construction and regular operation of the additional wells would also entail increased noise and light pollution, and marine traffic. In addition, Wintershall Dea's plans of extending the drilling permit until 2069 – the other main demand in the drilling permit application from 2019 – not only flatly contradict the aforementioned climate-related findings of the IEA, but also the German climate neutrality date, 2045. This would irrevocably fuel the climate crisis, which would mean sea level rise, more frequent extreme weather events and significantly higher temperatures, among many other things. The latter would not only considerably increase the risk of an accident in the Mittelplate, but also drastically and inexorably disrupt, for example, the tidal systems, the coastline and the flora and fauna. In short, the sheer existence of the whole ecosystem,



Fig. 5: The N05-A gas field and granted exploration areas of ONE-Dyas in the Dutch part of the Wadden Sea World Heritage Site. Map: Deutsche Umwelthilfe

and therefore all three OUV criteria – (viii), (ix) and (x) –, would be under extreme threat.

2. Netherlands

The Dutch company ONE-Dyas, together with its partners Hansa Hydrocarbons and EBN, wants to extract at least between 2 and 4 billion cubic metres of gas about 20 km from the islands of Schiermonnikoog and Rottumerplaat (both in the Netherlands) and Borkum (in Germany) from the end of 2024 onwards for a time period of 10 to 25 years.¹⁷ The planned offshore platform N05-A (already approved in the Netherlands) will be located in the Netherlands about one and a half kilometres from German waters, and close to the Dutch Wadden Sea Conservation Area and the German Wadden Sea National Park of Lower Saxony (only 15 km away from the latter). More specifically, the N05-A gas field is located in the direct vicinity of the EU bird sanctuary V01 Lower Saxony Wadden Sea and adjacent coastal waters, which also include the Natura 2000 Borkum Reef Nature Reserve.

The gas field itself is located underground at a depth of 4 kilometres. The drilling field will cover both Dutch and German territorial waters and is partly in a Natura 2000 area. Moreover, ONE-Dyas is already looking for additional gas fields within the boundaries of ONE-Dyas' licenced exploration zone (Gateway to the Ems or GEMS).¹⁸

Platform N05-A will be powered through a cable from the neighbouring German wind farm Riffgat, and the gas produced will be injected to the Nordgastransport (NGT) pipeline through a new 13-kilometre pipeline through the Wadden Sea. The construction of the pipeline, the installation of the platform and the drilling activities will cover an area of 30 hectares on the seabed.¹⁹

The Dutch government has approved the project's EIA and licence and has issued a permit already. On the Germany side, the planning approval procedure has already been started at the Lower Saxony's State Office for Mining, Energy and Geology (LBEG in German).

The probability of the WHS being irreparably (directly and indirectly) damaged by this project is extremely high. The gas field is so close to the WHS that it may affect the migration patterns of fish moving from the North Sea to the Wadden Sea and vice versa, and there is a risk of earthquakes occurring, as were often the case in the nearby gas production sites in the Groningen area before the drilling was stopped. Furthermore, gas extraction can lead to a widespread sinking of the ground. This, in turn, can result in changes in sediment transport along the coast, with unintended ramifications.

Multiple other risks cannot be ruled out: for instance, shallow gas migration along the wells represents a potential methane emission pathway that currently is not recognised in any regulatory framework.²⁰ The dangers to the oyster reintroduction project in the area are also unknown,²¹ and the German North Sea Coast Protection Association even sees the drilling as a danger to shipping from further industrial plants on the high seas, which could have in turn severe consequences for the local environment in case of an accident.²² The climate crisis considerations and related consequences previously laid out in the German section also apply to the Dutch side of the WHS. Therefore, all three OUV criteria – (viii), (ix) and (x) – would be permanently and severely compromised, to say the least.

3. Conclusion

We contend that the very existence and the credibility of the protection of the Wadden Sea WHS and its OUV are under really severe threat from the dangers represented by the respective fossil projects from Wintershall Dea and ONE-Dyas. Beyond the many direct biodiversity and hydrogeological consequences and risks both projects would entail, they would also contribute to a terrible exacerbation of the climate crisis, which would in turn drastically and irrevocably affect all OUV criteria mentioned above – (viii), (ix) and (x).

We therefore call on the World Heritage Committee to recommend in its 45th session to:

- Review the cumulative impacts of the different fossil projects within the WHS, as UNESCO and IUCN have recently suggested;²³

- Add the Wadden Sea WHS to the list of World Heritage in Danger;
- Urge the States Parties of Germany and the Netherlands to submit, according to §172 of the Operational Guidelines, all planning documents for examination by IUCN, to publicly provide detailed information on the current status of the approval procedure for both of the drilling projects (e.g. for both projects an EIA – with special requirements set by the IUCN –, a HAD and a public consultation process are pending in Germany for the operating plan stage).
- Urge the responsible German authorities to not reach a decision concerning the approval of both projects before the Committee has taken a decision on the matter.

Endnotes

- 1 See <https://whc.unesco.org/en/list/1314>.
- 2 See <https://wintershalldea.com/en/where-we-are/germany/mittelplate>.
- 3 See "Net Zero by 2050" report, International Energy Agency, 2021.
- 4 See IPCC, 2022: "Climate Change 2022: Impacts, Adaptation, and Vulnerability", contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, Cambridge University Press.
- 5 See IPCC, 2021: "Climate Change 2021: The Physical Science Basis", contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, Cambridge University Press.
- 6 Application documents for the production permit provided by Lower Saxony's State Office for Mining, Energy and Geology (LBEG).
- 7 See <https://wintershalldea.de/de/wo-wir-sind/mittelplate>. (in German)
- 8 Exploration permit document provided by the LBEG.
- 9 Production permit document provided by the LBEG.
- 10 See coalition contract 2022-2027 for Schleswig-Holstein of the Die Grünen und the CDU. (in German)
- 11 See report from the Board of Trustees of the Wadden Sea National Park of Schleswig-Holstein, 28.11.2019, Husum. (in German)
- 12 See <https://www.earthdoc.org/content/papers/10.3997/2214-4609.201700981>.
- 13 Legal opinion from Prof. Dr. Ulrich Ramsauer and Dr. Henning Wendt, 2020.
- 14 Written response from the state government of Schleswig-Holstein (Ministry of Science, Economy and Transportation) to the information request from Marlies Fritzen (Die Grünen).
- 15 Legal opinion from Max Mayer, 2022.
- 16 Information provided by the LBEG.
- 17 See <https://www.gemsnorthsea.co.uk/>
- 18 See <https://www.gemsnordzee.com/nieuws/definitieve-vergunning-voor-gaswinning-uit-veld-n05-a/>. (in Dutch)
- 19 See video on <https://www.gemsnorthsea.co.uk/>. (in Dutch)
- 20 See <https://pubs.acs.org/doi/full/10.1021/acs.est.7b02732>.
- 21 See <https://www.rvo.nl/onderwerpen/bureau-energieprojecten/lopende-projecten/gaswinning-n05a/voorgeschiedenis> (in German)
- 22 See https://www.ndr.de/nachrichten/niedersachsen/oldenburg_ostfriesland/Inseln-kritisieren-Landtagsbeschluss-zu-Erdgas-Bohrungen,erdgas396.html. (in German)
- 23 See https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2022Z10101&did=2022D20584.

Wind Farm Threatens to Affect the Kellerwald National Park in Northern Hesse, Germany

Norbert Panek

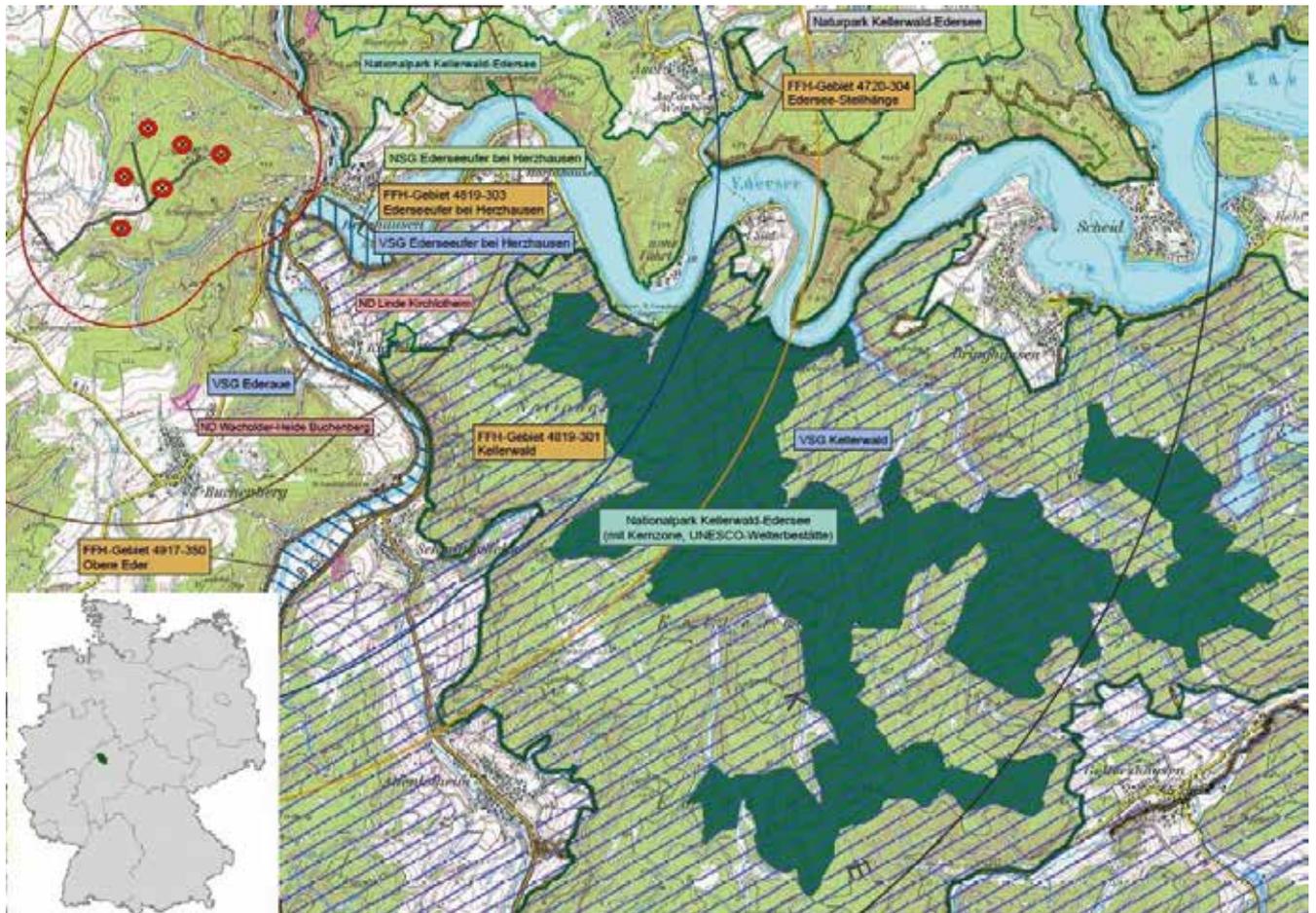


Fig. 1: The location of the planned wind park to the northwest of the Kellerwald World Heritage site.

Map: VEW Erneuerbare Energien / WHW

The regional energy company association "Gesellschaft für Erneuerbare Energien" ("Society for Renewable Energies", abbreviated: VEW) plans a wind farm with six up to 240 m high wind turbines at the Mühlenberg („Mill Mountain“) near the village of Vöhl-Herzhausen in northern Hesse, in the immediate vicinity of the Kellerwald-Edersee National Park. The national park is part of the serial UNESCO World Heritage property "Primeval Beech forests of the Carpathians and Other regions of Europe".

More than 440 objections to the construction of the wind farm have already been submitted in the ongoing approval process.

An avifaunistic report of the nature conservation association NABU proves that the intervention will have a considerable impact on various species of large birds such as the Red kite (*Milvus milvus*) and the Black stork (*Ciconia nigra*). These species partially breed in the national park and depend on feeding habitats in the vicinity of the planned wind farm site, where they would be exposed to an increased risk of being killed. According to local and regional conservationists, the construction of the wind turbines will significantly affect the environment of the relatively small area of the national park, not only visually, but also in its habitat function.



Fig. 2: View from the Hochstein hill westward. The silhouette of the Mühlenberg – where the wind park is planned – can be seen in the background behind the small settlement by the lake, Herzhausen. The Kellerwald WH site is just outside the picture to the left.

Photo: Norbert Panek



Fig. 3: Computer visualization of the planned wind park as it would be seen from the Ochsenbühl hill on the opposite side of the lake.

Photo: IMNE Citizens Initiative

According to § 172 of the Operational Guidelines, the State Party was and is obliged to inform the World Heritage Committee in the case of any planning that could affect the features giving the World Heritage site its special value, and if necessary, to involve it in the planning process. Upon inquiry by the author, the responsible Hessian Ministry of the Environment responded in writing on June 9, 2020, as follows:

“In fulfillment of § 174 of the Operational Guidelines, we had already informed UNESCO at an early stage via the Federal Ministry for the Environment about the planned Mühlenberg wind turbine project.”

Furthermore, the Ministry informed that § 172 was not applicable in the present case, as it would refer to “new construction measures” within a World Heritage property. However, the

planned wind turbines were located outside the Kellerwald site. In addition, the Ministry referred to the impact assessment allegedly carried out as part of the approval procedure. The results of the assessment have not yet been disclosed.

Regardless of the outcome of the ongoing approval procedure, the intended construction of wind turbines in the immediate vicinity of a protected area ranking so high globally or internationally represents an absolute breach of taboo from a nature conservation point of view, which is unprecedented in Germany. A final decision by the approving authority on whether the wind turbines can be built or not is expected in the autumn of 2022.

Białowieża Forest World Heritage Site Broken in Half



Tomasz Pezold Knežević, WWF Poland



Fig. 1: Military equipment in the middle of Białowieża Forest. Photo: Grażyna Chyra

After substantial extension of the transboundary Property in 2014, the entire Białowieża Forest on the Polish and Belarusian side is on the World Heritage List. During the years 2016–2018 the OUV of the Property on the Polish side was significantly deteriorated due to large-scale logging operations conducted in response to bark beetle infestations. In 2017 alone, commercial timber extraction reached unprecedented levels of 190.000 m³. Most logging operations were conducted in the most valuable old-growth forest stands over one hundred years old. As the logging was also interfering with regulations related to Białowieża Forest as part of the European Natura 2000 network, in its judgment of 17 April 2018, the Court of Justice of the EU ruled against Poland. As a consequence of this verdict, the Polish Government decided to put logging operations on hold.

Global events' repercussions on the site

Since 2018 Białowieża Forest enjoyed a few good years from the conservation perspective. This was due to putting on hold logging operations as a consequence of the ECJ verdict, as well as partly due to the COVID-19 pandemic. The prospects seemed to be bright. Even though during the first months of the pandemic (lockdown) the area was closed to visitation, soon after the release of the restrictions, local authorities and inhabitants realized that tourism is the main contributor to the local economy and the wellbeing of the local population. In particular due to pandemic-related foreign travel restrictions for Polish citizens, Białowieża Forest, similarly to other nature areas in the country, was a very well visited site that provided local tourism operators with a huge financial influx. Another positive aspect

was related to the fact that Polish authorities finally decided to move on with the elaboration of an Integrated Management Plan for the Property. This document is long awaited as it was actually supposed to be provided when the Site was extended 8 years ago.

The good mood did not last long, however. Due to the artificially induced migration crisis, the Polish authorities first decided to introduce a state of emergency, which prevented access to a significant part of the Forest (including touristic Białowieża village). The next decision was made to build a border wall.



Fig. 2: Permanent wall being constructed along the Polish-Belarusian border. Source: Polish Border Police.

The region has been closed to visitation for months and is full of police, military, and border police (Fig. 3).



Fig. 3: Military forces in Białowieża village. Photo: Grażyna Chyra

Local businesses struggle to survive, and some will go bankrupt. Soldiers are deployed in camps every 300-400 meters along borders. Often toilets are lacking, littering is common as

well as using wood for campfires even in the strict nature reserve. The soldiers do not obey requests of Park Rangers not to do so. They walk everywhere in the forest even in the strict nature reserve where access was so far rigorously controlled.



Fig. 4: Military garbage on Bialowieza Forest.

Photo: Małgorzata Klemens



Fig. 5: Forest dirt roads are being devastated by heavy vehicles and polluted with fuel.

Photo: Małgorzata Klemens

The wall that is being constructed will have irreversible effects for the nature of north-eastern Poland, including the unique ecosystem of the Bialowieza Primeval Forest. Such a barrier will prevent the movement, migration, and flow of genes in populations of rare and protected species, will become a death trap for animals trying to cross it, and a threat to the survival of isolated populations. The biggest threat is to the lowland lynx population. It can cause an insulating effect and, eventually lead to a loss of the entire population. Not only will the lynx suffer from the fence, but for this population of Europe's largest cat it can be a deciding factor. The construction of the wall (of a total length of 180 km) breaks the transboundary WH Site in half and may lead to the removal of the Property from the UNESCO World Heritage List.

Governance and joint management more difficult than ever before

Since its very inscription, the weak governance of the transboundary site was a key root cause of ineffective management and, at times, deterioration of the OUV. Now the situation is even more complex as the property now actually consists of two disconnected, separated sites. Besides border wall construction, all diplomatic and working relations between the two countries are frozen due to the current geopolitical situation. A



Fig. 6: Temporary barbed wire fence.

Source: Polish Border Police

sad indication of these relations is the fact that this year for the first time in history the State Conservation Reports have been submitted to WHC separately by both Parties.

Final remarks and conclusions

This report focuses on the Polish side of the Property, mostly due to the fact that IUCN/UNESCO so far have regarded the management of Belarusian component as appropriate in order to conserve its OUV. Additionally, objective insight into the management on the ground is extremely limited due to the fact that independent environmental NGOs have ceased to exist in Belarus in the last months.

Since 2014, i.e. the significant extension of the Property, there has been little progress on the Polish side in addressing decisions of the World Heritage Committee and the recommendations of IUCN/UNESCO. On the contrary, some of the actions being undertaken are in clear contradiction to those proposals.

Several necessary inputs are in place in order to improve the management and conservation of the OUV of the Property. Extensive information has been collected and include inter alia the Nomination file, decisions of the World Heritage Committee since the site inscription in 2014, and recommendations made by the 2016 IUCN Advisory Mission. The report from the WHC/IUCN Reactive Monitoring mission of 2018 further consolidated this knowledge and provided additional detailed recommendations.

Currently the situation and the prospects for the Property are grim. The site is actually divided in half by the border wall, there is no integrity nor ecological connectivity between the two parts. Governance and management arrangements are interrupted due to frozen relation between two State Parties.

The root cause of several key challenges remains unchanged - a dysfunctional governance and management on the Polish side, now exacerbated by broken links with the Belarusian counterparts. It leads to a further deterioration of the OUV, creates untrustful relations between involved stakeholders and is unable to use untapped potential and ensure fair and equitable sharing of benefits arising from the site. Recent developments in the Property exhaust warrant its inscription.

Europe's Last Ancient Beech Forests, Primary and Old-growth Forests In Decline Due to Logging

EuroNatur Foundation
Agent Green



As the world is facing climate and biodiversity crises, forests play an ever more important role in the fight to save our planet. Forests are important habitats for many species, masters of natural cycles and diverse ecological communities, hence hotspots of biodiversity. Furthermore, they are important carbon stocks and thus indispensable for human's striving for climate security, especially our ancient, primary and old-growth forests.

In Europe, only few tracts of primary and old-growth forests are left and unfortunately, they are under severe threat from logging. Europe was once covered with Beech Forests (mainly Common Beech – *Fagus sylvatica*). Consequently, many of the remaining ancient forests are beech forests – forests of outstanding universal value. Some of them are part of the transboundary World Heritage Site “*Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe*” and listed under Criteria ix of the World Heritage Convention as they are “outstanding examples representing significant ongoing ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals”. The site is shared by twelve countries and encompasses 92,023.24 hectares in total. However, the countries hosting the component parts have different ways of managing them, and some component parts are threatened by habitat degradation and logging. This is, for example, the case in Romania:

With 23,983 hectares in 12 component parts, Romania hosts the biggest share of the transboundary World Heritage site (around 26% of the site's entire surface). Besides these forests, Romania still holds the biggest share of intact primary and old-growth forest within the European Union (outside of Scandinavia) as there are more than 500,000 hectares of potential primary and old-growth forests left in Romania (Schickhofer and Schwarz 2019).

Field visits and reports from the last few years have, unfortunately, shown that Romania does not respect the designation of protected areas and that valuable forests are under severe threat and pressure from intense logging. Even National Parks and Natura 2000 sites are not safe from logging, despite Romania facing an infringement procedure from the European Commission since February 2020. There is a risk that the Euro-

pean Commission will escalate the case to the European Court of Justice (ECJ). Still, the year 2021 sadly proved that little has changed and forests in these protected areas are still threatened and even being logged. One example is the National Park and Natura 2000 sites Domogled-Valea Cernei where the logging also threatens some of Europe's last primary and old-growth beech forests in the buffer zones of the UNESCO site.

The importance of protecting the last ancient beech forests included in the World Heritage Site and beyond is further underpinned by the call within the EU Biodiversity Strategy which clearly states “As part of this focus on strict protection, it will be crucial to define, map, monitor and strictly protect all the EU's remaining primary and old-growth forest”.

Despite many interventions by different entities of the World Heritage specialist, IUCN, as well as national and international NGOs and even the ongoing EU infringement procedure, logging continues and threatens valuable primary and old-growth forests – including the ancient beech forests. Again in 2021, auctions for concessions to log forests within the buffer zones of the UNESCO World Heritage site in Romania have been announced and/or approved by Romania's state forest management agency Romsilva, and logging has proceeded.

Domogled – Valea Cernei National Park

This park is not only Romania's largest national park but also a forested EU Natura 2000 site. It contains three component parts of the *Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe* World Heritage Site as core zones (Coronini – Bedina, launa Craiovei and Ciucevele Cernei), while the rest of the park's surface is the formal buffer zone of the World Heritage Site.

Despite this status and the National Park's non-intervention zone, these valuable forests are heavily affected and degraded by logging activities: In 2021, especially close to the UNESCO property of launa Craiovei, several parcels with old-growth forests between 150 and 200 years old were being logged. This logging mainly consists of commercial logging and thus the removal of all major trees. The clear cuts are in some cases only 300m away from the UNESCO property, and thus environmen-

tal organizations fear that the negative effects also affect the surrounding forests including the UNESCO properties. They see the purpose of buffer zones as highly neglected.

According to the World Heritage Centre, “a buffer zone is an area surrounding the nominated property which has complementary legal and/ or customary restrictions placed on its use and development to give an added layer of protection to the property” (UNESCO WHC, 2017). This is not respected in Domogled. Additionally, the Romanian wood transport tracking system, SUMAL 2.0, also showed trucks loaded with logs from old trees leaving the areas of the UNESCO buffer zones. Some of the logging permits in Domogled were also issued for the time between 06.05.2021 to 31.08.2021 but investigators found evidence on the ground of recent logging even after this authorized date.

In many cases logging is also done via “progressive cutting” (stepwise removal of all trees of a forest parcel over a period of 10 years) or “conservation logging” (cutting of openings in the forest to stimulate growth of young trees). Despite these innocent sounding designations, both methods lead to full habitat degradation and loss of these valuable forests. As Domogled is also a Natura 2000 site, these practices also disrespect the EU Nature Directives. This should alarm the European Commission to progress the EU infringement procedure against Romania as logging in Domogled is only one of many examples clearly showing that the situation of Romania’s primary and old-growth forests has not changed since the EU first addressed Romania on this cause in July 2020.

In addition to logging in 2021, we have evidence that there is further logging planned for 2022: The list of planned logging parcels by Romsilva shows 18 parcels within the UNESCO World Heritage Site’s buffer zones (status 05.12.2021), in some cases directly adjacent to the core zones of the site (see Fig. 1 below). Most logging permits for 2022 can be found here with GPS coordinates (selecting the county Mehedinti and the forest district of Baia de Arama): http://www.rosilva.ro/articole/catalog_masei_lemnoase_2022__p_2724.htm



Fig. 1: Four locations visited in 2021 that had shown suspicious forest loss on aerial images. Areas 1-3 showed fresh logging during the field visits in summer 2021. Location 4 was most likely not logged but affected by wind fall. Map: Google Earth / Authors



Fig. 2: Detail of Fig. 1: Logging in August 2021 in Location 1 where in several areas about 6,000 cubic meters of wood were logged in primary and old-growth forests as well as other old forest close to the UNESCO properties and National Park core zone. Map/Image: Google Earth / Authors



Fig. 3: Detail of Fig. 1: Logging areas in Topenia valley (Location 5) close to the border of the UNESCO core area of Iaua Craiovei. Map: Google Earth / Authors



Fig. 4: Parcels designated for logging and partly logged in 2021 (red outline) in Domogled-Valea Cernei National Park and UNESCO World Heritage Site buffer zone (yellow outline). Map: Google Earth / Authors

The forests logged in 2021 and those sites designated for logging in 2022 are similar to the forests inside the World Heritage component parts. Consequently, they are of the same outstanding universal value. Their degradation threatens their vast biodiversity and ecosystem values. Thus, any logging and logging plans of these sites represent a clear disregard for UNESCO values. This threatens the whole transboundary property as in

case of a deliberate damage of a component part the whole property might be listed as “in danger”.



Fig. 5: Drone photo of recent clear cuts in what used to be an old-growth forest in Topenia Valley, Domogled. Photo: Agent Green

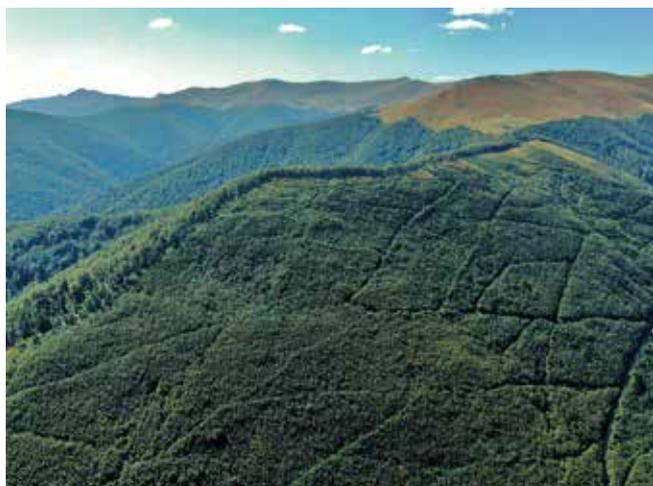


Fig. 6: Older clear cuts in what used to be an old-growth forest in Olanu Valley. Photo: Agent Green

To ensure old beech forests located within World Heritage sites and their buffer zones are comprehensively protected, we request the World Heritage Committee to urge the World Heritage Centre and advisory bodies to set standards for buffer zone management. These standards should clearly prohibit industrial exploitive use of resources - such as commercial logging - within buffer zones of World Heritage properties and should not go below the IUCN regime for Category II Protected Area (national parks; “eliminate and prevent exploitation”; primary conservation objective valid for the whole protected area; no exploitation except subsistence use by indigenous people). Furthermore, they should be in line with other protection regimes relevant for the site, such as the EU’s Natura 2000 directives (prohibition of significant deterioration of conservation status of natural habitats and species).

We encourage the World Heritage Committee to support the protection of the World Heritage Site and respectfully urge the

WHC to request the Romanian government to uphold the values of the World Heritage Convention through the following actions:

- All logging permits in primary and old-growth forests in national parks and UNESCO World Heritage site buffer zones are to be cancelled and logging activities are to be stopped immediately;
- All primary and old-growth forests in the national park and UNESCO World Heritage site buffer zones be preserved as designated non-intervention areas (eg. core zones enlarged, UNESCO sites expanded, National Catalogue of Virgin Forests properly implemented). As most of forests within the UNESCO buffer zones of the Romanian component parts are under the management and ownership of the Romanian state, this should be achievable without a significant need for financial compensation for private land owners;
- National Parks and UNESCO World Heritage sites are to be promoted as places where nature conservation is paramount and adequately funded and world’s best practice management prioritises the protection, promotion and restoration of natural ecosystems, not the exploitation of natural resources.
- Start a dialogue with Romania based on the findings and report of the reactive mission by the World Heritage Centre and IUCN in November 2019 and ensure the situation in Romania will be handled accordingly and improved.

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Overview of the Problems at the Western Caucasus World Heritage Site

Anonymous authors¹

1. Planned large-scale construction of a ski resort on the Lago-Naki plateau

In March 2021, the Government of the Russian Federation approved the Order² according to which a biosphere polygon was created on the territory of the Lago-Naki plateau with the allowance of the capital objects' construction.

A month later, the Cabinet of Ministers of the Republic of Adygea and NJSK Krasnaya Polyana had signed an Agreement of Intent to create a large-scale investment project on the territory of the Republic of Adygea named "All-season Mountain Eco-resort "Lagonaki"³.

The project was included in the "Tourism and Hospitality Industry" National Project⁴. The project involves the creation of the "Lagonaki" ski resort with infrastructure facilities (hotels, parking lots, reservoirs for artificial snowmaking, sewage systems, highways, ski slopes, lifts as well as planned golf club, bike park, etc.) in the Republic of Adygea with a throughput capacity of 150 thousand tourists in a year.

213 scientists from all over the country including researchers from the Caucasus Nature Reserve, addressed an open letter to the President of the Russian Federation⁵ with a request to cancel plans of a ski resort construction. Scientists claim that 196 rare species of animals, plants and fungi are noted in the area and listed in the Red Data Books of different levels, including:

- 86 rare species of vascular plants,
- 4 species of mosses,
- 8 species of fungi-macromycetes,
- 7 species of lichen,

- 50 species of invertebrates,
- 5 species of amphibians,
- 3 species of reptiles,
- 19 species of birds,
- 14 species of mammals.

Geologically the plateau is a fragile and unique network of karst cavities and caves. The plateau is the formation center of the Kurdzhips River flow, the second largest in the Republic of Adygea.

More than 52,000 people have signed a petition to ban the construction of the resort on Change.org⁶.

In response to the letter from scientists the administration of the Republic of Adygea published an article in which it was reported that the ski resort "Lagonaki" will be constructed outside the UNESCO World Heritage property⁷. This is not true. This unreliable information was then published many times in the mass media misleading the Russian public⁸.

Although it should be noted that in 2021 State Party of Russia has tried to "clarify" the boundaries, as a result of which several enclaves would be excluded. If this decision had passed, the land plot on which the resort would be built would have been excluded from the property.

Despite the decision 44 COM 7B.110 (2021)⁹ of the Committee, a draft Regulation on the Caucasus Nature Biosphere Reserve was prepared¹⁰. The draft Regulation allows large-scale construction of ski facilities, hotels and infrastructure on the territory of the Lago-Naki plateau.

¹ The author(s) of this paper as well as of all its illustrations are known to World Heritage Watch.

² <http://publication.pravo.gov.ru/Document/View/0001202103130001>

³ http://www.adygheya.ru/press-room/news/adygheya-zaklyuchila-soglashenie-po-sozdaniyu-ekokurorta-lagonaki/?sphrase_id=157545

⁴ http://www.adygheya.ru/press-room/news/glava-adygei-natsproekt-dast-regionu-unikalnuyu-vozmozhnost-realizovat-proekt-lagonaki/?sphrase_id=157545

⁵ <https://westerncaucasus.ru/lagonaki/>

⁶ <https://www.change.org/LagonakiZhivi>

⁷ http://www.adygheya.ru/press-room/novosti-regiona/ekokurort-lagonaki-budet-sozdan-za-predelami-obektov-vsemirnogo-naslediya-yunesko/?sphrase_id=148229

⁸ <https://kuban.rbc.ru/krasnodar/freenews/60efd3639a79477f72e93e0e>

⁹ <http://whc.unesco.org/archive/2021/whc-21-44com-18-en.pdf>

¹⁰ <https://regulation.gov.ru/projects#npa=119461>

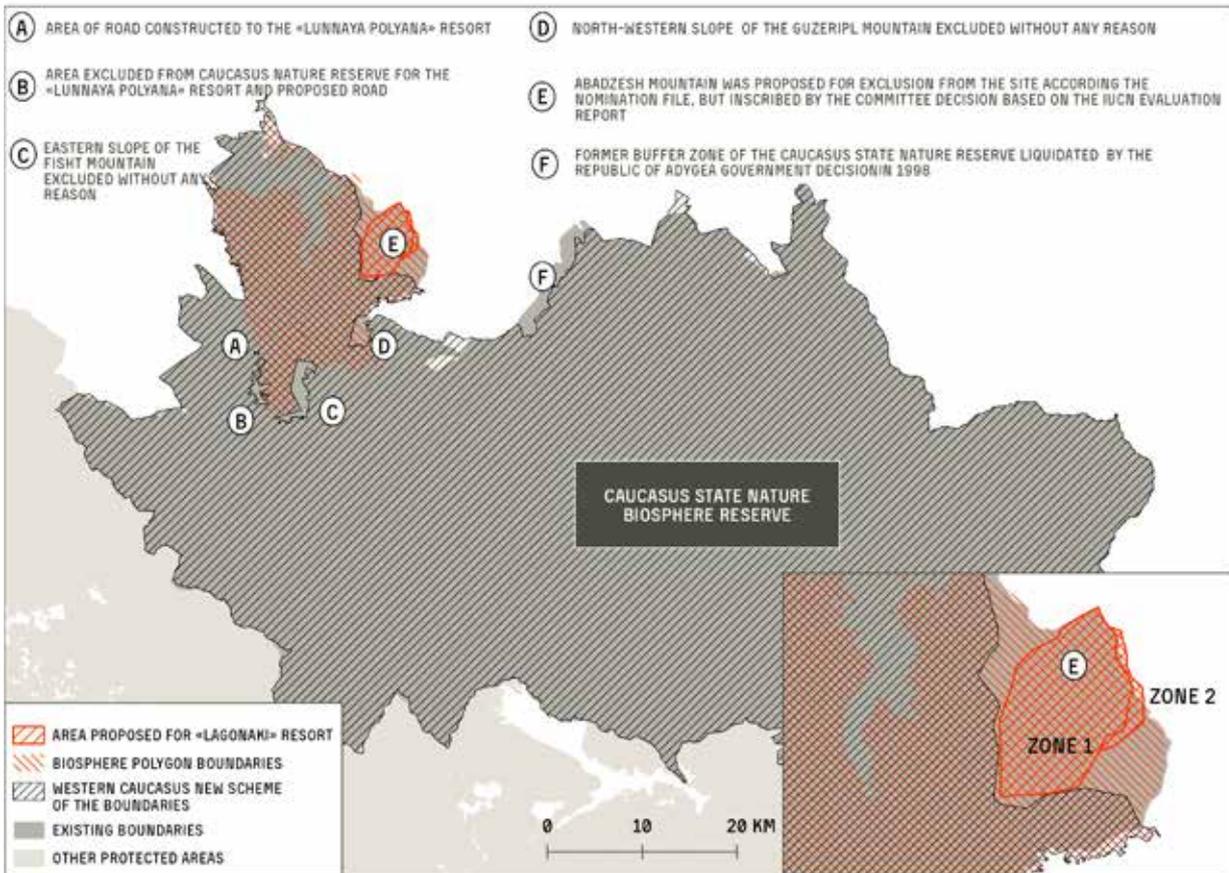


Fig. 1: “Clarified” boundaries of the Site proposed by State Party of Russia (2021).

Map: Anonymous

Lago-Naki biosphere polygon

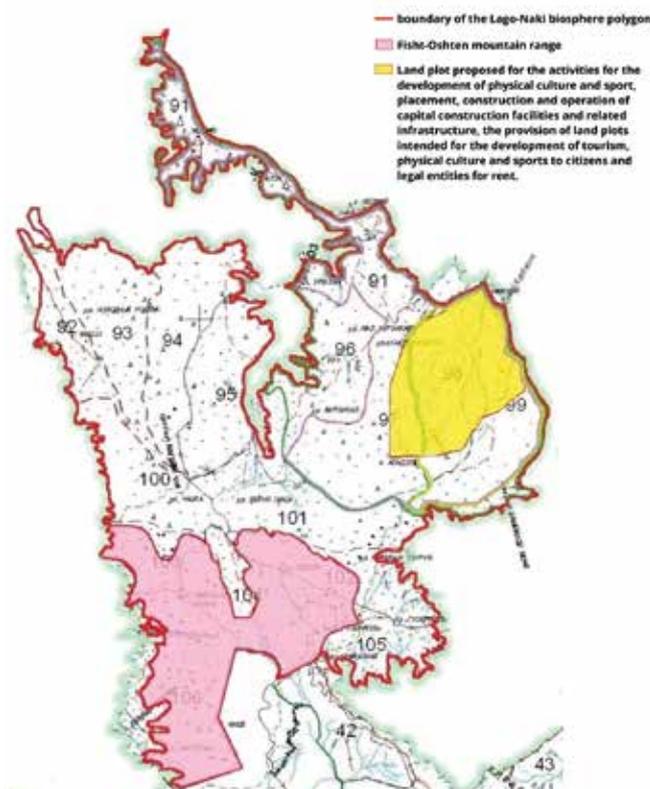


Fig. 2: Lago-Naki biosphere polygon. The planned resort is highlighted in yellow.

Map: Anonymous

2. Proposed Kislovodsk-Sochi Road

The Government of the Russian Federation has plans to build the Kislovodsk-Sochi main road through the territory of the Caucasus Reserve¹¹.

On June 24, 2021, Russian Prime Minister Mikhail Mishustin instructed the Ministry of Transport, together with interested ministries and agencies to work out options for possible routes for the road connecting the North Caucasian and Black Sea tourist clusters¹².

On August 10, 2021, the Governor of the Stavrol Territory met with Russian President Vladimir Putin and told him about plans to build the road¹³. Officially, the president’s reaction was not announced, but the media controlled by the governor was quick to declare that the president approved the idea.

The Governor of the Stavropol Territory, Vladimir Vladimirov, announced that the construction of the Kislovodsk-Sochi highway was included in the transport strategy until 2027¹⁴.

11 <https://www.kommersant.ru/doc/4879076>

12 <http://government.ru/orders/selection/401/42600/>

13 <https://www.kp.ru/daily/28315/4457459/>

14 <https://vesti-sochi.tv/obshhestvo/73082-stroitelstvo-trassy-iz-kislovodsk-a-v-sochi-vklyuchili-v-transportnuyu-strategiyu-do-2027-goda>



Fig. 3: Phiya pass.

Photo: Anonymous

Presumably, a large-scale road has already been built to the southeastern border of the reserve, to the Acid Springs (see Fig. 3).

3. The reorganizations of the natural monuments

By the Resolution No.97 of the Cabinet of Ministers of the Republic of Adygea on May 21, 2020 “On the reorganization of the natural monument of republican significance “Upper reaches of the Pshekha and Pshekhaskha rivers”, the Mountain Adygea Nature Park was created¹⁵.

Despite the formal increase in the legal status of this territory, there was an actual decrease in the legal regime:

- the nature protection zone was reduced to 67.2% of the total area;
- an economic zone was organized on 13.2% of the total area. On this territory it became possible:
 - the construction and reconstruction of linear-type and hydro-engineering facilities,
 - geological study and exploration (use) of ground and surface waters,
 - mining of explored mineral deposits.
- a recreational zone was organized, 19.6% of the total territory, intended for recreation, tourism, physical culture/training and sports and other types of recreational activities.

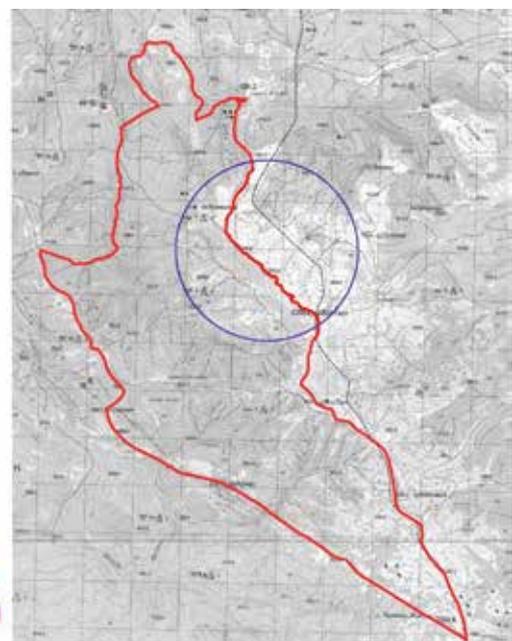
By the Resolution of the Cabinet of Ministers of Adygea Republic dated June 17, 2020 No. 116 “On the reorganization of the natural monument of republican significance “Upper reaches of the Tsitsa River”, the “Upper reaches of the Tsitsa River” Nature Park was created¹⁶. Changes have been made to the regulation, similar to the regulation of the “Mountain Adygea” Nature Park. In particular a recreational zone was organized on 14.3% of the total area, intended for recreation, tourism, physical culture and sports and other types of recreational activities.

4. The state of conservation of the Bolshoi Tkhach Nature Park

- Functional zoning of the territory of the nature park has not been carried out;
- On the public cadastral map the boundaries of the site are within cadastral number 01:04:5802001:74¹⁷, which is completely allocated for a nature park, eastern boundaries do not coincide with the administrative border between the Republic of Adygea and Krasnodar Krai. This results in two large enclaves falling out of the territory of the nature park. The first enclave includes peak of Bolshoy Tkhach, the second – peak of Maly Tkhach. This contradicts the original boundaries of the nature park according to the Decree No.244 of the President of the Republic of Adygea dated October 08, 1997 “On the creation of a nature park of the Republic of Adygea on the territory of the Bolshoi Tkhach Mountain massif”¹⁸ (see Fig. 4.).



The scheme of the Bolshoi Tkhach Nature Park from the Regulations of forestry



Boundaries of the Bolshoi Tkhach Nature Park from the draft Regulations on the Nature Park

Fig. 4: Boundaries of the Bolshoi Tkhach Nature Park.

Map: Anonymous

15 <http://publication.pravo.gov.ru/Document/View/0100202005250004>

16 <http://publication.pravo.gov.ru/Document/View/0100202006230001>

17 <https://pkk.rosreestr.ru/#/search/44.03723263544886,40.406737932588634/15/@5w3tqxjnb?text=01%3A04%3A5802001%3A74&-type=1&opened=1%3A4%3A5802001%3A74>

18 <https://docs.cntd.ru/document/459702684>

5. The state of conservation of the Buiny Ridge Natural Monument

- There are no boundaries of the natural monument in its Regulations.
- Until now, the specially protected area has not been allocated as a separate section on the cadastral map – it is part of a larger section with cadastral number 01:04:5901001:199¹⁹, in which neither the category of land nor the permitted use is indicated;
- In the west, the territory of specially protected natural areas borders with the area 01:04:5901001:382²⁰, created on the territory of the forest fund and assigned by the Order of the Cabinet of Ministers of the Republic of Adygea dated 01.07.2016 No. 148-r to the category of lands with permitted construction of recreational facilities (possibly, for the construction of a ski resort on this site), which poses a threat of uncontrolled recreational load directly at the border of the property.



Fig. 6: New road sections to Lunnaya Polyana.

Map: Anonymous

6. Construction of the road to Lunnaya Polyana is almost completed

7. Infrastructure development in the Mountain Adygea Nature Park

On the territory of the Mountain Adygea Nature Park (former natural monument “Upper reaches of Pshekha and Pshekhashka rivers”), which is part of the WH property, the construction of another road, water conduit and water intake from the very upper reaches of the Pshekha River is in progress with serious environmental violations (see Fig. 7–10).



Fig. 5: New road sections to Lunnaya Polyana.

Photo: Anonymous



Fig. 7

Photos: Anonymous

19 <https://pkk.rosreestr.ru/#/search/44.00165437124136,40.05772328620798/11/@5w3tqxnb?text=01%3A04%3A5901001%3A199&type=1&opened=1%3A4%3A5901001%3A199>

20 <https://pkk.rosreestr.ru/#/search/44.001398621359925,39.97168161869652/16/@5w3tqxnb?text=01%3A04%3A5901001%3A382&type=1&opened=1%3A4%3A5901001%3A382>



Fig. 8

8. Expansion of ski resorts from the city of Sochi

The expansion of ski resorts continues from the city of Sochi (see Fig. 11–12).

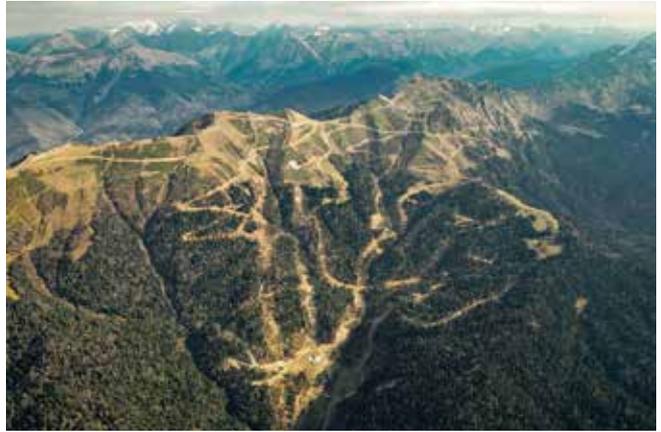


Fig. 11



Fig. 9

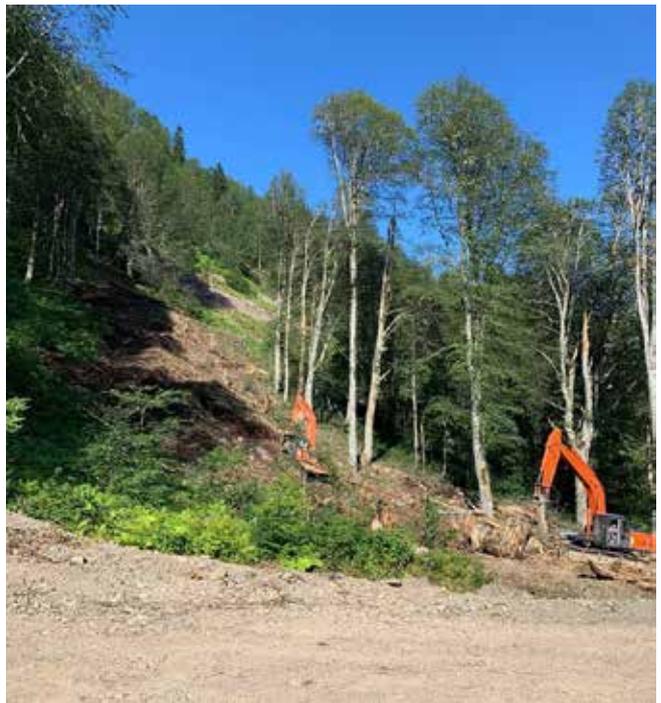


Fig. 12



Fig. 10

In particular, a road is being actively built in the upper reaches of the Mzymta River along its tributaries Karpovka and Cherkizyanikha (Fig. 13) as well as along the Aibga ridge (Fig. 14–15).



Fig. 13 Photo: Anonymous

The road is being built without a mandatory environmental impact assessment, in the recreational zone of the Sochi National Park, where such construction is not provided for by the regulation on the park. Nevertheless, the prosecutor’s office continues to report that everything is legal, since this road is considered temporary in the documents and approved by the Ministry of Natural Resources of Russia (Fig. 16).



Fig. 14



Fig. 16: New road in Sochi National Park. Map: Anonymous



Fig. 15

9. Concrete foundations on the top of Mt. Pshekha-Su

Social activists discovered 16 concrete foundations on the top of the Pshekha-Su Mountain in the territory of the Caucasus Reserve (Fig. 17).



Fig. 17 Photo: Anonymous



Fig. 18:

Photo: Anonymous

10. Highway being built in the former Buffer Zone

In the abolished buffer zone of the Site in the Republic of Adygea under/near the Kamennoye More Ridge (Stone Sea) a highway is being actively built in the immediate vicinity of the Caucasus Reserve boundaries (at a distance of 1 to 5 km from the boundary). The construction is accompanied by significant logging, disturbance of animal migration routes, deterioration of the soil cover and the hydrologic balance.

The World Heritage Committee in Decision 44 COM 7B.110²¹ (2021) requests the State Party of Russia to invite a joint World Heritage Centre/IUCN Reactive Monitoring mission to evaluate whether the property meets the conditions for inscription on the List of World Heritage in Danger. Among the issues that

need to be evaluated are the creation of the biosphere polygon, the changes in status of the nature monuments, and whether the envisaged infrastructure and road development projects inside and near the property and their cumulative impacts represent a potential danger to the OUV of the property.

The Decision states that in case of confirmation of potential or ascertained danger to site's OUV, it is possible that property will be inscribed on the List of World Heritage in Danger.

We believe that the above facts indicate that the State Party of Russia does not take measures to implement the decisions of the Committee, and therefore, if the situation does not change in the near future, the Committee will have to inscribe the Western Caucasus World Heritage property on the List of World Heritage in Danger.

²¹ <http://whc.unesco.org/archive/2021/whc-21-44com-18-en.pdf>

Damage From Water Level Manipulation Severely Affects Lake Baikal

Eugene Simonov, Rivers without Boundaries International Coalition



Fig. 1: Sand bar dividing a shallow bay and the deep lake.

Photo: Eugene Simonov / Rwb

The outstanding universal value of Lake Baikal World Heritage property has been seriously compromised due to implementation of new “temporary” Decree #654 on minimum and maximum levels of Lake Baikal, dated April 27, 2021¹, again overruling the “permanent” 2001 Governmental Decree which established a 1 m range (456.00–457.00 m above sea level) for lake level fluctuation to reduce negative impacts of hydropower on shallow-water and coastal ecosystems. In 1959, the creation of Irkutsk Hydro on the Angara River (now belongs to the EN+ Group) transformed Lake Baikal into a reservoir and became the most dramatic single human impact on the lake ecosystem, which was partly mitigated by the 2001 Decree.

The new “temporary” Decree valid only for 2021 again increased the permissible water level fluctuation range from 1 meter to 2.3 meters (from 455.54 to 457.85). Such action contradicts requests to undertake a comprehensive impact assessment before altering the 2001 regulations, which were repeated in Decisions of the WH Committee in 2016–2021².

The water level regulation in 2021 again was driven by priorities conflicting with the conservation of OUVs. Lake Baikal was managed for flood control and hydropower generation at the expense of its conservation values, which led to continuing damage to coastal and near-shore ecosystems, and those impacts have not been properly monitored and documented by national environmental agencies.

Due to the intentional accumulation of water in the lake, the maximum reached in 2021 was 457.23m (September 20), which is 11 centimeters higher than the maximum level reached in 2020³. In 2021, the period when the “safe” 457.00 m mark was exceeded was 103 days, almost twice as long as the 55 days in 2020.

As a consequence of the high water level coupled with storms, low-lying lakeshores experienced a significant negative impact, some of it irreversible. Erosion severely affected coastal forests, meadows and other low-lying habitats, inundated and partly destroyed sand-bar ecological barriers, which limit the intrusion of cold open lake waters into warmer shallow bays. Such an artificially high-water level also may negatively affect various facets of biodiversity from juvenile fish in shallow bays to nesting waterbirds and their offspring in the Selenge Delta Ramsar wetland.

1 <http://publication.pravo.gov.ru/Document/View/0001202105040029>

2 For detailed description of this issue and other key issues in retrospective, please, consult the report: Simonov, E., M. Kreyndlin, A. Ivanov, and I. Panteleeva. 2021. Lake Baikal in Crisis. Pages 1-19. In: Reference Module in Earth Systems and Environmental Sciences. 1st Edition. Elsevier. doi: 10.1016/B978-0-12-821139-7.00055-6

3 Water level monitor <http://hgraph.ru/irkges>



Fig. 2: In the Oimur Settlement (Kabansky District), erosion has recently eaten away 3 meters deep into the coastal meadow. The cliff lines are now approaching houses.

Photo: Eugene Simonov / Rwb



Fig. 4: Natural stands of 70-year old pine-trees are destroyed while all the organic matter seeps out into the lake, exacerbating the problem of algae blooms and eutrophication of Lake Baikal, increasing damage to aquatic biodiversity, especially endemic species of shallow-water communities.

Photo: Eugene Simonov / Rwb



Fig. 3: In the coastal forest the soil layer near the town of Turka was washed away, while fallen trees are rapidly utilized by the local population. Similar forest destruction occurs on all low-lying forested shores.

Photo: Eugene Simonov / Rwb



Fig. 6: Raising the lake level pushes groundwater up above the surface, inundating coastal meadows and forests with long-term consequences for natural communities and their traditional use by local people.

Photo: Eugene Simonov / Rwb



Fig. 5: High water coupled with storms greatly increases the erosion of sand bars, or spits, which are providing shelter for smaller bays or inlets where the water is much warmer and full of life than out in the open lake. Many species of juvenile fish will come to feed in these more productive shallow waters.

Photo: Eugene Simonov / Rwb



Fig. 7: The rich pasturelands of the Selenga Delta are inundated by rising groundwater, and there is limited space left for grazing livestock in many villages of the Kabansky district. This is reminiscent of the 1970s when the lake first reached record levels, and local farmers had to slaughter entire herds of cattle.

Photo: Eugene Simonov / Rwb



Fig. 8: Historic lakeshore communities already experienced resettlement as the Irkutsk Dam raised the lake level by one meter in 1958. Today the lake again is entering the town of Turka and many villages. In 2020 this barrier fence of a backyard had to be moved by one meter, and now will have to be moved again. Photo: Eugene Simonov / Rwb

Since there is no officially commissioned monitoring effort to document such damages to ecosystems, Rivers without Boundaries in October 2021 organized a field trip along the eastern shores of the lake in Buryat Republic to document some of those impacts⁴. Several examples are illustrated below:

All abovementioned locations and many other areas face obvious damage – the consequences of a “slight” artificial increase (by 23 cm to the 457.23m mark) over previously accepted maximum levels for the lake. However, the “temporary regulations” adopted in 2021 allow raising the level by an additional 62 cm to the 457.85m water mark.

Impacts are not confined to the Republic of Buryatia. From Irkutsk Province, Dr. Valentin Ryabtsev reports damages in the 2021 high water habitats and populations of endemic and relic species which are confined to sandy and gravel beaches, such as the endemic plant *Craniopermum subvillosum*.⁵

Damage to the Zabaikalsky NP is even openly recognized in the SoC Report submitted by the Russian Government (page 24): „High water level in Lake Baikal in 2020 and 2021 has a negative impact, there is a noticeable erosion of sandy beaches, erosion and collapse of coastal terraces, accompanied by the loss of individual trees of different species. The tourist and transport infrastructure suffers from autumn storms in conditions of a high level of Lake Baikal. So, as a result of flood-

ing of beaches over the past year, about 40 tourist parking lots with picnic tables and campfires were under water. Buried containers of toilets and garbage containers are prone to being squeezed out of the ground by rising groundwater. ... the water level in some sections turned out to be higher than the level of the only dirt road from the village of Ust-Barguzin to the village of Kurbulik. The roadbed was damaged for 10 km.”

The key reason why the level was so high in 2020 and 2021 (i.e. far higher than would be expected considering just current inflow) is that outflow of water through the Irkutsk Dam was reduced compared with its design parameters and “rules for water resources management”.

We see two main reasons for decision-making that has repeatedly caused damage to Lake Baikal. Firstly, in many floodplain areas below the dam (mostly in Irkutsk City) businessmen and municipalities have recently built summer houses, recreation facilities, fish farms and shopping centers. Intensive release of water downstream (which would happen naturally without a dam and is also envisioned by dam design during high-water inflow periods) may lead to inundation or restricted access to those facilities. Therefore Irkutsk City and Irkutsk Province governments use all their influence to prevent such an “emergency situation” from happening and do not undertake sufficient measures to stop land grabbing in the floodplain and to remove houses / facilities conflicting with the necessary water release.

Secondly, Irkutsk Hydro managers (as most Russian hydro-power managers) are categorically opposed to pouring water through spill gates (not through turbines), which they see as direct threat to their revenues from sales of electricity. Since in 2021 the Irkutsk Hydro started renovating turbines, and only

4 Peace Nobel-Prize winning Novaya Gazeta published a big report on Lake Baikal level regulation recently: <https://novyagazeta.ru/articles/2021/10/28/mnogogolovoe-gidro> (see Rwb web-site <https://www.transrivers.org/2021/3611/> for translated version)

5 <https://ekogradmoscow.ru/2012-11-25-08-44-50/2012-11-25-08-49-32/anomalnoe-mnogovode-na-olkhone>)

2,500 m³/sec could be put through the remaining turbines, this controversy was especially acute in 2021 and led to an agreement to open spill gates only on July 2, too late to prevent damage to the lake ecosystem. Those gates were shut again on October 24 under various excuses (conducting underwater works, preparing for the formation of ice cover on the Angara River which was still at least a month ahead, etc.), when lake level was still at 470.15 m asl.

Therefore in 2021 the maximum outflow barely reached 3,600 m³/sec, while it should have been at least 4,000 once the lake level exceeded the 457.00 m mark (actual Irkutsk reservoir regulations allow to discharge up to 6,000 cum/sec). The duration of the use of the spill gates was also insufficient to safeguard the lake and even to guarantee that level could be sufficiently lowered by the beginning of a possible high inflow in the summer of 2022. The Lake's water level on Jan 1, 2022, was at 546.74m or 35 centimeters higher than the multi-year average, while the downstream water release was limited to 1,500 m³/sec. This means that it is highly likely that even if we have an "average" inflow into Lake Baikal later in 2022, the Water Authority will still have to raise the water level above the previously prescribed limit of 457 m (which is already up to 1 meter higher than natural lake level before the creation of the reservoir.)

The only new step of the government is a promise (made in late 2020) to commission a new comprehensive research of the ecological, economic and social consequences of water level regulation, but the terms of reference for that work are not publicly available. The start of this research program has been postponed for 8 months, and this makes many observers suspect that lengthy studies are used as an excuse to carry on the current damaging mode of water level regulation.

A governmental decree from 2014 prescribes that all provinces delineate flood-hazard zones and ensure that new construction is severely restricted there. Irkutsk Province had to delineate such zones by 2020, but recently we learned that for the Angara River floodplain this delineation was postponed till the end of 2022, which provides an excuse for Irkutsk City to encourage further encroachment into the floodplain by various property developers. For example, only the intervention of civil society activists and the prosecutor's office helped to slow down the development of 16 allotments on Kozlenok Island in late 2021. Any new development on floodplains strengthens the incentive to constrain water flowing through Irkutsk Dam for the "safety of local residents", which leads to excessive water accumulation in Lake Baikal.

Despite solid evidence of extensive damage to the Lake Baikal ecosystem from high water levels, the Government of Russia on March 16, 2022 reissued a new "temporary" Decree on minimum and maximum levels of the Lake Baikal till 2024 with the same 2.3 meters of allowed water level fluctuation. Issuing

such a decree again contradicts all previous Decisions of the World Heritage Committee.

Corrective measures, which, in our opinion, are needed to reduce the negative impact of water level regulation, include (in the order of priority):

- Immediately start a comprehensive monitoring of impacts of water level regulation on Lake Baikal ecosystems and local communities;
- Immediately prohibit and freeze any new development in the floodplain of Angara River and low-lying areas downstream from Irkutsk Dam until an adaptation program has been developed;
- Develop and implement an adaptation program, focused on the floodplain below the Irkutsk Dam, which allows restoring the capacity of Irkutsk dam to release water safely according to its design and use this capability to safeguard the Lake Baikal ecosystems. The program should have resources for engineering adaptation measures as well as for just resettlement without loss in livelihoods.
- Develop a transparent SEA process with comprehensive public participation, which allows assessing various water management and climate change scenarios in order to protect the Lake Baikal ecosystem and achieve sustainable development compatible with WH OUVs. The current tendency to count some applied research commissioned by the government as a substitute for EIA or SEA worries us, since those processes are not participatory and transparent, and many interested stakeholders would doubt that those may have an unbiased robust outcome sufficient for decision-making for the good of Lake Baikal.
- Meanwhile on-going decision-making on Irkutsk Dam water release should be based on the priority to safeguard Lake Baikal from impacts which were witnessed in 2020-21, so that its water level at least does not exceed the already achieved mark of 457.23 m above sea level.
- Water level regulation is just one of a dozen of acute threats that Lake Baikal is facing in 2022. Online you may access a full review of the conservation status of Lake Baikal, updated through monitoring conducted by many conservation activists and scientists. The manuscript reflects the situation with Lake Baikal conservation as of May 1, 2022⁶

⁶ https://www.researchgate.net/publication/360312688_Lake_Baikal_World_Heritage_Property_in_2022

Mining and Dams Threaten the Hydrological Regime of the Landscapes of Dauria

Eugene Simonov, Rivers without Boundaries International Coalition

Sukhgerel Dugersuren, Rivers without Boundaries Mongolia

Vadim Kirilyuk, Oleg Goroshko, Daurisky Biosphere Reserve



After a prolonged dry phase of the climatic cycle, a wet phase began in Dauria, usually associated with an increase in the area of wetlands, an increase in biological productivity and the importance of the World Heritage property for migrating bird species. The Dauria International Protected Area (DIPA), the mechanism for transboundary cooperation, is working in Russia, Mongolia and China on the comprehensive monitoring of climatic and biological processes in order to obtain data on the characteristics of biodiversity during the new high-water stage and compare them with the data collected during the previous high-water phase at the end of the 20th century. This knowledge is critical not only for the protection of the ecosystems of Dauria, but also for the protection of migratory birds on the East Asian – Australian Flyway.¹

In the Russian part of the World Heritage Property there was a significant positive change in the zoning of the Daurisky Biosphere Reserve – 39,000 hectares of steppe and wetlands were added in 2021 to its strictly protected territory (core zone)². This made it possible to connect previously separated sections of the core zone improving conditions for the protection of biodiversity, including Mongolian gazelle and waterfowl and near-water bird species. In addition, a small area of wetlands in the floodplain of the Borzya River outside the boundaries of the World Heritage property was included in the core zone of the Reserve. This is an important habitat for white-naped cranes and other wetland birds. This important area should be added to the World Heritage property.

There is however some bad news on the Russian side: in April 2022, Vostok Ltd. started prospecting for placer gold in the headwaters of Imalka River – the second biggest tributary to the Torey Lakes. Before entering the Torey Lakes, the Imalka River (Yamalkhyn Gol in Mongolian) runs inside the Mongolian part of “Landscape of Dauria” World Heritage property along its north-west border for 50-60 kilometers before re-entering the Russian Federation. The area licensed for prospecting under the name “Imalka and tributaries placer gold deposit” is located

just 900 meters from the border of the World Heritage property in Mongolia. The licensed area has no legal protection under Russian national legislation. Nevertheless, the area of prospecting is known as winter habitat of Mongolian Gazelle and several rare birds of prey. It is an important forested headwaters of an otherwise more grassland-type part of the property, from which the Imalka stream flows into Mongolia.



Fig. 1: Most of the Zuun Torey Lake was included in the core zone of Daurisky Biosphere Reserve in 2021.

Photo: Vadim Kirilyuk, May 2021

Compared to the larger Ulz River, Imalka is responsible for a small fraction of inflow into the Torey Lakes. However, any negative impact from mining could still be tangible. It is likely that associated floodplain lakes along the Imalka River are refugia for aquatic fauna during prolonged droughts and one of only two sources of recolonization by aquatic biota for the Torey Lakes and the intermittent lower Imalka river ecosystem. Placer gold mining will potentially destroy most of the floodplain ecosystem in the Imalka headwaters and pollute the downstream river. Environmental impacts of this planned activity on the World Heritage property have not been assessed prior to issuing a license, as it is not required by law. The forest-steppe ecosystems which will be damaged in the planned mining operation are exactly the ecosystem types recommended by the World Heritage Committee to be included in the property in the course of future expansions. Currently the Daurisky Biosphere Reserve management is communicating with the relevant agencies with authority to disallow this mining operation.

¹ <http://daurzapoved.com/index.php/ru/biblioteka/knigi-broshyury/262-problemy-adaptatsii-k-izmeneniyu-klimata-v-bassejnakh-rek-daurii-ekologichesk-ie-i-vodokhozyajstvennye-aspekty>

² By Decree of the Government of the Russian Federation No. 1302 of August 4, 2021, see <https://www.transrivers.org/2021/3395/>

The “Onon-Ulz” dam construction project on the Ulz River in Mongolia remains the main potential threat to the overall World Heritage property. Started in summer 2020 without proper notification and assessment, the project has been

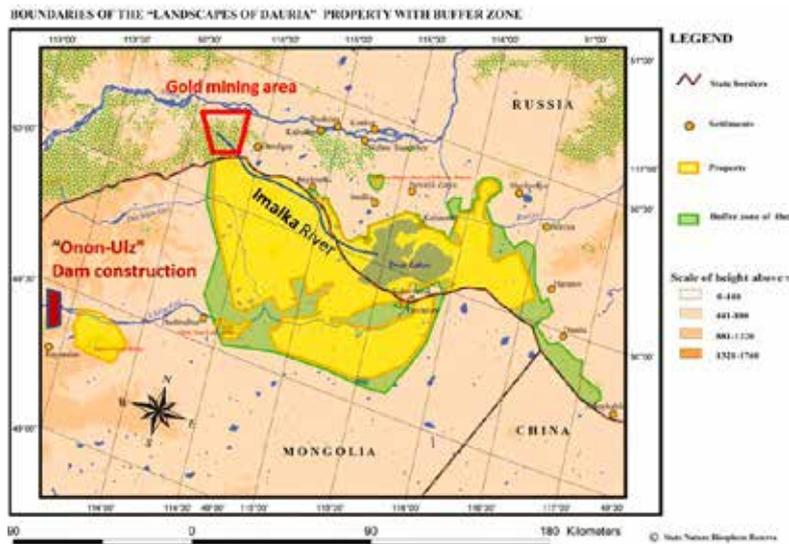


Fig. 2: Location of the gold exploration area and dam construction site in relation to the "Landscapes of Dauria" World Heritage Property. Map: World Heritage Nomination Dossier / Authors

largely halted in summer 2021. The State of Conservation Report (SoC) submitted by the Mongolian Government states that it was temporarily stopped due to a request by the World Heritage Committee at its 2021 session to conduct a heritage impact assessment. We know from press reports that other reasons for the slow construction of the dam include problems associated with the pandemic and the lack of funding, which they hope to overcome soon³. Our own observation suggests that the project was designed to be built during the dry phase of the climate cycle, and the emerging water-abundant phase created serious difficulties for the dam construction across the floodplain. While Ulz River so far is largely saved by natural self-defense, the construction project has received additional earmarked budget funding by the Government of Mongolia for continuation in 2022.

The SoC submitted by the Mongolian Government promises the speedy completion of an EIA and defends the dam project, justifying it by multiple socio-ecological benefits listed below which will occur when the new reservoir will "stabilize the Ulz River flow":

- "A stable flow will create favorable conditions for biodiversity in the area". In our opinion this statement is misleading. As described in the WH nomination dossier, the natural drastic cyclical climatic changes lead to increased biodiversity and biological productivity in the area. An altered steady flow of Ulz will reduce diversity of habitats and may provoke severe salinization in the Torey Lake area, which will destroy both diversity and productivity. Preliminary modelling has also shown that reservoir construction measures without additional water transfer from elsewhere are capable of "stabilizing the flow" only for a limited period of time. In general, the Ulz River flow will be reduced by 4–200% in its lower section during only the first 2–3 years of the 10–20 year long dry phase of climate cycle (likely to become longer due to climate change).

- "The Khukh Lake (partially within the Mongolia part of the property) will be maintained". This in our opinion is a false statement of justification. Khukh is the deepest lake in the Torey Depression and has never dried up even in the peak of drought. This is well demonstrated in many long-term overtime series of satellite imagery in any phase of climate cycle. Dredging of Teliin Gol river – a branch of Ulz River emptying into Khukh Lake is yet another worrying information on multiple activities besides the dam construction contained in Mongolia's 2021 SoC Report.
- "Local herder households will have permanent water supply". This statement of justification is only partially true. The reservoir will extend by 1–5 years into a dry phase flow period of the Ulz River downstream from the dam. The immediate outcome would be greater overgrazing inside the WH property in areas which were previously less attractive due to a lack of water. Therefore, it will increase the main

pressure on the WH property in Mongolia. However, this increase may not be dramatic because water for livestock is always available in some form in the Ulz River valley.

- "The reservoir will increase surface water resources". This statement is largely false: due to evaporation from reservoir surface (10 square km) approximately 7 million cubic meters of water will be lost annually. At the same time, the proposed creation of reservoir-based irrigation agriculture will lead to further losses due to evaporation and infiltration.
- The statement on "development of local tourism and other ecological and socio-economic benefits" contains no specific information to comment on. Thus, unless Mongolia presents valid scientific assessments, those arguments are not valid to justify the dam construction.



Fig. 3: Dam construction across the Ulz River floodplain.

Imagery: Planet, October 2021 (courtesy of Greenpeace Russia)

3 <https://regnum.ru/news/polit/3349183.html>



Fig. 4: The Onon Ulz Dam construction site at Teeg Mountain.

Photo: Oleg Goroshko, April 2022

Despite the request of the Russian State Party to provide detailed documentation about the project, including an assessment of the impact of the planned activities on the ecosystems of the Ulz River basin and the joint UNESCO World Heritage site, these materials are yet to be disclosed. Preliminary studies conducted by the Daurisky Biosphere Reserve have shown that serious irreversible negative changes in the state of the OUV are possible if the project is implemented⁴. During the dry phase of climate cycles, this will lead to a decrease in the water resources of the Torey lakes by 23–45% and to an extension by 2–4 years of the periods during dry phase of climate cycle when the lakes are completely dry.

The strongest negative effect of the dam will be exerted on key populations of four globally threatened bird species, for the global conservation of which the Torey Lakes and the lower reaches of the Ulz River are extremely important: relict gull (*Larus relictus*), swan-goose (*Anser cygnoides*), white-naped crane (*Grus vipio*), and great bustard of the eastern subspecies (*Otis tarda dybowskii*). In particular, the Daurian population of the relict gull is likely to disappear completely, and the population of the white-naped cranes may decrease by more than 50%. A significant reduction in the bustard population is to be expected if watering sources – small lakes and streams in the steppes of the Torey basin – disappearance due to a decrease in the groundwater level. Populations of 119 species of wetland birds migrating along the East Asian – Australian Flyway will also suffer great damage within Northeast Asia. For these species, the Torey Lakes and the network of wetlands in the Torey Basin are a key place for a long stop, rest and feeding. A more detailed assessment of potential impacts of damming is underway at the Russian Academy of Science.

4 <http://daurzapoved.com/index.php/ru/novosti/vazhnaya-tema/1231-plotina-na-uldze-ugroza-toreyam>



Fig. 5: Swan geese at the Ulz river.

Photo: Oleg Goroshko

Unfortunately, the construction of dams which potentially threaten natural areas of international importance became a part of the official policies of the Mongolia Government. In 2019 the Great Khural of Mongolia amended Article 2 of the “Water Law”⁵ to delete its provision #2.2 “international law shall be followed in the case if provision of this law conflicts with Mongolia’s international agreements”. We assume that this was a direct reaction to the World Heritage Committee decisions constraining unilateral development of hydropower dams on transboundary rivers which flow into World Heritage Properties (e.g. Selenge River flowing into Lake Baikal).

On December 06, 2021, at the 30th Congress of the Mongolian People’s Party, Prime Minister of Mongolia L. Oyun-Erdene presented ‘A new revival policy to stimulate the economy’, which among key pledges featured the “Blue Horse” Programme⁶, and in particular the construction of a water transmission from the Orkhon and Kherlen Rivers to mining operations in Gobi regions, developing Erdeneburen Hydro, and undertaking “all possible measures” to develop Egjin Gol Hydro⁷. Support to the development of water reservoirs and hydropower was reaffirmed in April 2022 by PM L. Oyun-Erdene⁸ and reflected in a special “Revival Projects Database” put on-line to attract investors⁹. Some of those projects have been subject to continuing WH Committee requests to stop dam development and conduct an EIA from 2013 on.

Besides its on-going attempt to construct a dam on the Ulz River upstream of the “Landscapes of Dauria” WH property, the “Blue Horse” Program also includes more than 30 dam projects, which altogether may negatively affect several World Heritage

5 УСНЫ ТУХАЙ /Шинэчилсэн найруулга/ <https://legalinfo.mn/mn/detail/8683>

6 <https://www.thethirdpole.net/en/energy/analysis-blue-horse-mongolia-water-infrastructure/>

7 https://ikon.mn/n/2egm?fbclid=IwAR124kZTpHmTk1lCh_miFtsmOXR907u-CRF3B4OySF-esibk-mXw7M7ShXKl

8 <https://ikon.mn/n/2iml>

9 <https://www.e-invest.mn/project/map/>

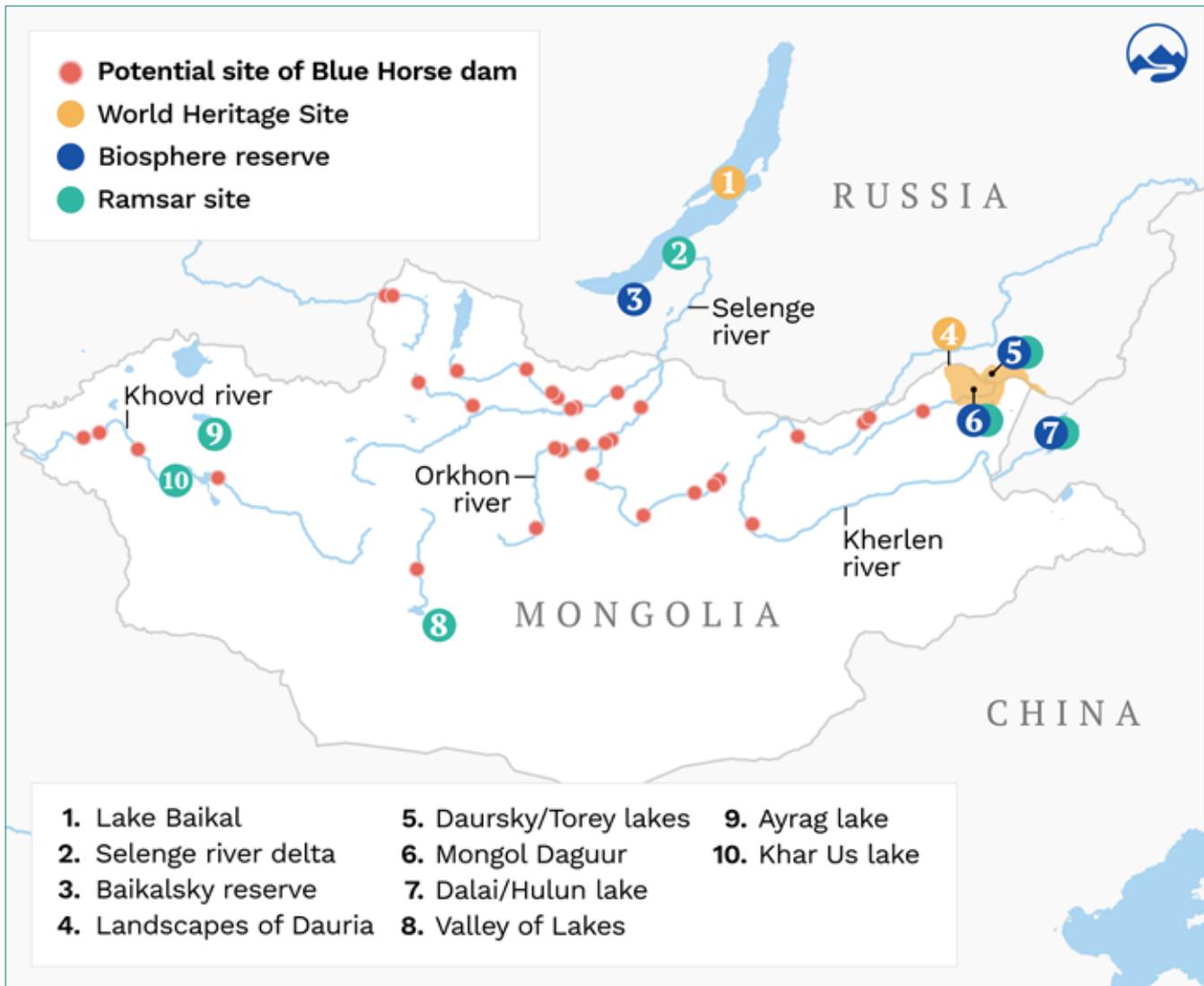


Fig. 6: The "Blue horse" Program of Mongolia.

Source: The Third Pole. <https://www.thethirdpole.net/en/energy/analysis-blue-horse-mongolia-water-infrastructure/>

properties, as well as candidate site from the tentative lists and up to eleven (11) Ramsar wetlands.

International experts believe¹⁰, that to avoid negative impacts on multiple key biodiversity sites, including several WH properties and tentative sites, it is necessary to subject the "Blue Horse" Program to a robust Strategic Environmental Assessment (SEA) performed according to international standards and with the participation of relevant agencies managing poten-

tially affected transboundary protected areas¹¹. The example of the dam on the Ulz River is a good illustration of the fact that most, if not all, proposed "Blue horse" projects have weak justification and could be substituted by more efficient and nature-friendly alternative solutions.

¹⁰ <http://www.eecca-water.net/content/view/24668/75/lang,english/>

¹¹ Analytics on Blue Horse Programme available at https://www.researchgate.net/publication/352284053_THE_BLUE_HORSE_PROGRAM_OF_MONGOLIA_AND_THREATS_TO_CONSERVATION_PRIORITY_SITES

“Volcanoes of Kamchatka” Might be Inscribed on the List of World Heritage in Danger

Anonymous authors

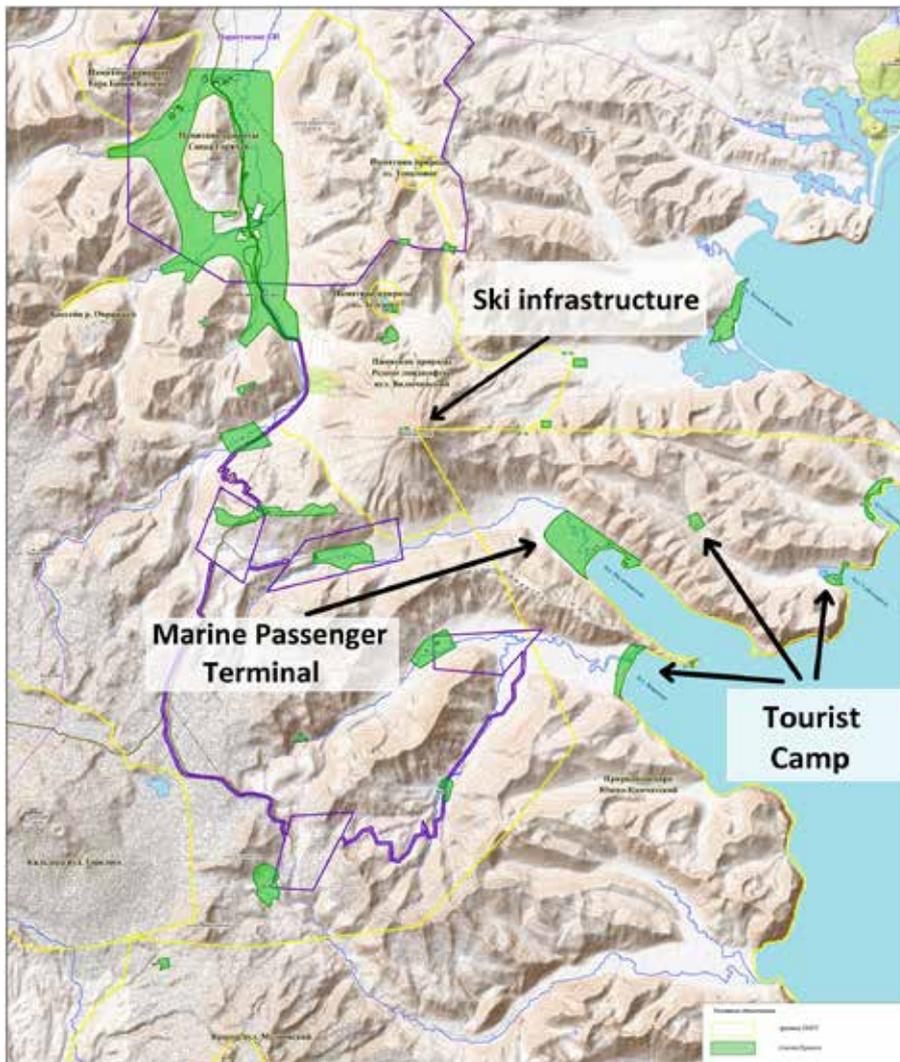


Fig. 1: Land plots required for the implementation of the project.

Map: Anonymous

In 2021, at the 44th session of the World Heritage Committee, the inscription of the Volcanoes of Kamchatka World Heritage property on the List of World Heritage in Danger was considered. Such a suggestion was formulated in a draft decision prepared by the World Heritage Center and the IUCN.

The reason for this was that in 2020, the authorities of the Kamchatka Territory excluded 15,000 hectares from the South-

ern Kamchatka Regional Nature Park, which is part of the property, for the construction of the “Three Volcanoes Park” project (a detailed report about it can be found in the World Heritage Watch Report 2021). The removal of the legal protection of part of the property constitutes a clear potential danger to the property in line with Paragraph 180(b) (i) of the Operational Guidelines.

In order to prevent the inscription of the site on the List of World Heritage in Danger, the State Party of Russia requested a minor modification of its boundaries. However, it withdrew the application already during the session.

As a result of the discussion at the World Heritage Committee session, the Committee did not support the decision to inscribe the property on the List of World Heritage in Danger (44.COM 7B.109²). However, it asked the State Party of Russia to invite a joint World Heritage Centre/IUCN Reactive Monitoring mission to the property in order to assess the situation on the ground. The point that a modification of the legal protection constitutes a clear potential danger to the property

was kept in the Committee’s Decision. In addition, a paragraph remained in the decision requiring the State Party to fully implement all other recommendations of the 2019 mission.

The previous mission, which visited Kamchatka in August 2019, came to the conclusion that the proposed “Three Volcanoes Park” project is not compatible with the status of a World Heritage site³.

¹ The authors of this paper and its illustrations are known to World Heritage Watch.

² whc.unesco.org/document/188949

³ <http://whc.unesco.org/en/documents/183777>

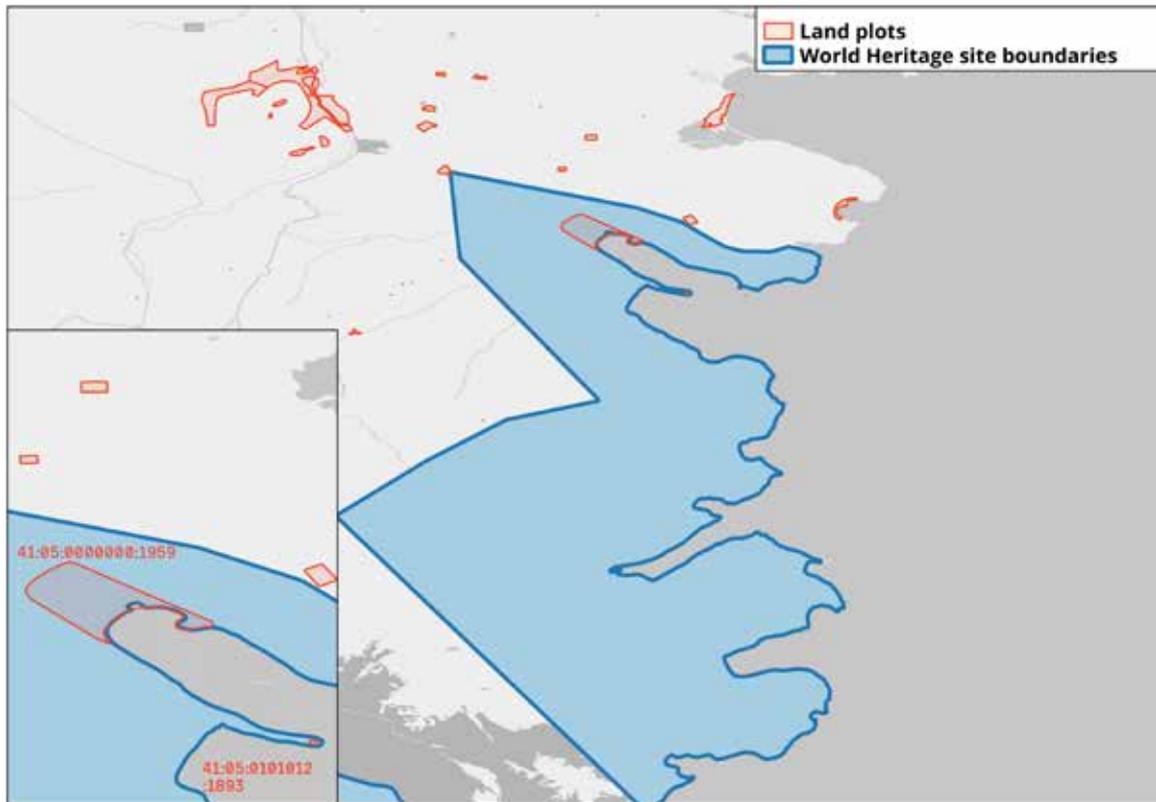


Fig. 2: Land plots transferred from forest lands to recreational lands.

Map: Anonymous

Since the situation has not changed since then, the new Mission, which should arrive in Kamchatka before the summer of 2022, will most likely not change its assessment of the project. This means that the World Heritage Center will again have to prepare a draft decision to inscribe the Volcanoes of Kamchatka on the List of World Heritage in Danger.

Steps towards the implementation of the project continued this year. In April 2021, by order of the Government of Russia No. 1088-r, several land plots partially located within the boundaries of the World Heritage site (on the banks of the Vilyuchinskaya and Zhirovaya bays) were transferred from forest lands to recreational lands, which means that various objects could be built on them and transferred to private ownership.

It is noteworthy that on July 16, 2021, during the 44th session, the Governor of the Kamchatka Territory canceled his decision to withdraw 15,000 hectares from the Nature Park, but on the same day, the Government of the Kamchatka Territory issued resolution No. 311-P, which excludes this territory again.

Appeals have been made repeatedly to the Prosecutor General's Office with an indication that changing the boundaries of the Southern Kamchatka Nature Park is contrary to Russian laws, as well as incompatible with the status of World Heritage. In October 2021, the Prosecutor General's Office finally found violations of Russian environmental legislation. Unfortunately, details are unknown. It is necessary to restore the integrity of the Nature Park, and to abandon plans that could destroy the Volcanoes of Kamchatka World Heritage property.

Bangladesh Must Halt High Carbon, Highly Polluting Industries Near Sundarbans

Sultana Kamal, National Committee for Saving the Sundarbans

The National Committee for Saving the Sundarbans (NCSS) is a coalition of more than 50 civil society and non-governmental organizations of Bangladesh with shared interest in the environment. We are deeply concerned that the Government of Bangladesh (GoB) is paying lip service to the 2017, 2019 and 2021 decisions of the World Heritage Committee (WHC) while pursuing a reckless industrialization agenda.

The World Heritage Committee has asked Bangladesh not to move forward with any large-scale industrial development that may affect the Sundarbans prior to the completion of a Strategic Environmental Assessment (SEA) for the region. Yet the coal-fired power plant at Payra began operating in 2021. The Rampal power plant is set to begin operations in December 2022. The Barisal power plant is under construction.

In April 2022, NCSS submitted to the World Heritage Committee, the Centre, and IUCN (and can be found on our website, <https://www.ncssbd.org/resources>):

1. Updates on the status of these industrial projects, and their potential threats to the Sundarbans;
2. Satellite or drone images of the Rampal, Barisal, Payra, and Patuakhali power plants (see Fig. 1-6 below);
3. NCSS comments on the 2021 decision of the World Heritage Committee, which contains important recommendations to Bangladesh, but also includes misleading statements that must not be reiterated in the Committee's next decision;
4. NCSS comments on the October 2021 Draft Strategic Environmental Assessment (SEA) for the Sundarbans, which was fatally flawed by insufficient public consultation, a clear bias towards maximum industrialization, and failure to assess

Protected Areas by UNEP-IUCN and 25 km radius of proposed coal fired power plants in Bangladesh

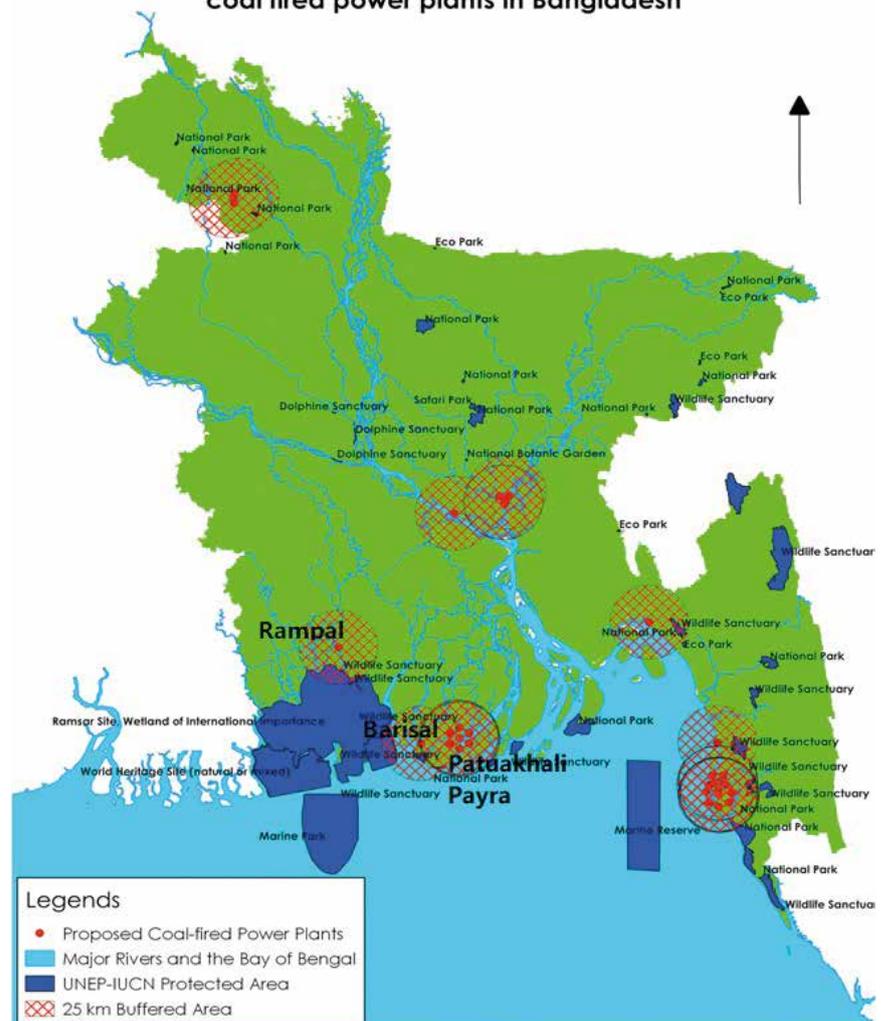


Fig. 1: Coal-fired Power Plants under construction near the Sundarbans.

Map: National Committee for Saving the Sundarbans

any impacts of Payra, Patuakhali and Barisal power plants on the OUV of the Sundarbans;

5. The expert report by power plant engineer Dr. Ranajit Sahu, which concludes that lack of state-of-the-art air pollution controls on the power plants, in addition to ash dumps that are likely to overflow and spill, are environmental disasters in the making;
6. The 2019 study of biologist Dr. Dennis Lemly on the risk of toxic heavy metals from coal ash harming the aquatic food web of the Sundarbans;

7. The Centre for Research on Energy and Clean Air’s 2020 study „Air quality, health and toxic impacts of the proposed coal power cluster in Payra, Bangladesh”, which shows how the coal plants at Payra will emit mercury that flows into the Bay of Bengal and the Sundarbans. Mercury emissions to air from the coal plants could be effectively eliminated with fabric filters and activated carbon injection technologies;

8. The statement of the United Nations expert John Knox, in his last public statement as Special Rapporteur on human rights and the environment: *“Bangladesh must halt the industrialization of the Sundarbans Reserved Forest, the largest contiguous mangrove forest in the world. ... Of course the people of Bangladesh, like people all around the world, need to improve their economic well-being. But pursuing short-term economic gain in disregard of environmental costs is chasing fools’ gold. Without a healthy environment, economic gains are unsustainable.”*



Fig. 2: Construction at Barisal power station. Source: Google Earth (2022)



Fig. 5: Patuakhali (above) and Payra (below) power stations (July 2021) Source: Google Earth



Fig. 3: Construction at Rampal Power Station.¹ Source: Dhaka Tribune Mahmud Hossain Opu (May 26, 2021)



Fig. 6: Detail of Patuakhali Power station showing the large rectangular ash dump and its connectivity to waterways that will drain heavy metals leaching from the ash towards the Sundarbans. Source: Google Earth (2022)



Fig. 4: Ash dump at Rampal power station during early construction. The ash dump is on the banks of the Passur River on top of a wetland vulnerable to flooding and sea level rise. Source: Google Earth (January 2017)

¹ <https://media-eng.dhakatribune.com/uploads/2021/05/rampal-mahmud-hossain-opu-1622044799408.jpeg>

At its 45th session, we call upon the World Heritage Committee to:

1. Add the Sundarbans of Bangladesh to the List of World Heritage in Danger.
2. Urge a strict halt to construction and operation of highly polluting, carbon intensive industries near the Sundarbans, including the coal plants at Rampal, Barisal, and Payra, the LPG bottling plants, the Mongla Power Pac Economic Zone, and dredging in the Passur River prior to completion of an IUCN/UNESCO-endorsed Strategic Environmental Assessment.
3. Call for the Strategic Environmental Assessment to move forward with scientific integrity, transparency of data, adequate assessment of all large industries and infrastructure that may impact the OUV of the Sundarbans, and robust public participation. The SEA must proceed in accordance with IUCN's World Heritage Advice Note on Environmental Assessment and in line with Paragraph 118bis of the Operational Guidelines, which requires assessment of alternatives to proposed development projects.



Fig. 7: Payra Thermal Power Plant detail, July 2021.

Source: Google Earth

4. Call on India, China and other relevant countries to explain their involvements in the coal plants in light of their obligations under Article 6.3 of the World Heritage Convention not to cause harm to World Heritage sites situated in other countries.
5. Call upon financiers not to support any large-scale industrial projects that will harm the Sundarbans.

The Northern Part of Okinawa Island under Impact of the U.S. Military's Northern Training Area

Masami Mel Kawamura, Informed Public Project
Hideki Yoshikawa, Okinawa Environmental Justice Project



Fig. 1: The Amami-Oshima Is., Tokunoshima Is., Northern Part of Okinawa Is., and Iriomote Is. World Heritage Property

Map: The Government of Japan

the U.S. military aircraft intruding over the NPOI (2). While the impacts of military training on the environment have been of great concern, they have not been adequately evaluated. Second, in the so-called “returned areas,” which were parts of the NTA un-

Regional classification of the Ryukyu Chain including the nominated property



In July 2021, the Northern Part of Okinawa Island (NPOI), along with Amami-Oshima Island, Tokunoshima Island, and Iriomote Island in Okinawa and Kagoshima, Japan, was inscribed on the UNESCO's World Natural Heritage list for their Outstanding Universal Value under Natural Criterion (x): biodiversity and threatened species. The public of Okinawa welcomed the listing of the sites; however, many local community members and civil society organizations expressed concern regarding the inscription of the NPOI (1). And to date, our concern has remained unresolved.

Our concern is two-fold. First, just next to the NPOI (7,721ha) sits the U.S. military's “Northern Training Area (NTA)” (3,533ha). Various types of military training take place in the NTA, with

til December 2016 but have been incorporated into the NPOI, discarded U.S. military materials, including bullet shells, blanks, and toxic chemicals, continue to be found. The impacts of these discarded materials on the environment have not been appropriately evaluated. Moreover, entomologist Akino Miyagi, who has assisted with this report, has been indicted for her direct action to protest against the U.S. military's discarded materials (3). Her indictment has become an issue of human rights violations (4).

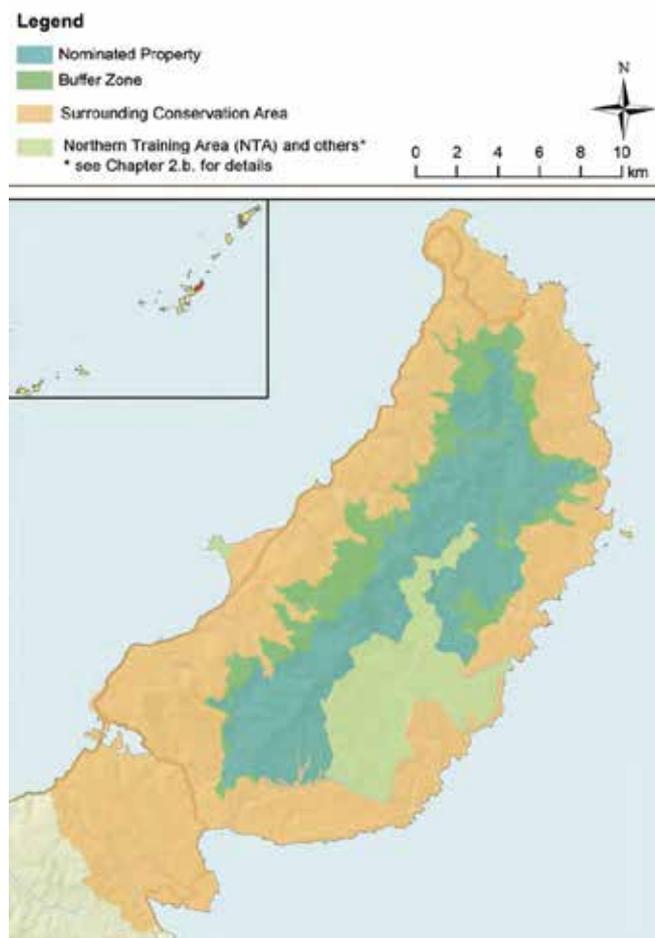


Fig. 2: The Northern Part of Okinawa Island and the U.S. Military's Northern Training Area.
Map: The Government of Japan

NGO Meetings with Japanese Government Officials

Local community members and civil society members hoped that the inscription of the NPOI would lead the Japanese government and the U.S. government to take prompt and resolute action to address these issues. As Page 243 and Page 244 of the Japanese government's World Heritage nomination document show (5), the Japanese government and the U.S. government have made an agreement and set up formal mechanisms to ensure the protection of the NPIO World Heritage site. However, NGO meetings with the Japanese Ministry of the Environment and the Ministry of Defense have revealed that there have been no substantive changes to the situations since the inscription (6). The agreement and the mechanisms mentioned in the nomination document appear as hollow promises. These situations undermine not only the World Heritage status of the NPIO but also the integrity of the UNESCO World Heritage.

We urge both governments to examine the current situations and take action to rectify them. We also request the UNESCO World Heritage Centre and IUCN World Heritage Programme to assist the governments in their efforts. In the following, we will summarize specific issues and our recommendations regarding the NPOI.



Fig. 3: A U.S. Military Helicopter landed in the NPOI in Feb. 2019. Photo: Akino Miyagi

Specific Issues and Recommendations

1. Neither the Japanese Ministry of the Environment nor the Ministry of Defense has conducted monitoring of the U.S. military's aircraft noise, including low-frequency noise during their terrain flight training over and around the NPOI World Heritage. They have not examined the impacts of aircraft noise on the environment, especially for the endangered Okinawa woodpecker and the Okinawa rail. It is well established that noise pollution threatens bird species (7). The U.S. military's terrain flight training should be considered as "exceptional circumstances or occurrence that may have an impact on the Outstanding Universal Value of the property or its state of conservation," as in §169 of the *Operational Guidelines for the Implementation of the World Heritage Convention*.

We urge the Japanese Ministry of the Environment to collaborate with the U.S. military to monitor the U.S. military aircraft noise and its impact on the environment, especially regarding these two species, in and around the NPOI. If adverse effects are suspected, we urge the Ministry to take appropriate action, including requesting the U.S. military to stop aircraft training.

2. While the Environmental Subcommittee under the U.S.-Japan Joint Committee has been designated as a mechanism to deal with issues relating to the NPOI World Heritage and the NTA in the Japanese government 2019 nomination document, the Subcommittee has not taken up the issues of the U.S. military's aircraft noise and other U.S. military-related issues. This inaction by the Environmental Subcommittee undermines §135 of the *Operational Guidelines*.

We urge the Environmental Subcommittee to address these issues, take appropriate action, and make their findings and actions known to the public, the UNESCO World Heritage Centre, and the IUCN World Heritage Programme.

3. Despite civil society's repeated appeals, including Freedom of Information Act requests, the Ministry of the Environment has not made fully public the document titled "Document Concerning Cooperation with the United States Government in the Northern Training Area (the Japan-US Joint Committee)" provided in its 2019 Nomination Annex (5-53) (8). While this document is one of the most critical docu-



Fig. 4: A U.S. Military Helicopter flying over the NPOI in September 2019.
Photo: Akino Miyagi

ments regarding the NPOI, only the content list of the document (the second page) was presented in the Annex. The first page, which should bear the names of the authorities who signed the document, the date of signing, and most critically, the legal status and effectiveness of the document, has not been made public. This situation undermines the intents of §135 of the *Operational Guidelines*.

We urge the Japanese and U.S. governments to release the entire document. Once the document is released, we encourage the UNESCO World Heritage Centre to include it in the record.

4. The Ministry of the Environment and the Ministry of Defense have not resolved the issues of boundary delimitation between the NPOI World Heritage and the NTA. The IUCN eval-

uation document states, "There is an anomaly in the configuration of the Okinawa component part of the nominated property, with a long strip of the JWTC (Jungle Warfare Training Center or NTA) protruding into the nominated property, but not included in it" (p.7-8) (9). The boundary between the NPOI and the NTA remains virtually unmarked on the ground, and the U.S. military's aircraft intrude into the airspace above the NPOI. No proper mechanism has been established to deal with situations in which U.S. (and possibly Japanese) soldiers on training in the NTA or visitors visiting the NPOI World Heritage cross over to the other side by accident.

We urge the Japanese government and the U.S. government to resolve the issues of boundary delimitation and set up a proper mechanism to deal with accidental boundary crossings.

5. Although the Japanese Ministry of the Environment has claimed that the NTA functions as a Buffer Zone for the NPOI World Heritage, it has provided no information on whether or not and what restrictions have been set up in the NTA as a Buffer Zone. §104 of the *Operational Guidelines* stipulates that "a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development in order to give an added layer of protection to the property."

We urge the Japanese government and the U.S. government to provide information on whether or not and what restrictions exist for the NTA as a Buffer Zone. If no effective restrictions exist for the NTA, we urge the governments to establish effective restrictions.

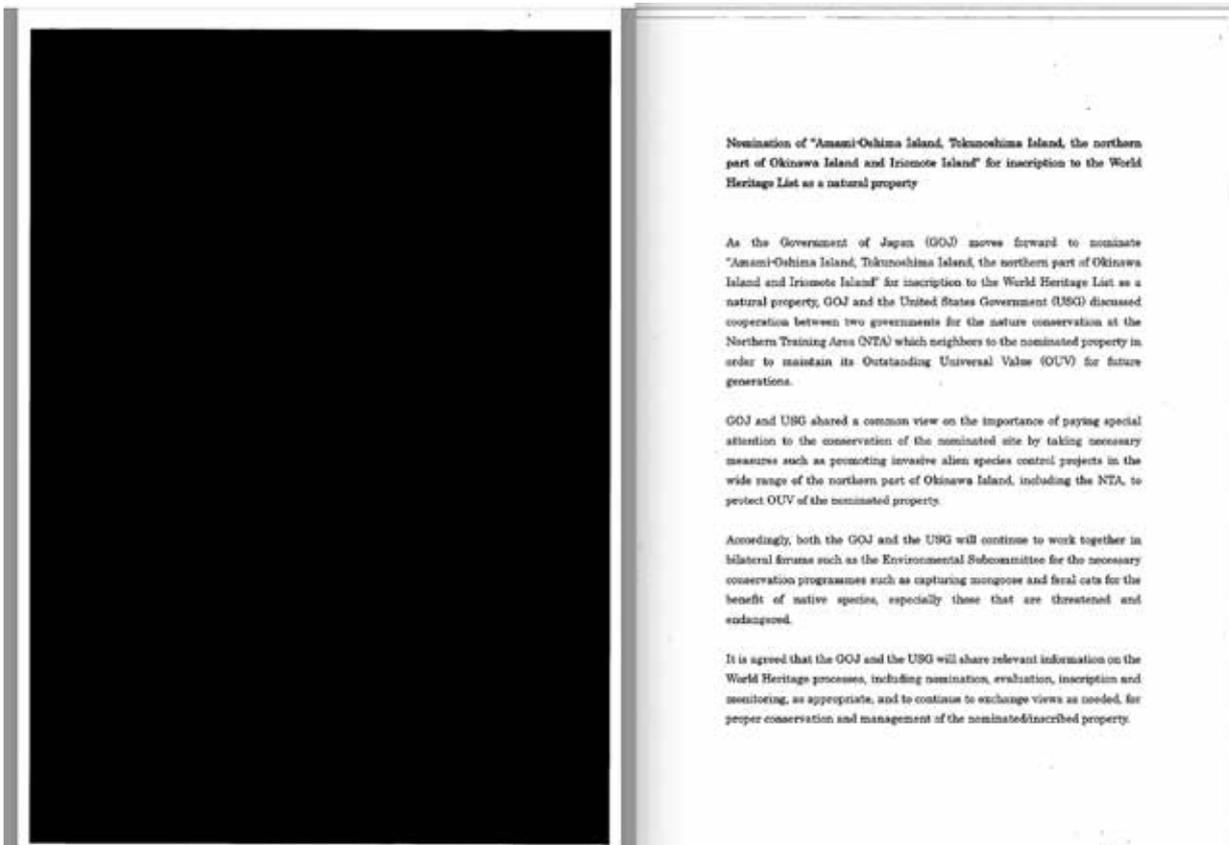
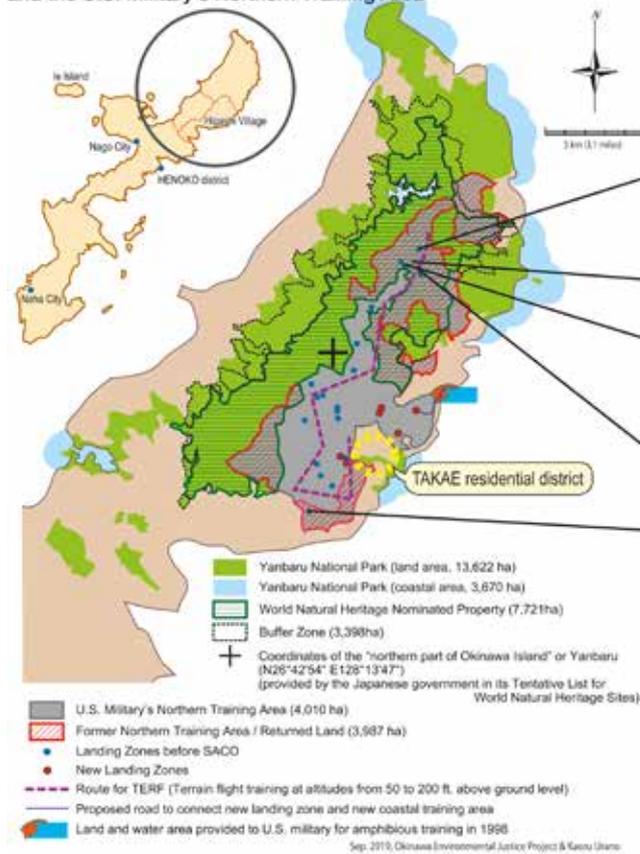


Fig. 5: Redacted Document (blackened page on the left).

Source: The Government of Japan

YANBARU, OKINAWA : Future World Natural Heritage and the U.S. Military's Northern Training Area



Residues of Military Activity/Training in the Northern Part of Okinawa Island: Clean Up, Decontamination, and Restoration Are Needed.

Despite the claim by the Japanese Ministry of the Environment that "the returned land (of the U.S. Military's Northern Training Area) was confirmed to be free from soil contamination and water pollution," many parts of the returned land are still littered with bullet shells, blanks, unexploded ordnance, and other discarded military materials, including toxic chemicals. The land is in need of clean up, decontamination, and restoration.

Former FBJ Landing Zone

- Unused grenade-type warning flare (1)
- Unused parachute-type flares (2)
- Unused and undetonated blanks (897)
- Other types of used flares
- Field ration bags, drums, sandbags, steel plates, concrete rubble, rubber sheets

A point northeast of former Landing Zone-1

- Drums containing PCB, DDT
- Unused training projectiles (2)
- Vehicle parts, batteries, metal equipment, bottles, chains

Former Landing Zone-1

- Unused blanks (discarded after land return) (342)
- Unused and undetonated blanks (344)
- Unused parachute-type flare (1)
- Drums contaminated with PCB, ammunition boxes, battery cells, batteries, infusion bags, field ration bags, clothes, concrete rubble, rusted bolts and nuts, other daily waste materials including clothes discarded by Japanese

Former Landing Zone-2

- Unused blanks (262)

Former Landing Zone-21

- Unused and undetonated blanks



Drums found at former Landing Zone-1, still surrounding the drums was found contaminated with PCB



Unused blank shells found at former Landing Zone-1



Smoke bombs found at former Landing Zone-1

Research & Photo by Akira Miyagi
Research (PCB) by Dr. Yutaka Tachibana
Map by Kaoru Ueno

© IPP (Informed Public Project, Okinawa) & Nakato Nishimura Oct. 2019



Fig. 6: Discarded U.S. Military Materials in the NPOI.

Source: The Informed Public Project

6. The U.S. Military's discarded materials such as bullet shells, blanks, unexploded ordnance, and toxic chemicals continue to be found in the "returned areas" in the NPOI (areas formerly part of the NTA and now part of the NPOI). They are dangerous and constitute threats to the environment; they should be swiftly and appropriately removed and disposed of. Despite civil society's repeated requests for creating a comprehensive plan for the removal and disposal of such materials and taking action accordingly, the Ministry of the Environment and the Ministry of Defense have dealt with this issue only on an ad-hoc basis.

We urge the Ministry of the Environment and the Ministry of Defense to establish a comprehensive plan for the removal and disposal of the U.S. military's discarded materials. We also urge the Ministry of the Environment to provide information on the removal and disposal of discarded materials to the general public as well as the World Heritage Centre and IUCN World Heritage Programme in accordance with Chapter IV Process for Monitoring the State of Conservation of World Heritage Properties of the Operational Guidelines.

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- See, for example, Senzaki, M., Barber, J.R., Phillips, J.N. et al. (2020). "Sensory pollutants alter bird phenology and fitness across a continent." *Nature* 587, 605–609. <https://doi.org/10.1038/s41586-020-2903-7>. (Accessed on April 28, 2022)
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The Great Barrier Reef: a World Heritage Site in Danger

Imogen Zethoven, Australian Marine Conservation Society and WWF-Australia



Fig. 1: Coral bleaching on the Great Barrier Reef, 2017.

Photo: The Ocean Agency / Ocean Image Bank

The Great Barrier Reef is one of the world's most iconic World Heritage sites. Yet it is facing unprecedented cumulative impacts, primarily from climate change but also from local threats such as agricultural pollution and fishing. The latest Outlook Report by the Great Barrier Reef Marine Park Authority found that the outlook for the property has deteriorated from poor (GBRMPA 2014) to very poor (GBRMPA 2019).

The World Heritage Committee's 2021 draft decision on the Great Barrier Reef (<https://whc.unesco.org/en/decisions/7807>) stated that the property was in ascertained danger and recommended that it be inscribed on the List of World Heritage in Danger. It found that "that the deterioration of the ecological processes underpinning the Outstanding Universal Value (OUV) of the property has been more rapid and widespread than was previously evident, and that the property has suffered significantly from mass coral bleaching events in 2016, 2017 and 2020".

The draft decision recommended that the State Party (Australia):

- update the Reef 2050 Plan (the overarching plan to protect the property) to fully incorporate the conclusions of the GBR Outlook Report;
- invite a Reactive Monitoring Mission to Australia to develop a set of corrective measures and a Desired state of conservation for the removal of the property from the List of World Heritage in Danger; and
- submit a State of Conservation Report by 1 February 2022.

After an intensive lobbying trip by the Australian Minister for Environment, the Committee did not inscribe the site on the In Danger List, but it did request a Reactive Monitoring Mission and a State of Conservation report by 1 February this year.

The Australian Government submitted the report on time. The Australian Marine Conservation Society (AMCS) and WWF-Australia undertook a review of the report. The review found that the State Party report provided an accurate summary of the threats and damage to the property but skipped over the lack of substantive policies on climate change, omitted to point out certain facts, and contained overblown language about the government's "world leading" strategies, management programs and actions.

summary of the threats and damage to the property but skipped over the lack of substantive policies on climate change, omitted to point out certain facts, and contained overblown language about the government's "world leading" strategies, management programs and actions.

In particular, the review found that the Australian Government's climate policies are completely inconsistent with the long-term survival of the Great Barrier Reef.

The Reactive Monitoring Mission visited Australia for 10 days in March during the mass coral bleaching event. AMCS and WWF briefed the officials twice with information on threats and solutions to climate change, poor water quality and fisheries. The following section provides more detail on these three issues.

Climate change is an existential threat to the Great Barrier Reef. The property has experienced six mass bleaching events, including four in the last six years. The widespread bleaching event that occurred this year was the first time a mass bleaching has occurred during a La Niña weather phenomenon which usually brings cooler conditions. The frequency of these events is beyond the ability of the Reef to recover. Recovery from such disturbance usually takes a minimum of 10 years.

Aerial surveys were conducted in the second half of March 2022 to examine the extent of the bleaching. Of the 719 coral reefs surveyed, 654 reefs (91%) exhibited some bleaching. Most of the severe and extreme bleaching occurred in the central

The last three mass bleaching events

The severity of the last three mass bleaching events on the Great Barrier Reef

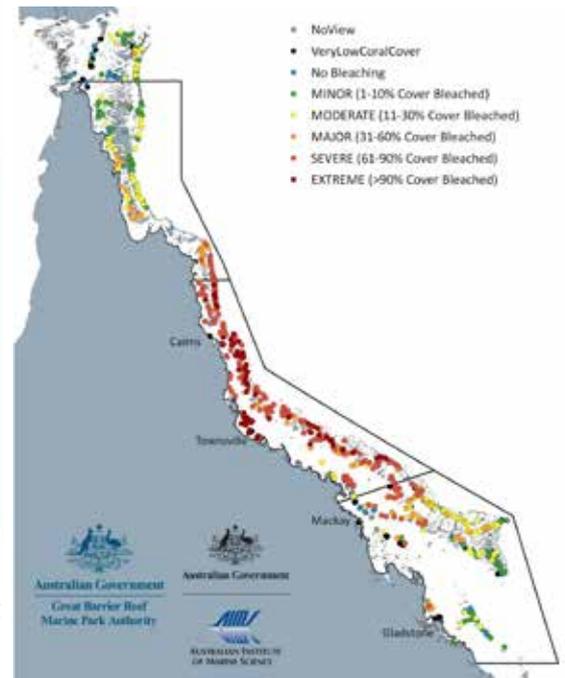


Source: ARC Centre of Excellence for Coral Reef Studies

CC BY-NC

Fig. 2: Maps of the four most recent mass coral bleaching events. Maps of 2016, 2017, 2020: ARC Centre of Excellence for Coral Reef Studies, James Cook University

Map of 2022: GBRMPA and Australian Institute of Marine Science.



third of the property (see Fig. 2). The extent of mortality will become clear in follow-up surveys.

Coral reefs are projected to decline by a further 70–90% at 1.5°C (high confidence) with larger losses (>99%) at 2°C (very high confidence) (IPCC 2018; IPCC 2022).

Australia is holding a federal election on 21 May 2022. Climate Analytics, a global climate science and policy institute, has undertaken an analysis of Australian political party climate policies. The analysis shows that the Coalition Party's (the current government) climate policies are consistent with 3°C of global warming (bordering on 4°C). The opposition Labor Party's climate policies are consistent with 2°C.

The 2021 State of Conservation report to the World Heritage Committee identified limiting global temperature rise to 1.5°C as a "critical threshold" for the Great Barrier Reef.

Agricultural runoff continues to be the second biggest threat to the health of inshore Reef ecosystems, such as coastal wetlands, seagrass meadows and coral reefs that support many iconic species such as marine turtles, dugong and inshore dolphins. The key pollutants are excess sediment, nutrients and pesticides.

The Australian and Queensland Governments are attempting to minimise land-based impacts by implementing the Reef 2050 Plan and the Reef 2050 Water Quality Improvement Plan. However, their implementation is significantly behind schedule,

with a number of objectives yet to be achieved and considerable uncertainty as to whether they can be achieved under current policies and funding commitments.

Excessive vegetation clearing in the Reef catchment continues to be a major threat. Deforestation leads to soil erosion and sediment pollution entering the Reef's waters. Despite strengthened Queensland Government vegetation clearing laws being promised in the Reef 2050 Plan and introduced in 2018, recent data shows clearing has not slowed. In the years 2018-2019, more than 200,000 hectares of forest and woodlands were destroyed in the GBR catchment.

The Great Barrier Reef faces a number of threats from fishing which occurs in approximately two thirds of the property. Commercial fishing is responsible for the incidental catch of threatened species such as dugongs, turtles, dolphins and sawfish, overfishing, illegal fishing and damage to vulnerable habitats. The 2019 Outlook Report identified fishing as having a high impact on the values of the property and significant additional interventions are required for fishing to be sustainable.

The Australian and Queensland Governments are attempting to mitigate fishing impacts via the Reef 2050 Plan and the Queensland Sustainable Fisheries Strategy. However, as with water quality, the implementation of these management plans is significantly behind schedule, with a number of objectives yet to be achieved and considerable uncertainty as to whether they can be achieved under current policies and funding commitments.

Request for Action

That the World Heritage Committee:

1. Decides to inscribe the Great Barrier Reef on the List of World Heritage in Danger due to the deleterious impacts on the Outstanding Universal Value of the property from climate change, poor water quality and other local threats.
2. Requests Australia to strengthen the Reef 2050 Plan by including commitments to:
 - i) urgently develop and implement a national climate action plan including targets and timelines and national legislation to rapidly reduce domestic greenhouse gas emissions, consistent with Australia responsibilities to hold global warming to 1.5°C;
 - iii) rapidly transition away from fossil fuel energy exports, wind down fossil fuel subsidies and utilise Australia's renewable energy capabilities to rapidly reduce exported greenhouse gas emissions.
3. Requests Australia to increase investment in and accelerate the roll-out of an effective Reef Protection Regulation compliance program that is consistent with achieving water

quality load reduction targets by 2025, strengthen Queensland's native vegetation laws and other measures needed to achieve the 2025 targets.

4. Requests Australia to accelerate the implementation of Queensland Sustainable Fisheries Strategy 2017-2027 to reach all objectives on time, deliver a network of spatial closures to gillnet fishing in areas of high conservation value including the northern Great Barrier Reef, and other measures need to ensure fishing is consistent with best practice in a World Heritage site.

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II. World Heritage Properties and Indigenous Peoples

Gaps and Uncertainties Continue in the Wood Buffalo National Park's Protection Regime

Mikisew Cree First Nation



Wood Buffalo National Park is Canada's largest World Heritage Site and one that supports the way of life of the Mikisew Cree First Nation. Notably, some of Canada's largest industrial projects – those associated with Alberta's oil sands and hydroelectric projects in British Columbia – operate on the two tributaries that converge to create the Peace Athabasca Delta, an important component of Wood Buffalo's Outstanding Universal Value.

More than five years ago, Canada's environment minister responded to the sobering findings of the first-ever UNESCO/IUCN Reactive Monitoring Mission to Wood Buffalo by committing to "secure the future of Wood Buffalo National Park, so that it remains a treasured place with Outstanding Value for generations to come". This led to the development of the Wood Buffalo National Park Action Plan and approximately CA\$ 80 million to support efforts to protect the Park.

Six years later, Canada's 2022 State of Conservation Report confirms that, notwithstanding a recent high water event and implementation of some 67% of the actions in the Action Plan, the Park's state of conservation remains unchanged from the conclusions of the 2018 Strategic Environmental Assessment ("SEA"). The 2018 SEA determined that key objectives for the Park are not being met, particularly with respect to the Peace Athabasca Delta, and that the trend direction for the Peace Athabasca Delta is negative. The report identified flow regulation, water withdrawals from oil sands, climate change and industrial development as key stressors that negatively impact the hydrology and water quality of the Delta.

As an indigenous community that interacts with the Peace Athabasca Delta on a daily basis, the Mikisew Cree agree with Canada's 2022 assessment that the Delta continues to be at risk and is not yet heading in the right direction.

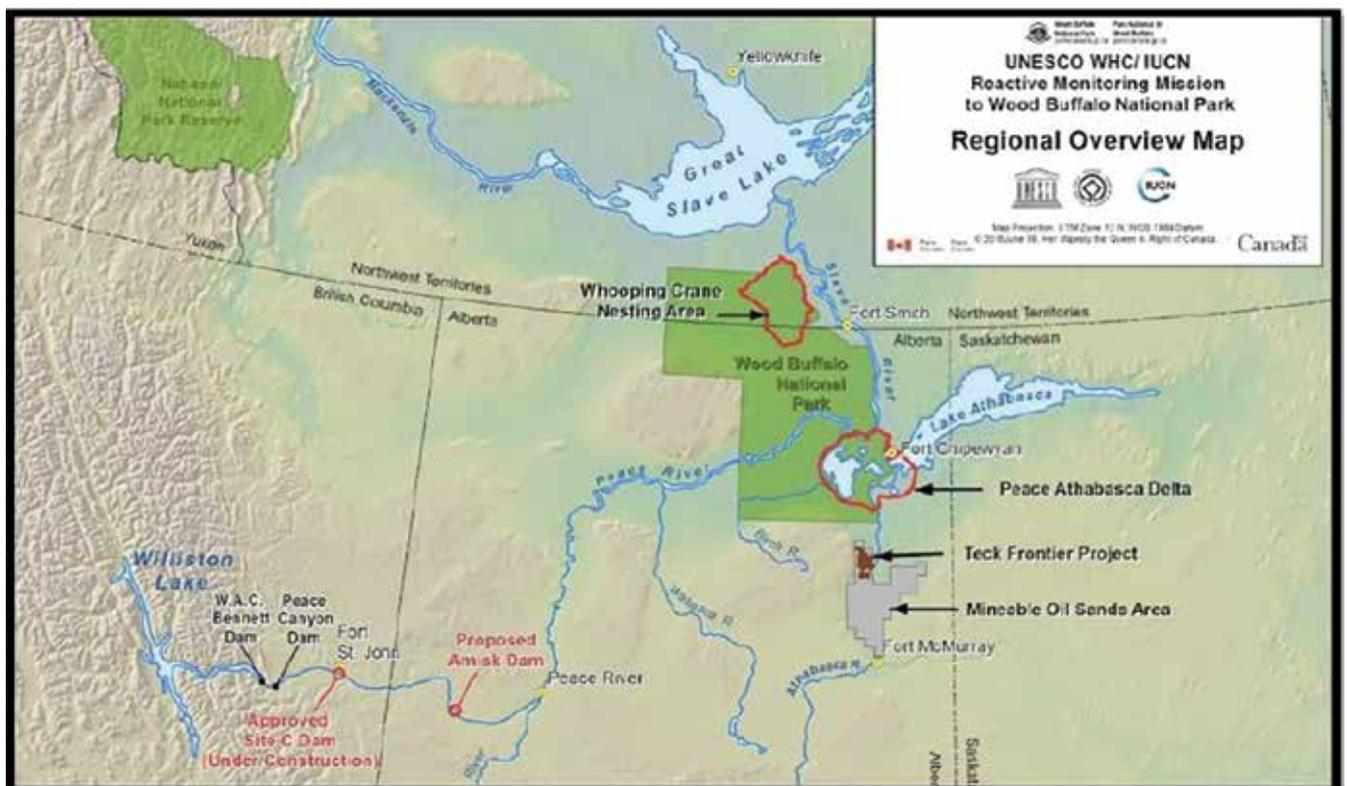


Fig. 1: The impact of upstream oil sands and hydroelectric projects on the waters of the Peace Athabasca Delta.

Map: UNESCO / IUCN



Fig. 2: Fish is a staple food of the Mikisew Cree, for which they depend on clean water. Photo: Courtesy of Mikisew Cree First Nation

The Committee's 2021 Decision was the clearest articulation yet of what the State Party must do to put Wood Buffalo on the right path

The World Heritage Committee's 2021 decision for Wood Buffalo (44 COM 7B.190) expressed serious concern that major threats and risks to Wood Buffalo have not been met with effective management responses and that new concerns continue to arise. In addition, the Committee included the clearest list to date of observations and requests that outline what Canada must do to address the impediments to the implementation of the Wood Buffalo Action Plan. And the Committee articulated clear timelines for when it would consider inscribing Wood Buffalo on the List of World Heritage in Danger.

From the perspective of the Mikisew Cree, 44 COM 7B.190 was a helpful and accurate reading of the issues that are hindering efforts to reverse the deterioration of Wood Buffalo's state of conservation. We were particularly encouraged by the Committee's identification of the ongoing lack of effective water governance along the Peace and Athabasca Rivers as a major missing element in Wood Buffalo's protection regime. A second helpful element of 44 COM 7B.190 was its confirmation that governments are continuing to take actions that create new risks and threaten the achievement of desired outcomes for the Park.

We saw 44 COM 7B.190 as a watershed moment for Wood Buffalo because of its potential to help the State Party finally acknowledge that the significant impediments to the Action Plan are leading to an outcome where Wood Buffalo would become Canada's first property to be inscribed on the List of World Heritage in Danger. We were hopeful that the decision created an opportunity for Canada to (i) address inter-jurisdictional challenges that impede essential corrective actions relating to water quality and quantity in the Park, (ii) establish long term resourcing for the Action Plan and (iii) to accelerate and expand efforts to safeguard the Park.

Canada's progress since 44 COM 7B.190 has been mixed

Canada has taken certain lessons to heart. But significant gaps in Wood Buffalo's protection regime continue to exist.

a) *New efforts by Parks Canada to move to a "co-development model" with indigenous communities for aspects of the Action Plan are promising but limited in scope*

Since 44 COM 7B.190, Parks Canada has improved its working relationships with some indigenous communities in the Park, including the Mikisew Cree. For example, Parks Canada is now supporting indigenous communities to identify their governance objectives for Wood Buffalo and have committed to use this community-led work to inform the development of new governance arrangements inside the Park.

Parks Canada is now using co-development process with indigenous communities for the preparation of an integrated monitoring program for the Peace Athabasca Delta. Parks Canada and the indigenous communities of the Peace Athabasca Delta now have a more equal role in determining the objectives and content of the monitoring program. Parks Canada has indicated it supports our vision to ultimately lead the implementation of the monitoring program through a new organization we have created called the Peace Athabasca Delta Institute.

While Parks Canada has made strides shifting to a "partnership model" with indigenous communities, other government agencies and upstream jurisdictions have not. Unfortunately, because the causes of the deterioration of the Peace Athabasca Delta emanate from outside of Wood Buffalo's boundaries, the "co-development" model that has significantly helped advance certain aspects of the Action Plan is not being applied where it matters most.

b) *Indigenous communities have had to shoulder the burden of addressing stalled progress by Canada and provincial governments on important aspects of 44 COM 7B.190*

Oil sands activities contribute to the deterioration of Wood Buffalo and put its OUV at serious risk through a variety of pathways. Two such pathways include: risks associated with tailings and encroachment of activities into watersheds that support the Peace Athabasca Delta.

Despite 44 COM 7B.190 expressing utmost concern with the continued absence of an adequate risk assessment for tailings ponds upstream of Wood Buffalo, governments have not initiated such an assessment. Instead, it has fallen to us to redirect limited resources towards designing ways to initiate preliminary work in this area. While Canada has recently indicated it may fund one year of Mikisew's preliminary work, full funding and government support remains elusive.



Fig. 3: Peace Athabasca Delta: Key stressors, conditions, and outcomes, based on testimony collected among Mikisew Cree on Feb 1, 2018

A similar story has unfolded along the Park's southern boundary, where the Committee requested that Canada and Alberta create new protected areas and explore innovative conservation governance and management models. The work of securing commitments from oil sands operators to relinquish leases to facilitate the creation of a buffer zone has fallen on our shoulders. While we have made significant strides with the Kitaskino Nuwenēné Wildland Park, efforts to establish governance arrangements for that area have stalled due to lack of action from the Government of Alberta.

c) *Lack of long-term resourcing for corrective actions has not been resolved*

Canada's contribution of CA\$80 million towards the development and implementation of the Wood Buffalo Action Plan is a welcome change from previous under-investment. However, that funding is set to expire by 2024.

Notwithstanding clear direction in 44 COM 7B.190 to address these limitations, actions that are integral to addressing gaps in Wood Buffalo's protection regime remain unfunded. Unfunded actions include the implementation of the monitoring program for the Delta, the systematic tailings risk assessment, construction and operation of water control structures, implementation of cooperative governance arrangements for the Park, management of Kitaskino Nuwenene Wildland Park, and long term water governance functions. And there are likely more.

d) *Key elements of the Park's protection regime pertaining to governance are stalled or missing.*

The path to halting the decline of the conditions Wood Buffalo's OUV depends on coordination and governance mechanisms with the federal agencies that operate outside of the Park and, more critically, provincial jurisdictions upstream of the Park. Six years after a Reactive Monitoring Mission recommended new water governance approaches, and a year after 44 COM 7B.190 expressed utmost concern with the absence of effective inter-jurisdictional water governance, there have been no commitments to establish water governance mechanisms that consider to OUV.

Instead, the Action Plan continues to proceed on the basis of voluntary, non-binding participation in technical evaluation processes that are disassociated from "decision-making" and that lack transparency, inclusivity and, at the end of the day, effectiveness.

Notwithstanding the Wood Buffalo Action Plan, the risk of diminished legal protection for Wood Buffalo has increased

44 COM 7B.190 identified a new development that could have deleterious effects on Wood Buffalo's inherent characteristics: proposals, by both federal and provincial governments, to develop legal frameworks that would enable oil sands operators to release oil sands process waters (OSPW) into the Athabasca River upstream of the Park.

Presently, the prohibitions on depositing deleterious substances into fish habitat under the federal Fisheries Act are one of Can-

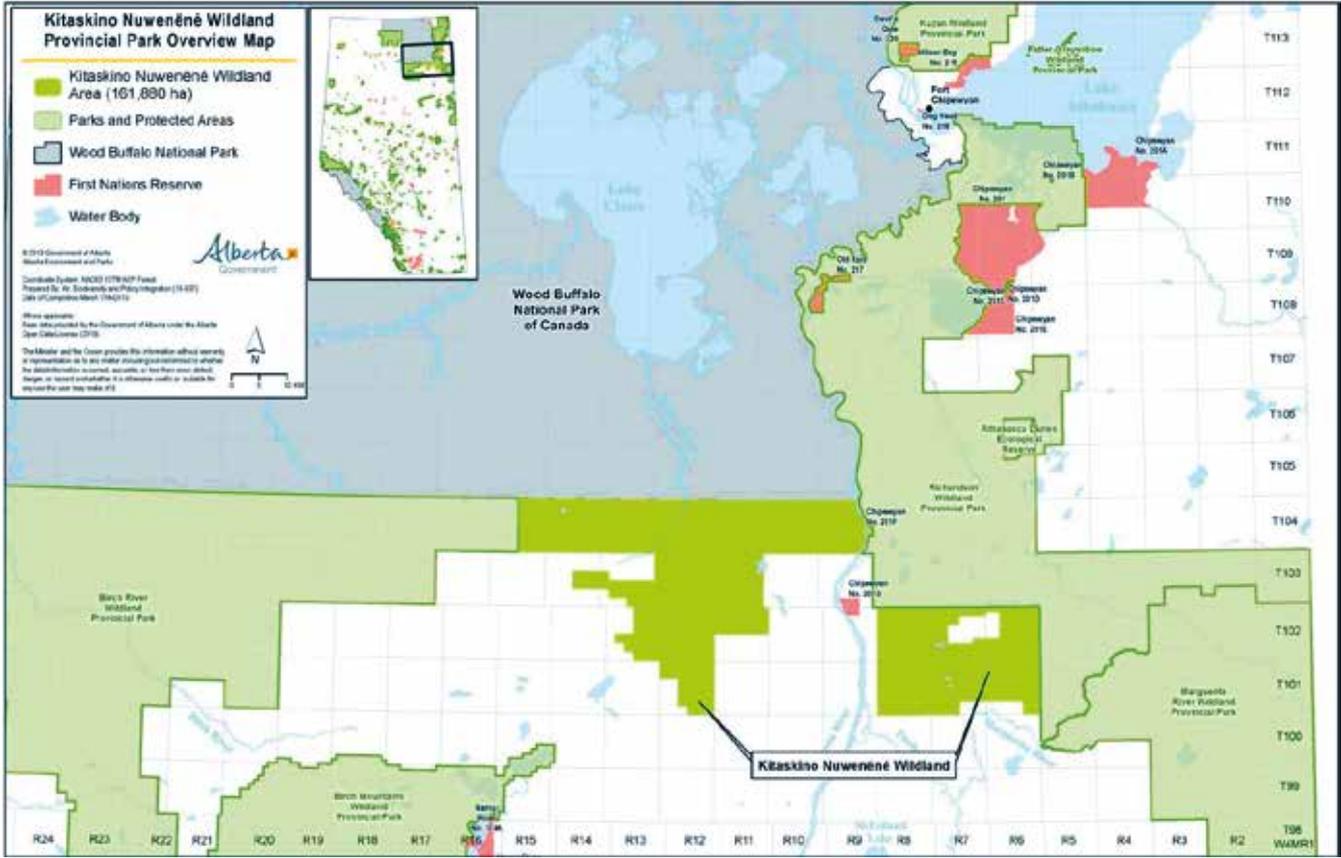


Fig. 4: The Kitaskino Nuwenenē Wildland Provincial Park was established in 2019 and serves as a buffer zone for the Wood Buffalo National Park. Map: Government of Alberta

ada’s strongest legal mechanisms for protecting Wood Buffalo from threats associated with the accumulation of tailings upstream of the Park. Due to lobbying by oil sands operators, governments have indicated their intention to develop a new regulatory scheme to lift those prohibitions for OSPW.

The indigenous communities along the Athabasca River do not support the release of tailings into the Athabasca River due to



Fig. 5: A wood buffalo herd in winter. Photo: Government of Alberta

risks to the Peace Athabasca Delta and their indigenous rights. Our community has called on the federal government, in the name of safeguarding Wood Buffalo, to pursue alternatives to effluent releases into the Athabasca River before taking any further steps to change the protective framework that currently exists under the Fisheries Act.

Thankfully, following criticism from the World Heritage Committee and indigenous communities like ours, Canada appears to be slowing down its rushed approach. Still, consideration of alternative solutions remains haphazard, under-funded and limited in scale and scope.

Our hope for a resilient future for Wood Buffalo

The World Heritage Committee has shown that it understands the complex issues that threaten Wood Buffalo and where those threats have not been met with effective responses.

The Mikisew Cree intend to continue to advocate that the gaps in Wood Buffalo’s protection regime be effectively resolved and long term measures and governance mechanisms put in place so that we, and the international community, can one day again see clean and abundant water in the Peace Athabasca Delta.

Calakmul: An Ancient Mayan City and Tropical Forest at Risk

Viridiana Maldonado Galindo, Ursula Garzón Aragón and Carlos Asúnsolo Morales, México Environmental Law Center



Genomelín López is a 40 years old inhabitant of Calakmul who belongs to the Chontal ethnic group and dedicates his life to farming corn, beans and other vegetables. He is part of a group that started a trial against the federal government and the Train Maya project. The main concern of his community is the scarcity of water. In his own words, “We are going to run out of water to please tourism. We don’t want to become another Cancun, where they destroyed the whole mangrove forest. We still have a jungle to defend”.

Genomelín’s testimony is just one response to a major disease. From our experience of almost 30 years defending the environment and human rights in México, we can assure that the Peninsula of Yucatán is facing very difficult and unique times. Urgent action is needed if we want to protect one of the most exceptional ecosystems in the world.

As UNESCO already documented, the ecological and cultural integrity of Calakmul is exceptional. Calakmul is a mirror to our

past that still remains in the practices of the indigenous communities that inhabit the margins of the cultural property. Also, its unique and rich biodiversity makes it one of the most valuable treasures of our present. Sadly, the future of this place is at high risk, and we may be facing our last chance to protect it.

Accelerated population growth, widespread deforestation and unplanned urban development are some of the issues that threaten the integrity of Calakmul. If we don’t take action, the Train Maya project is going to aggravate and accelerate these impacts and change this place forever as we know it.

When the Train Maya was announced by the Federal Government in 2018 as one of the flagship projects of this administration, it was described as an infrastructure, economic development and sustainable tourism project. One of the main objectives is to massively increase the tourist activities in the region. From official data, it is expected to increase by three million tourists per year. This is a very important point to understand

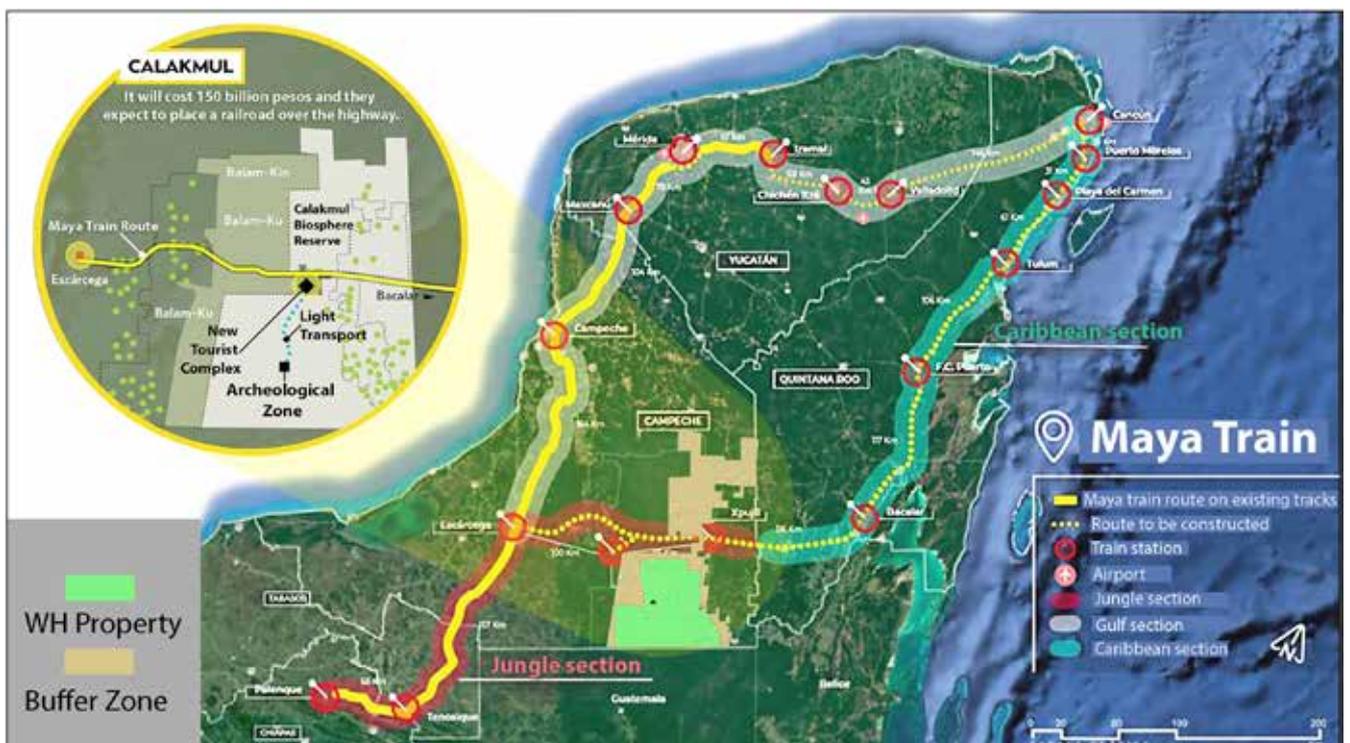


Fig. 1: The Train Maya encircles the entire Yucatán Peninsula, passing by all major archaeological sites and cutting through the Buffer Zone of the Calakmul World Heritage Property.

Map: CEMDA / Martin Lenk

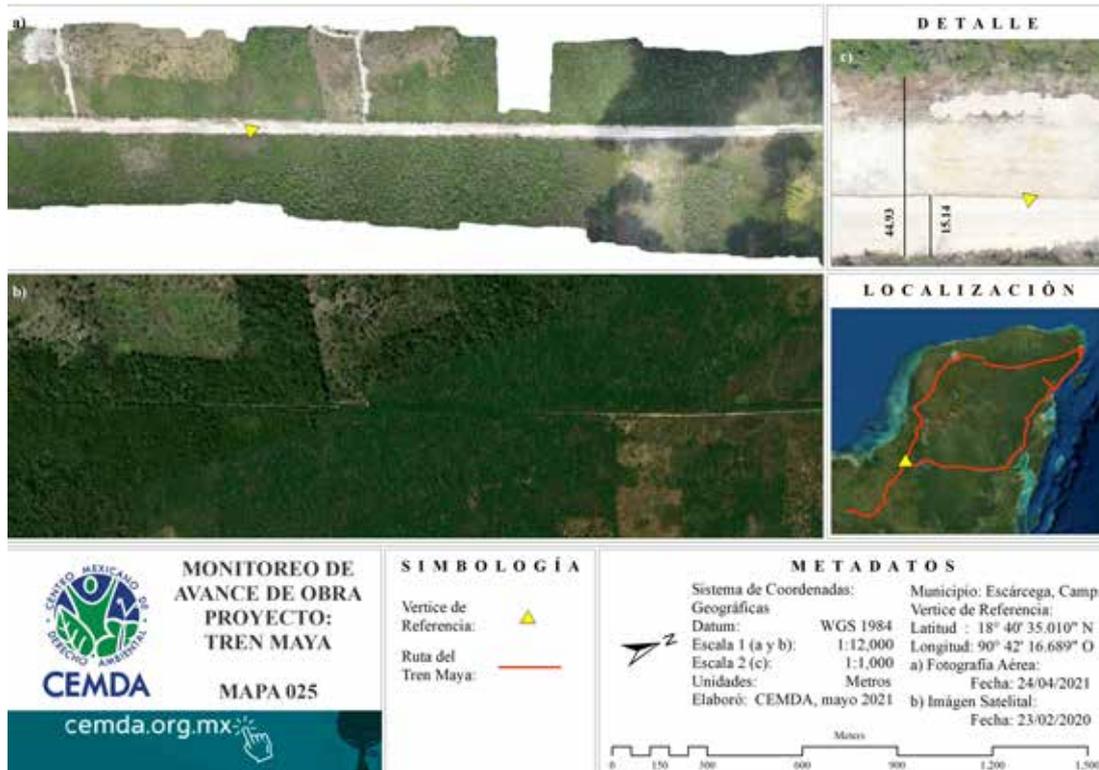


Fig. 2: Satellite images showing a comparison of the land in the municipality of Escárcega, Campeche, before and after the construction of the Train Maya rail road. The image shows the removal of vegetation in 21.48 hectares without proper legal permission. Photos: CEMDA 2021

the situation: the Train Maya is not only an infrastructure project, it's a development one.

Even though the government officially recognizes this, it hasn't done anything to identify and prevent the negative impacts that this kind of project is going to have in the short, medium and long term.

As the testimony of Genomelín shows, it's not only the 1,500 kilometer of railway line, the 21 stations and the 10 development hubs that are going to be constructed, it's also the impacts that 3 million tourists will have in the demand for basic services and energy, especially if we consider that the Train Maya is going to impact directly the influence area of 12 natural protected areas, including two world heritage sites declared by UNESCO, such as Sian Kaán and Calakmul.

This is a key factor. The government already made pre-investment studies to increment the tourism offer and awarded contracts to the construction of the Train, but still doesn't have an environmental impact assessment (EIA) to measure and prevent the impacts that these activities are going to have in the hydrological system, the biodiversity of the region, the endemic and endangered species that inhabit the area, and the ecosystem services from which local populations benefit.

Thanks to the work of very highly-recognized scientists, we know that the Train Maya will cause severe alterations in the ecosystem of Calakmul. The degradation, fragmentation and deforestation of Calakmul is directly associated with the con-

struction, development and operation of the Train Maya. Mexican scientists have warned the Government that the fragmentation of the ecosystems could transform the place to such a degree that it will become biologically degraded and inhospitable.



Fig. 3: According to the organization FONATUR, 20,000 trees were transplanted from the Playa del Carmen route. Photo: CEMDA

For example, the National Council of Science and Technology, one of the most important public research centers, pointed out that the Train Maya will break and divide the terrestrial ecosystems of the Peninsula of Yucatán, including several areas of high value for conservation that have special legal status of protection, such as Calakmul. The Train Maya is going to aggravate the fragmentation of the ecosystems and provoke the loss of the ecological connectivity of conservation areas, interrupting the biological corridors, which will reduce the forest cover and isolate endemic species of flora and fauna, such as the jaguar, putting them at the edge of extinction.

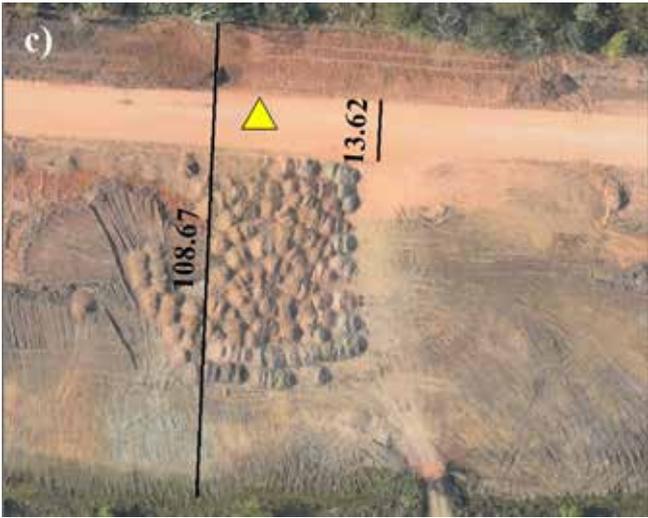


Fig. 4



Fig. 5



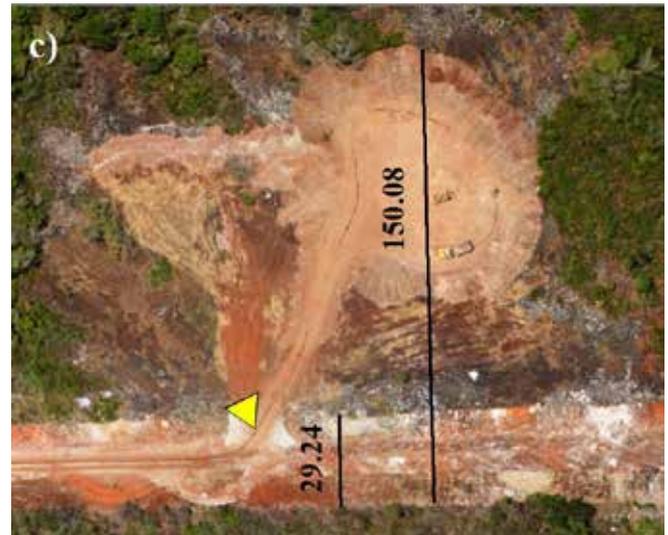
Fig. 6



Fig. 7



Fig. 4 – 9: Satellite images 4 (Palenque, Chiapas), 5 (Champotón, Campeche), 6 (Escárcega, Campeche), 7 (Palenque, Chiapas), 8 (Champotón, Campeche), and 9 (Tenabo, Campeche), show the forest clearing in each of the municipalities.



Another example is the report named “The impact of the railroad and tourism development associated to the Train Maya: mitigation measures and modifications of the design for the reserves of Calakmul and Balam-Kú”, which highlights that the barrier and border effect produced by the train will negatively impact the movement and reproduction of wild animals. The report also remarks a critical point: the largest bat cave of Latin America, located in Calakmul, will not survive even if conventional mitigation measures are taken. As the scientific report concludes, the current design of the Train Maya is incompatible with one of the main ecological functions of these natural protected areas, which is the ecological connectivity.

The evidence presented by academics and scientists contrast sharply with the actions of the government. One of the main issues is the lack of information to determine the viability of the project. Until this day the government hasn't fulfilled its legal obligation to make an integrated environmental impact assessment of the whole project. In order to minimize the impacts and bypass the cumulative effects, the Federal Government separated the project in multiple parts and evaluated some of them as if being independent. Also the Secretary of the Environment gave exemptions to some authorities to present the impact evaluations in the sections that needed the rehabilitation of the railroads, which were constructed more than 50 years ago.

It is very important to remark that it's not only the lack of environmental impact assessment that raises concerns. Also there is no clear pathway to implement the project. The government

plan is constantly changing. In this context, it has been quite difficult to obtain information about the project, because it probably doesn't exist. The opacity and lack of transparency has been the rule in the way the government conducted itself in the implementation of the Train Maya.

The consequences of the lack of planning and risk assessment reflect on the constant modifications of the train routes. One of the most recent actions that show the lack of interest from the government to protect the environment is the modification of the route that crosses Playa del Carmen, even though, according to official data, they already cut down 300,000 trees.

In response to the actions and omissions of the Federal Government, since 2019 numerous actors have taken action and demand the government to fulfill its obligations. There are more than 20 constitutional lawsuits demanding the protection of human rights from the judicial branch. Sadly we haven't succeeded in our struggle to access justice. From the most basic aspects, such as accepting our legal requests, to the unjustified delay to attend our cases, the lack of compliance from the government of judicial resolutions, and even the loss of a big part of the evidence presented in one of our cases, have made it very difficult to obtain a proper response from the Courts.

Regardless of the numerous cases and continuous demands for the State to meet and fulfill its constitutional obligations, the response has been negative. Instead of recognizing the legitimacy of the claims and find a common solution, the Federal Government insists on naming, shaming and criminalizing those who oppose a large project that has no consideration for their environmental and human rights. This is particularly relevant in a context where environmental defenders are being attacked and killed.

The government already started the construction works without the proper EIA and other legal permits, and they are planned to be finished by all means in 2023. A very clear sign of the urgency to finish the construc-



Fig. 10: Protest at the National Monument in Mérida against the imposition of the Train Maya: “No to megaprojects of death!”
Photo: RUIDO 2020

tion of the Train Maya is the executive order published on November 22nd of 2021. This order declares all infrastructure projects as a matter of national security and public interest, and commands all State Secretaries to grant “temporary authorizations” for any action required to implement them.

As the President mentioned in one of his morning press conferences: “This executive order is to accelerate procedures and prevent from stopping the construction work (...) to give confidence to the institutions and companies working on the Train Maya”. So, no matter what, no matter if it’s against the Constitution, if it’s going to devastate the natural protected areas, the Government is determined to advance on the construction of the train.

On top of that, we observe a tendency to continuously increase the budget of the Train Maya in contrast to the resources allocated to protect the environment and natural protected areas. For the 2022 economic package, the Train Maya duplicates its budget, while the Commission for Natural Protected Areas has less than half a dollar per hectare.

These are some of the obstacles that CEMDA, other organizations and the people from the local communities are facing to protect the environmental and cultural integrity of Calakmul. It is clear that the few mitigation actions implemented by the government are not enough to address these issues, while measures to prevent significant adverse impacts have been completely absent.

Taking into consideration that the construction of the Train Maya is going to put the existence of Calakmul at high risk, we urge the World Heritage Committee to include the property in the List in Danger. We also ask for the Committee to request the federal government all the information related to the impacts that this project is going to have in the region, and to evaluate a possible alternative to maintain the integrity of the World Heritage properties that the Train Maya is going to impact. Finally, we request UNESCO to exhort the Mexican State to stop all actions that deteriorate the conservation of our common heritage and violate human rights.

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Update on the Situation of Gold Mining in Canaima National Park, Venezuela

SOS Orinoco



In recent years, there has been a significant expansion of mining activity within Canaima National Park (CNP), a World Heritage Site (WHS). This situation is sustained within the framework of a strategic policy known as the Orinoco Mining Arc, by which the Nicolás Maduro regime promotes mining in an immense geographical area. In this report we present the most up-to-date data regarding the growth of mining activity in and around the park, with special emphasis on the impact of mercury - used for the separation of gold from rock - on rivers, soil, and the indigenous communities in the region.

Mercury and gold mining

Mercury is an extraordinary element due to its physicochemical characteristics, which allows it to move, circulate and accumulate in different compartments of the ecosystem and, at the same time, gives it a particularly toxic effect on the environment and on human beings. The United Nations, the World Health Organization and various scientific authorities classify mercury as a toxic, dangerous pollutant that accumulates through food webs and causes adverse effects on human health and the environment. This has resulted in international agreements for its control and eventual elimination of its use in mining activities.

Nevertheless, in activities such as small and medium-scale gold mining, the use of mercury is common due to the speed and low cost with which gold is extracted. Mercury is used to sepa-

rate gold from mineral particles during crushing, grinding, and washing the gold ore. The mercury binds to the gold to form a solid amalgam. Then that amalgam is burned, the mercury evaporates, leaving a more purified gold concentrate. Washing with mercury is the most polluting stage, since more than 90 % of it ends up released directly to the ground. In the same way, the mercury gas that is released during the burning of the amalgam, in the long term generates neurological and behavioral disorders, kidney and thyroid, lung, and hearing damage, among other negative impacts.

Historical summary of mining in CNP-WHS – The situation before the Mining Arc Decree

In Venezuela, gold has been mined since the mid-nineteenth century, mainly in Venezuelan Guiana, particularly in what is now Bolívar state, upstream in the main tributaries of the Orinoco River on its right bank (Olivo Chacín 2007, Rodríguez and Mirabal 2013, Lozada 2016, Veiga et. Al 2005). In CNP-WHS, however, the first known records date from the early 1970's. At the time, diamond mining was the most significant and, in some areas, its environmental impacts were already noticeable, which is why the potential for devastation, were these activities to escalate, was alarming. Mining, however, continued to expand (179 % between 1987 and 2004, Sosa 2010), and became more focused on the exploitation of gold.

In 2014, the then Minister for Tourism, Andrés Izarra, publicly denounced on TV (En Contacto con Maduro # 11) the existing devastation within CNP-WHS due to "illegal mining", especially on the Carrao and Caroní Rivers, highlighting the presence of mining rafts throughout the park and pointing to illegal mining as "the main threat that this Natural Heritage of Humanity is facing ...". These complaints were confirmed by MINEA (Ministry of the



Fig. 1: The Apoipó Mine. Photo: SOSOrinoco

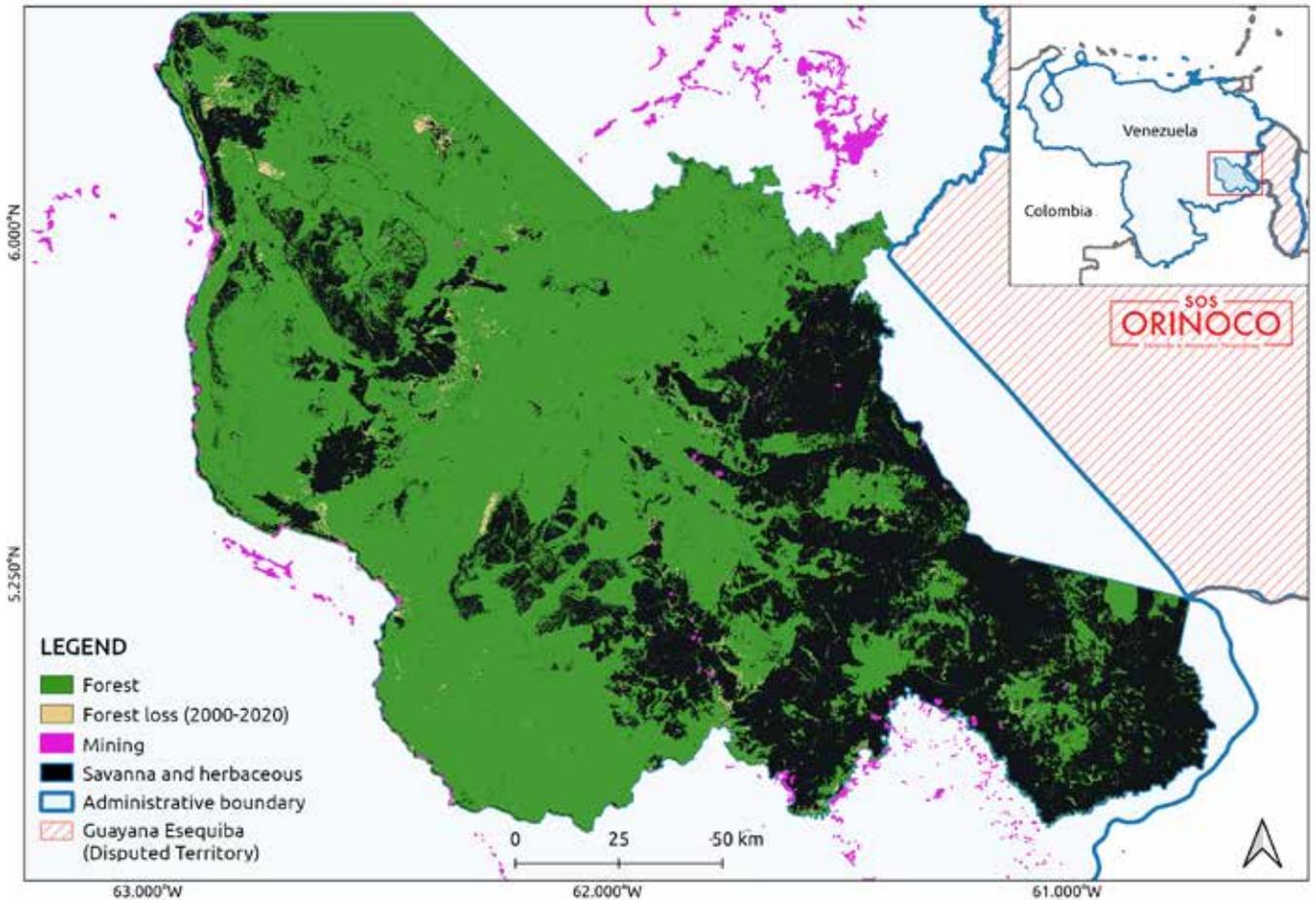


Fig. 2: Land cover and land use in Canaima National Park. Check the mining footprint inside and around the National Park.

Map: SOS Orinoco 2021

Environment) in 2015, when it revealed in a report the existence of “uncontrollable” illegal mining within CNP-WHS, affecting an area of 252,100 hectares.

Mining news in Canaima National Park

It is worth noting that mining is prohibited within CNP-WHS (as in all national parks in Venezuela) and is an unacceptable activity within the international standards of Protected Areas (IUCN). Furthermore, within the framework of the UNESCO Convention on the Protection of World Cultural and Natural Heritage, World Heritage Sites should not be subject to mining. However, after 4 years of monitoring, SOSOrinoco has witnessed and documented how this activity continues to expand, affecting ecologically important natural formations, plunging the Pemón people into violence and polluting rivers and indigenous communities with mercury.

By the end of 2019, SOSOrinoco and Correo del Caroní had detected an impact of 1,034 hectares by mining activity within CNP-WHS, distributed in 59 sectors along the Caroní River, the Carrao River, Kukenán and Caruay (Fig. 2), which mainly affect the riparian forests, “morichales” and the lower montane forests.

To analyze the trend of the increase in mining within CNP-WHS in the last 20 years and to update the current impacted area by mining activity, we used our data and the Global Forest Change products (Hansen et al. 2013), Globeland30 (National Geomatic Center of China, 2014). Based on these products, we have calculated the area taken over by mining activities, every five years from 2000 to 2020 (Fig. 3).

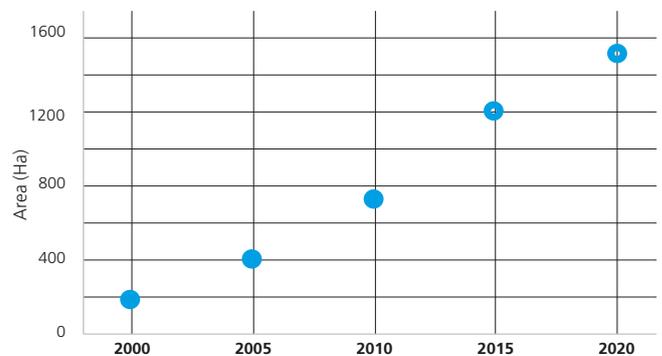


Fig. 3: Mining footprint surface inside Canaima National Park during 2000-2020. Graphic: SOS Orinoco 2021

Our calculations show that mining within CNP-WHS for the latter year occupies at least 1,540 hectares, 8.4 times the area it occupied in 2000. This activity has progressively expanded at

an average rate of 80 hectares per year (Fig. 3), the results of the last ten years being particularly striking, in which the affected area is almost double that of the previous 10 years (2000–2010).

The result of this expansion translates into greater environmental devastation, and its scale of influence grows daily. In fact, our review shows that the loss of forest from the year 2000 in CNP-WHS is the third largest of all the National Parks in the country, covering at least 29,000 hectares by 2020. Since 2000, an average of 1,483 hectares have been lost per year and this situation has intensified since 2015 within the limits of CNP-WHS, reaching a rate of 3,600 hectares per year, which means that in the last 5 years the forest loss has occurred twice as fast compared to the 15 previous years (Fig. 4).

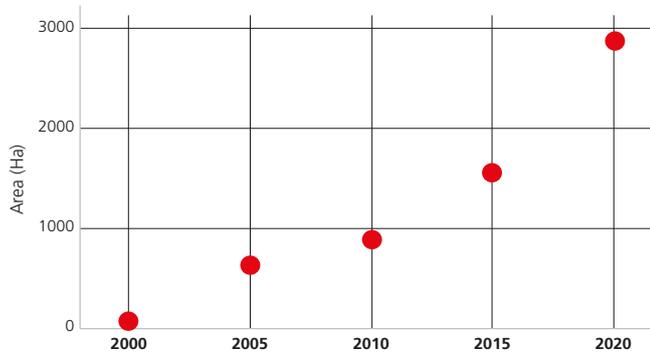


Fig. 4: Forest loss inside Canaima National Park during 2000-2020. Graphic: SOS Orinoco 2021: own calculations from land cover and land use analysis

In addition to forest loss and habitat degradation and destruction, other effects of mining on CNP-WHS are of particular importance. The accumulation of sediments rich in quartzites and sandstones in the Caroní and Carrao Rivers, seriously endanger the operation of the Guri hydroelectric plant, the major provider of electricity for most of the country, since these sediments cause a decrease in the incoming flow and have a high erosive power on the blades and other components of the hydropower turbines (Meade 1989, Dezzo 1994, Huber 1995, Gutman 2002).

At mine sites, the effects of chemical contamination from toxic waste releases are also disturbing. During mining work, the mercury that does not form an amalgam with gold is discharged into the ground without any type of control or restriction, and this has progressively contaminated water resources. In fact, it is estimated that the dragging effect and accumulation of mercury in water bodies can reach distances of up to 120 km from the site of use (Schudel et al. 2018). Therefore, as mining activity increases, the scope, magnitude, and severity of contamination in bodies of water within and around CNP-WHS, also increases.

Additionally, these residues have caused a greater extension of degraded soils, and the risk of mercury poisoning in the Pemón indigenous communities that inhabit CNP-WHS is continually

increasing, either due to ingestion of contaminated water or food, or because of exposure to mercury in the mining sites. In a recent report, from the Correo del Caroní and SOSOrinoco on mercury concentration in humans, samples of hair were collected in 7 communities within and in the vicinity of CNP-WHS, and it was determined that the presence of mercury in the Pemón indigenous population evaluated, exceeded in most cases, the limit established by the WHO (Fig. 5). However, there is a lot of variability between the sampled population (49 children and adults of both sexes, with different socioeconomic activities and time spent working in the mines) and the evaluated localities (near and far from the mines). Therefore, an exhaustive study at the spatial and temporal level and in relation to the collection of samples is required.¹

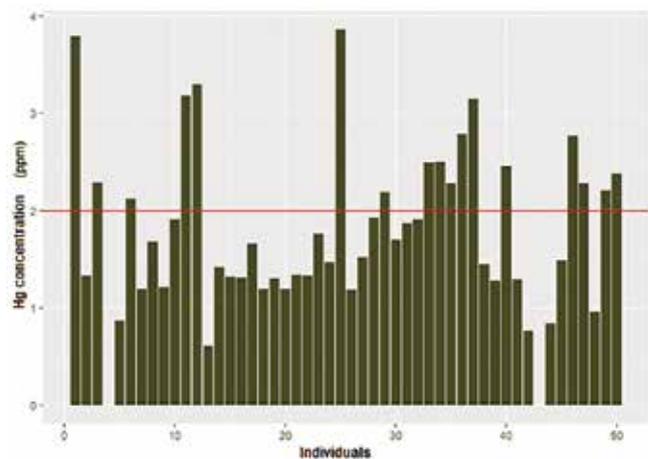


Fig. 5: Total Hg concentration (ppm) in hair samples from individuals who participated in the study. Graphic: SOSOrinoco 2021

But mercury contamination also has potential harmful effects on the wildlife of CNP-WHS: 119 species of fish (49% of them exclusive to the Caroní basin), 95 species of amphibians (50% of the total reported for Venezuela), 111 reptile species, 587 bird species and 151 mammal species (the number of bird and mammal species represents 40% of the total reported for the entire country). Although concerns about environmental contamination from mercury arise largely with regard to risks to human health, it is very important to also address the discussion regarding the processes and factors that affect wildlife and the rest of the biota, its role in the biotransformation to methylmercury, the effects that this metal triggers in populations, species and, in general, in different ecosystems (Doi, et al. 1984, Borg et al. 1969, Sparling et al. 2010, Rattner 2009, Wiener et al. 2003).

The evidence of mercury concentrations and the continued expansion of mining in CNP-WHS is worrying and leads to inferring alarming future scenarios. With the average increase of 80

¹ See SOSOrinoco's report on mining and mercury in Southern Venezuela: <https://sosorinoco.org/es/informes/el-mercurio-y-la-mineria-en-la-guyana-venezolana-un-dano-incompensable/>

hectares per year of illegal gold mining areas within the park and the impact on ancestral and Creole inhabitants, as well as the wildlife, requires the urgent attention of UNESCO and the Venezuelan State Party in guaranteeing this World Heritage site for the present and future generation.

SOSOrinoco and certainly the majority of Venezuelans hope that the Reactive Mission that UNESCO (2021) requested will receive the courtesy and full support by the Maduro Regime and that the Regime carry out an exhaustive examination of how the Outstanding Universal Values of CNP-WHS are being damaged by mining, in the physical destruction of the natural vegetation, the soils, the natural course of the rivers, its geomorphology, and landscape, but also by poisoning, invisible to human eyes, of the ecosystems due to the widespread use of mercury.

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A Road Through the Serra do Divisor NP Could Threaten its Inscription in the World Heritage List

Rede Nacional Pró-Unidades de Conservação



Fig. 1: The Montaña Conica, located in the inaccessible Isconahua Indigenous Reserve in Peru close to the Brazilian border, has become the symbol of the entire region of the Serra do Divisor National Park. Photo: Diego Pérez / Acre ao Vivo

The Serra do Divisor National Park (SDNP), a Full Protection Protected Area created in 1989 and supported by the Amazon Region Protected Areas Program (ARPA), is located in the State of Acre, on the border of Brazil and Peru, and protects 837,555 hectares of the most biodiverse area of the Amazon Rainforest.

ARPA was created to promote the conservation and permanent protection of 60 million hectares of the Brazilian Amazon, through the creation, expansion and strengthening of Protected Areas, as is the case of the Serra do Divisor National Park, established to ensure the preservation of its natural resources, while providing controlled opportunities for public use, education and scientific research.

This Protected Area is the 4th largest Brazilian Park, presenting a unique collection of Amazonian ecosystems of notorious environmental relevance, which is why it has been included in Brazil's Tentative List for Natural World Heritage already in 1998. A National Park of the same name exists on the other

side of the border in Peru, adjacent to the Brazilian Park and including a reserve for the Isconahua indigenous people who live in self-chosen isolation. The Peruvian Park has been on the country's Tentative List since 2019.

Threats

Despite the importance of its vast area and the ecosystems it protects, considered the most relevant in the Amazon Rainforest, one of the threats to the Serra do Divisor National Park is the project to build a 110.6 km road (only on the Brazilian side) that would cut it in half until it reaches Peru. The road would be the last part of the transcontinental highway connecting the central Brazilian Amazon with Peru, and the Atlantic with the Pacific Ocean. Therefore, strong interest groups are pressing for its realization.

The original route of the planned road was further north. It would have cut through the Isconahua Reserve and could have meant the end of their culture and even physical existence. Due to strong protests, the northern route was abandoned, and a new, southern route proposed which circumvenes the Park on the Peruvian side but still cuts through the Park on the Brazilian side.



Fig. 2: An uncontacted indigenous village in the Serra do Divisor National Park. Photo: redaccion.lamula.pe

A public hearing on the alleged development was conducted in October 2021, under the justification that the construction of the road would bring economic development to the region, generating jobs and income. However, it is necessary to consider that the maintenance and structuring of the National Park is more beneficial in environmental, economic and social aspects, by combining tourism activities with nature preservation.

Studies by the Conservation Strategy Fund show that the impacts of this construction would generate a social damage of almost BRL 1 billion (USD 201.7 million) due to the interventions in the environment and its reflections in the surrounding areas, and indigenous lands (Nukini, Jaminawa do Igarapé Preto and Poyanawa, mainly).

Therefore, it became clear that further technical studies, public consultations and greater popular participation are necessary, since what has been presented so far lacks a demonstration of the real demand of the road, the vulnerability of the local population and many negative environmental effects, some of which have not even been surveyed, for example, in relation to the hydrographic basins.

Compared to Peru, where the studies are much more advanced, it is possible to understand that, so far, Brazil has a large gap re-

garding the technical analysis of the enterprise. There are also indications that there are interests in real estate speculation in the region, with consequent illegal occupation and invasion of public lands. The Federal Public Ministry (the Brazilian body of independent public prosecutors, working both at the federal and state level) has established a civil inquiry to investigate the irregularities involving this supposed highway, which would open the way for pollution, running over of fauna, fragmentation of ecosystems in an area considered untouched by the National Park, in addition to an increase of illegal use of natural resources and related social problems such as prostitution, alcoholism and criminality.

Another threat to the Serra do Divisor National Park is Bill No. 6024/19, introduced into the Federal Parliament by Deputy Mara Rocha, which intends to transform the Protected Area into an Environmental Protection Area, also to facilitate road construction. If this bill is approved by the National Congress, the degree of legal protection of the area would be severely reduced, so that the current Serra do Divisor National Park would become a mere area suitable for human occupation and would be capable of suffering serious interventions in its landscape

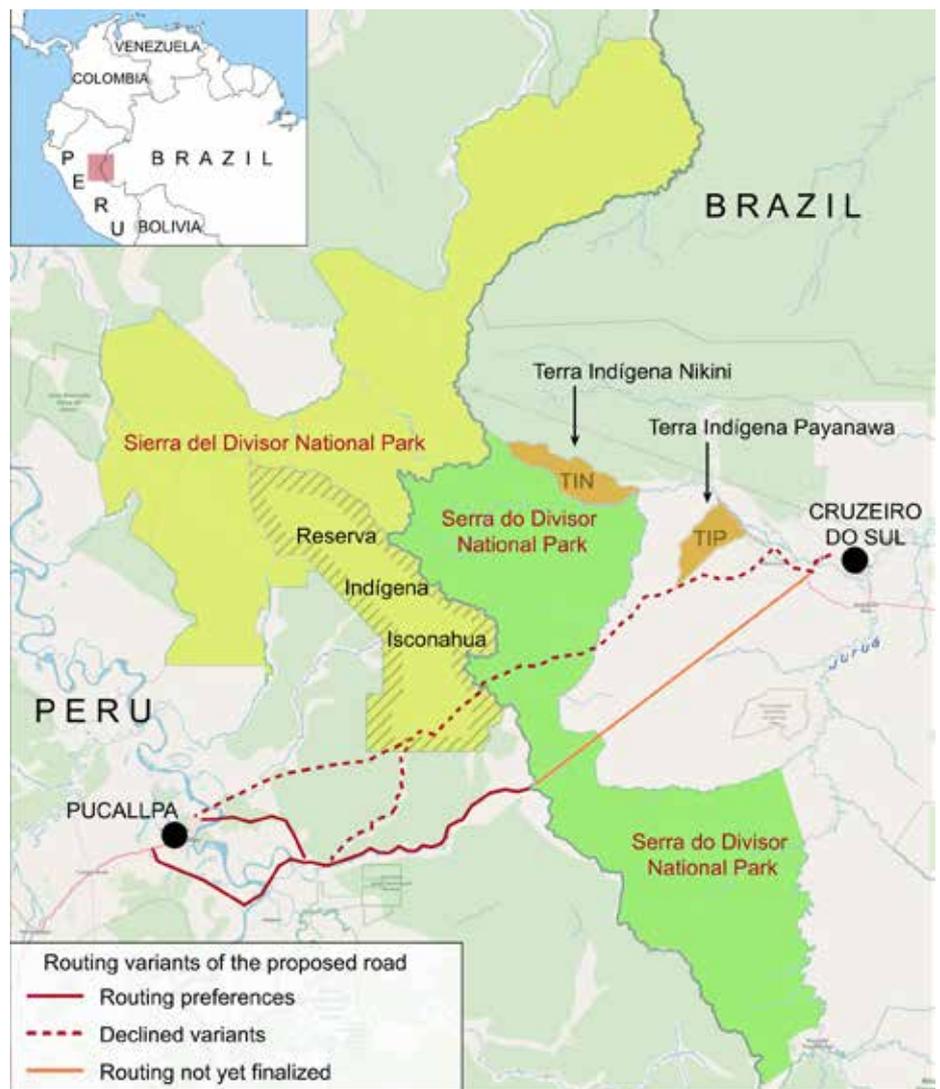


Fig. 3: The protected areas of the region and the proposed road.

Map: Martin Lenk

and environment, including industrial activities, with heavy and polluting machinery degrading the region with the greatest biodiversity of the Amazon Rainforest biome.

Both the construction of the road and the downgrading of the Park's level of protection would reduce the chances of an inscription of the Serra do Divisor National Park in the World Heritage List to almost zero.

Importance

The Serra do Divisor National Park protects representative samples from 10 ecosystems of the Western Amazon, considering that the floristic richness of its vegetal typologies presents the highest values of this biome. The Park presents 51 different species of palm trees, concentrating 70% of the total found for this group in the Amazon Basin, as well as plant species of restricted distribution, with economic value and with potential to act as a genetic bank of species.



Fig. 4: Serra do Divisor National Park.

Photo: Marcos Vicenti

In this portion of the Amazon Forest 1,233 species of fauna have been found, 102 of large mammals and chiropterans, and 14 species of primates, 5 under some threat of extinction. The protection granted to biodiversity also includes paleontological sites on the Juruá river and its tributaries, as well as in the watershed of the upper Juruá river. On average three species of flora are detected every two months in the Park, and more than 500 species of birds have been catalogued.

All three types of rivers that exist in the Amazon are present in the Serra do Divisor National Park, popularly called white-water, black-water, and clear-water rivers. It is the only Full Protection Protected Area in Brazil that contains a branch of the Andes mountain range, including part of its flora and fauna.

There is also an intangible zone, which has a very high similarity with primitive environmental conditions, corresponding to 16% of its total area, aggregating three very different ecosystems and with geological aspects not found elsewhere in Brazil, called the Ramon Formation, composed of Tertiary-aged argillites and limestones and eutrophic soils. Associated with this geological formation is a unique endemic flora and fauna: the plant typologies present have been classified as being of exceptional and very high significance for conservation, since 41% of species classified are of special value for conservation.



Fig. 5: Formosa Waterfall, Serra do Divisor National Park.

Photo: Marcos Vicenti

Recommendations

Given the importance of this National Park for the Brazilian Amazon Rainforest, for the municipalities surrounding it, and for the indigenous peoples who live there, as well as due to the increasing advance of threats against it, it is fundamental that IUCN give it more attention in its activities.

In addition, a communication with those responsible for promoting the enterprise, both at the state level, in the person of the Governor of the State of Acre, and at the federal level, through the presidency of the Brazilian Institute for the Environment and Natural Resources (IBAMA), about the relevance of strengthening the Protected Area for Brazil and for the region, would be imperative.

Still, considering the progress of Bill no. 6024/19 in the House of Representatives, it is also very important to signal to the President of the House of Representatives that the legislative proposal does not serve the Brazilian public interest. It goes against priorities set by the Brazilian government through including the Park in its Tentative List, and against the environmental preservation guidelines that the international community has been defending, and should be rejected.

the WH Convention (1972)², the Budapest Declaration (2002/2007)³ and other Decisions of the World Heritage Committee. On numerous international meetings, representatives of the Maasai have explained to UNESCO, IUCN and other international bodies that the listings of indigenous lands as WHS lead to additional restrictions on the livelihoods of the indigenous residents and further infringe on their rights.



Fig. 3: The Maasai and their cattle have always coexisted with wildlife – they were despised from the word go, and up to now they are not part of the inscription. Photo: The East African

We Maasai repeatedly asked to be heard and understood. In 2008, we met UNESCO and IUCN, explaining the extent of our suffering and submitting a written statement to that effect. Despite this, subsequent mission reports continued to undermine our legal rights and welfare in the NCA. A sign of hope was the international Expert Workshop on *The World Heritage Convention and Indigenous Peoples* held in Copenhagen, Denmark, in 2012, attended by UNESCO and IUCN.⁴ The conference eventually led to the recognition of indigenous peoples in the WH Operational Guidelines, but did not lead to any improvement on the ground.

The role of World Heritage processes in leading to the present eviction

In a press statement of 21.03.2022, UNESCO claims it “has never at any time asked for the displacement of the Maasai people.”⁵ Although acting in good faith, numerous IUCN and ICOMOS experts and UNESCO representatives visiting the NCA on different missions over the decades have formulated recommendations that triggered WH Committee Decisions explicit about the need for the Tanzanian Government to curb the population pressure and the overuse of the site through livestock and human settlements.

The experts visiting the site, with the staff of the NCAA, generally had little knowledge of the intricacies of semi-nomadic pastoralism and the related ecology. The Reactive Monitoring Missions (RMM) were generally shown locations with overuse by cattle, and the negative impact of human settlement, while the negative effects of government policy, corruption and mismanagement were rarely put into perspective⁶. No studies relating to traditional land and livestock management and conservation were conducted, and no relevant consultation held.

Impact of UNESCO/IUCN/ICOMOS and ICCROM recommendations

Mission reports have over many years adopted the claim by the Government of Tanzania that the NCA doesn’t have the capacity to sustain the current population of Maasai people and their cattle. This encouraged the Government to make life so hard for Maasai in the NCA that they would leave the area “voluntarily”. Measures taken included restricting grazing and access to water, reducing social services such as education and health, provision of food aid, prohibiting subsistence agriculture and procuring construction materials.⁷

At the same time, the continuing increase of lodges and campsites drained much-needed water at fragile locations, hampered wildlife corridors and disturbed sensitive ecosystems while sharing benefits of tourism with the Maasai remained at a minimum.



Fig. 4: Lodges inside and outside the NCA in 2018.

Map: Expert Africa

² <https://whc.unesco.org/en/conventiontext/>

³ The fifth Strategic Objective of the Budapest Declaration is “To enhance the role of communities in the implementation of the World Heritage Convention”. <https://whc.unesco.org/en/decisions/5197/>

⁴ <https://whc.unesco.org/en/events/906/>

⁵ See <https://whc.unesco.org/en/news/2419>

⁶ A positive example was the Decision CONF 003 IX which read: “... Nevertheless, the Committee remained concerned that the expansion of agriculture is taking away traditional pastoral lands of Masai who, as a last resort to ensure their own food security, are being forced to clear lands for subsistence agriculture. The NCA is the most profitable of all Tanzanian state enterprises earning approximately US\$ 4.5 million annually, of which the local people received only a marginal share at present. This was stopped with freezing of funding which the pastoral council used to get in 2020.

⁷ For all Mission Reports, State of Conservation Reports, and WH Committee Decisions, see <https://whc.unesco.org/en/list/39/documents/>

These measures have resulted in food insecurity, increasing poverty and social disruption⁸. As early as 2013, the Government admitted that 97% of the Ngorongoro residents are living in abject poverty. In 2017, the National Bureau of Statistics arrived at the relatively same conclusion, albeit with the malicious objective to create a basis for today's situation. In 2019 the Government declared, "Human conditions are deteriorating in Ngorongoro." Illiteracy stands at a staggering 64%, hunger and starvation persist with 70% of us facing hunger.

The prevailing conditions make it increasingly impossible for us Maasai to continue our cultural and spiritual traditions such as visiting our sacred sites for worship, and practicing the *Enkipaata*, *Eunoto* and *Olng'esherr* rites of passage, which were listed as 'Intangible Cultural Heritage in Need of Urgent Safeguarding' under the UNESCO Convention on the Safeguarding of the World's Intangible Heritage.⁹ It is ironic how under one organization two conventions can contradict each other so fundamentally.



Fig. 5: Eunoto initiates striding in lines as they sing. Photo: Kenya Department of Culture

The Current Alarming Situation

In 2019, the NCA Authority (NCAA) reviewed the site's management plan to develop a Multiple Land Use Model (MLUM) proposing that the NCA should grow from the current size of 8,100 km² to 12,404 km² to include Engaresero in Lake Natron, and Loliondo, amongst others (Fig. 7).¹⁰ The communities both within and outside the NCA rejected the MLUM since they were not involved in its development. The NCAA and the Government used this as a pretext to justify their long-held claim that the NCA multiple land-use area was dying, and thus urgent measures were required to rescue the ecosystem. The World Heritage 'List in Danger' was cited as an imminent threat if the population would not be reduced urgently.

⁸ Report of the Fact Finding Mission Conducted in Ngorongoro Conservation Area. By Navaya James Ndaskoi, April 3, 2021. <https://pingosforum.or.tz/wp-content/uploads/2021/05/Ngorongoro-Fact-Finding-Mission-Report.pdf>

⁹ <https://ich.unesco.org/en/USL/enkipaata-eunoto-and-olng-esherr-three-male-rites-of-passage-of-the-maasai-community-01390>

¹⁰ This report is probably the first to publish the loss of 192 km². It is unfathomable that an area, which is also a WHS and protected with fire arms around the clock, can just go without a fight.

Again without consulting the indigenous communities, the following was decided:

- An Executive Order for resettlement has been decreed, and a plan for "voluntary" relocation of all Maasai inhabitants from the NCA to a region called Handeni near Tanga, 600km from their ancestral lands, was published. In this location, app. 400 houses are allegedly being built for the resettlement. In order to get people to relocate "voluntarily", as evidence shows, substantial bribes are offered to community leaders and influential Maasai to set a precedent. Pressure on the community to relocate includes, for example, that all funds for social, health and educational services in the NCA have been stopped and redirected to Handeni. This has led to severe social problems, including missing children and women having miscarriages, as access to healthcare is no longer available.
- The NCAA HQ was shifted to Karatu, outside the NCA. Given that the NCAA also served as the local authority for all matters pertaining to the community, people now have to travel 1-3h by vehicle to the district headquarter nearest to their village for matters such as vehicle permits and other services.
- Maasai employees of the NCAA have been transferred to other parks in Tanzania far away from the NCA and thus their families. Harassment includes working at locations far from home, non-payment of allowances, and exclusion from meetings and information.
- The funds for the relocation scheme, including the bribes for 'voluntary' relocation, are paid through a loan by the World Bank. How is it possible that such loans are not tied to the international standards of human and people's rights?

In addition, the Government of Tanzania is displacing another group of app. 70'000 Maasai from their ancestral homeland north of the NCA. In the Loliondo Game-controlled Area, land has been leased to a trophy hunting company based in the United Arab Emirates. Now, 1,500 km² of this land bordering the Serengeti NP have recently been handed to the NCAA for management, pushing the Maasai out with no grazing land left for their cattle (see Fig. 8). First military action against the people made clear that the Government of Tanzania is ready to go to the extreme by violently attacking its own citizens. Leaving this area means leaving behind all culture and tradition linked to pastoralism forever. Maasai will become internally displaced refugees in their own country, left to poverty and despair.

UN human rights experts, on June 15th 2022 expressed grave concerns "... at Tanzania's plans to displace close to 150,000 Maasai from the Ngorongoro Conservation Area and Loliondo without their free, prior and informed consent, as required under international human rights law and standards. This will cause irreparable harm, and could amount to dispossession, forced eviction and arbitrary displacement prohibited under international law", the UN experts warned today. "It could jeopardize the Maasai's physical and cultural survival in the name of

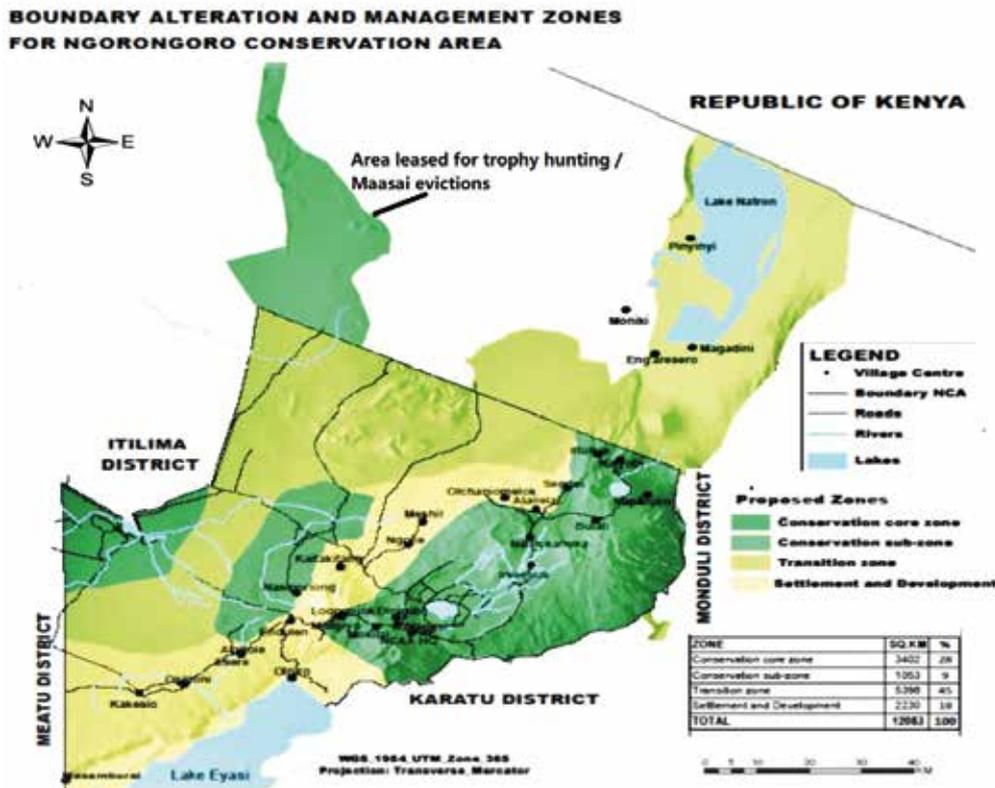


Fig. 7: New zoning of the NCA as proposed by the Multiple Land Use Model. Map: Ministry of Natural Resources and Tourism of the United Republic of Tanzania / WHW

- WHC conduct an assessment with the full and effective participation of the Maasai of Ngorongoro and address damages resulting from decisions and recommendations to the state party to (1) ban subsistence cultivation and (2) restrict access to vital range and water sources resulting into ongoing hunger and starvation in Ngorongoro.

‘nature conservation’, safari tourism and trophy hunting, ignoring the relationship that the Maasai have traditionally had with their lands, territories and resources and their stewardship role in protecting biodiversity.”¹¹

Demands of the Indigenous Peoples of Ngorongoro

We, the Maasai of NCA and Loliondo, demand that the WH Committee (WHC), its advisory bodies ICOMOS and IUCN, and not less the Government of Tanzania, do the following:

- Stop all activities to relocate the Maasai from NCA and Loliondo;
- All international agencies and partners to Tanzania immediately stop funding activities which are not based on free, prior and informed consent of the indigenous peoples;
- Conduct an independent review of human rights abuses in the NCA. The review team should be multidisciplinary to include indigenous peoples of Ngorongoro, civil society and specialized bodies of the United Nations;
- The WHC revoke all its previous decisions relating to the population within the NCA;
- The WHC conduct an Advisory Mission with the full and effective participation of the Maasai in the NCA, thus ensuring that our voices and demands are heard and reflected in the report and its recommendations. This is in line with WHC Decision 44 COM 7B.171.

- WHC conduct an honest and transparent process of dialogue between all stakeholders to find solutions for the conservation of the Serengeti ecosystem, including NCA and Loliondo, while respecting pastoralist traditions.
- WHC refrain from exerting pressure on the State Party to conform to the inscription accorded to the NCA which violates human rights.
- The WHC should address harmful recommendations and concerns it has expressed, including Decision 44 COM 7B.171.
- UNESCO should urgently insist that the State Party and the WHS property authority fully meet their obligations under the Conventions on Intangible Heritage (2003) and on Cultural Diversity (2005) as relating to the Maasai People. We can only practice our culture while in the Ngorongoro Conservation Area.



Fig. 8: Maasai community gathering in Irkeepus discussing relocation plans to Msomera and Kitwai, May 2022. Photo: The Oakland Institute

¹¹ <https://www.ohchr.org/en/press-releases/2022/06/tanzania-un-experts-warn-escalating-violence-amidst-plans-forcibly-evict>

UNESCO Must Step in Quickly to Protect World Heritage Sites from Oil and Gas Pollution in Africa’s Eden

Andy Gheorghiu, Saving Okavango’s Unique Life (SOUL) Alliance



The Kavango Zambezi Transfrontier Conservation Area: Conservation area and peace park

The Kavango Zambezi Transfrontier Conservation Area (KAZA) was not only created to serve as the world’s largest cross-border conservation area but also to serve as a huge peace park between the five countries of Angola, Botswana, Namibia, Zambia and Zimbabwe, who share political differences and a history of trouble.

In times like these, when humanity faces the real existential threat of World War III and global warming (one of the main driving forces of future wars), the vision of KAZA is obviously the only reasonable thing to do in order to avoid wars and a massive loss of unique precious biodiversity.

ReconAfrica’s petroleum drilling plans threaten KAZA and the Okavango Delta

But in a move that can only be described as denying the devastating impacts of global warming and wars fuelled by fossil

fuels, ReconAfrica, a Canadian company, is pushing long-term oil and gas extraction plans within KAZA.¹ ReconAfrica was granted licenses in Namibia and Botswana of approximately 35,000 km² or 8.5 million acres to explore for oil and gas in the Kavango Basin.²

The petroleum agreement provides ReconAfrica with the exclusive right to obtain a 25-year production license (with a possible 10-year renewal). The state-owned company Namcor still holds an interest of 10% in the license but wants to sell 5% of that to ReconAfrica. On the Botswanan side, the company holds the right to enter into a 25-year production licence with a 20-year renewal period.

The company has already done a first round of exploratory drillings and seismic surveys in Namibia and – after announcing a evidence of a working petroleum system in the Kavango Basin³ – has plans for a multi-well drilling program and more seismic surveys in 2022.⁴

Namibia	Botswana
<ul style="list-style-type: none"> • Petroleum Agreement signed 26 January 2015 (amended 2019) • ReconAfrica owns 90% of the Petroleum License 73 (stretches over roughly 25,000 km²) • NAMCOR (Namibia State Oil Company) still owns 10% but wants to sell 5% 	<ul style="list-style-type: none"> • License (001/2020) granted in June 2020 (covers now roughly 9 thousand km²) • ReconBotswana owns 100% • Farmout option (50% participating interest) for Reconnaissance Energy (owned by Craig Steinke, founder of ReconAfrica)
<ul style="list-style-type: none"> • 1st Environmental Clearance Certificate granted on 7th October 2019 • Exploration period until at least January 2023 (can be extended to January 2026) 	<ul style="list-style-type: none"> • an initial 4-year exploration period, with renewals up to an additional 10 years • Exploration period until at least 2024 (can be extended to 2034)
<p>Production phase: at least 25 years (extendable to another 10 years)</p>	<p>Production phase of 25 years (extendable to another 20 years)</p>
<ul style="list-style-type: none"> • 2021: Exploration drilling (two wells) and 450 km seismic survey carried out • 2022: Announcement of 2nd phase „aggressive“ multi-drilling program and more seismic surveys – without additional EIAs/ public consultation 	<ul style="list-style-type: none"> • January 2021: ReconAfrica and Botswana announce, that the Tsodillo Hills area (UNESCO World Heritage Site) will be carved out of the license • 2022: Founder Craig Steinke talks of „establishing relationships with communities and government“

Fig. 1: ReconAfrica’s activities in Namibia and Botswana.

# (map)	Name	Country	UNESCO name	UNESCO status	Affected zones
1	Okavango Delta	Botswana	Okavango Delta	inscribed	wider setting
2	Tsodilo	Botswana	Tsodilo	Inscribed	wider setting
3	Bwabwata NP (Mahango core area)	Namibia	Okavango Delta	Tentative List	buffer zone (likely)
4	Bwabwata NP (Buffalo core area)	Namibia	Okavango Delta	Tentative List	buffer zone (potentially)
5	Nyae Nyae Conservancy	Namibia	Sān Living Cultural Landscape	Tentative List	buffer zone (potentially) or wider setting
6	N#a-Jaqna Conservancy	Namibia	Sān Living Cultural Landscape	Tentative List	
6a	N#a-Jaqna Conservancy	Namibia	Sān Living Cultural Landscape	Tentative List	
7	Mkata Community Forests	Namibia	Sān Living Cultural Landscape	Tentative List	

Fig. 2: World Heritage – related areas in the vicinity of the ReconAfrica concession.

ReconAfrica’s permit area in northeastern Namibia and north-western Botswana falls wholly within the boundaries of the Kavango Zambesi (KAZA) Trans Frontier Conservation Area. In Namibia the permit concession includes areas on Namibia’s UNESCO Tentative List for future World Heritage inscription – including the Okavango River as well as two cultural sites sacred to San indigenous communities.⁵

The eastern boundary of ReconAfrica’s permit area in northwestern Botswana runs along the Okavango Delta UNESCO World Heritage site, Ramsar site and Key Biodiversity Area. It is one of the few remaining areas in the world of pristine fauna and flora, a significant source of clean water as well as a vital watershed for thousands of people. There is an urgent need to protect these areas and sites!

Shale development, fracking plans and illegal activities

ReconAfrica has constantly and repeatedly highlighted that their main target are possible shale resources in the Kavango basin. Any so-called conventional resources (those exploitable by drilling) will be merely a by-catch.

There are numerous proven risks and impacts related to the development of fracking projects, such as industrialization of former rural areas, heavy freshwater consumption, water and soil contamination, public health impacts and a significant contribution to global warming.⁶

However, with growing public opposition, the company now denounces the idea that fracking will play a role in the extraction of the targeted fossil fuels. Even without fracking, it is clear that a step-by-step industrialisation of an almost untouched landscape will be the consequence of oil and gas exploitation in the licensed areas. This process will require a huge amount of fresh water in a vast water-deficient region – with long-term impacts for the Cubango-Okavango River Basin and eventually the World Heritage Site.

A SOUL petition launched a series of hearings in September and October 2021. They revealed that ReconAfrica

1. openly promoted shale oil/gas development (fracking) in the Kavango Basin before opposition arose after their plans became public knowledge⁷;
2. operated with unlined pits in contravention of good practice, therefore directly risking contamination of soil and groundwater⁸,
3. drilled illegally without the required water permits⁹;
4. refused to give ministry officials access to one of its drilling sites¹⁰; and
5. seized land without proper land leases (leading to one court case)¹¹; and

Aerial photographs from September 2021, also show that ReconAfrica has bulldozed land for a test oil well inside the Kapinga Kamwalye Conservancy, a protected wildlife area in northeastern Namibia, without proper permissions. Local leaders were even said to have been offered jobs in return for their silence¹²

The only sources of water upon which communities can depend in the area are ground water and the Kavango/Okavango River and its tributaries. The Okavango river is the sole inflow into the Okavango Delta, with its delicate ecological balance of inflow of water, evaporation and biodiversity. This unique hydrological regime is one of the key reasons for its World Heritage designation and Outstanding Universal Value. Any impact on the quantity and quality of water flowing into the Delta will have severe and significant negative social and environmental impacts, and will violate the World Heritage Convention, to which both Namibia and Botswana are signatories.

The fact that the proposed oil and gas development over the envisaged lifetime of at least 25 years in the licensed area risks having a huge and irreparable detrimental impact on the conser-

vation focus of KAZA, as well as protected and future world heritage sites - such as the Okavango Delta – demands that UNESCO further engages now with all relevant governments on the issue. The cumulative impacts must be assessed before the company announces that it intends to enter the production phase. With several dam projects planned in Angola and expected to have an influence on the water quantity for the Okavango Delta¹³, the question of how a water thirsty oil and gas industry will impact this unique heritage site over the production period of several decades becomes even more important.

Strategic Environmental Assessment and Moratorium on current Exploration Phase

To truly assess the cumulative impacts of ReconAfrica’s plans in the Okavango basin, a transboundary Strategic Environmental Assessment is required and must be rapidly conducted. The need for such an assessment is also amplified by the fact that – most likely influenced by the development in Namibia and Botswana – Angola revoked an existing oil and gas drilling ban in the Kavango Basin.¹⁴

In July 2021, UNESCO adopted the following decision during the extended 44th session of the World Heritage Committee¹⁵:

“... Expresses concern about the granting of oil exploration licenses in environmentally sensitive areas within the Okavango river basin in northwestern Botswana and northeastern Namibia that could result in potential negative impact on the property in case of spills or pollution;

Urges the States Parties of Botswana and Namibia to ensure that potential further steps to develop the oil project, which include the use of new exploration techniques, are subject to rigorous and critical prior review, including through Environmental Impact Assessment (EIA) that corresponds to international standards, including an assessment of social impacts and a review of potential impacts on the World Heritage property

Requests furthermore the State Party to submit to the World Heritage Centre, by 1 February 2022, 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 45th session.”

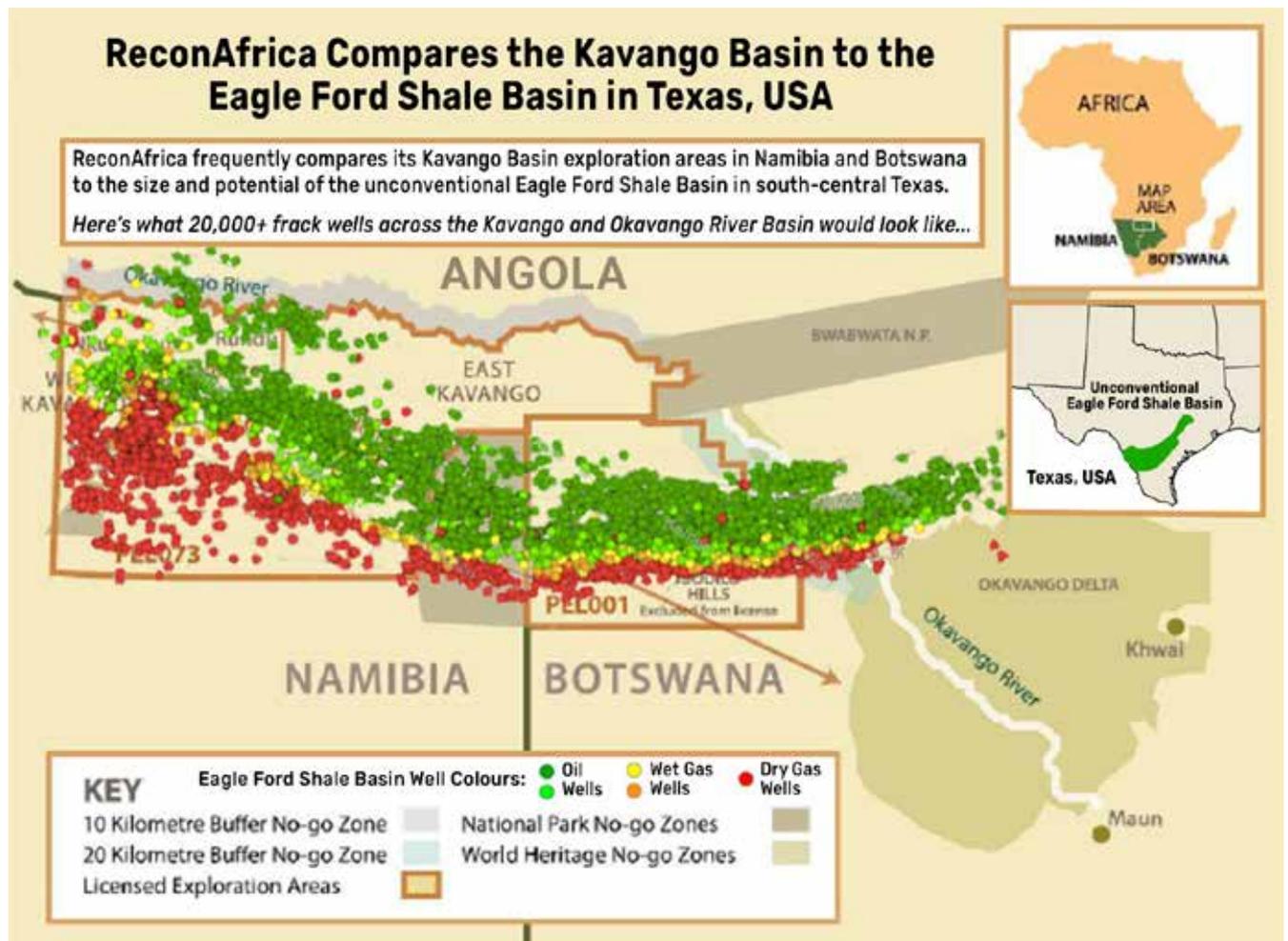


Fig. 3: Scenario of oil and gas development (wells) based on actual development of the Permian basin in the USA. ReconAfrica constantly compares the Kavango basin to the Permian basin in terms of its possible hydrocarbons potential). Graphic: Courtesy of SOUL. Map: Matt Totten

The urgent need for action to protect the Okavango from oil and gas exploitation was also expressed during the World Congress of the International Union for Conservation of Nature (IUCN) that took place in September 2021 in Marseille. Motion 136¹⁶ points to the human and indigenous rights aspects of the case, raises the climate change urgency and refers to UNESCO's request calling on Namibian and Botswana to conduct a proper EIA "prior to any further exploration and any future development of oil and gas resources and other extractive activities in and/or affecting the Okavango River basin and its people."

In the February 2022 State of Conservation Report, the Government of Botswana acknowledged the concerns raised by the World Heritage Committee and promised that a "rigorous and critical Environmental Impact Assessment is a prerequisite to any intrusive development in the area." Botswana also pledged to monitor prospecting and mining activities within the Okavango River Basin and „to continue the engagement of Angola and Namibia on the management of the shared waters of the Cubango-Okavango River Basin."

However, ReconAfrica and Namibia are apparently willing to move forward without an actually required robust transboundary Strategic Environmental Assessment that critically looks at the cumulative impacts. In May 2022, the company informed by public notice that it wants to amend conditions related to the approved drilling program and soon start drilling additional multiple wells. ReconAfrica intends to start the next phase of their explorational programme as early as June 2022. This doesn't look as if a transboundary "rigorous and critical Environmental Impact Assessment" will actually take place prior to any further drilling.

UNESCO must now inform Botswana to step in and it must urge both member states that all World Heritage sites and those on its Tentative List be excluded from any prospecting and exploration of fossil fuels. Too much is at stake for time to be wasted.

In the meantime, local opposition about the negative impacts of ReconAfrica's activities grows and the resistance will continue. Namibians won't stop fighting the devastating ReconAfrica's oil and gas plans which threaten one of the world's most unique heritage site. The question is, if UNESCO is willing to do the same.



Fig. 4: Young demonstrators took to the streets of Windhoek, Namibia for an Earth Day protest, April 2022.

Photo: Liz Frank / Women's Leadership Centre

Notes

- 1 <https://e360.yale.edu/features/a-big-oil-project-in-africa-threatens-the-fragile-okavango-region>
<https://www.nationalgeographic.com/animals/article/oil-gas-test-drilling-begins-namibia-okavango-region>
<https://www.nationalgeographic.com/animals/article/oil-drilling-fracking-planned-okavango-wilderness>
- 2 <https://reconafrika.com/>
- 3 <https://www.newswire.ca/news-releases/reconafrika-s-first-of-three-wells-confirms-a-working-petroleum-system-in-the-kavango-basin-namibia-865139500.html>
- 4 <https://reconafrika.com/wp-content/uploads/ReconAfrica-Investor-Presentation.pdf>
- 5 <https://whc.unesco.org/en/tentativelists/6096/>
- 6 Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extraction). Available at: <http://concernedhealthny.org/>. Sixth edition (December 2020): <https://concernedhealthny.org/>
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- 8 <https://savetheokavango.com/wp-content/uploads/2021/05/DRILLING-MUD.pdf>
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Hoh Xil Nature Reserve in Need of a Rigorous Review After its Controversial Inscription in 2017

International Campaign for Tibet



The Hoh Xil (Tibetan: Achen Gangyap) nature reserve has not been reviewed since its controversial UNESCO inscription as a natural world heritage site in 2017, when China incorrectly claimed the area to be ‘no-man’s land’, despite being used by Tibetan nomads.

After five years of silence, there remain serious concerns related to the relocation of local residents and the management of infrastructure projects, tourism and climate change. A rigorous review of the management of the site is needed, as intensified surveillance and censorship of even environmental information from Tibet has made it increasingly difficult to monitor the situation on the ground.

Under the new dates set for the Third Cycle of Periodic Reporting, China is not due to submit a periodic review of Hoh Xil (and other heritage sites in China) until 2024.¹ Without new and pressing information to warrant a reactive monitoring mission and a detailed State of Conservation Report, we urge UNESCO officers and IUCN advisers to consider in its periodic review of the site:

1. the important role Hoh Xil plays as a model project in China’s broader national park and Tibet policy,
2. IUCN’s 2020 Conservation Outlook Assessment, and
3. specific recommendations to include the cultural and spiritual values of the Tibetan people in the management of the area.

Hoh Xil is representative of a network of new nature reserves and national parks across China, which form a critical part of China’s “eco-civilization project”. Given the significance of this nature reserve as a model for environmental conservation, it is important that the UNESCO heritage status is not used to legitimate environmental policies that expropriate land from local communities, intensify population control and surveillance measures, and eradicate local cultures for political and economic ends.

China has already used UNESCO’s heritage status to promote its model of environmental authoritarianism. Following Hoh Xil’s 2017 inscription in the world heritage list, the Chinese Foreign Ministry announced that the new heritage status represented the international community’s “full approval” of the

government’s success at protecting Hoh Xil’s environment.² This is dangerous, as China’s model of environmental authoritarianism lacks participatory governance. It imposes uniformity over diversity and entraps individuals into accepting decisions made by others, with little space for participation in policy-making.³ This authoritarian approach to governance, which is being employed in environmental and conservation management should not be normalized by UNESCO.



Fig. 1: Tibetan antelope in Hoh Xil Nature Reserve.

Photo: Global Times, 4.9.2020, ‘Unauthorized entry to Hoh banned for safety and ecological concerns’.

Hoh Xil

Hoh Xil Nature Reserve, located in Yushu County, Qinghai Province, is a historically and culturally Tibetan region about the size of Switzerland. The site was recognized as a natural heritage site due its exceptional natural beauty and level of endemism. More than one third of the plant species, and all the plant-eating mammals in Hoh Xil are only found on the plateau, and nowhere else in the world.⁴ Some of the unique animals include the Tibetan antelope, wild yak, Tibetan wild ass, and Tibetan gazelle. Forty per cent of the world’s Tibetan antelope and up to 50% of the world’s wild yak depend on the property. The site also conserves the habitats and natural processes of the complete life cycle of the Tibetan antelope.

The Hoh Xil nature reserve is notably sandwiched between two larger and more well-known protected areas: the Changtang Nature Reserve and Sanjiangyuan (Three Rivers Source) National Park. The UNESCO protected site notably extends to include a small western component of the Sanjiangyuan National Park, so that the entirety of the Tibetan antelopes’ migration

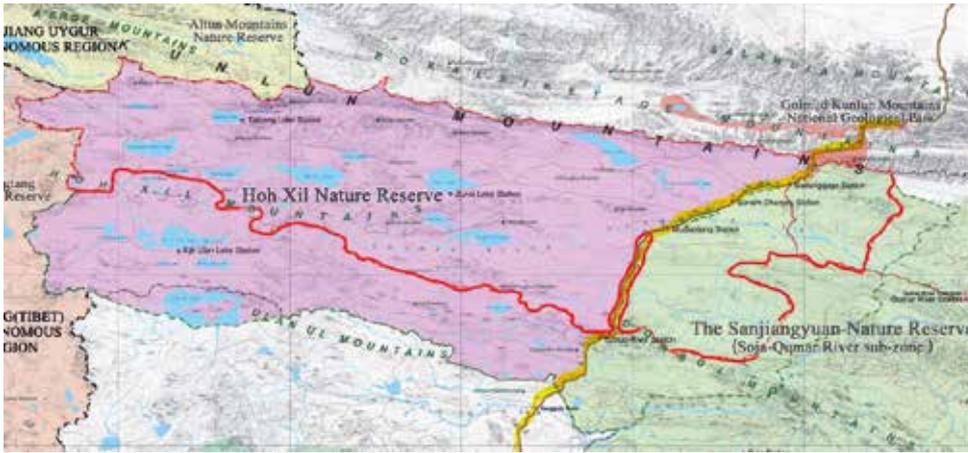


Fig. 2: Hoh Xil Nature reserve and neighbouring protected areas. Map: UNESCO Hoh Xil, 2017, Figure 1.e-4: The nominated property in relation to neighboring protected areas', page 4

and calving activities can be captured. Despite this attempt to achieve coherence within the site, the migration path of the Tibetan antelope is directly cut through by the Qinghai-Tibet railway and highway. The UNESCO buffer zone boundaries are curiously set around sections of the Qinghai-Tibet transport corridor within the property, as is highlighted in red line in Fig. 2.

Hoh Xil's role as a 'conservation model' in China's national parks system

In 2017 China announced plans to establish a new national park system managed by the state. The plan created a network of 10 new pilot national parks across the country covering 222,900 sq km, about the size of Great Britain.⁵ Although Hoh Xil is not featured in the pilot program, the neighboring Sanjiangyuan Nature Reserve is.⁶ The conservation practices employed in Hoh Xil and indirectly 'approved' by UNESCO will become the standard for conservation management in other national parks. For example, the IUCN 2020 World Heritage Assessment of Hoh Xil lamented "the little evidence of local community involvement in the formation of the management plan", adding "what involvement there was deemed 'limited and unstructured'."⁷ How UNESCO reviews the management of Hoh Xil is important, as we know of no other mechanism in China, and in particular Tibet, where civil society can meaningfully contribute to and participate in the decision-making process of conservation management.

The 'Third Pole National Park'

On the Tibetan Plateau, a series of protected areas have also been established. While these areas have not been central-

ized under the national government, there appear to be plans to create a so-called 'Third Pole National Park' made up of initially five national parks that will turn Tibet into a protected site for conservation and tourism. The new national parks are set to be located in the Qomolangma (Mount Everest) area, the Bome and Medog counties where the Yarlung Tsangpo begins its descent into India, the Zanda Earth Forest (Ngari Prefecture), the Changtang Plateau, and Serling Tso (Tibet's largest lake).⁸

Currently, the protected areas inside Tibet cover at least one third of the Tibetan Plateau and include the Qilian Mountains National Park, Giant Panda National Park, Changtang Nature Reserve, Hoh Xil Nature Reserve, Sanjiangyuan National Park, Kailash Sacred Landscape, Tsaidam basin, and the Three Parallel Rivers. Some of these protected areas are illustrated in figure 3.

Threats to the natural heritage site

At the outset of Hoh Xil's inscription, the International Union for the Conservation of Nature (IUCN) identified climate

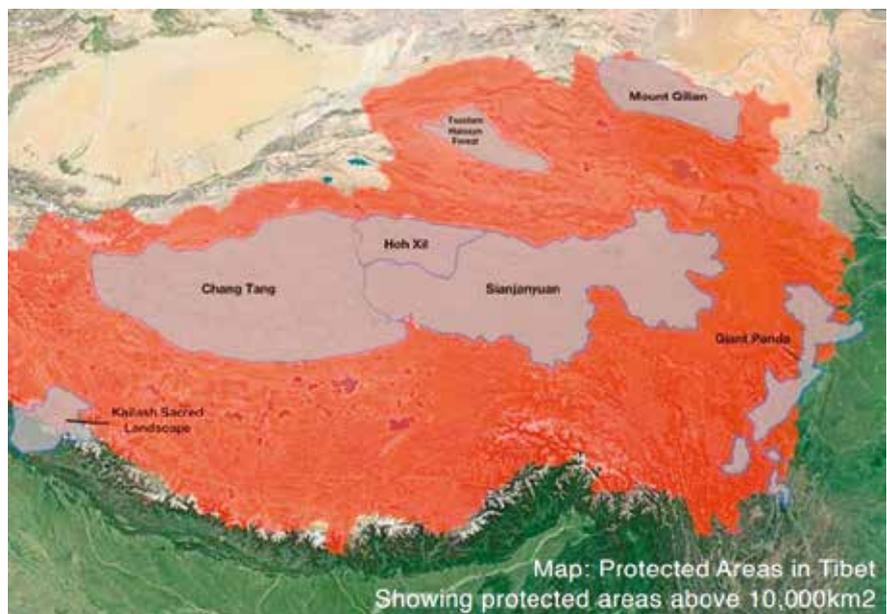


Fig. 3: Protected areas on the Tibetan plateau. Map: Australia Tibet Council, June 2019, 'An iron fist in a green glove: emptying pastoral Tibet with China's National Parks'.

change, infrastructure and tourism, fencing and pest control as threats to the heritage site.⁹ The advisory group's most recent 2020 Conservation Outlook Assessment of the site found the threats remain and their cumulative effects now pose a high threat to the site's universal value.¹⁰

In its assessment of current high-level threats, the IUCN evaluation identified fencing, the poisoning of Pika species, and the habitat-altering effects of climate change. It concluded "... the cumulative and interactive effects of current threats, such as climate change and linear infrastructure development including fencing, the Qinghai-Tibet high- and railway, are increasingly impacting the movements of ungulates and birds, and activities linked to poorly managed agriculture could impact the aesthetic, ecosystem and biodiversity values of the property."¹¹ The evaluation added, potential threats, such as "climate change, unsustainable tourist development and high voltage overhead powerlines" are also present.

Climate change is in particular altering the habitat with rising average temperatures and precipitation causing new rivers, lakes and marshlands. Such changes to the ecosystem are affecting wildlife by blocking migration routes and calving sites, and creating new forms of dust and salt pollution.

From the list of threats, the majority are government made and can be mitigated with new policies that adapt to the local environment and consider the livelihood needs and religious practices of local residents. For example, research has shown that fencing is harmful to grassland health and runs counter to traditional communal grazing practices. Given fencing restricts migration pathways and can injure local wildlife, the policy enforcing fencing could be adjusted. Furthermore, pest control practices, such as poisoning Pika have also been proven to be misguided, as Pika do not cause grassland degradation and are in fact keystone species providing critical ecological services in the alpine meadow ecosystem.

Other threats such as infrastructure development and expanded tourism through the migration route of the Tibetan antelope can also be mitigated by limiting traffic on the Qinghai-Tibet railway and highway corridor, or by considering alternative routes. As noted by the IUCN experts, the highway severely affects the migration route of the Tibetan antelope to and from the calving grounds, and has greater impacts than previously thought.¹²

Tourism and infrastructure development

There is legitimate concern that tourism and therefore traffic through the nature reserve will increase. The IUCN experts have already reported an increase in highway traffic due to major infrastructure developments in Qinghai.¹³ Commentators, such as Gabrielle Lafitte, have suggested that Hoh Xil may have been nominated for World heritage status before other more established parks, as it could more easily attract tourism with its active transport networks. Such a strategy is certainly consistent with other local governments who have adopted titles such as 'national park' and 'nature reserve' to expand their tourism sector. However, as highlighted by anthropologist Emily Yeh, these initiatives have unfortunately prioritized high-volume tourism

and lagged on active conservation management and resident inclusion.¹⁴

China's use of tourism to commodify Tibetan culture and marginalize Tibetans in their own land is not new. Such strategies have been successfully employed in the Old Town of Lhasa, where the UNESCO inscribed Historical Ensemble of the Potala Palace has been modernized and made to appear more Chinese in style to serve political and economic interests. The lack of local Tibetan consultation and active participation has resulted in a loss of the cultural and universal value of the site. This trend to use UNESCO's international brand to expand tourism in Tibet is likely to continue, as China currently has 60 sites on the tentative list of heritage sites, of which four are located in Tibet: 1) Diaolou Buildings and Villages for Tibetan and Qiang Ethnic Groups, 2) Qinghai Lake, 3) Scenic and historic area of Sacred Mountains and Lakes (Ngari Prefecture, TAR), and 4) Yalong Tibet.¹⁵

Relocation

Following concerns raised by civil society groups at the inscription of the Hoh Xil site, the Chinese state made assurances that "The Chinese government has not, is not and will not in the future do any forced evictions in the Hoh Xil nominated area".¹⁶ However such assurances cannot be readily accepted, given evidence suggesting resettlement is the established practice in national parks across the Tibetan region, including the Changtang nature reserve¹⁷, Sanjiangyuan national park, Qilian Mountains National Park, and Giant Panda National Park¹⁸. For example, when asked about nomad relocation in Sanjiangyuan, the administration bureau of the Sangjiangyuan National Park told Reuters, "In principle, there is no large-scale relocation of nomads[...]. We respect the will of the herders and guide them to relocate voluntarily."¹⁹ However once nomads leave, they cannot return to the core zones where human activity is restricted and livestock herding is banned.²⁰

In the Hoh Xil site, pastoralists are gradually coerced to relocate from their grazing lands by restricting their livelihood activities. For example, in 2018, in response to an inquiry by the UN human rights experts about new rules on illegal trespassers in Hoh Xil, the Chinese government reported that it implements policies such as 'converting pastures to grassland' in the buffer zone.²¹ This policy enforces grazing bans seasonally or for ten years and encourages pastoralists to sell their livestock. The former UN Special Rapporteur on Food, Olivier De Schutter, condemned the policy on his country visit to China in 2010, arguing herders should not "be put in a situation where they have no other options than to sell their herd and resettle."²²

It is important to recognize that relocating herders or eliminating traditional livelihood practices such as grazing inextricably alters the dynamic relationship between humans and their environment.

Given China's original nomination reported 156 herders lived within the core zone and 985 herders and 250 other residents lived in the buffer zone, these residents should be accounted for. It should be taken into consideration that the actual number of herders may differ from the reported figure, and could be higher.

Recommendations

As acknowledged by IUCN in its original 2017 Advisory Report, for many in the local population, "Hoh Xil represents the birthplace of ancestors, and for the Tibetan population this plain represents a legendary hunting ground." As such, the "cultural and spiritual values of the area should be recognized and included in the planning management strategies for the nominated property, noting the intimate linkage they have with the nature conservation values that are the basis for the nomination".²³

Furthermore, as the IUCN 2020 heritage assessment of Hoh Xil identified little evidence of local community involvement in the formation of the management plan, we recommend the following:

1. Review management of site through a state of conservation report. The state of the conservation report should review:

- The renewed 2020 management plan
- A climate change monitoring and management plan
- A tourism and traffic management plan
- These plans should include:
 - A description of how local conservation practices account for environmental, livelihood and religious needs of the local community.
 - A description of how local residents are included in the management of the site and in the renewed 2020 management plan, including in:
 - Monitoring the effects of climate change and co-designing climate responses.
 - Managing the tangible and intangible cultural attributes of the site, such as sacred sites, traditional husbandry methods, local history and folk tales, and other intangible values embedded in the land through social practices.
 - An assessment of instruments for legal remedies offering affected communities, Tibetan nomads and herders, meaningful avenues to protect their rights with regard to measures undertaken by the authorities.

2. Do not extend the protected property boundaries to include neighbouring reserves until a standard of practice for working with local residents on managing the tangible and intangible values of the site is established and reviewed.

Endnotes

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- 2 The Wire, 13 July 2017, 'Will Not Forcibly Relocate Residents From Tibet Area Declared UNESCO Heritage Site: China', <https://thewire.in/external-affairs/china-tibet-unesco-hoh-xil>.
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- 4 IUCN World Heritage Outlook, 1 December 2020, 'Qinghai Hoh Xil – 2020 Conservation Outlook Assessment', <https://worldheritageoutlook.iucn.org/explore-sites/wdpaid/555624859>.
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- 6 The pilot national park system: Sanjiangyuan (Three-River-Source) National Park, Northeast China Tiger and Leopard National Park, Giant Panda National Park, Qilian Mountain National Park, Hainan Tropical Rainforest National Park, Wuyishan National Park, Shennongjia National Park, Pudacuo National Park, Qianjiangyuan National Park, and Nashan National Park.
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Proposed Dams Threaten Lepcha Rights and Values associated with Khangchendzonga National Park



Gyatso Lepcha, Affected Citizens of Teesta



Fig. 1: Location of Sikkim (in red) in India.

Map: Gyatso Lepcha

The “Affected Citizens of Teesta”, a small community-led organisation, has been fighting against the unmindful construction of dams over the Teesta river in the little Himalayan State of Sikkim, in India. We have been raising concerns about the ecology of our sacred river, indigenous rights over natural resources, and our sacred landscape of Mt. Khangchendzonga¹ for the past 18 years.

The State of Sikkim covers an area of only about 7,069 km², but in this small territory one finds seven of the world’s highest mountains, more than 300 rivers, 100 glaciers and 200 lakes. The area includes subtropical, alpine, and mid-subtropical forests. This is how rich and diverse this land is. We, the indigenous Lepcha community, have been fighting for the protection of the river, the forest, the land, and the sacred mountain for a long time. Mt Khangchendzonga is considered by us to be our guardian deity and at the origin of our clans. The region

of Dzongu has been protected for the indigenous Lepcha people from the time of our King who ruled over Sikkim when it was still an independent kingdom. Before Sikkim became a part of India in 1975, the King protected this region because he thought that Lepcha were vulnerable and in need of protection.

However the controversial NHPC Stage IV project for a 520 MW dam has now been proposed in the indigenous Lepcha reserve. The Panan and Stage IV hydro power projects have been proposed to be constructed over the Rongyoung and Teesta rivers which flow through the region of Dzongu.² These two projects are located in the transition zone of the Khangchendzonga National Park (KNP), and there are villages in this region that lie in the buffer zone of the National Park.



Fig. 2: The two sacred rivers of the Lepcha: the Teesta river on the left and the Rongyoung river to the right, with one of the five peaks of Mt. Khangchendzonga in the background.

Photo: Gyatso Lepcha

The KNP was the first site in India inscribed as a mixed World Heritage Site. However the inscription seems to have evoked mixed reactions amongst local communities, as it has completely ignored the indigenous values associated with the sacred landscape and the cultural practices of local communities. The Nomination Dossier considers it just a landscape as if it

¹ The Khangchendzonga National Park (KNP) was inscribed on the UNESCO World Heritage list as a mixed site which recognises both its natural and associative cultural values on July 17, 2016.

² During the past decade, our region has been faced with an onslaught of destructive development as the Sikkim State Government has proposed and attempted to execute a series of 27 dams over the river Teesta in order to harness the hydro-power potential of the river and its tributaries (see Fig. 10).

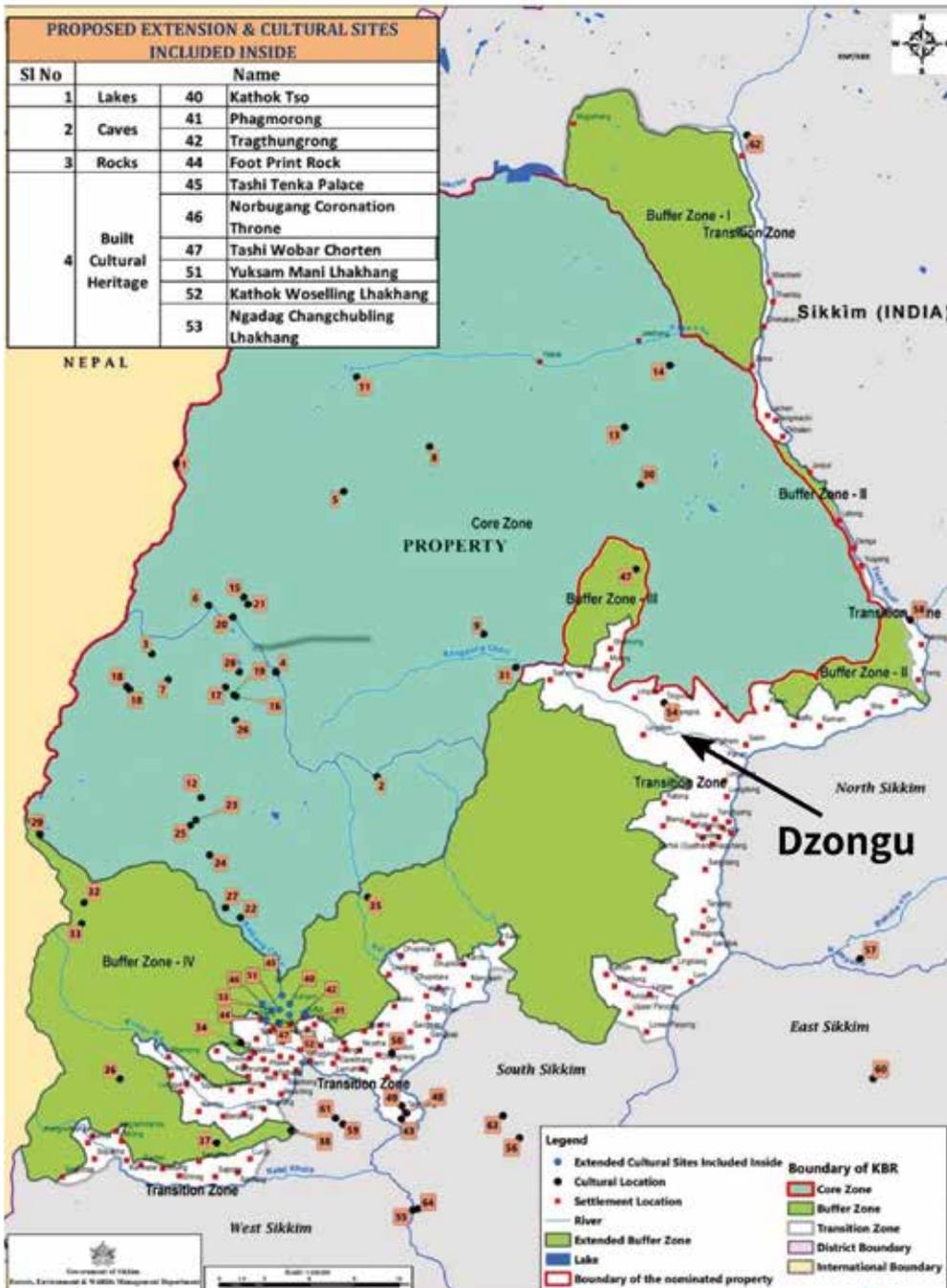


Fig. 3: The Khangchendzonga National Park with its Buffer and Transition Zones. The Kanchenjunga Biosphere Reserve (KBR) was designated in the year 2000. Its core Zone coincides with the boundary of the National Park having an area of 1,784 km². An additional area of 825.92 km² constitutes its buffer zone. The transition zone forms the outermost zone of the biosphere reserve, and includes areas with settlements, agriculture, managed forests and other uses. The buffer and transition zones of the Biosphere Reserve coincide with those of the World Heritage Site. Map: Government of Sikkim

We, the indigenous Lepcha people, do not have concepts such as hell and heaven. Each of our clans has a sacred cave, just beneath this sacred summit, where the souls of our ancestors rest, and it is believed that when we die our souls will also rest in these sacred caves. This is so much more than a mountain and rivers for us.

Coming back to the rivers and dams, the Panan hydro power project and Stage IV hydro power project proposed in this sacred region will take away our right to practice our way of life and our right to religion, which is granted by the Indian Constitution as a fundamental right. According to our

were some images on Google: the practices and values that the Lepcha attribute to the landscape, to the Khangchendzonga, to the mountain range, to the lakes, the glaciers have been overlooked. The unmindful construction of dams on sacred rivers in this region completely contradicts the very idea of the mixed category under which the KNP was inscribed and recognised by UNESCO as a World Heritage Site.

From any of the scattered indigenous villages in the Dzongu region, there is always a view of Mt Khangchendzonga which is the highest peak and is located right above the Lepcha reserve. The two rivers, the Teesta and the Rongyoung, originate from the molten snow of this mountain.

beliefs, I may die in Germany, but my soul has to go back to Dzongu. Our shaman will call my soul to Dzongu and take it to the sacred cave where my ancestors' souls are resting. During this time, the rivers Rongyoung and Teesta will be the paths to the sacred caves. This is our belief and this is what we have been told from generation to generation. But just a few kilometres downstream, our rivers, our land, our sacred caves, our forests, our people are threatened by the construction of these two dams. This is in contradiction to the very idea of a sacred landscape within the KNP.

For us, the river is not simply a resource or water flowing downstream. It is something we believe to be the ultimate route to the final destination when we leave this life. The sacred riv-



Fig. 4: Mt. Khangchendzonga, the "Mountain of the Five Treasures" with its five peaks, is the third-highest mountain in the world. Photo: Gyatso Lepcha

ers are therefore very much a part of the Khangchendzonga sacred landscape. However, while the nomination dossier for the World Heritage Site mentions various sacred sites such as the lakes, mountains, peaks, glaciers, they have ignored the sacred rivers, which originate in the mountain ranges. We now understand why they have ignored and overlooked the rivers. It is because there were hydro-dams and other developmental activities in the pipeline even during the making of the nomination dossier.



Fig. 5: A sacred lake high up in the Khangchendzonga massif. Photo: Gyatso Lepcha

It is completely hypocritical on the part of the Government of Sikkim that they are talking about the sacred landscape of the Khangchendzonga but not about the indigenous people, their practices, myths, rituals, values and beliefs regarding the mountains and rivers, which are very much a part of the sacred landscape. The river is an integral part of our life and culture. From birth to death, everything for us is in the river, as it connects everyone from the mountains all the way down to the sea or the ocean. It is like a vein that connects us. Hence the unmindful construction of dams will not only kill the ecology, but the very meaning of life and our existence as a human society.

During the monsoon rains and flash-floods, Himalayan rivers carry biomass from the mountains to downstream regions

where it gets accumulated. If this biomass remains in the reservoirs for longer durations, it will decompose and produce methane gas, the world's most efficient contributor to global warming. The dams are thus contributing significantly to global warming and climate change.

A dam in the Himalayas, in our mountains, is also completely different from those that are built in the western world. Here they are constructing run-of-the-river dams by tunnelling through these fragile young mountains. They are building approximately 50 km of tunnels inside the mountains in the region, and the rivers will be diverted to flow inside these tun-



Fig. 6: A shaman performing a ceremony at the Rongyoung river. Photo: Gyatso Lepcha

nels. That is the ecological disaster the dam will bring. It may not be that obvious how the indigenous people, their way of life, their culture, their land, their beliefs, are going to be affected, but the impacts on the ecosystems are clear.

A dam is not just a single concrete structure being constructed on the river, at least in our mountains. Once they build the dam, they also need to construct a power station to gener-



Fig. 7: Biomass accumulating behind a dam on the Teesta river. Photo: Gyatso Lepcha

ate electricity. The electricity that will be generated is not just for a tiny Himalayan State like ours, but it has to travel all the way to large cities like Delhi, Mumbai and Kolkata. For this they will need to construct massive supplementary structures like high-voltage transmission lines.

Just outside the region of Dzongu on the NHPC Stage V hydro power project site, a circuit failure because of a high-voltage transmission line resulted in a forest fire. This was about a year ago, and there is no accountability or record of how much wildlife was destroyed as a result of this fire. The affected area lies within the transition zone of the KNP.



Fig. 8: A high-voltage transmission line igniting a forest fire. Photo: Gyatso Lepcha

In Fig. 9 we can still see a free-flowing river, and thirteen villages with diverse topography, altitude, livelihood and agriculture. These are all going to be destroyed, completely wiped away due to these destructive projects. They lie within the transition zone of KNP, and some of them even lie within the buffer zone. So again, it is not just about one dam, there are so many things here that are at stake.

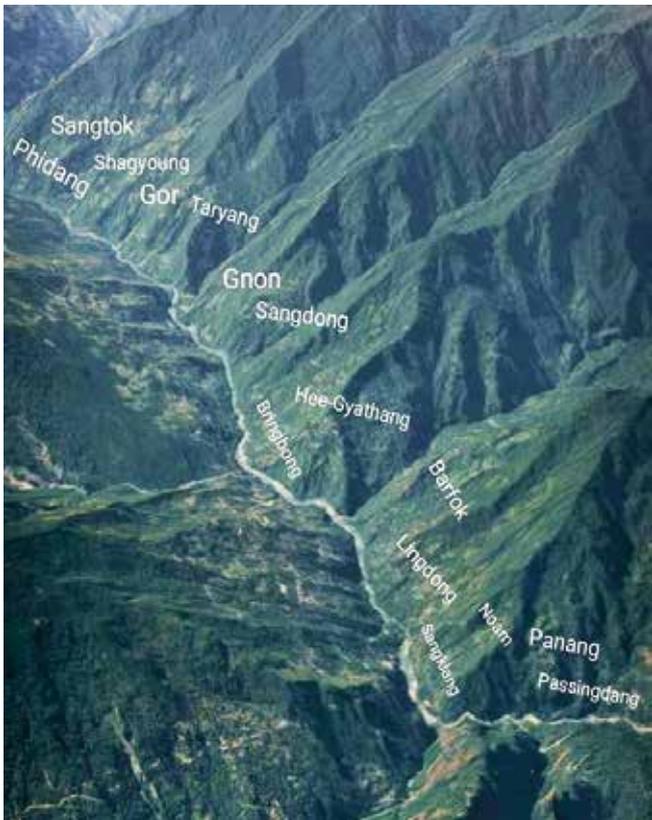


Fig. 9: Villages affected by the plans for the Stage IV hydro-electric dam. Map: Gyatso Lepcha

In the State of Sikkim about 60% of the land is un-inhabited because of the steep terrain. We are left with around 40% of usable land, and the reservoirs will inundate most of it. Originally seven large dams that have been proposed within the indigenous Lepcha reserve of Dzongu.

The Lepcha people protested against these projects by going on a hunger strike which lasted for 915 days. The NHPC cancelled the 4 big dam projects inside the KNP but two dam projects, the Stage IV and the Panan project, are still in the pipeline. At present the Panan project is at a very advanced stage but has been stopped for the last 14 years, because the Government overlooked the feasibility of the project as well as impacts such as landslides, earthquakes, etc. The Stage IV project has been notified, and preliminary work has already begun. We have only one major river. If these dams are constructed the rich ecology and biodiversity of the region along with the Lepcha people and their unique culture will be completely wiped out.

Because this river flows through the land of the indigenous Lepcha people, the Dzongu region, we have been fighting for more than two decades and been able to resist them until now. However the State Government of Sikkim and the Government of India are still adamant and want to go ahead with the Stage IV project. It is shocking that the proposed hydro power projects fall within the buffer and transition zones of the World Heritage site.

So we are fighting for our community, but we are also fighting for this World Heritage Site and for every living being associated with this beautiful free-flowing gushing river and the forests and ecosystems that it creates and sustains. It is high time to raise a concern about it. This can no longer be the struggle of the Lepcha people of Dzongu alone, it has to be shared by everyone of us. Eventually, it is a struggle for the river, for the ecology of the region, and for Khangchendzonga National Park and World Heritage Site.

For the Government of India and Sikkim the World Heritage Site is just a brand, but we, the indigenous people, are really suffering. It may seem as though it is our issue, and yes, it is our issue, because it is so related to us, our culture, belief, faith; but eventually it is also about the Himalayas, the rich ecology and diversity of the region and the rivers.

In India, a crow-flying distance of 10 km from any National Park is regarded as an Eco-Sensitive Zone (ESZ), but the Government of Sikkim has proposed to bring down the extent of the eco-sensitive zone from 10 km to only 25 m. So, in 7,069 km² of land comprising high peaks, steep mountains and valleys, how is it possible to conserve and preserve the ecology of the National Park, with the ESZ reduced from 10 km to a mere 25 m? There is currently a petition in the Supreme Court of India challenging the proposal by the State Government of Sikkim to bring down the ESZ from 10 km to 25 m.

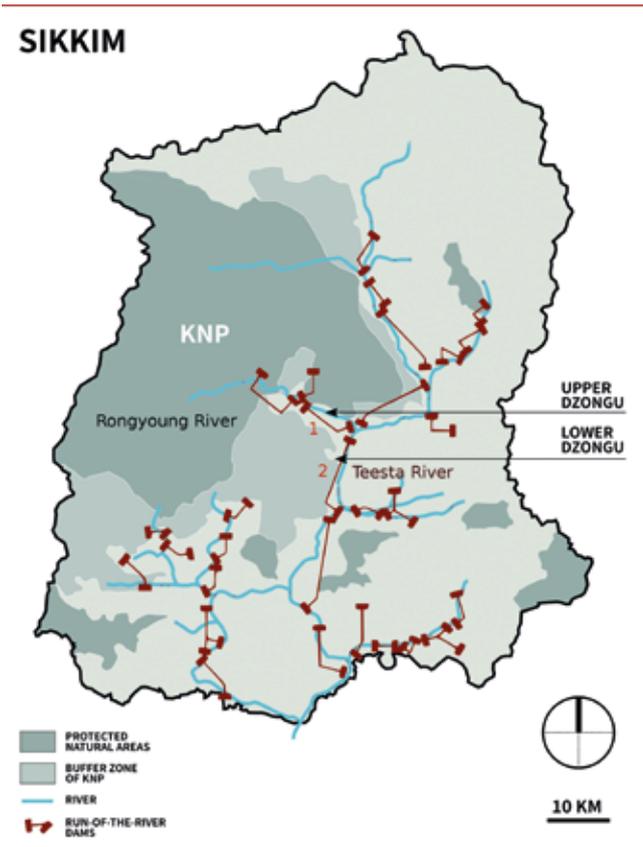


Fig. 10: A series of run-of-the-river dams proposed along the river Teesta and its tributaries.

Map: Tseten Lepcha, Gyatso Lepcha, Shweta Wagh

The boundaries of the inscribed site were earlier contested by local communities in Dzongu. The site was originally included in the tentative list as a ‘natural site’. This encountered opposition from our community who pointed out that indigenous associations with the landscape and cultural values of the site had been undermined. The Advisory Body of the WH Committee then asked the State Party to redraft the nomination dossier with a change in category from a natural site to a mixed site, and also recommended that the boundary of the site be extended to include the buffer and transition zones where local

communities reside. However, in the subsequent nomination although the category was changed to a mixed site, the buffer and transition zones were not included and human inhabited landscapes which include the sacred rivers remain outside the inscribed property, and vulnerable to hydroelectric projects (Wagh 2017a; Wagh 2017b; Lepcha et. al 2018).

Our requests

In order to safeguard the integrity of the site, we therefore request that the UNESCO World Heritage Committee should:

1. Ask the State Party to extend the core area of the Inscribed Property to include the buffer and transition zones of the Biosphere reserve.
2. Demand that all dams in Dzongu and the buffer and transition Zones of the Biosphere Reserve be scrapped and the destruction due to existing projects be reversed.
3. Insist that the boundaries of the Eco-Sensitive Zone around the National Park be increased once again to at least a distance of 10 kms.
4. Make sure that the rights of Indigenous communities are safeguarded and they are involved in all decision-making processes that affect their sacred sites and landscapes.
5. Ask the State Party to mention and emphasize Sacred Rivers in the nomination dossier with recommendations for their protection and management, which includes keeping rivers free flowing and to keeping the remaining stretches of dammed rivers as free flowing

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Fig. 11: Protest of local Lepcha against the dams on the Teesta river, June 2021. Photo: Gyatso Lepcha

Mega-Project with Mega-Impact: Unchecked Development Threatens Komodo National Park

WALHI
Sunspirit for Justice and Peace



Inscribed as a national park in 1980, the Komodo National Park (KNP) is a conservation area located in the West Manggarai District, East Nusa Tenggara Province, has had three fundamental meanings. First, this area is the last remaining natural habitat for the endangered Komodo Dragon (*Varanus komodoensis*) species, with Komodo and Rinca Islands being the two islands with the highest population of Komodo dragons. Second, in addition to its critical in-situ conservation value, the national park is home to local and indigenous communities, who derive their culture and livelihoods from the land. Lastly, the KNP is the epicentre of Indonesian tourism in the eyes of the world. How-

ever, its high biodiversity value is driving unsustainable development impacts in East Nusa Tenggara (NTT).

The government has now introduced private companies to invest in the KNP area. The Ministry of Environment and Forestry (KLHK) has issued a number of concessions for private companies to build exclusive resorts on the KNP area. This then raised several questions on how the government is prioritizing conservation, and whether natural conservation will be pawned in the name of investments.

Investments Inside Komodo National Park

The investment in KNP was opened in conjunction with the Government’s policy to change the status of the KNP area to a National Strategic area (KSN) through Government Regulation No. 26 of 2008, concerning the National Spatial Planning (RTRWN). In 2011, the Government issued Government Regulation No. 50, concerning the National Tourism Development Master Plan 2010-2025. Through this regulation, KNP is listed as one of the 88 National Tourism Strategic Areas (KSPN). At the same time with the designation of KNP as a National Tourism Strategic Area, the Government issued Government Regulation No. 36 of 2010, concerning Natural Tourism Enterprises in Wildlife Sanctuaries, National Parks, Grand Forest Parks and Natural Tourism Parks. This regulation was later revealed in the Minister

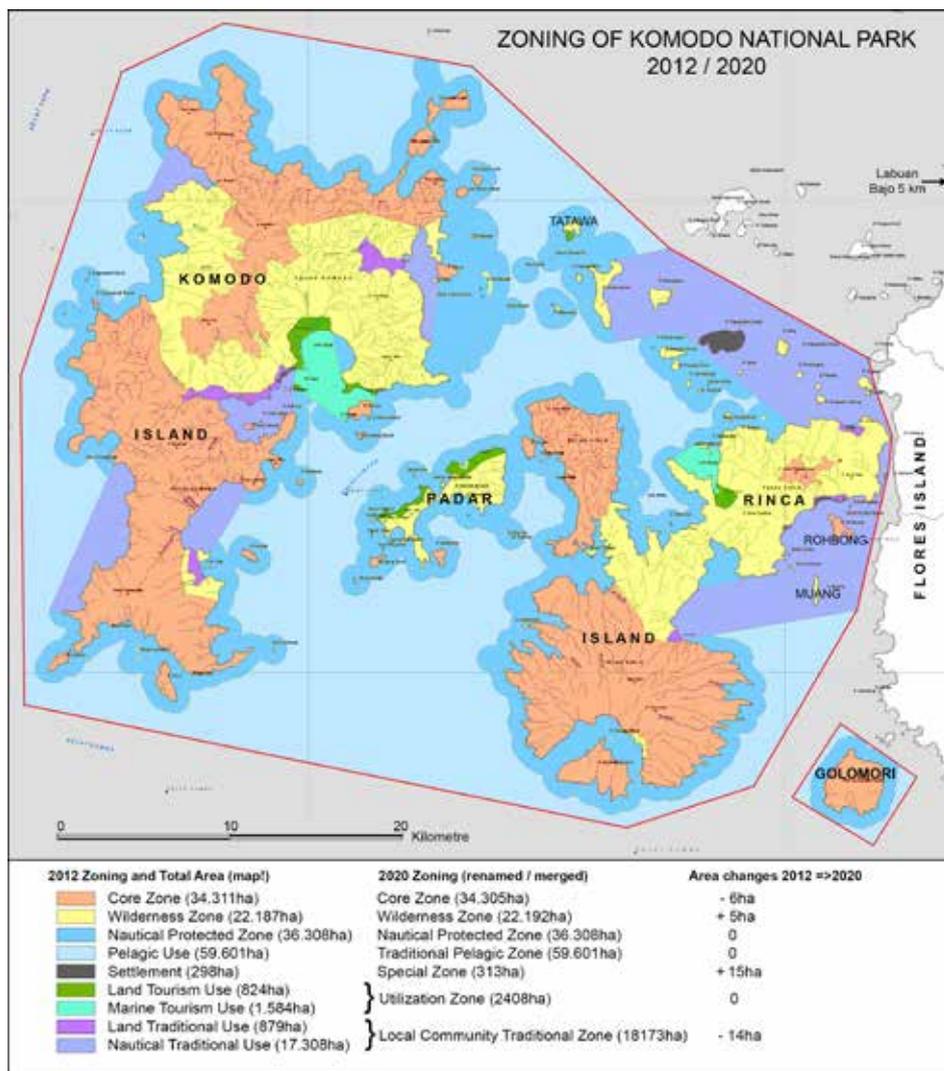


Fig. 1: Komodo National Park
Map: Martin Lenk

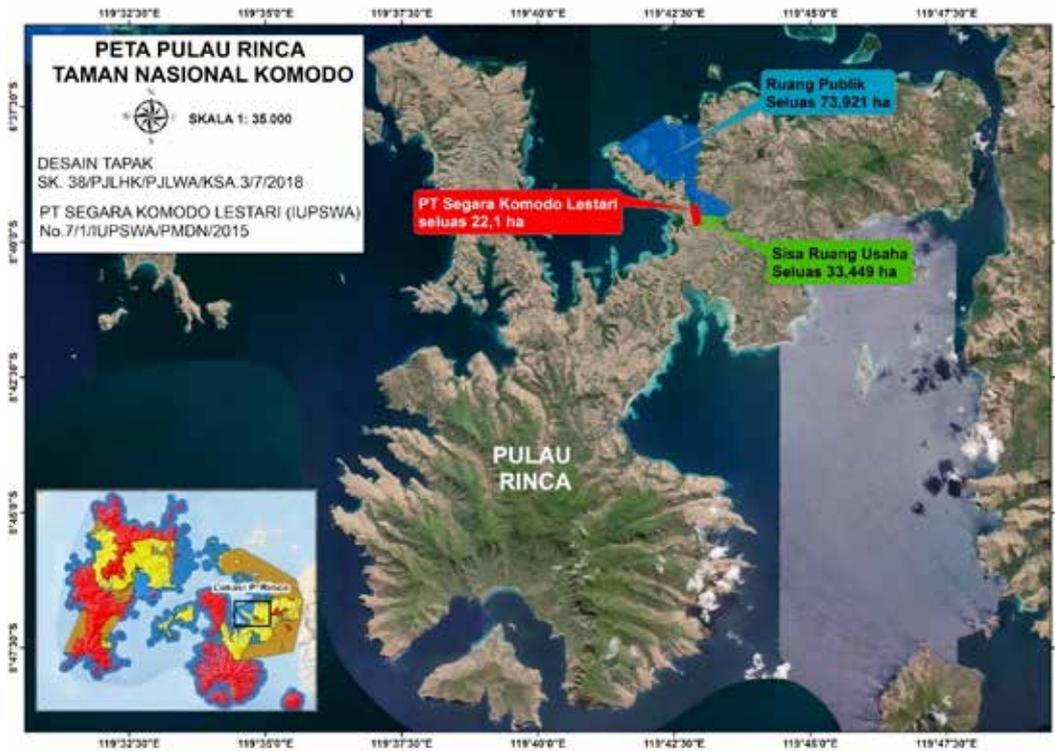


Fig. 2: Concession of PT SKL Rinca Island..

Photo: Sunspirit for Justice and Peace

of Forestry Regulation Number P.48/Menhut-II/2010, concerning Natural Tourism Enterprises in Wildlife Sanctuaries, National Parks, Grand Forest Parks and Natural Tourism Parks. These two regulatory products offer a new investment model for the private sector through the Nature Tourism Concession Permit (IPPA) which consists of the Natural Tourism Facilities Concession Permit (IUPSWA) and the Nature Tourism Service Concession Permit (IUPJWA). Under this regulation, the Ministry of Environment and Forestry (KLHK) allows private companies to invest in KNP.

PT. Segara Komodo Lestari (SKL) was the first company to receive an IPPA, receiving IUPSWA¹ for an area of 22.1 ha on Rinca Island. PT SKL has a 55-year license, with five-year assessments, and an average yearly investment worth of 2-4 billion dollars. David Makes, the chairman of the Ministry of Tourism and Creative Economy's National Ecotourism Acceleration Team, is a shareholder of PT SKL. To date, the company has not started the development because of widespread opposition. However, the development of a Geopark for mass tourism in Rinca island by the Indonesian government proceeds and is nearly complete despite UNESCO's warnings. According to local sources, many of the trees that housed the little Komodo dragon in Loh Buaya² have been cut down for the construction of elevated decks and other infrastructure.³



Fig. 3: The development of an elevated-deck for mass tourism by the Indonesian government in Loh Buaya, Rinca island..

Photo: Local community



Fig. 4: The development progress of Geopark on Rinca island taken from satellite imagery in December 2021.

Photo: Google Earth

1 Concession permit No.7/1/IUPSWA/PMDN/2013

2 Loh Buaya is a resort developed by BTNK for Komodo observations on Rinca Island, the second largest island with the second largest population of Komodo dragons after Komodo island.

3 To avoid cannibalism by adult Komodo dragons and to protect themselves, little Komodo dragons have a habit of climbing trees.

In 2014 the government granted an IUPSWA to PT. Komodo Wildlife Ecotourism (KWE) on Padar Island and Komodo Island which covers 274.81 ha (19.6% of Padar Island area) and 154.6 Ha (3.8% of Komodo Island area). Interestingly, KWE's conces-

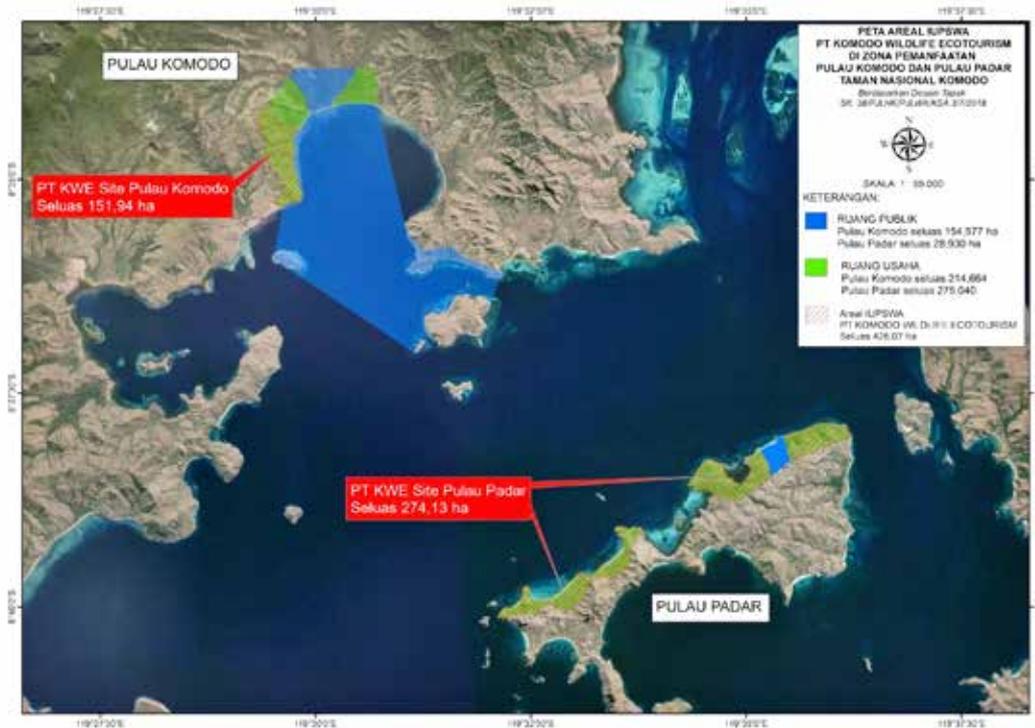


Fig. 5: Concession of PT KWE in Komodo and Padar island..
Photo: Sunspirit for Justice and Peace

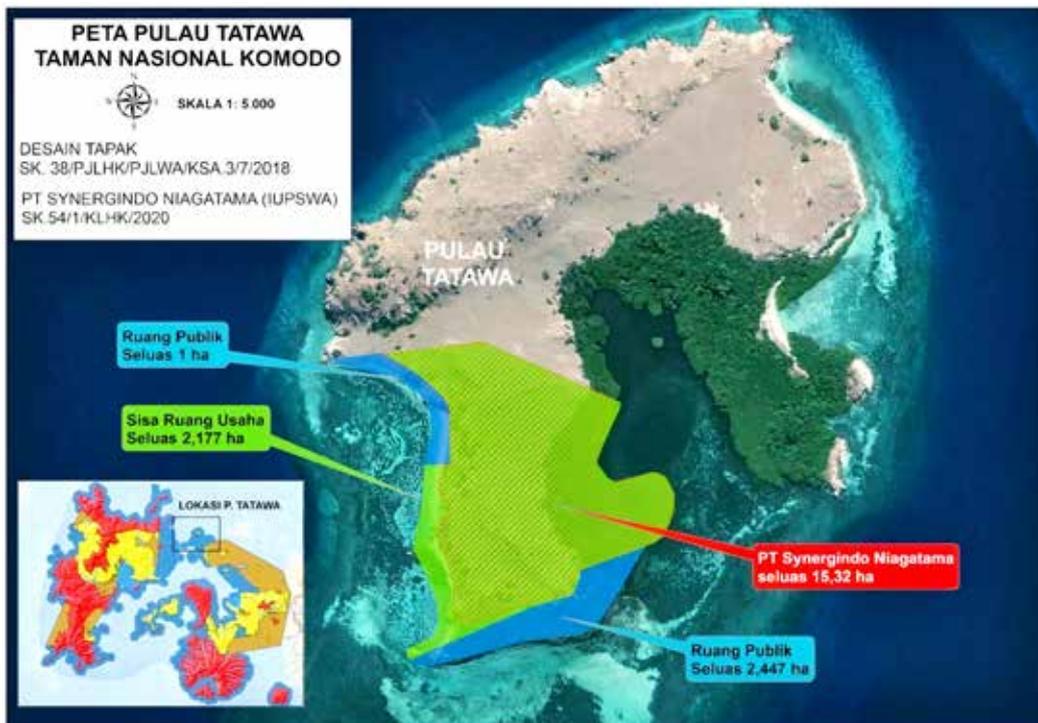


Fig. 6: Concession of PT Synergindo Niagatama in Tatawa Island..
Photo: Sunspirit for Justice and Peace

sion on Padar Island was preceded by a zoning review policy, the conversion of the jungle zone of Padar into a utilization zone. In 2012 the KLHK converted 303.9 ha of land on Padar Island into land tourism utilization zone⁴. Like PT SKL, PT KWE has not started to build either on Padar or Komodo Island since it is still under strict monitoring from the public. Furthermore, the Government has also issued permits twice for PT Syn-

ergindo Niagatama (PT SN) to invest in Tatawa Island. In 2014, PT SN was granted a permit for an area of 6,490 ha. In 2018, the government altered the site design of the utilization zone on Tatawa Island⁵. In April 2020, the government reissued PT SN's permits covering an area 15.32 ha of the overall commercial space.

4 Decree of the Ministry of the Forestry No. SK No. SK.21/IV-SET/2012 concerning Zoning of Komodo National Park dated 24 February 2012. Based on the site design, this utilization zone is divided into 275 ha for business space and 28.9 ha for public tourism space

5 Decree of the Director of Utilization of Conservation Forest Environmental Services No: SK. 38/PJLHK/PJLWA/KSA.3/7/2018. This change to the site plan reduces public space to only 3,447 ha while increasing business space to 17,497 ha.

Based on the above, we can infer two conclusions. First, the ongoing development planning in the KNP region claims to have followed the existing regulations. However, the process is legitimized by producing a number of regulations to smooth the path for investments inside the KNP. The legitimacy of KNP's management and planning cannot be viewed only from the fulfillment of legal aspects, but also consider the legitimacy of indigenous people and communities who are on the receiving end of the impacts of the development. To date, information related to investments within the region are not fully conveyed to the people living within the region. Second, companies that have received permits play a huge role in the national oligarchic circle by taking advantage of their power to annex Indonesia's natural resources and obtain capital means.

Poor surveillance and management of Komodo National Park

The Komodo National Park Office (BTNK) is in charge of conservation planning and management, and oversees KNP. Unfortunately, the tasks have yet to be implemented to the maximum. While KNP attracts a large number of visitors each year, highlighting Indonesia's natural beauty in both land and sea life, the number of local and foreign tourists visiting KNP has increased since the potential of both land and marine tourism was established in 2013. The substantial revenue generated by tourist visits, on the other hand, is not commensurate with the work required to manage conservation and minimize harm in KNP.

This is seen from the condition of coral reefs which have deteriorated sharply in recent years, which is a shame considering that the beauty of these clear coral reefs is one of the main tourist attractions in KNP. As tourism spots flourish and tourist numbers increase, these coral reefs are slowly suffering from damage which is apparent from the state of shattered coral and murky sea water⁶. One of the main causes of these damages are tour ship activities without proper equipment like mooring buoys when anchoring in the sea, resulting their anchors being thrown carelessly into the reefs. In addition, coral bleaching adds to coral damage. BTNK has attempted coral transplantation in a number of locations, including Pink Beach and Tempe Island. These efforts, however, will be ineffective unless they are accompanied by adequate mitigating measures. At present, there have been several cases of galaxy coral thefts within the KNP area.

Another source of concern is the purported feeding of Komodo dragons, which, according to local reports, is still going on today. One of the Komodo dragon conservation activities conducted by BTNK since the KNP's inception has been feeding the



Fig. 7: Damaged Coral Reefs in Pink Beach, Komodo Island.

Photo: WALHI

Komodo dragons in Banung Gulung⁷. This practice was eventually stopped in 1994 after it was realized that it was altering the behavior of Komodo dragons and inhibiting their natural hunting instincts. Although the BTNK has made it illegal to feed Komodo dragons in the wild, the BTNK continues to perform this practice in Loh Liang⁸. Another thing is the wildfires that have often occurred in the area in recent years. Since 2018, there have been at least four incidents of wildfire⁹. The most recent incident took place on 2 November 2021 in Loh Serai, Rinca Island, in which the cause of the fire has yet to be known until today. Given these existing problems, the BTNK patrol is more focused on withdrawing admission tickets into the park instead of actually correcting these alarming conditions¹⁰.



Fig. 8: Loh Serai, Rinca island, after being struck by fire, November 2021. Photo: WALHI

Potential Ecological and Social Impact

During the 44th World Heritage Committee session held in Fuzhou in 2021, UNESCO provided a number of recommendations related to the region's management, one of which was to

⁶ Based on WALHI's investigation held on November 9-10, 2021 at several dive points such as Pink Beach on Komodo Island, Long Beach on Padar Island, and Tatawa Island.

⁷ Banung Gulung used to be a place for Komodo feeding situated far inside the jungle, in Loh Liang, Komodo island.

⁸ According to local sources, the feeding is still carried around in Loh Liang, though no longer done on a large scale, Komodo dragon feeding with goat and fish still continues to be carried out in Hutan Asam (Waterhollow) and Oasis restaurant for tourism-related reasons.

⁹ Tirta <https://tirta.id/benarkah-kebakaran-taman-nasional-komodo-lantaran-faktor-alam-glxE> accessed on Dec 15, 2021.

¹⁰ Based on WALHI's investigation held on 09 November 2021.

stop its ongoing development. However, the Indonesian government rebutted by stating that development was already underway under the existing regulations and did not interfere with the OUV (Outstanding Universal Value) in the area. Apart from the denial, the development that is being designed to meet the grand scale of tourism management in KNP and its surrounding areas will create ecological and social impacts, as well as affect the OUV that's presently under KNP. Companies that invest in the area by developing villas, restaurants, and other public places within KNP will only damage its natural environment and pose huge risks towards the sustainability of both flora and fauna ecosystems, be it land or sea. As an example, the Komodo dragons' habitat will be disturbed as the animal is a solitary being¹¹. Besides that, the ecosystem's natural cycles and chains will be damaged. The wild atmosphere will become rowdy due to the ongoing development, causing potential soil and air pollution.

In addition, corporate dominance over strategic points in the KNP region has the potential to eliminate indigenous communities' source of income. Right now, the zoning system has narrowed their living space. Another concern is the super-premium tourism scheme being developed on Komodo Island. The community views this 'super premium' scheme as something that will introduce other 'super premium' features, such as super premium souvenirs, food, which only further displace local workers there.

Another matter to note is the position of East Nusa Tenggara (NTT) as an island province. In April 2021, NTT was hit by the Seroja cyclone, which destroyed homes and caused destruction of infrastructure worth trillions in value due to landslides and storms. KNP's position as an archipelago bears the same vulnerability towards climate change conditions. The government should prioritize mitigation efforts and optimize conservation in KNP rather than encourage investments that have the potential to exacerbate climate conditions.

Recommendations to the Indonesian Government

1. To not only evaluate¹² but also revoke all business concession permits that have been granted to private companies, and stop the licensing processes for other companies.
2. Comply with UNESCO's recommendation on WHC draft decision 44 COM 7B.93 to stop ongoing projects within the KNP and conduct a new Environmental Impact Analysis (AMDAL) for plans to build tourism and conservation facilities within the KNP region and ensure infrastructures are designed in accordance with the principles of conservation and management of World Heritage Sites.
3. Improve coherent conservation programs for both land and sea areas for short and long-term periods, and work together with communities within and around the area as well as position them as active practitioners of conservation and community-based tourism.
4. Control the pace of the tourism industry by policies such as visit quotas to prevent mass tourism from endangering conservation efforts and cultural integrity.

Recommendations to UNESCO and IUCN

1. Urge the Indonesian government to optimize conservation efforts that not only protect wildlife but also protect the lives of local and indigenous people living in the region.
2. Request the state party to stop all development projects for investment interests that could potentially damage the Komodo dragons' natural habitat as well as the living areas of local and indigenous communities.
3. Ensure the Indonesian government implements the World Heritage Convention to protect the Komodo National Park's function as a conservation area.
4. Request the State Party of Indonesia to submit to them, according to § 172 of the Operational Guidelines to the WH Convention, any plans for projects in or near KNP in order to allow UNESCO/IUCN an assessment whether these projects, if implemented, would adversely affect the Outstanding Universal Value of the property.
5. Request the State Party of Indonesia to invite a UNESCO/IUCN Reactive Monitoring Mission with a view to establish whether the property should be inscribed in the World Heritage in Danger list.

¹¹ Komodo dragons are solitary creatures that tend to stay away from crowds and need sufficient isolation space. The animals are only coming together during their mating seasons.

¹² On January 06, 2022, the Indonesian government issued Decree on Licenses Revocation# that revokes more than 2000 mining concessions and 192 forestry permits. In the Decree, the government also evaluates 106 company concessions. Two of those evaluated companies are PT SKL and PT KWE that have been granted business concessions in the KNP.

The People of East Rennell Are Suffering

George Tauika Vaipoki, East Rennell World Heritage Association

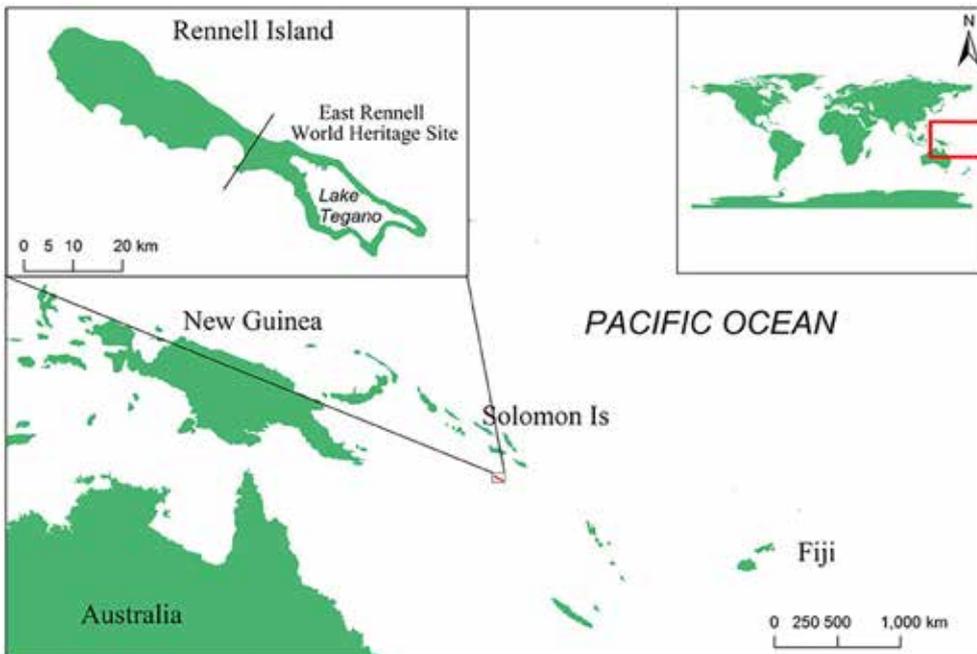


Fig. 1: The East Rennell WHS occupies the eastern half of Rennell Island which belongs to the Solomon Islands in the Western Pacific.
 Map: Wang 2018

From 1998 to date, East Rennell still remains as it has been; whatever the national government and the local committee have been, they didn't make any changes to meet the demands of the people of East Rennell. It seems that the World Heritage Program is more focused on the protection of wildlife than the wellbeing of the people. The livelihood of the people is paramount and vital and there should be a mechanism in place to address

East Rennell World Heritage Site was enlisted in 1998, without any legal mechanism to legally protect the site. There is no adequate legislation to protect the natural and cultural features of East Rennell until today. Only our customary practices provide protection to the property, but they gradually deteriorate because of our hard situation. Since we have been listed as a World Heritage Site, we have been very conscious to protect our site. Our environment is still very much intact.

the sustainable development of our people. We can't resist the strength of climate change, which compels us to rely on rice and other processed foods.

In 2013, upon recommendation by the IUCN our East Rennell World Heritage Site was officially declared to be in the List of World Heritage in Danger, because of the high threats of logging and mining activities at the other half of the island, as well as uncontrolled harvesting of natural resources including marine life, poaching, and invasive species.

In 2014, we managed to complete our East Rennell Management Plan to minimize the threats, and up to date, it still in a draft form. We still expect the responsible authority to facilitate communities' consultation to review the management plan and to explain how it merges with the Protected Area Act. Our people in East Rennell are afraid and conscious not to take any wildlife, otherwise they will get caught.

In 2017, various stakeholders, line ministries, NGOs and a delegation from East Rennell held a round table meeting at Honiara and designed a way forward to address potential issues. A resolution was adopted, but unfortunately nothing much has been



Fig. 2: East Rennell has been inscribed in the World Heritage List for being the largest raised coral atoll in the world.
 Photo: UNESCO

done by the state party to fulfil what they had agreed upon to assist our people in East Rennell.

One of the hectic scenarios is when our new generation experiences hard living conditions. When the population grows, they inevitably resort to do what they want to do for the survival of their family. They go to the extreme to collect marine products, life birds, coconut crabs, etc. to exchange with rice and noodles at the mining and logging camps. Our management committee can't do much to stop them because of the destitute situation we currently face.



Fig. 3: Conservation versus livelihood.

Photo: George Tauika

The main challenge here is when there is no tangible assistance from the State Party to meet the needs of the people. Once our National Government and other stakeholders provide for our livelihood, then our people should become good stewards to look after the Outstanding Universal Value (OUV). Currently, despite our disadvantages, we still protect our site. Every day birds and other living creatures enjoy their environment but their custodians are in a desperate situation.

Climate change and food security

Climate change has a negative impact on East Rennell's food security, social services and the people's way of life. The negative impacts had resulted in poor local crop yields due to high sea levels and salt water intrusion into people's gardening areas along the shoreline of Lake Tengano.

Rennell island is a raised coral atoll. About 90-95% is limestone. 70% of East Rennell is occupied by the brackish Lake Tegano and 30% rocks and pocet soil. Our staple food is taro which grows well in swamp areas near the lake. Nowadays, however, our taro patches have been badly damaged when water from the rising lake got in. We tried other areas a bit higher up but the land didn't bear anything.

Another factor is the rats introduced by the loggers. They really devastated our tree fruits and crops. We are trying other

things but we can't plant anymore, so families who depended on their land for food have now shifted from eating local nutritious food to imported rice and processed food from Honiara, the capital of the Solomon Islands. The change of diet has resulted in an increase in non-communicable diseases, such as diabetes and obesity, to name a few.



Fig. 4: A taro garden full of brackish water. We don't need a scientific study about the impact of climate change, we see it with our naked eyes.



Fig. 5: Fruit tree damaged by rats.

Photo: George Tauika

Poor accessibility and equipment

Since we have been established, we don't have an office and other accessories like a laptop, printer, furniture etc. Neither our committee nor the community at large has access to reliable internet. Road access to our airport and sea port at west Rennell is very poor and very expensive. Due to this problem, tourists and visitors cannot afford the cost to reach the only World Heritage in the Solomon Islands.

Since we have been established and until to date, our committee members have been engaged in trying to manage the Site on a voluntarily basis. We don't have operational funds to do our work. Our local committee finds it really hard to facilitate meetings.

The impact of logging and mining

The logging and mining companies are right at our East Rennell boundary to west Rennell. Sadly, some tribal leaders already hinted to me that there is no guarantee that the government and other stakeholders will assist us. Half of our total population in East Rennell see logging and mining as the only means to provide for our daily essential needs and school fees for our children.



Fig. 6: Due to the poor and rough road, the only access to our village is by dump truck from the mining company. My village received rice from our capital Honiara. The ship took 3 days to reach our island. Photo: George Tauika

At the other side of the island, the mining and logging companies elevate the standard of living. They benefit a lot the families who live there. They have now access to proper roads, improved homes, scholarships, improved school buildings, improved transportation and medication, supplies to families and many other benefits. They even receive supplies from the company fortnightly. When our people see all these benefits, it really changes their mindset and perspectives at the World Heritage program.

These developments have changed the mindset of our people and determine for alteration for other means. Currently, our people are divided. One group supports the World Heritage whereas the other group is opposed and strongly advocates logging as the only means to elevate our livelihood. Honestly, we are pressured by our own people to venture into logging so that these company to fix our poor road.



Fig. 7: In February 2019, an oil spill occurred near East Rennell when the bulk carrier MV Solomon Trader ran aground in Kangava Bay while loading bauxite ore. Photo: Australian High Commission in the Solomon Islands



Fig. 8: A logging site on Rennell Island.

Photo: Zahiyy Namu / The Guardian

Lack of support

Our status as a WHS should boost our tourism sector, and this development would precisely suit our environment. Unfortunately, however, the status does not have any impact to change our hard living conditions. When the whole populace's expectation is not met, this is where the whole problem lies. The problem is when our people face a very hard time to secure an income to pay basic needs and school fees. When they encounter these problems, they resort to utilising their natural resources to trade them for rice and noodles, sugar and other unhealthy stuff. This is not good practice, but we can't help it.

In 2017, we had organised a round table for all partners, line ministries, National Commission for UNESCO, NGOs and a big delegation from East Rennell including committee members and representatives of church, youth, women, chiefs and the province. Five years later, the National Government has never fulfilled what had been passed and agreed, so there were tribal groups who officially submitted a letter to withdraw their land from our World Heritage property.

The legal registration of East Rennell was endorsed by the National Government, though it is under customary land ownership. The core problem is when the State Party does not have any commitment to assist the people of East Rennell. The National Government and other stakeholders must provide a mechanism for earning a sustainable livelihood. Unless our living conditions are addressed by the National Government and other stakeholders, logging and mining will take advantage of our poor situation to penetrate across our World Heritage boundary.

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Broken Promises in the Tasmanian Wilderness

Jimmy Cordwell, The Wilderness Society



The Tasmanian Wilderness World Heritage Area (henceforth 'Tasmanian Wilderness') is the world's highest-rated World Heritage wilderness and the equal-highest ranked World Heritage property on Earth. It is one of only two World Heritage properties that meet 7 of the 10 World Heritage criteria, namely three cultural criteria (iii, iv and vi), and all four natural criteria. At almost 1.6 million hectares, it covers roughly one fifth of *lutruwita* (the Aboriginal name for Tasmania), Australia's southernmost and only island state. This area of wilderness is all the more significant given the rapid rate of wilderness destruction around the world.

The Tasmanian Wilderness meets three cultural World Heritage criteria thanks to its rich Aboriginal cultural heritage. The living culture and heritage of the *palawa* (Tasmanian Aboriginal people) is recognised, celebrated and protected through the World Heritage inscription of the Tasmanian Wilderness. The escarpment of *kooparooka niara* (Great Western Tiers) is the most prominent and accessible natural feature of the northern area of the Tasmanian Wilderness.



Fig. 1: *kooparooka niara*.

Photo: Rob Blakers

kooparooka niara is the name given to the region by the *palawa*, and means 'Mountains of the Spirits' in the language of the *palawa*, *palawa-kani*. As the name suggests, the *palawa* have a close connection to this area. This sacred and celebrated place is culturally significant and is a meeting place of different Aboriginal cultures. As well as its cultural impor-

tance, *kooparooka niara* is spectacularly beautiful, thanks to its steep climatic gradients, the low to high altitude of vegetation sequences, its connection to the island's Central Plateau and its diversity of flora, fauna, topography, aspect and geology. It comprises forested slopes, stunning sandstone and dolerite cliffs, deeply incised gorges and a multitude of streams, waterfalls, and swamps. The prominent escarpment dominates the landscape within a viewfield of a quarter of a million hectares.

However, as former Director of the World Heritage Centre, Dr Mechtild Rössler reminded us at the 2021 IUCN World Conservation Congress in September, that the incredible 'natural and cultural heritage of the world is increasingly threatened with destruction'. The protection of the values of the Tasmanian Wilderness, including those deep in *kooparooka niara*, is important to all of humanity, as the 'disappearance of any item of natural and cultural heritage constitutes a harmful impoverishment of all the nations of the world'.

In 2014, the Australian Government attempted to delist 74,000 hectares of the Tasmanian Wilderness, sending shockwaves through the international conservation and World Heritage community. This attempted delisting was prevented by the World Heritage Committee, and prompted the Committee to arrange a Reactive Monitoring Mission (RMM) to visit and report on the management of the Tasmanian Wilderness in 2015. The outcome of this RMM was 20 Recommendations, which sought to realign the management of the property with Australia's obligations as a signatory to the World Heritage Convention. The Australian and Tasmanian governments accepted all 20 Recommendations and repeatedly promised to implement them. This includes Recommendation 11 that the 25,000ha of high conservation value "Future Potential Production Forest Land (FPPFL)... should be granted status as national park". Much of this area of forest is found within the area of *kooparooka niara*. The *palawa* have proposed that *kooparooka niara* be *lutruwita*/Tasmania's first ever Aboriginal national park, which is owned, run and managed by the Aboriginal community.

The protection of this spectacular area of FPPFL in the Tasmanian Wilderness through national park tenure would match and complement other recent international agreements made



Fig. 2: The Future Potential Production Forest Land (FPPFL) and the approximate proposed boundary proposal for the kooparoona niara National Park.
Map: The Wilderness Society



at this year's IUCN World Conservation Congress. For example, new national parks would fit perfectly with IUCN Motion 101 to protect at least 30% of land globally by 2030. As a wilderness beacon, and as home to seminal wilderness campaigns of the modern environmental movement, the Tasmanian Wilderness presents an international opportunity to protect and conserve this special area of the planet to protect biodiversity and defeat climate change. Further, this is also an opportunity for the government to prioritise support for, and full and effective participation of, the *palawa* in shaping the future of *kooparoona niara*. National park protection for FPPFL in *kooparoona niara* can equitably protect this region, paying important attention to conserving and allowing the biodiversity of the area to thrive, and make a significant contribution to the 30 × 30 pathway to protecting half of the planet.

The Marseille Manifesto 2021 looks to a unified future, one committed to healing unsustainable ecological relationships, in this case those that colonial/post-colonial communities have had with nature. The biodiversity crisis calls for an 'ambitious, interconnected and effective site-based conservation network', and terrestrial protected areas must be free from any 'damaging industrial activities', such as logging or mining. By proposing the weaker tenures of Conservation Area and Regional Reserve, the Tasmanian Government is reducing the effectiveness of management and leaving the area open to resource extraction, reducing protection and the long-term biodiversity potential of the region. Instead of Green List (IUCN Green List of Protected and Conserved Areas Standard) levels of national park protection in the world's equal-highest ranked World Heritage area, the government is faulting on an opportunity to lead on this globally important initiative.

The world's indigenous peoples manage a significant area of the world's most biodiverse regions, with Aboriginal Tasmanians holding a strong continued connection to country. The IUCN Global Indigenous Agenda 2021, in line with the UN Dec-

laration on the Rights of Indigenous Peoples, calls for all governments to 'promote and respect indigenous peoples' participation as a recognition of their indigenous rights in the creation of protected areas'. An Aboriginal owned and managed national park, *kooparoona niara* presents a unique opportunity for *lutruwita* to break new ground, and honour its commitment in stepping towards land justice, practicing culture, and connecting with country. Logic, ethics and justice would suggest that a return to Aboriginal ownership should be prioritised. However, despite the Recommendations and strong global need for biodiversity conservation as outlined above, Australia is seemingly set to fail in keeping its promises for the *kooparoona niara* region.

The World Heritage Committee welcomed these commitments from the Australian Government to these recommendations in decision 40COM7B.66, commending Australia 'for its commitment to explicitly rule out all forms of commercial logging and mining in the whole of the property... and requests the State Party to implement all of the mission's recommendations'. Recently, in World Heritage Decision 44COM7B.75 of July 2021, Point 3 again reiterates the Committee's request that, as a matter of priority, the state parties conclude the reservation of FPPFL as per the recommendations of 2015. However, as Senior World Heritage Adviser Peter Shadie warned at the IUCN World Conservation Congress, 'there is an increasing trend to overturn

and weaken advisory body technical recommendations, for the world's most exceptional places.'

Unfortunately, six years after the RMM recommendations, the state government has initiated a Reservation of FPPFL process which will fail to implement the recommendations or do so in a sub-optimal fashion. It's hard to see how this doesn't breach the government's pledges to honour the RMM's recommendations. In particular, this includes the following:

FPPFL within the property should be granted national park status. The eventual objective is to create a situation in which the entire Tasmanian Wilderness can be managed under one coherent plan. Given that Tasmanian conservation tenures still allow for resource extraction in Conservation Areas and Regional Reserves, the most adequate adaptation in line with World Heritage commitments is to grant areas of FPPFL the status of national park, as recommended, which would explicitly protect them from logging and mining.

In contrast to Recommendation 11, the Tasmanian Government has chosen Conservation Area and Regional Reserve tenures for these areas - some of the lowest levels of protection. This is despite the fact that large tracts of the FPPFL occur adjacent to existing national parks within the Tasmanian Wilderness (such as Cradle Mountain-Lake St Clair, Mole Creek Karst and Walls of Jerusalem National Parks). There is clear ecological, practical and legislative logic to extending these existing national parks to include FPPFL, but this logic seems to elude the state government. The proposal to reserve FPPFL in weaker tenures fails to do justice to the area's Outstanding Universal Value (OUV).

The Tasmanian Wilderness has apportioned zoning - recreation, self-recreation and wilderness zones - within the statutory TWWHA Management Plan. These are intended to limit human impacts based on the degree of intact wilderness. Recommendation 9 of the RMM recommended that the Wilderness Zone should be retained, while explicitly providing for Aboriginal access for cultural practices as an integral part of the Tasmanian Wilderness. However the Tasmanian Government's reservation process appears to have watered down areas zoned 'Wilderness' to the weaker 'Self Reliant Recreation'.

It is of course welcome that Federal and State governments have ruled out logging and mining within the Tasmanian Wilderness. But given this, they should adopt a tenure that reflects their commitments, namely that of national park. The allocation of land as Regional Reserve is at odds with Recommendation 3 as this tenure allows 'mineral exploration and the development of mineral deposits in the area of land, and the controlled use of other natural resources of that area of land, including special species timber harvesting'. It's important to note that in principle and practice, reserves within the World Heritage Area should be protected to the highest conservation level. This provides protection for natural and cultural values should the stat-

utory management plan be watered down. This is a real risk, given it has already been weakened through changes allowing for increased tourism development.

Recommendation 20 highlights the lack of Aboriginal consultation within the management of the Tasmanian Wilderness and need for stronger roles, such as dual and sole management of protected areas. The Wilderness Society strongly supports land justice for the *palawa*, principally through the urgent return of stolen Aboriginal land to its rightful owners. Occurring in parallel to these World Heritage recommendations, is the Tasmanian Government's recently announced commitment towards land returns to the *palawa*. The Tasmanian Aboriginal community sees the protection of *kooparooka niara* as a prime opportunity to combine conservation outcomes with land justice, bringing management in line with the protection of cultural and natural heritage values expected as World Heritage listed land. The Tasmanian Government is considering the plan, however is yet to respond.

The state government's reservation consultation process concluded in April and excluded the option of national park tenure from the proposal. Despite this, the consultation found that 97% of submissions from the community wanted national park protection for the areas of FPPFL in *kooparooka niara*, in line with the RMM Recommendations and in line with the *palawa* proposal. The Marseille Manifesto calls for equitable governance, yet this consultation indicates a government renegeing on promises made on behalf of the community to the World Heritage Committee.

A coalition of environmental organisations, including the Wilderness Society, support the Aboriginal communities proposal for the creation of the *kooparooka niara* National Park. This proposal combines the RMM Recommendations with other international commitments made by the Australian government. The coalition has been joined by other state, national and international organisations and academics - in writing to the Chair of the World Heritage Centre to inform them that the Australian and Tasmanian Governments are failing to fulfill their commitments.

The coalition requests that UNESCO seek an urgent update from the Australian and Tasmanian Governments on how they plan to rectify the above shortcomings regarding their promises to Recommendations 3, 9, 11, and 20 of the RMM. Further, will the Australian and Tasmanian Governments cease to ignore the Aboriginal community and 97% of their own consultation by protecting the outstanding universal value of FPPFL areas in national park as promised (such as in the highly popular *kooparooka niara* national park). If the Australian and Tasmanian governments are held to their promise, the decision to create the *kooparooka niara* National Park and synchronous land returns stands to be a beacon of conservation and first nations justice in managing the OUV of the Tasmanian Wilderness.

III. Cultural Landscapes and Mixed Properties

Xochimilco: a World Heritage Endangered by the Mexican State



Tamara Blazquez Haik and Lourdes Granados Abad, Xochimilco Vivo



Fig. 1: Panoramic view of the affected wetland a couple of months before the construction started, September 2019.

Photo: Tamara Blazquez Haik

Xochimilco is the last wetland remnant from a five-lake system that has been dried out to build Mexico City for over 350 hundred years. This 3,000 hectares wetland is located at the south of the city and impregnated with Mexican tradition, story and culture. The wetland was managed correctly for more than two thousand years by Native American cultures, who created a system of canals and artificial islands (called *chinampas*) able to crop food and increase aquatic biodiversity. This particular way of managing the wetland with the chinampas was the keystone to creating the indigenous civilization epitomized by the Aztec Empire. The rectangular islands are built with crop residuals and mud from the sediments of the lake that fertilize each crop, making a system able to produce six crops per year.

The chinampas are separated by canals that help irrigate the crops around the year. A second benefit of the canals is the increment of biodiversity because it increases the shore area where most of the aquatic life is located. This benefit can be seen in the high diversity of algae, aquatic plants, invertebrates, fish, amphibians, birds and mammals. For example, Xochimilco hosts more than 60% of the bird diversity of the Valley of Mexico, and there are at least 146 aquatic plants in the region. Among the most iconic and endangered species, the axolotl (*Ambystoma mexicanum*), which is endemic to Xochimilco, is a keystone in Mexican culture from Pre-Hispanic indigenous cultures to present times.

Xochimilco is an example where the development of civilization based on food production not only did not destroy the environment, but on the contrary increased the habitat for aquatic species. The high diversity, the type of agriculture in the wetland, and the culture generated from these interactions were

the bases to be inscribed in the World Heritage List in 1987, shared with the Historic Center of Mexico City with its colonial buildings and the ruins of the Aztec Empire. The Outstanding Universal Value (OUV) of the property includes four of the selection criteria: (ii), (iii), (iv) and (v), and the latter underlines the fragility and relevance of Xochimilco:

“(v) Having become vulnerable under the impact of environmental changes, the lacustrine landscape of Xochimilco constitutes the only reminder of traditional ground occupation in the lagoons of the Mexico City basin before the Spanish conquest.”

Not only has the World Heritage Convention recognized Xochimilco's importance, the Ramsar Convention, as well as the UN Food and Agriculture Organization (FAO) also included this area among the crucial places for humanity to be preserved. Locally, in 2006 Mexico decreed this wetland as a protected area. This landscape is seen as a perfect system for sustainability, partly because it is located within one of the largest cities in the world.

Xochimilco provides many ecosystem services, including capturing more than 16 thousand tons of CO₂ every year, mainly using lake sediments and food production. This wetland also plays a vital role in temperature regulation and the hydraulic dynamic of Mexico City. Located in the lowest part of the basin, the wetland is close to the aquifer with many interactions, which can reduce floods generated by storms. Cultural ecosystem services include traditional spiritual activities, tourism, and scientific research. All these ecosystem services are recognized into at least 8 of the 17 Sustainable Development Goals of the United Nations.

- 2: Zero hunger.
- 6: Ensure access to water and sanitation for all.
- 8: Decent work and economic growth (making the agricultural activity as recognized work).
- 10: Reduce inequality within and among countries.
- 11: Make cities inclusive, safe, resilient, and sustainable.
- 12: Ensure sustainable consumption and production patterns.
- 13: Take urgent action to combat climate change and its impacts.
- 15: Life on land. Sustainable management of forest, combat desertification, halt and reverse land degradation, halt biodiversity loss.

Unfortunately, this wetland has been under high urbanization pressure for the last 50 years by the expansion of the city. The unplanned urbanization facilitated by streets and highways (such as “Periferico”) increased the change of the land use for housing and commercial infrastructure instead of *chinampas* agriculture. Particularly the highway has fragmented the wetland, creating a barrier between the north and south regions of Xochimilco. However, this effect has been reduced with tunnels created under the highway to allow the transit of water and or-

ganisms. It was not ideal but helped to keep the wetland continuity. But this urbanization has had an important impact on the essential characteristics of the landscape: the wetland and its biodiversity, and the agricultural activity: “*chinampería*”.

There are numerous restoration and management projects by the local government, citizens, and academia to reduce the effects of these critical threats. Particularly local neighbors (*barrios*) and local native peoples from Xochimilco (*pueblos originarios*) are implementing constant actions to maintain the ecosystem and their traditions. Most of them have struggled with a lack of financial support and continuity, but they have reduced the negative impact of urbanization in this extraordinary landscape.

The State against our heritage and human rights

On July 24, 2019, the Mexico City government called the building industry to submit a project to build a bridge that crosses the wetland, the protected area, and the area recognized as World Heritage. There was no consultation with the commu-

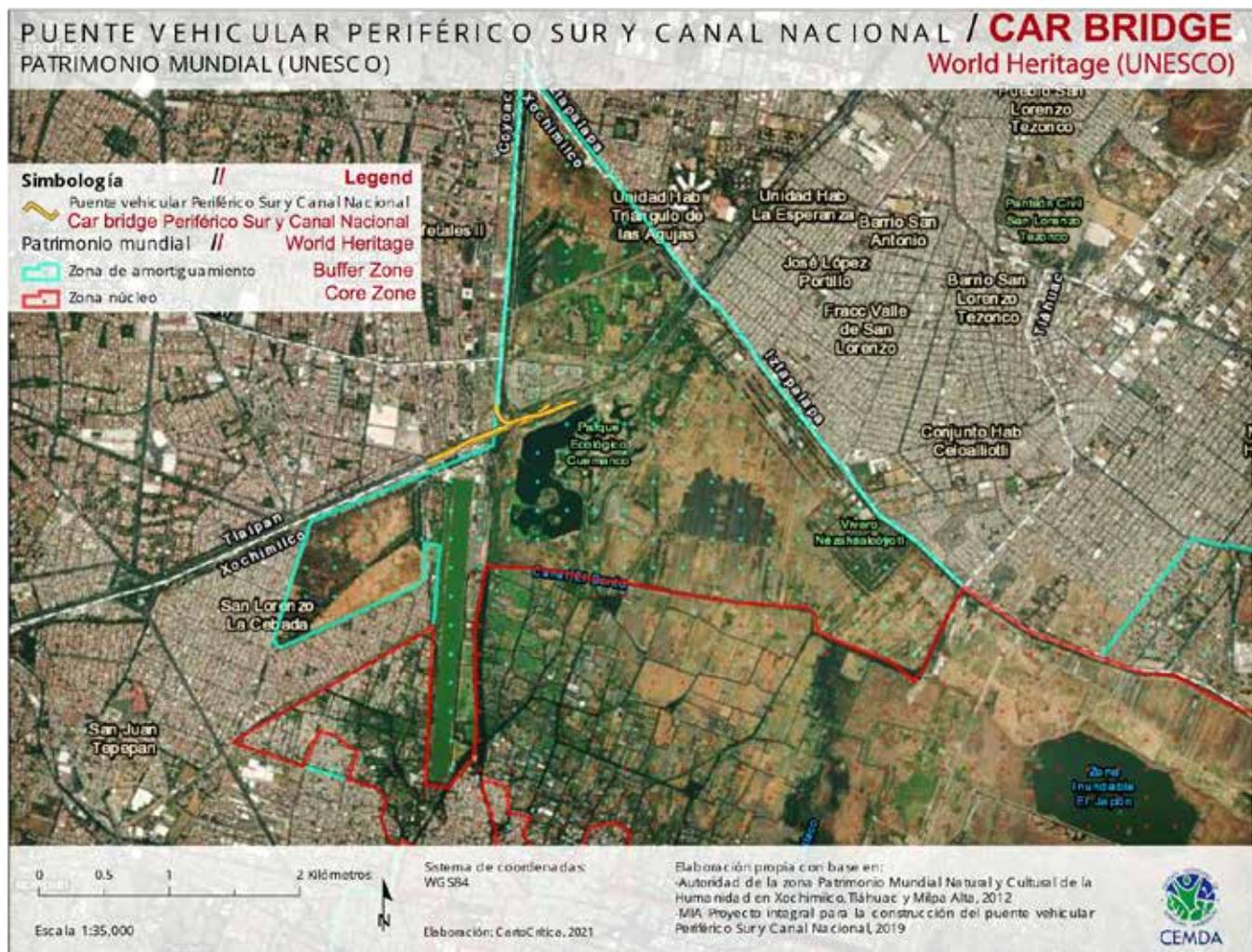


Fig. 2: The Xochimilco UNESCO World Heritage site and the location of the bridge.

Map: Centro Mexicano de Derecha Ambiental (CEMDA)



Fig. 3: Comparison, the picture shows part of the affected wetland due to the bridge construction, 2019 vs. 2021.

Photo: Tamara Blazquez Haik

nity or any technical analysis of its effects on the wetland. All these violations occurred under the open complicity of the federal environmental authority, also obliged under Mexican law to protect the wetland and its biodiversity, even more so as a World Heritage and a Ramsar site. On September 2, the Mexico City government published a law exempting this construction of any required study or permit (thus violating federal laws). This also included the lack of consultation to any international organization (including UNESCO) about this project.

On January 13, 2020, without any public consultation or evaluation process, the winning company started to build the bridge within the protected area to finish in one year. The celerity of the planning and construction was astonishing, dismantling any protection tool that Xochimilco has. This hurry in planning and building without recognizing the protection tools would create a concern for any natural area; but it is alarming considering the importance of this vital wetland with plenty of recognition both nationally and internationally.

The bridge destroyed any connectivity between the north and the south of the wet-

land. The fragmentation is evident on the surface; however, since there was not a study of the effects of the infrastructure on the shallow aquifer, it is almost certain that this bridge also affects the water flux under the surface. Therefore, now the systems are isolated, increasing the possibility of local extinctions. Also, the change in the hydraulic dynamics increases the potential floods in the region, as it happened in the last rainy season. These floods in the street not only generated problems in the infrastructure and cars, but more importantly, they transported the car pollutants, such as oils and particular matter (PM10 and 2.5), to the wetland.

Originally, the bridge did not include any mitigation program, as the government considered it did not have any impact. But after the civil society proved the bridge was destroying a protected wetland, the city government implemented a hasty and poor-quality green infrastructure (an artificial wetland) to cover-up the ecological destruction without making a real mitigation. There has not been a monitoring of this “green” infrastructure, as it is seen as a garden and not as the needed wetland.

On the contrary to the Mexico City government assertions, national and international mobility studies show that more car infrastructure does not reduce the traffic. In this case, it will

On the contrary to the Mexico City government assertions, national and international mobility studies show that more car infrastructure does not reduce the traffic. In this case, it will



Fig. 4: The new bridge disrupts the landscape, the water flux, the temperature, light and noise conditions, September 2021.

Photo: Tamara Blazquez Haik

also provoke a substantial pressure of urbanization in the World Heritage property, increasing the probabilities of its disappearance. Also, the bridge modifies the landscape from a wetland with ancient canals to car infrastructure.



Fig. 5: Protest held against the bridge's construction, February 2021.

Photo: Tamara Blazquez Haik

National authorities such as *Dirección del Patrimonio Mundial del Instituto Nacional de Antropología e Historia* (INAH) have expressed their concern about the adverse effects of this bridge in the World Heritage. All the OUV criteria considered for Xochimilco as a World Heritage are affected. Criterion (ii) is affected by the changes in the landscape and social interactions that will reduce traditional customs; criterion (iii) by modifying the testimony of a culture based on working with the wetland by destroying it to create a car bridge; criterion (iv) as it reduces the significance of the history that produces this interaction between humans and nature. Finally, criterion (v) is modified by provoking changes in the ancient human settlements encouraging urbanization over traditional agriculture.

The bridge violates Mexican international obligations to discuss with the World Heritage Committee the pertinence of generating such infrastructure within a World Heritage property, as stipulated in §172 of the Operational Guidelines, not to mention its obligations under the Ramsar Convention and other in-

ternational treaties. The Mexican government also violates the human right of a healthy environment by increasing the vulnerability of their citizens with this bridge, particularly considering the climate crisis and destroying the possibility of being in contact with cultural ancestry, which still is developing in the wetland with the *chinampas*.

We, the local neighbors and native people from Xochimilco, ask the World Heritage Committee to make a serious request to the Mexican State for all the information on this infrastructure. With this information, and others gathered by national and international scientists about the problem, we ask the World Heritage Committee to evaluate the pathways to follow in this case to keep the integrity of the ecosystem. Based on the current analysis generated by the scientific community, we consider that the best course is to deconstruct the bridge and create a real program of restoration of the wetland, focusing on the natural and cultural outstanding characteristics of Xochimilco. In the meantime, this site should be urgently included in the List of World Heritage in Danger since the Mexican government is destroying it, until it reverses the construction of the bridge and the regeneration of the affected wetland takes place.

Also, we request UNESCO to urge the Mexican State to stop these types of policies in which there is a clear violation of all the conservation tools by generating car infrastructure that deteriorates our common heritage and violates our human rights.

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The English Lake District, a Cultural Landscape Under Threat From Motorists and Park Managers

The Lake District Green Lanes Alliance

Green lanes – part of our heritage

Over the last four years we have reported on the damage caused to the Lake District's Outstanding Universal Value by increasing numbers of hobby motorists using green lanes, or unsealed roads.

We have shown that green lanes are an integral part of the Lake District's heritage and its Outstanding Universal Value. One of the experts who prepared the successful World Heritage bid, the historian Terry McCormick, says that green lanes offer an opening "into the time-depth of the Lake District landscape. Walking along a green lane, we can be taken into a zone in which centuries become our nearby yesterdays and are so much more entwined within us than we might imagine. As many of us are lucky to know, this also is deeply releasing and tranquil; just the sort of adventure which should be at the heart of a World Heritage landscape."



Fig. 1: A green lane in the Lake District.

Photo: Lake District Green Lanes Alliance

This sets green lanes apart from the network of tarmac roads in the Lake District. As ICOMOS points out in its May 2019 technical review, "these are ancient routes used by farmers, and in some areas miners as well, which have been preserved as a crucial part of the spatial organisation of the overall cultural landscape." Classifying green lanes as "roads" is therefore nothing more than an – often arbitrary - administrative act which says nothing about the nature of these ancient tracks and does not imply access rights for motor vehicles.

What makes the green lanes of the Lake District so valuable is their twofold connection with nature and history, a link that is also a crucial part of the Lake District's OUV, and one that needs careful protection. It goes without saying that the need for protection is even more evident on land left to the National Trust by one of the great figures of the conservation movement, Beatrix Potter. This is the case for both the High Tilberthwaite and High Oxen Fell routes, and the National Trust has publicly stated that the use of motor vehicles on these tracks for leisure purposes "is damaging and should be regulated by a Traffic Regulation Order (TRO)"

Over the last 20 years some of these ancient farm and quarry tracks have become a favoured destination for an increasing number of leisure motorists. As our graph shows, after the end of Covid travel restrictions in 2020 and 2021, motoring reached unprecedented levels on the High Nibthwaite route, and much higher on other routes than the 2002/4 figure of 110 vehicles a month given in a National Park document for High Tilberthwaite in 2005. For a World Heritage site priding itself on its tranquillity, harmonious beauty and history of conservation this is not acceptable.

ICOMOS Technical Reviews

In its two technical reviews on the subject released in 2019, ICOMOS addresses the central question head on: Does recreational driving harm the OUV by breaking the connection with landscape and history?

The answer is clear. ICOMOS writes in its technical review issued in May 2019: "As set out in the property's nomination dossier, the impacted landscapes are remarkably intact in terms of reflecting their use and evolution over time through their landscape features and their current use, the way cultural aspects contribute to their aesthetic qualities, and their strong associations with the conservation movement. All of these qualities are being adversely impacted **and are precisely those that need to be demonstrated to justify the introduction of a TRO**" (Traffic Regulation Order). (*emphasis added*)

The September 2019 technical review lists the relevant grounds for TROs in the legislation: those that are aimed at protecting the character of a road and the natural beauty of the National

Total motor vehicles logged by month and route

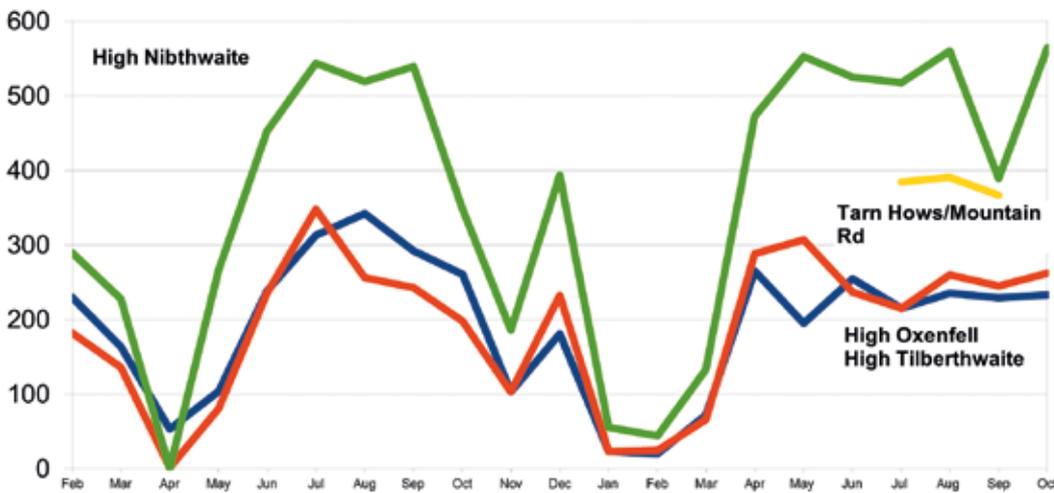


Fig. 2: Total motor vehicles logged by month and route, February 2020 – October 2021. Note: Figures for July and August 2021 for High Nibthwaite and for September 2021 for Tarn Hows are estimated due to missing data.

Graphic: Lake District Green Lanes Alliance

Park. It is important to note that these legal tools enable the LDNPA to protect both the World Heritage OUV and the National Park’s special qualities.

The evidence

We also have two types of evidence showing the impact of green lane driving.

First, there is abundant empirical evidence, collected by the LDNPA itself, about the brutal, disconnecting effect of motor vehicles on two green lanes near Little Langdale, at High Oxen Fell and High Tilberthwaite. An evaluation of over 600 survey responses¹ by an environmental psychologist found the following main effects:

- Tranquillity and beauty diminished
- Stresses from city life introduced
- Connection with nature disrupted



Fig. 3: 4x4 vehicles on a green lane.

Photo: Lake District Green Lanes Alliance

1 Lumber, R. Evaluation of Survey Comments

- Cultural heritage threatened
- Community of walkers besieged
- Physical danger from motor vehicles on narrow sections
- Feeling of apprehension before and while walking the route
- Harm caused to the landscape, flora and fauna

Second, the degradation of the Lake District’s OUV has been described by a number of heritage experts: “Allowing driving on green lanes is incompatible with the terms of inscription as a World Heritage site. It threatens to deny visitors the experience promised by over two centuries of care and maintenance of traditional human activity in a spectacular natural environment. It further threatens the integrity of the area which is a requirement for World Heritage status.”

Dr John Carman, formerly of the Ironbridge International Institute for Cultural Heritage at the University of Birmingham

“I would argue that motor vehicles on hill tracks would most likely disrupt the aesthetic character of the places where such activity is found. In order to protect the UNESCO-recognised agro-pastoral character of the Lake District, some farming vehicles are no doubt necessary but other uses would not align with the overall integrity and landscape character of the Lake District.”

Professor Emily Brady, Professor of Philosophy at Texas A&M University, specialising in environmental ethics and landscape aesthetics. Previously she was Professor of Environment and Philosophy at the University of Edinburgh.

“Rawnsley’s and Potter’s concept of conservation, developed from Wordsworth and Ruskin, lies at the heart of the World Heritage award: the preservation of the cultural heritage of hill-farming/shepherding and of the constant source of ‘quiet enjoyment’ and ‘spiritual nourishment, offered by the District.

To suggest therefore ‘that driving on unsealed roads for the sole purpose of a challenge ... is as much a part of the cultural history of the area as many other activities’ is clearly risible in that context.”

Philippa Harrison, Rawnsley expert and author of “Mountain Republic”

Covid and the climate emergency: a radically changed world

The Covid pandemic and a growing awareness of the climate emergency have forced us into a fundamental rethink of how we view the natural world, making the task of protecting the Lake District as a resource for wellbeing much more urgent. The National Park Authority has stated that the fight against climate change is now a priority. It has described the consequences of heavy usage and extreme weather events on footpaths and tracks: erosion and sedimentation could result in the loss of ecologically sensitive areas and landscape aesthetics. Our summary of scientific evidence on the ecological impact of green lanes can be seen at [269609_83b2ff3ed0424349bf58fb-1d63d86c1c.pdf](https://www.savethelakedistrict.com/269609_83b2ff3ed0424349bf58fb-1d63d86c1c.pdf) (savethelakedistrict.com).

In the light of this new urgency, brought into sharp focus by COP26, 44 respected environmental scientists appealed to the Lake District National Park Authority (LDNPA) to review its approach to green lane driving. Their letter is available at [269609_428bb26e2e9d4e9d8d69a7c0a0cdc8da.pdf](https://www.savethelakedistrict.com/269609_428bb26e2e9d4e9d8d69a7c0a0cdc8da.pdf) (savethelakedistrict.com).

The response from the Lake District National Park Authority

Although the need to protect the landscape of the Lake District is reflected in many official LDNPA documents, the Authority’s reluctance to take effective action against motor vehicles on green lanes has not changed. Against the advice of ICOMOS, the LDNPA established a “Partnership Management Group” for the High Tilberthwaite green lane. The group was established in such a way as to give motoring organisations a clear majority, although motorists make up less than 20% of users.

What should happen now

- We are asking the Lake District National Park Authority to take account of the new context of Covid and the climate emergency, and to protect the Lake District’s OUV with all the powers it has. In particular, the Authority should examine the function of all vulnerable green lanes within the local area and establish what effect green lane driving has on the local attributes of OUV and on the wellbeing of residents and the experience of walkers, cyclists and other users.
- We urge the World Heritage Centre to undertake a Reactive Monitoring Mission and to enter into a productive dialogue with the National Park Authority on the effective protection of green lanes in the property.

The Upper Middle Rhine Valley is Threatened in Many Ways

Klaus Thomas and Elke Greiff-Gossen, Rheinpassagen Citizens' Initiative



The Upper Middle Rhine Valley has been inscribed on the World Heritage List since 2002 under criteria (ii) (iv) and (v).

Threat 1: Railway noise

Already at the time of its recognition as a World Heritage Site, UNESCO stated, „However, the railways that run along the valley contribute to the noise pollution in the Valley which is a problem that needs to be mitigated“. A reduction of noise can be achieved without external means: Setting maximum train numbers, banning noisy carriages, reducing speeds, banning night travel, or shifting trains to other routes are measures that can be taken and enforced by the State Party itself. Instead, the State Party accepts or encourages the increase in noise caused by constantly rising train numbers. The two railroad lines running along the Rhine river have now become the busiest freight train route in Europe, with a further upward trend.



Fig. 1: A train rushing through St. Goarshausen in immediate vicinity of inhabited houses.

Photo: Moss / Travel Media

We demand: The State Party must finally and actually reduce railroad noise. This can be achieved in the short term with measures such as limiting the number of trains, reducing speed, and prohibiting carriage of noisy vehicles.

Threat 2: Middle Rhine Bridge

The state of Rhineland-Palatinate (RLP) wants to connect the A 3 freeway in the east with the A 61 freeway in the west, as well as the trunk roads (federal highways) in the World Heritage area, via a Middle Rhine Bridge. A regionality of the bridge and its compatibility with the OUV should be proven by ex-



Fig. 2: Heavy concussion caused by the trains leads to an increasing number of rock-falls such as here in Kestert where the railroad track was destroyed and had to be closed for months.

Photo: Elke Greiff-Gossen

pert studies, which were submitted to UNESCO in 2010. In the meantime, it has been proven that these expert opinions have considerable gaps, and their figures have been inaccurately collected. Now the construction of a bridge over the Middle Rhine becomes a concrete option again. New expert opinions have been prepared. They are again incomplete.

1. The construction costs (€40 million) are underestimated. The construction of a new bridge 30 km downstream is currently calculated at €137 million.^[1]
2. No traffic figures are mentioned for the connection of the highways, for the feeder traffic and for the connection of the other trunk roads.
3. New construction and expansion of access roads to the bridge can only take place in the narrow valley into the slopes of the Rhine. These are strictly protected. Where roads shall be built or expanded is kept secret. With the construction of the bridge, the four ferries will cease operations for economic reasons. The ferry operators have reported this to UNESCO. This is not mentioned in the expert reports.
4. The expert reports ignore all new traffic and its effects.

However, despite the inaccurate or concealed traffic figures, the new expert reports also clearly show the disadvantages of a Middle Rhine Bridge.

- Traffic to cross the Rhine will be shifted to the roads. Compared to today's purely locally generated Rhine-crossing traffic (four ferries versus one bridge), traffic on the Rhine bank roads will double.
- Emissions from motor vehicle traffic in terms of noise, exhaust gases and CO₂ will increase.
- Additional road traffic will be generated in the villages and towns along the Rhine.
- The Rhine towns of St. Goar and St. Goarshausen, on the foot and opposite of the Loreley, will be considerably affected.



Fig. 3: Lights of the ferries serving both pedestrians, bicycles and cars crossing the Rhine river near the Loreley rock. Photo: Klaus Hammerl

- The bridge project would serve passenger car and truck traffic. Crossing the Rhine over the bridge will be practicable only for motorized vehicles. For pedestrians, the walking distance across the bridge will be too long and the Rhine will become a border. Local public transportation by ferries will be eliminated.
- UNESCO has received a design for a low-level bridge over the Rhine (Heneghan Peng, Dublin). This bridge does not allow shipping traffic on the river and therefore cannot be built. Present expert studies indicate a bridge height of 27 meters and length of 600 meters in order to allow ships to pass underneath.
- The planned location directly below the Maus Castle destroys the OUV of the WH Site.

Summary: A bridge over the Rhine will lead to considerable disadvantages for the regional population: ferry traffic will be eliminated, Rhine crossings will only be practicable by motor vehicle, noise and exhaust fumes will increase, and long-distance traffic will be routed through the World Heritage site. In the context of climate change, the reduction of environmental pollution is demanded worldwide. In the Upper Middle Rhine Valley World Heritage Site, however, the State Party promotes their increase.

We demand: The State Party is to be requested to abandon the plans for the construction of a bridge.

Threat 3: Federal Horticulture Show (BUGA 2029)

The state of Rhineland-Palatinate will host the Federal Horticulture Show in the Upper Middle Rhine Valley World Heritage Site in 2029 for the duration of half a year. The show's goal is to boost tourism through a series of events but also long-term infrastructure investments. "The Middle Rhine Bridge, which the state of Rhineland-Palatinate is to push through with all its might", (ICOMOS Press 2011), is also part of the planning for this event. The government's aim is to complete it by then.

Several €100 million will be invested in the 65 kilometer stretch of the river to design areas with attractions in central and decentralized venues to attract up to 3 million visitors. Parking lots and roads to handle traffic are to be built or expanded. Because of the narrowness of the valley, encroachment on specially protected nature reserves with impacts on the OUV must be assumed. The Rhine waterway will be included in the design of the show.

Interventions in the natural and cultural landscape known to date

A giant port will be built in Boppard–Bad Salzig starting in 2022. Four docks with a total of 46 dolphins (steel planks driven into the bed of the Rhine) will extend along the entire Rhine frontage of the town over a length of about 3 kilometers.



Fig. 4: A view of Boppard - Bad Salzig with a computer rendering of the planned dolphins. On the other side of the river, Bornhofen Monastery can be seen at the extreme left, and the two castles on the hilltops. Photo: Klaus Thomas / Elke Greiff-Gossen

The dolphins will rise several meters above street level. There will be 15 landing stages, and parking and sanitary facilities will also be built. The harbor will be built directly opposite of Bornhofen Monastery and in direct line of sight to Sterrenberg and Liebenstein Castles, famously known as the “Hostile Brothers”. There is no need to build this harbor within the World Heritage Site. It is clearly not compatible with the OUV. UNESCO has not been informed about his plan.

The World Heritage Committee had welcomed the cancellation of the **hotel project on the Loreley Plateau** by the State Party (44 COM 7 B155). In connection with the BUGA, the hotel project is being planned again, now under the new term “climate park”. What exactly this means is not known. The State Party does not provide any details on the construction plans, not even upon written request.

The **Loreley Plateau** will be the focal point of the BUGA. Additional parking areas on a total area of about 10 hectares, as well as roads for bus shuttles to the so-called “landscape park” on top of the plateau, will be built. Further areas on the plateau will be redesigned, also in connection with the expected flow of visitors to the Loreley Plateau and the guests of the newly planned vacation village (Hotel Resort).

A **meadow area** on the plateau will be transformed into a so-called multifunctional area with parking spaces for buses, cars and mobile homes, as well as sanitary facilities.

In the strictly protected Rhine slopes above Oberwesel, the **Günderodehaus**, a former film set house, is planned to be converted into a hotel complex with about ten buildings and parking spaces which can be compared with the project of the vacation resort on the Loreley plateau. The State Party has approved the plan but does not see a need to inform UNESCO.

Summary: All these projects are interventions in the natural and cultural landscape of the World Heritage Site with drastic impacts on its OUV. Nevertheless, the State Party does not report the projects to UNESCO. These projects must be cancelled. It is not explainable to allow the “Günderodehaus Hotel Com-

plex” but reject the “Klimapark Hotel” on the nearby Loreley Plateau.

The title “World Heritage Site” is used for marketing the BUGA 2029. It must be ensured that despite this marketing, the protected cultural and natural assets are preserved in the long term and are not sacrificed to short-term plans for the success of the BUGA 2029.



Fig. 5: The newly erected “Listening Stones” on the Loreley Plateau, adding further to obscurantism instead of education in the World Heritage Site. Photo: Klaus Thomas

We demand: All plans for the 2029 Federal Garden Show must be coordinated with, and approved by, UNESCO in advance. A framework concept must be developed and submitted to the World Heritage Centre for review before irreversible decisions are made. ICOMOS must be involved in the planning and execution throughout the entire period. According to §172 OG, the State party must submit ALL planning documents for the BUGA 2029 to UNESCO.

Threat 4: Loreley Plateau

The World Heritage Committee had decided that first a spatial framework for the future use of the Loreley Plateau should be developed and the documentation submitted to the World Heritage Centre for consideration by before irreversible decisions



Fig. 6: New roads and trails are paved on the Loreley Plateau, further sealing off the ground. Photo: Klaus Thomas

are made (44 COM 7 B155). The plan for the development of the Plateau has not yet been worked out, but nevertheless construction work is currently taking place on the Loreley plateau without UNESCO having been informed:

- Installation of four so-called “listening stones” from Westphalia, weighing up to 20 tons, placed at four locations on the plateau.
- The network of paved paths on the plateau is extended.
- All surface water from the sealed areas on the plateau will be directed into the Rhine slopes, which are under special protection and designated as FFH areas. ^[2]

Conclusion: The State Party clearly ignores the decision of the World Heritage Committee. The Loreley Plateau continues to be built over without a new spatial framework and without the involvement of UNESCO.



Fig. 7: Trees are felled in order to make room for car parks and bus lanes, profoundly altering the cultural landscape of the Plateau.

Photo: Klaus Thomas



Fig. 8: Exit of a pipe draining off rain water from the sealed areas of the Plateau to the slopes of the Loreley Rock.

Photo: Klaus Thomas



Fig. 9: New constructions outside Kamp-Bornhofen creating modern suburb settlements not in line with the settlement patterns of the historically evolved cultural landscape.

Photo: Elke Greiff-Gossen

We demand: UNESCO (ICOMOS) must clearly point out that the decisions of the World Heritage Committee must be observed and all planning in the World Heritage must be submitted to UNESCO in advance.

Threat 5: Urban sprawl

Outside the village of Kamp-Bornhofen with its closed townscape, a housing estate is built. Outside St. Goarshausen, a new municipal administration building is being constructed. The expansion of the quarry in Trechtinghausen has been approved. The State Party has agreed, but has not considered it necessary to inform UNESCO.

We demand: The urban sprawl into the cultural landscape must be stopped. For the construction of new buildings, priority should be given to using the land still available in the villages outside the Rhine River Valley.

References

- [1] Kostenexplosion bei der Pfaffendorfer Brücke, Rhein-Lahn-Zeitung Diez, Tuesday 23 November 2021, page 23
- [2] FFH-Gebiet 5711-301 Rheinhänge zwischen Lahnstein und Kaub.
- [3] Günderodehaus: Hotelanbau soll höher werden - Rhein-Hunsrück-Zeitung, Monday, 29 November 2021, page 25

The Curonian Spit: Bad Governance, Climate Change, War, Cessation of International Cooperation – What is the Future?

Aleksandra Koroleva (Ecodefense), Larisa Stanchenko and Olga Golovina



Ecodefense! has conducted monitoring on the Russian part of the coast of the Curonian Spit since 2017. Thanks to cooperation with the staff of the Kuršių Nerija National Park – the Lithuanian part of the World Heritage site, a comparative analysis of the results of a series of storms that hit the Curonian Spit coast in January 2022 was carried out.

A string of January storms left monstrous destruction on the coast of the Curonian Spit – this is evidenced by the results of the Ecodefense expeditions¹ and the materials of Lithuanian colleagues. Five hurricanes that hit the coast of the Curonian Spit dealt a crushing blow, but its consequences for the Russian part of the peninsula could not have been so disastrous if the administration of the Curonian Spit National Park had submitted a large application for the foredune - the protective coast of the rampart.

In the second half of January, a series of storms hit the Curonian Spit coast:

- 14–15 January, speed 19 m/s, directions NW – N;
- 17 January, speed 25 m/s, directions W – NW – N;
- 20–21 January, speed 24 m/s, directions NW – N;
- 29–30 January, 27 m/s W – NW.

Each next storm was stronger than the previous one. Storm Nadja, which hit the coast of the Southern Baltic on January 29–30, was the most destructive for the Curonian Spit in all its parameters: the winds of the northern and western rhumb lines struck straight into its coast. The power of Hurricane Nadja was actually concentrated on the Spit.

As a result of the rapid rise in sea level (up to 1.1 m), sea water flooded the root section of the Curonian Spit, approximately 3 km (Fig. 1). On February 1, 2022, the forest and highway were still under water (Fig. 2). The foredune in this place was completely destroyed by the 2018 storm. The administration of the national park did nothing to restore the foredune. Every year, during storms, the sea floods the forest and the highway.

Sea waves raised by the northwesterly wind (27 m/s, gusts up to 40) caused severe damage to the coast. The destruction affected the beach and foredunes. According to the estimates



Fig. 1: The coast on the southwestern border of the Russian National Park Curonian Spit. An unfixed foredune, destroyed by storms back in 2017, was finally washed out by winter storms in 2022. Date of shooting 05.02.2022. Photo: Olga Golovina

of Lithuanian colleagues, a quarter of a million cubic meters of sand was carried away by the sea from the Lithuanian side of the spit; for the Russian part, no such assessments have been made.



Fig. 2: The last of a series of January storms hit the Curonian Spit on January 29–30, 2022. In early February, significant areas of the forest (behind the destroyed foredune) and the highway remained flooded with sea water. Shooting date 1.02.2022. Photo: Olga Golovina

The results of a series of storms were devastating for the entire Curonian Spit. There is a number of significant differences between Russian and Lithuanian part. The foredunes on the Russian and Lithuanian parts looked different before the series of storms. Before the storms, the foredune on the Lithuanian side

was monolithic and continuous. On the Lithuanian side, systematic work is underway to restore the foredune (Fig. 3). The restoration of the foredune is carried out in accordance with the State Coastal Management Program for 2014–2021, developed by the Lithuanian Nature Research Center.

Foredune on the Russian side has been fragmented and destroyed for many years. There is no systematic work on the Russian side. The unsystematic repair of the foredune on the Russian side is carried out without scientific support, occasionally, by random methods with the involvement of unskilled volunteers (Fig. 4).



Fig. 3: Foredune near Jodkrante, Kuršių Nerija National Park, Lithuania. Shooting date 16.10.2019. Photo: Timofey Zubarev



Fig. 4: A typical section of a destroyed foredune on the Russian side of the Curonian Spit with traces of repair work. Shooting date 14.11.2020. Photo: Eugen Golovin

From a series of storms in the Russian part of the Curonian Spit, the coast from the southwestern border of the national park to the village of Lesnoye was especially hard hit. The foredune on this part of the coast is in a catastrophic state, which Eco-defense has repeatedly stated in its reports and publications^{2,3}. The administration of the Curonian Spit National Park has left this situation unnoticed for many years. The series of January storms has completely destroyed the coast.

To the south of the village of Lesnoye and in the area of the tourist route “Korolevsky Bor” there are no more foredunes, the coast was cut like a razor, a vertical ledge was formed up to the edge of the forest up to 4.5 m high, in fact, there was a loss of the territory of the World Heritage Site (Fig. 5).



Fig. 5: The coast south of the village of Lesnoye, the Russian side of the Curonian Spit. Shooting date 01.02.2022. Photo: Eugen Golovin

Throughout the coast, we are seeing gradual coastal destruction, which appears due to the intensification of storms. In some cases, as in the vicinity of the tourist route “Korolevsky Bor”, we observe the loss of the original coast (Fig. 6). Climate change and the feet of tourists together are destroying the foredune.

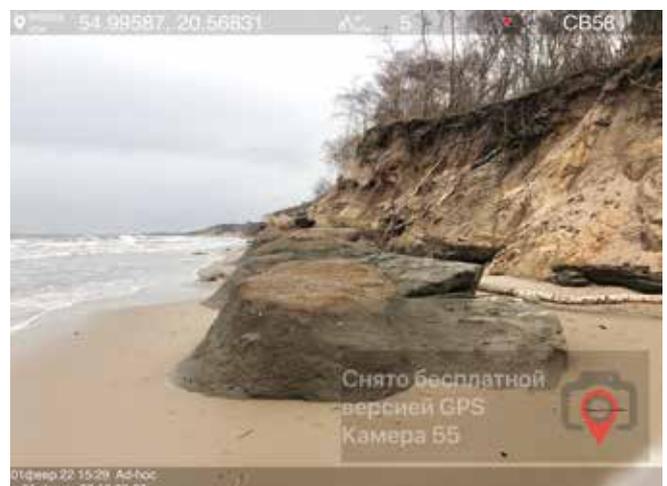


Fig. 6: Erosion of the bedrock bank in the area of the tourist route “Korolevsky Bor”. Russian National Park Curonian Spit.

Photos: a. 12.10.2018 Aleksandra Koroleva; b. 01.02.2022 Eugen Golovin

The number of tourists in the national park is growing from year to year, but few of them understand the value of the world heritage. The paths through the foredune become gates for the wind, and during a storm - passages for the sea waves (Fig. 7).



Fig. 7: Non-equipped exit through the foredune on the southern outskirts of the Lesnoje village: a. 29.09.2021; b. 01.02.2022. Photos: Eugen Golovin

In early February, a state of emergency was declared in the Kaliningrad region due to the situation on the coast. The declaration of the state of emergency is of particular concern: In the emergency mode, hasty decisions can be made that do not correspond to the status of a World Heritage site. The project announced by the governor to create a stone wall on the southwestern border of the national park looks absurd and does not correspond to the universal value of the Curonian Spit.⁴

Ecodefense and the Coalition Clean Baltic made an attempt to unite actions to restore the coast on both sides of the state border on the Curonian Spit. On February 10, 2022 Ecodefense and the Coalition Clean Baltic called an emergency international online meeting. The purpose of the meeting was to develop recommendations for the restoration of the coast after the series of January storms. The meeting was attended by 26 representatives of the public, both national parks, the Ministry of Natural Resources of Lithuania, scientists from Lithuania and the Kaliningrad region. The meeting participants jointly developed recommendations for the restoration of the coast of the Curonian Spit.

The priority recognized was the integrated protection of coastal areas, excluding the restoration of some territories at the expense of the destruction of others. The most important direc-

tions and activities were recognized as the following: resumption of the traditional regular exchange of scientific knowledge between Lithuanian and Kaliningrad scientists exploring of the Curonian Spit coast; emergency comprehensive survey of the coast of the Curonian Spit, full and detailed assessment of damage; identification of the main causes affecting the state of the coast; studying the experience of keeping the foredune in the Kuršių Nerija National Park, as well as the experience of Poland and Germany; development of a strategic Kaliningrad Coastal Management Program, based on an understanding of modern climatic processes.

However, on February 24, 2022, Russia started a war in Ukraine, and the joint plans were not destined to come true. On March 3, the Kuršių Nerija National Park terminated the cooperation agreement with the Curonian Spit National Park, and international cooperation was interrupted. For the preservation and restoration of the coast on the Lithuanian side, these events did not play a significant role, but for the Russian side they became critical.

On the Lithuanian side, after the end of the storms, the damage was assessed within four days; the most affected areas in need of repair were identified; amendments were made to the State Coastal Management Program; in April-May, work was carried out to restore the foredune and the tourist infrastruc-



Fig. 8: Foredune near Pervalka (Kuršių Nerija National Park) before and after the repair: a. 05.04.2022; b. 06.01.2022. Photos: Lina Dikšaitė

ture (stairs, crossings over the foredune, slopes for the disabled) (Fig. 8). By the tourist season, all work was completed within the framework of the project “Strengthening the coast of the Baltic Sea (protective ridge of dunes) on the Curonian Spit” at the expense of the EU Structural Fund⁵.

On the Russian side, the total damage was never assessed; recommendations of specialists were not taken into account; repair work on the most dangerous section at the root of the Curonian Spit was started immediately after the last January storm (Fig. 9). The February storms that came after the January storms destroyed these structures, but in July the national park admin-



Fig. 9: Repair of foredune and foredune crossing between January and February storms: a. Urgent repair of the foredune breakthrough on the southwestern border of the Curonian Spit National Park; b. Repair of the stairs before the repair of the foredune (photo source official website of the Curonian Spit National Park, www.park-kosa.ru)

istration makes a ridiculous attempt to fix the moving sand with concrete slabs. The tourist infrastructure (stairs, passages) began to be restored before the foredunes were repaired⁶. In July, when the tourist season is in full swing, not all crossings over the foredune have been repaired. New stairs have been laid



Fig. 10: Repair of the stairs before the repair of the foredune. Route “Korolevsky bor”:

Photos: a. 01.02.2022 Eugen Golovin; b. 07.03.2022 Larisa Stanchenko

through the unrestored foredune, which means that the protective coastal rampart will never be restored (Fig. 10). Work on the restoration of the coastal shaft destroyed by storms did not even begin.

Preserving the integrity and value of the Curonian Spit is impossible without international cooperation and control by UNESCO. Today, this unique World Heritage site, divided by state borders and war, devoid of international control, is in real danger due to the inability of the Russian side to organize its management based on scientific views.

Links

- <https://ecodefense.ru/2022/02/02/curonian-spit-destruction/>
- <https://ecdru.files.wordpress.com/2020/12/report-on-world-heritage-property-no.-994-curonian-spit.pdf>
- https://ecdru.files.wordpress.com/2022/01/curonian_spit_2022_monitoring_report.pdf
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- <http://www.park-kosa.ru/nachalas-rabota-po-vosstanovleniyu-razrushennyix-shtormom-obektov-nacziionalnogo-parka-%C2%ABkurshskaya-kosa%C2%BB>

Ignoring UNESCO and ICOMOS, Hungary Continues to Jeopardize the Transboundary Fertő Lake / Lake Neusiedl

Zoltán Kun, Friends of the Fertő Lake / Lake Neusiedl Association



The Fertő Lake is part of a transboundary UNESCO Cultural World Heritage site¹ that also protects important natural values and is also a UNESCO Man & Biosphere reserve². Civil society organisations on both sides of the border requested the Hun-

garian government to stop its investment in a new tourism infrastructure project, which does not meet the guidelines set up in the WH site's existing management plan.



Fig. 1: Aerial view of the Fertő / Neusiedlersee transboundary WH site.
Photo: Alliance for Nature

The suggested development aims at investing roughly 120 million EUR public funds in tourism facilities, which are not compatible with the outstanding universal value of the site. While tourism use would be possible, this particular project is not considered as sustainable by its scale. The total area is 60 hectares (3% of the non-strictly protected area of the national park), of which the new artificial land surface would approximately be 13 hectares. Two project elements (the 4-star hotel and 26 apartment houses) are to be built inside the lakebed. They will significantly impact the future water management of the lake, because the interest of those running the facilities might be prioritised over ecological and environmental objectives in relation to the water level. In order to proceed with this megalomaniac project, the Hungarian government set up a 100% state-owned project development company which closed the shoreline for any public access. In our view, the environmental and building permissions were provided unlawfully.

1 <https://burgenland.orf.at/stories/3164579/>

2 <https://unesdoc.unesco.org/ark:/48223/pf0000366363>



Fig. 2: The design of the southern part of the tourism investment.

Graphic: SFTFN Zrt



Fig. 3: Demolishing the buildings within the core zone of the WH site started in December 2020. Photo: Friends of Fertő Lake Association

Several organisations have criticized the investment. Here comes an incomplete list of key critiques:

- Due to the increasing development of Neusiedlersee in Austria and Hungary, Alliance For Nature appealed to UNESCO to add Neusiedlersee to the List of World Heritage in Danger.
- Based on the assessment of ICOMOS, UNESCO WH Secretariat asked the Hungarian government in June 2021 to stop the investment.
- The European Commission included its investigation about this project in an EU Pilot inventory against Hungary.
- The department of Biological Studies of the Hungarian Academy of Sciences issued a statement on 17 December 2021³ which also called the Hungarian government to stop the construction and reconsider the plans. The academy considers the tourism development to result in irreversible damage of the natural values of the lake.
- Greenpeace Hungary, with the support of the Friends of Fertő Lake Association, started litigation cases to withdraw the environmental permission of the project.
- More than 25,000 citizens signed an online petition and asked the Hungarian government to stop the project

Despite of the widespread protests, construction started in 17 December 2020 with the aim of implementing water management related works and demolishing every existing infrastructure including the iconic reed-roofed wooden houses. The ICOMOS Hungarian National Committee, in its report dated February 2021, criticized 3 elements of the project and requested the investment organisation and the main architectural planner to refine the plans. This was followed by an assessment of ICOMOS International, which criticised the length of shoreline used for the tourism development, the height of the new buildings and the likely increased traffic to be created on land, through the reed-beds and on the lake. Therefore, the UNESCO WH

Secretariat after consultation with ICOMOS International called the Hungarian government to stop its investment.

During the current financial crisis the Hungarian government finally decided to put the tourism project on hold due to the lack of available funding. The result of public procurement for the construction works was announced as unsuccessful on 7 July 2022. Mr. János Lázár, the Hungarian minister responsible for investments and construction, sent a letter to the mayor of Sopron on 22 July 2022, which confirmed putting the tourism project on hold. We hope this means a completely new, and more transparent process of obtaining permissions.



Fig. 4: The proposed new water supply channel threatens the lake's ecosystem. Photo: Rezső Szukits

However, a new potential threat to the lake has arisen relating to its water supply. Due to climatic changes and unsustainable agriculture practices, the lake's water level is currently at a record low. Therefore, the Hungarian government, in cooperation with the Austrian State of Burgenland, is planning to build a new water channel from Mosoni-Danube to the Fertő Lake's Seewinkel area⁴. According to the preliminary environmental impact assessment document, the Austrian demand for irrigation water exists beyond the irrigation season, which indicates the possibility of diverting water from the Danube to the lake.

Such an action is potentially very damaging to the ecosystem of Fertő Lake / Neusiedlersee, hence does not fit into the re-

³ <https://mta.hu/viii-osztaly/mi-is-fenyvegeti-hazank-es-az-emberiseg-jovojet-111959>

⁴ <https://burgenland.orf.at/stories/3164579/>



Fig. 5: The investment triggered widespread protest among local people. Photo: Fertő tó Barátai Egyesület (Friends of Fertő Lake Association)

quirements of the EU Water Framework Directive. The source of water would be the Szigetköz Natura 2000 site, which faces significant water shortages on its own. Our organisations believe that other measures (eg. water retention, changing agricultural practices, rewetting wetlands in Hanság) would rather be needed in order to respond to the water level challenges of Fertő Lake / Neusiedlersee.

There are also irregularities in the 3-page summary of the State of Conservation Report available on the UNESCO WHC website. This summary is misleading and provides several pieces of false information.

For instance, the document presents the development along the lake shore as a way to re-establish the region's bathing culture. However, most of the project elements (4-types of accommodation, eco-centre, indoor and outdoor sport complex) have nothing to do with bathing culture. None of the building resonates the traditional architectural style of the region and makes no utilization of an important local building material: the reed. Hence the new development does not fit into the traditional land use and the lake only serves as a "stage-set" for the development.

The summary document refers to the carefully carried out Environmental Impact Assessment and Natura 2000 Assessment, but these are exactly the documents, which are still under investigation by the European Commission's DG Environment (EC DG ENVI). Based on an official complaint submitted in January 2020, the EC DG ENVI requested the Hungarian state party to provide evidence that the project fits into the area's specific conservation objectives. As the EC started an EU Pilot investigation, the responsible country administrative office finally initiated a partial environmental review of the project on 6 April 2022.

Contrary to the summary document submitted by both state parties, the Austrian Minister of Climate and Environment, Ms Leonore Gewessler, called upon the Hungarian government on 3 August 2021 to (a) stop the building processes and (b) perform a transboundary environmental impact assessment^{5,6}. These requests were ignored by the Hungarian state party. The document also states that the "impacts on World Heritage values were assessed in a World Heritage Impact Assessment Documentation prepared in accordance with the ICOMOS Guidance on Heritage Impact Assessments for Cultural Heritage Properties". However, the Heritage Impact Assessment is not publicly available and it was certainly not part of the process of changing the local building regulation which is the fundamental basis of asking for building permissions⁷.



Fig. 6: Despite of widespread protest, the investment company continued the construction of its tourism facility and destroyed dozens of hectares of valuable reed habitat. Photo: Alliance for Nature

5 <https://m.bvz.at/burgenland/politik/neusiedler-see-gruene-wollen-bei-grossprojekt-arbeitsgruppe-mit-ungarn-burgenland-grossprojekte-gruene-tourismus-ungarn-wasser-neusiedler-see-leonore-gewessler-grossprojekt-284222126>

6 <https://twitter.com/lgewessler/status/1422587076491587586>

7 <http://www.sopron.hu:81/share/s/auTdC-Z7TXaOo2JICsTHVw>

The document states that the Hungarian Ramsar Committee and the Hungarian National Committee of ICOMOS were consulted about the project. However, both of the consultations happened after the permissions were authorised. The meeting with the Hungarian Ramsar Committee happened in August 2019 while the environmental permission came into force in August 2018! The consultation with the Hungarian National Committee of ICOMOS, which resulted in ICOMOS calling for refining the plans, happened in November 2020, while the building permission came into force in June 2020! Therefore, these consultations with key stakeholders do not meet with the description of consultation described in the ICOMOS guideline of Heritage Impact Assessment (see point 2-2-4 in the guideline). Hence, even if there has been a Heritage Impact Assessment conducted, it was done improperly.

The Summary SOC also confirms the irregularity about the development of the project concept by stating that the first offi-

cial meeting between the two state parties happened in 27th November 2020, when all permissions had already been issued. This does not prove the existence of a good cooperation process between the State parties. Another evidence of improper transboundary consultation can be found on the website of the Austrian World Heritage Association (known as Welterbe), which issued two press releases (of 06.08.2019 and 14.08.2020). They confirm the lack of proper communication with Austrian parties in relation to the planned project which is the largest of its type along the lake.

Finally, the document states that notifications from third parties “are unfounded and unsubstantiated. None of the expert examinations indicated a potential threat to the Outstanding Universal Value.” Calling the opinion of experts of ICOMOS and experts as unfounded and unsubstantiated is a serious mistake of the summary SOC.



Fig. 7: The area is also a Ramsar site, home to numerous bird species.

Photo: Rezső Szukits

Management of the Lake Ohrid Region: One Step Forward, Two Steps Back

Emilija Apostolova Chalovska, Daniel Scarry and Sonja Dimoska, Ohrid SOS



Straddled on the border between the Republics of Macedonia and Albania, Lake Ohrid's low-nutrient, high-oxygen environment boasts one of the highest rates of biodiversity of any inland waterbody on Earth measured by surface area.¹ Drawn by these extraordinary qualities, humans have continuously inhabited the lakeshore for over 8,000 years, creating an abundant and unique cultural landscape, with hundreds of archaeological sites, early Christian, medieval and Ottoman monuments concentrated primarily in Ohrid old town. This outstanding value and importance led to the inscription of Lake Ohrid on the World Heritage List under natural criteria (ix) in 1979, followed by an extension to include the cultural and historical area of the Ohrid Region, under cultural criteria (i), (iii) and (iv) in 1980.² In 2019, the World Heritage Site enlarged to incorporate the Albanian part of Lake Ohrid,³ following a lengthy trans-boundary up-stream process, as requested by the World Heritage Centre as early as 1998. However, the Property is yet to incorporate the whole of the National Park Galichica within its boundaries (which currently include 72% of the park's territory), and lacks a defined buffer zone preferably including Lake Prespa, one of Lake Ohrid's largest inflow contributors,⁴ as explicitly recommended by UNESCO in 2017.

Moreover, incremental developments, infrastructure plans and tourism-related pressure on the Outstanding Universal Value (OUV) of the property have become more and more alarming in recent decades, leading to several Joint World Heritage Centre/ICOMOS/IUCN advisory/reactive monitoring missions in 1998, 2013, 2017, 2019 and 2020. The cumulative negative impact on the property's values is such that the last mission, in fact, recommended the property for inscription on the List of World Heritage in Danger.⁵

Management Framework

In recent years, the Republic of Macedonia has made uneven progress in the management framework for the World Heritage Site. In 2018, the Commission for the Management of the Natural and Cultural Heritage of the Ohrid Region, an oversight body, was established. It, however, lacks power under law and can only issue "opinions" on matters that generally consist of large infrastructure projects and Urban Plans. All cases of demolition of the old urban vernacular architecture, conservation and restoration permits, etc. are handled only by the Institute for Protection of Monuments of Culture and Museum – Ohrid and the Directorate for Protection of Cultural Heritage, bypassing the Commission entirely.

In January 2020, the Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029, initiated in 2010 with the adoption of the Law on Management of the World Natural and Cultural Heritage of the Ohrid Region⁶ was finally adopted. Even though it represents a necessary legal frame for the work of the Management Commission, it is not without weaknesses, which risk exploitation by developers and local municipalities.

A key milestone was the designation of Lake Ohrid as a Wetland of International Importance under the RAMSAR Convention in May of 2021.⁷ Unfortunately, the final application submitted by the Macedonian Ramsar Committee reduced the borders proposed by experts, omitting current terrestrial wetlands or locations of their possible restoration (the former Struga Marsh) essentially ignoring recommendations of the Joint IUCN/ICOMOS 2019 Advisory Mission Report.⁸

In 2021, a draft Study of Valorisation for Lake Ohrid Monument of Nature (Bogner et al.) was completed to lay the foundations for re-proclamation of the lake as a protected area. However, it contains serious deficiencies in species inclusion; ecosystem services; zoning; proposed management body; stakeholder analy-

1 Albrecht, C. & Wilke, T. (2008) "Ancient Lake Ohrid: Biodiversity and Evolution", *Hydrobiologia* 615: 103-240.

2 Paris, 1980 (CONF 016 V.13).

3 <https://whc.unesco.org/en/news/2002/>, accessed on 24.11.2021.

4 Matzinger et al (2006) "Is Lake Prespa Jeopardizing the Ecosystem of Ancient Lake Ohrid?", *Hydrobiologia* 553(1): 89-109.

5 WHC/21/44.COM/7B.Add, p. 76.

6 Official Gazette of R. Macedonia No. 75/2010.

7 Scarry, D. & Apostolova Chalovska, E. "Lake Ohrid, Northern Macedonia – Where Concrete Rises and Waters Fall", *World Heritage Watch Report* 2019: 77-78.

8 <https://whc.unesco.org/en/documents/185696>, accessed on 24.11.2021.



Fig. 1: The General Urban Plan of Ohrid (2002-2012), with a total area of 1,285ha, has engulfed agricultural land, meadows, segments of forests and even Studenchishte Marsh. All this area, with the exception of the marsh and the park within the old town will soon be filled with new housing and industry. Map: Ohrid SOS

sis; consultation; threats, including climate change; and restrictions. A valorisation for Studenchishte Marsh, Lake Ohrid's last fully functioning coastal wetland, was conducted almost concurrently, following a preliminary decision by the Government of Macedonia to declare it a protected area, too. The questionable Draft Law on Proclamation of Studenchishte Marsh as a Nature Park, which provides loose protection, poor zoning, ecologically improper boundaries; and no definitions of forbidden activities is yet to undergo public consultation. If this Law is adopted without in-depth amendments, it will effectively legalize the deterioration of Studenchishte Marsh and negate the possibility of wetland restoration and rehabilitation, which is, in essence, the goal of its legal protection.

New and Persistent Threats

The Ohrid Region is continuously faced with new and persistent threats, stemming from "insufficient shared understanding of the values of the property, conflicting priorities, poor implementation of the legal framework and little involvement of civil society, which have combined to fragment the management system, leaving it ineffective in maintaining OUV."⁹ Multiple overlapping laws, by-laws and planning documents, as

well as the number of responsible institutions¹⁰ make the management of this large¹¹ and complex world heritage property difficult, further aggravated with the 2019 extension. In an effort to establish cooperation with Albania, a Transboundary Watershed Management Committee was established, but has held only two meetings since January 2020.

As noted by all previous State of Conservation reports, the property

is under severe pressure from intensive, low-quality urbanisation of agricultural and unused land within the General Urban Plans (GUP) of Struga and Ohrid, irreversibly altering the surrounding landscape and contributing to a continuous deterioration of both old towns. This immense pressure is present even in the immediate surroundings of the proposed nature park Studenchishte Marsh, with existing and planned settlements to its north and east (within Ohrid's GUP) and south (the Urban Plan Outside Settlements - Gorica North, currently under elaboration by Ohrid Municipality, to which end an Impact Assessment Study has been approved by the Ministry of Environment and Spatial Planning,¹² despite its location within the Lake Ohrid RAMSAR site).

9 2021 State of Conservation Report, <https://whc.unesco.org/en/list/99/>, accessed on 23.11.2021.

10 In the Republic of N. Macedonia, two ministries (the Ministry of Culture and the Ministry of Environment and Spatial Planning) and three municipalities (Ohrid, Struga and Debrca) manage the Property. The natural and cultural heritage fall under the protection of the Institute for Protection of Monuments of Culture and Museum – Ohrid, the Natural History Museum "Dr. Nikola Nezelovski" in Struga, the Galichica National Park and the Institute for Hydrobiology in Ohrid.

11 The Ohrid Region World Heritage site covers ca 94,729 ha, of which 83,350 ha (according to the 1979 inscription on the World Heritage list) belong to Macedonia, which represents as much as 3.24% of the country's territory.

12 <https://ohrid.gov.mk/>, accessed on 26.11.2021.



Fig. 2: The disposition of Studenchtishte Marsh within Ohrid's General Urban Plan, surrounded by intensive urban development to the north, east and south, with no buffer zone envisioned in the Law on its proclamation as a nature park.
Map: Ohrid SOS

It is noteworthy that the Ohrid GUP (2002-2012) and the Spatial Plan of the Ohrid-Prespa Region have expired, meaning all new Detailed Urban Plans (DUP) are in fact aligned to obsolete higher rank documentation, perpetuating its flaws (such as meagre public spaces and greenery). While Ohrid Municipality is yet to initiate the elaboration of DUPs aligned with the Management Plan in force for the 19 boroughs of Ohrid's old urban core, it has dedicated resources to the amendment of fairly recently adopted DUPs on the outskirts of the town aiming to take advantage of the maximum occupancy percentages and heights of the building plots for the protection zones II and III as defined in the same plan.

The lack of in-force DUPs for the Ohrid old core has allowed for multiple demands for building additional floors on houses that are not registered as monuments of culture. Namely, the Law on Construction (article 59s) allows A1 buildings (Individual Housing) to erect additional floors irrespective of the maximum designated in the relevant DUP as long as they are within the height defined in the Rulebook of Standards and Norms for

Urban Planning (10.2m), without distinction of whether they belong to a protected urban core (as is the case for Ohrid and Struga) or not. The practice for granting approval upon these demands by Ohrid's Institute for Protection and Monuments of Culture and Museum clearly states that no buffer zones with protective measures have been defined for the existing protected monuments of culture within the old town; nor is there an understanding within the relevant protection institutions of the Law on the Declaration of the Old Urban Core of Ohrid as Cultural Heritage and its scope.¹³

Also, an unknown number of Local Urban Planning Documentations (LUPD), mainly for hotel and villa accommodation outside main towns is pending adoption by Ohrid and Struga Municipalities, taking advantage of the Management Plan's loosely defined measure allowing a 20% increase of existing rural settlements within the region. Another weakness of the Management Plan is the lack of strictly defined maximum sizes of construction plots per protection zone (regardless whether for natural or cultural heritage), in addition to the enforced measures of maximum occupancy of 50% per plot and the ban on merging multiple smaller cadastre plots in order to create large construction plots. This deficiency effectively allows for the construction of large new built structures that threaten the property's OUV.

Complementing the intensive planned construction, the issue of illegal structures is still unresolved, despite partial efforts by Ohrid Municipality to clear sections of beach infrastructure on the eastern lakeshore. The resurrected Law on the Handling of Illegal Constructions has extended deadlines for outlaw structures to be legitimized without mandatory impact assessments even within protected areas. In November 2021, more than 100 legalization permits were issued by Ohrid's new mayor's office.¹⁴ Furthermore, the new draft Law on Legalization allows for constructions within 50m of the lake to be made legal.

Among other threats, climate change by extended drought, higher air temperatures, decreased humidity, in addition to water abstraction for agriculture, industry and drinking, and poor management practices have taken an immense toll on regional water levels. Those at Lake Prespa have slumped precipitously in 2020 and continue to do so in 2021, following a slower decline over decades, resulting in severe eutrophication. The effects on Lake Ohrid remain unknown. Decreased inflow and improper outflow management at the Black Drim River by electric company ESM have also led to worryingly low water levels of Lake Ohrid, which dwindled to the absolute legally permitted minimum of 693.10m

	2001-2005	2006-2010	2011-2015	2016-2020
OHRID	78,105	152,455	141,033	87,881
STRUGA	127,208	96,729	106,091	116,583
TOTAL	205,313	249,184	247,124	204,464

Fig. 3: Housing Construction (in m²) in the Ohrid Region, by municipality, 2001–2020.

Source: State Statistical Office of R. Macedonia

¹³ Official Gazette of R. Macedonia No. 47/2011 and 154/2015.

¹⁴ <https://www.facebook.com/kirilpecakov/>, accessed on 25.11.2021.

above sea level in November 2021.¹⁵ This is becoming disturbingly routine: a similar drop was recorded in Fall 2020 too. A serious ongoing threat is the improper management and maintenance of wastewater and solid waste disposal. Even though cleaning and maintenance of the wastewater system was undertaken in 2020, leaks have been reported in 2021,¹⁶ as well as a lack of control and sanctions for smaller treatment facilities, such as at camp-sites or the St. Naum Monastery complex, where in the summer of 2021 there were even reports of illegal dumping of untreated wastewater directly into the lake.¹⁷

As for large infrastructure projects, the A2 highway, cutting through a large portion of the World Heritage property, has been developing without the necessary archaeological survey of the occupied terrain. The Management Commission has, however, asked the Agency for State Roads to conduct archaeological excavation of the planned turnpikes at several important locations (Trebenishta, St. Erasmus, Engelana) where archaeological sites are known to exist.

Recommendations

1. To impose a moratorium on all construction within the scope of the Urban Plan of State Importance for the Coastal Zone of Ohrid Lake until after its implementation;
2. To imbue the Commission for Management of the Natural and Cultural Heritage of the Ohrid Region with greater legal force to control and oversee urbanisation;
3. To prevent any exception to the 50-meter buffer zone of the shoreline for uses other than wastewater, sewerage, water supply and (narrowly defined) essential infrastructure;
4. To establish maximum size limits for construction plots by zone of protection, for both natural and cultural heritage, thus avoiding the loophole that permits immensely large new built structures despite Management Plan occupancy caps of 50% for urban plots;
5. To redefine and clarify measures for rural settlements defined in the Management Plan, which currently allow for urban expansion of up to 20% without defining point zero;
6. To explicitly forbid transformation of forests and agricultural land into construction land;
7. To reform the Directorate for Protection of Cultural Heritage, the Institute for Protection of Monuments of Culture and Museum-Ohrid and competent ministries and inspectorates following a thorough independent review into their staffing, decision-making competencies and procedures;
8. To implement zero tolerance for any new structures erected contrary to law; and
9. To enact a dedicated and independent management body / institution for the Ohrid Region that will incorporate and integrate both natural and cultural heritage and ensure trans-boundary cooperation for better management of the World Heritage Site in its entirety.

¹⁵ Hydrometeorological Institute of the Republic of Macedonia.

¹⁶ <https://www.ohridnews.com/>, published on 13.02.2021.

¹⁷ Source: <https://off.net.mk/>, accessed in August 2021.

Current Condition of Bamiyan Cultural Heritage

Abdurrahim Ahmadi, Urban Planner/Architect

Bamiyan Valley is located in the central part of Afghanistan. It contains valuable monuments such as Buddha niches, painted caves in Folady valley, Qala-e-Kafari A and B, Shahre Ghulghula, Shahre Zuhak, Qal'as in the valley plain, watchtowers, and Caravan Sarai. These historical elements are located chiefly on agricultural land and some of them on cliffs. In this valley, most people are farmers, and they traditionally cultivate, irrigate, and harvest their crops. All these elements like monuments and farmlands have created an extraordinary landscape.

The historical monuments that UNESCO inscribed on the List of World Heritage are listed below (see reference numbers on Fig. 1):

1. The Bamiyan Cliffs on the north side of the valley, including the two colossal niches that contained the 38 meter Buddha, seated Buddhas, 55 meter Buddha and surrounding caves (1);
2. The Karak Valley caves (2), some 3 km southeast of the Bamiyan cliff, dating from the 6th to 13th century CE and formerly housing a more petite standing figure of Buddha, were also destroyed in 2001;

3. The two main important groups of the Foladi Valley caves, the Qoul-i Akram (3) and Kala-l Ghamai caves (4), have important decorative features;
4. The elevated citadel of Shahr-i Zohak guards (5) the entrance to the Bamiyan valley from the East;
5. The towers of Qala-i Kaphari (6-7) consist of fortification walls, towers, and citadels of earthen structures dating from the 6th to 8th century;
6. The historic city of Shahr-i Ghulghulah (8) is a fortified citadel situated on a hill in the center of the valley, which dates from the 6th to 10th centuries AD. (Bamiyan Master Plan Compain, 2005, p. 152).

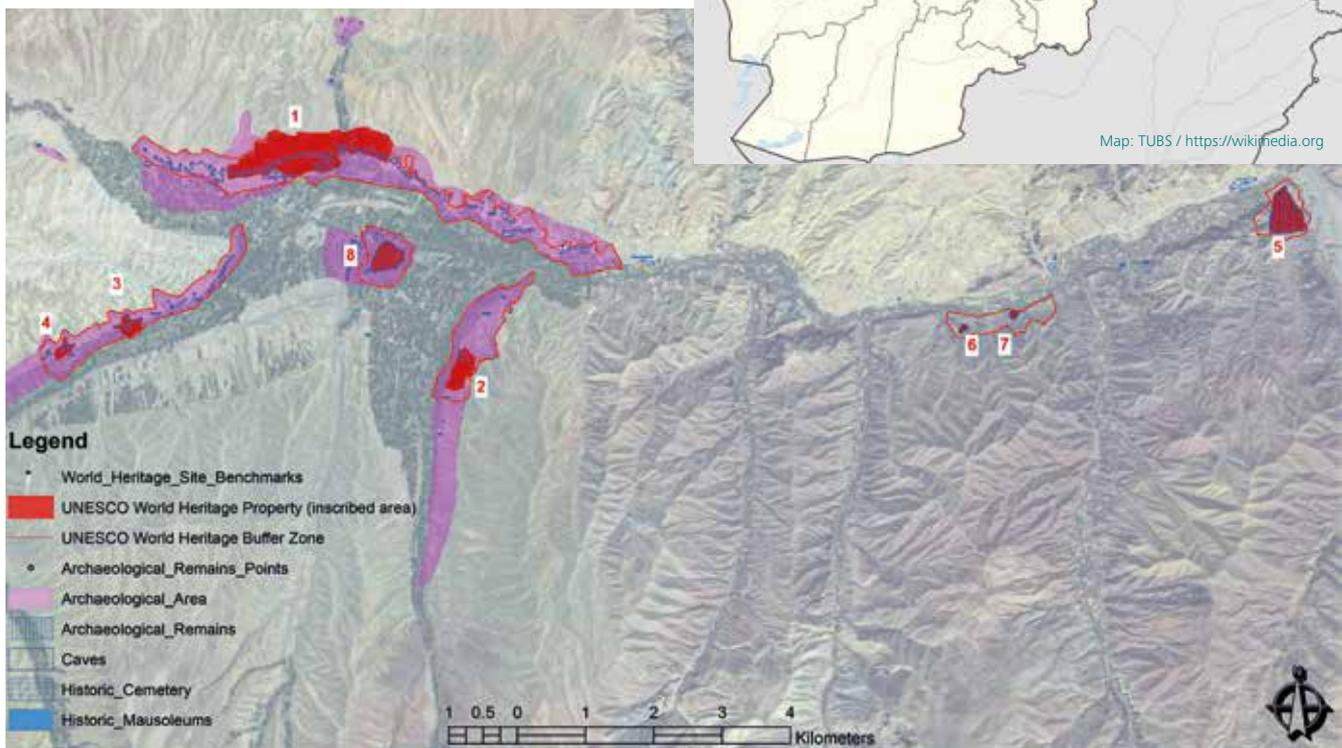


Fig. 1: Location of the UNESCO World Heritage Site in Bamiyan. GIS Data from Cultural Master Plan.

Map: Abdurrahim Ahmadi

Due to civil wars in Afghanistan for a long time, all infrastructures have been destroyed, and historical monuments did not remain safe. The Taliban military group destroyed the Buddha statues and all statues in Bamiyan valley following the decree of their leader Mulla Omer in 2001. In November 2001, American troops and allies fell the Taliban regime down. After the overthrow of the Taliban regime, UNESCO was very swift in implementing its initiatives to recover and rehabilitate the Bamiyan archaeological remains. As early as December 2001, UNESCO sent a mission to Bamiyan to explore the site's conditions. In May 2002, the First Seminar on the Rehabilitation of Afghanistan's Cultural Heritage was organized in Kabul (Christian Manhart and Roland Lin in Margottini 2014, p. 62-64). In July 2003, the Bamiyan valley was inscribed simultaneously in the UNESCO World Heritage List, and the World Heritage List in Danger under the title Cultural Landscape and Archaeological Remains of the Bamiyan Valley. (Bamiyan Strategic Master Plan, LaGeS, Florence University, 2018, p. 37).

University of Aachen and UNESCO worked together to make a cultural master plan for Bamiyan valley. They inventoried 44 monuments, including the above eight world cultural heritage and some other historical Qalas, Caravan Sarai, and Watch-towers. They presented some proposals for the protection and preservation of those monuments but were never approved by in situ national government of Afghanistan. Although this plan was not approved, the local government used it to manage the world's cultural heritage. This plan has been used at the site to determine the core zone and buffer zone of historical monuments.

In addition to the Cultural Masterplan, the Ministry of Urban Development and Housing developed and approved a Master Plan in 2013, which regulated construction activities in the whole valley. Bamiyan enlisted in the other five big cities of Afghanistan with the master plan. Then the ministry, in collaboration with the University of Florence in Italy, developed a Strategic Master Plan for Bamiyan, which the president approved in 2018.



Fig.s 2 and 3: Recent excavations in the Buddha site.

In the last two decades, national and international entities have done great work to protect this valley's historical monuments and world cultural heritage. Still, it was not as enough as they needed to be protected. Restoration of Shahr-e-Ghulghula, consolidation of Buddha niches, and the Landscape Preservation Special Plan were ongoing projects in Bamiyan. Recent incidents in Afghanistan suspended all projects, including cultural projects involving the world cultural heritage in Bamiyan.

Current Condition

Unfortunately, the Taliban regained power in Afghanistan on 15 August 2021, and all cultural activities ceased. There is no responsible entity or individuals to safeguard historical and cultural assets. Therefore, many factors threaten the UNESCO world cultural heritage sites in Bamiyan, including vandalism and looting of smugglers, locals, and landowners in the vicinity of those valuable heritage sites with the support of the de facto local and central government of the Taliban, and natural disasters.

A source with close ties to the Taliban's Ministry of Information and Culture, who spoke on condition of anonymity because of fear of retaliation, confirmed that excavations had taken place in two separate locations. The first was within the cliff above the Salsal Buddha's niche, set back around 40-50 meters. The second excavation was in the ground by the base of the Buddha (see Fig. 2 and 3). Both areas are known to contain burial caves, some of which had never been opened before. (The art newspaper, Thursday, 10 February 2022).

Local people and landowners threaten core zones and buffer zones of the UNESCO world cultural heritage. The areas were determined as buffer and protection zones in the Cultural Master Plan, in front of Salsal and in the west part of Hericain square along the Foladi Road and Tolwara; people started construction and moved containers immediately after mid-August 2021 (see Fig. 4 and 5).



Photo: TRT World



Fig.s 4 and 5: Construction and commercial uses of the World Heritage Site protection zone.

Photo: Abulfazl Mohammadi

During excavations over the past 20 years, dozens of artifacts and antiquities were discovered by foreign archaeologists from historical sites and preserved in the Chunya and Pre-Buddha hills. Unit 012 of the former government police protected these works. These antiquities included small sculptures, the head and trunk of a statue, jars, spheres, oil paintings, and other artifacts that, according to former officials, had been looted. (<https://p.dw.com/p/46DLT>)

Another threat to the UNESCO world cultural heritage in Bamiyan is natural disasters. Heavy rains, snowfall, and climate change are the factors that affect UNESCO World Cultural Heritage sites in Bamiyan, especially the Buddha niches, which cracked due to explosions incorporated by the Taliban in 2001. Experts say those cracks widen every time due to surface water infiltration.

However, the Taliban claim to safeguard the UNESCO World Cultural Heritage sites and historical remains in Bamiyan. Still, recent incidents showed they did not protect them and endangered them by spontaneous excavations and looting of some valuable pieces from the Bamiyan Museum on 15 August and the days after.

Recommendations

To preserve the UNESCO World Cultural Heritage sites in Bamiyan, I propose the following activities:

1. As UN organizations are working in Afghanistan with the coordination of Taliban, including UNESCO, the suspended projects must be enabled again as soon as possible to prevent further damages and inconvenient incidences. Consolidation of Buddha niches, restoration of Shahre Ghulghula, preparation of Landscape Preservation Plan, and Manager-

ment plan for the archeological site and whole valley are the projects that will preserve all cultural heritage values in Bamiyan if they launch again.

2. Taliban must avoid any spontaneous interventions to UNESCO World Cultural Heritage sites such as excavations, and prevent construction in the core zone, buffers and protection zones of all cultural heritage properties determined in the Bamiyan Cultural Master Plan.
3. Drainage channels on the top of Buddha cliffs should be rehabilitated and maintained clean, especially during rainy seasons, to prevent water penetration in Buddha niches.
4. The vulnerable sites should be recognized; then locals and tourists should avoid walking there until restorations and consolidation have been completed.

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- The art newspaper, Thursday, 10 February 2022 (<https://www.theartnewspaper.com/2022/02/10/afghanistans-bamiyan-valley-will-collapse-in-the-next-ten-years>)

The Nilgiris District, Tamil Nadu, Should be Included in India's Tentative List of World Heritage Sites

Vithal Rajan, OC, PhD [LSE], BA Hons [McGill]

The mountainous Nilgiris District of Tamilnadu in South India, around 2500 sq.kms in area, with a population of less than a million persons, is unique in many respects, and meets several of the criteria of the World Heritage Committee, for Outstanding Universal Value, namely, [v], [vi], [ix] and [x]. Adequate consideration has not been given by either the Governments of India or Tamil Nadu to the mounting threats faced by the biodiversity and environment, and the indigenous tribes of the Nilgiris District. This presentation is made on behalf of the several non-governmental organisations and active civil society groups of the Nilgiris.

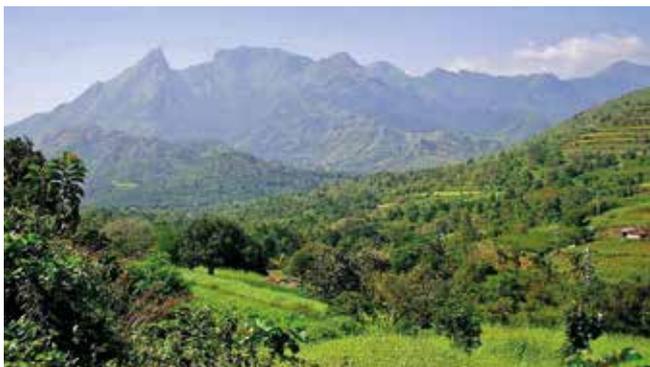


Fig. 1: A view of the Nilgiri Hills cultural landscape in the Attappadi Reserved Forest. Malleswaran Peak, sacred to the Toda indigenous nation, can be seen in the background. Photo: Ministry of Environment & Forests, Govt. of India

Natural and cultural values

The natives of the region hold their mountain as a 'Moral Mountain'. Geologists describe it as a 'Living Fossil'. Ecologists say the biodiversity of the Nilgiris is 'found nowhere else in the world'. Anthropologists describe the Nilgiris as an 'aboriginal enclave'. Geographers have listed the Nilgiris among the 400 natural wonders of the world.

The Nilgiris is an ancient land mass estimated to be some 70 million years old. A small western part of it belongs to the Western Ghats, a chain of 1,700 km of primeval forests, which is a serial natural World Heritage Site. The flora and fauna of the hills are believed to have had a continuous evolution over some 3,000 years.

The Nilgiris are a home to the Gaur, Indian bison, the largest of their kind, and the Asian elephant. While bison have thrived,

elephant corridors are under threat from ill-conceived tourist resorts, and man-elephant encounters need to be addressed urgently.



Fig. 2: The Indian Gaur, the largest bison in the world. Photo: M. Sathyamoorthy / TheHindu

In 2005, the Nilgiris Mountain Railway, one of the few remaining old mountain lines, was included in the list of World Heritage Sites. This was done not only to commemorate the technological challenges faced in difficult mountainous terrain at the end of the 19th century, but also for the key connectivity role of the railway in a rich ecological zone inhabited by important indigenous peoples.

The Nilgiris are home to several indigenous peoples or tribes; the Todas, The Kurumbas, the Kotas, the Irulas, and the Bada-



Fig. 3: A Toda ceremony in front of a traditional religious temple. Photo: Kevin Standage

gas. Although environmental loss has impacted negatively on their livelihoods and quality of life, the Todas in particular have fully retained their traditional pacifist ways of life, centered around sacred mountains where they believe their principal deities or clan-specific local gods reside. They possess comprehensive knowledge of the medicinal plants of the region, and while revering buffalo, they observe an entirely galakto-vegetarian diet.

After their 'discovery' in the early part of the 19th century by a British official, the Nilgiri hills became a rest and recreation refuge for British families, who developed the region on the model of the English Lake District. The success of the tea plantations in Darjeeling and Assam led to vast tea gardens being grown in the Nilgiri hills, which became a centre of thriving commercial activity.

Nilgiris tea is among the best in the world and, providing the greatest number of secure livelihoods, is the economic lifeblood of the region. The United Planters Association of South India, located at Coonoor, in the Nilgiris, includes over 200 tea factories producing more than 60,000 tonnes of tea a year. Apart from tea, the Nilgiris is also home to the producers of coffee, cardamon, pepper and other spices and aromatic oils. Agricultural practices in the Nilgiris for growing vegetables, potatoes

and other crops tends to be chemical based and wasteful of water.

Due to its unquestionable outstanding value for global biodiversity, parts of the Nilgiris hills might be added to the existing Western Ghats World Heritage site, as suggested by the IUCN (categories ix and x). Alternatively, or in addition, in order to better protect and represent the sacred landscape of the indigenous peoples, larger parts or even the entire Nilgiris District might be inscribed as a cultural landscape (criteria v and vi). In order to keep these options open, however, as a first step the Nilgiris District should be included in India's Tentative List of World Heritage Sites.

Integrated ecological rehabilitation and sustainable development

In the process of tea cultivation many of the indigenous shola evergreen forests were lost and replaced with Eucalyptus plantations, and wattle, useful for the tea industry. Pressure on land also led to the loss of the montane grasslands, endangering many species of fauna and flora, especially the endangered Nilgiris Tahr [*nilgiritragus hylocrius*] ungulate, and the kurinja [*strobilanthes kunthiana*] which blooms once every 12 years and covers the hills with blue flowers. While leopards are spot-

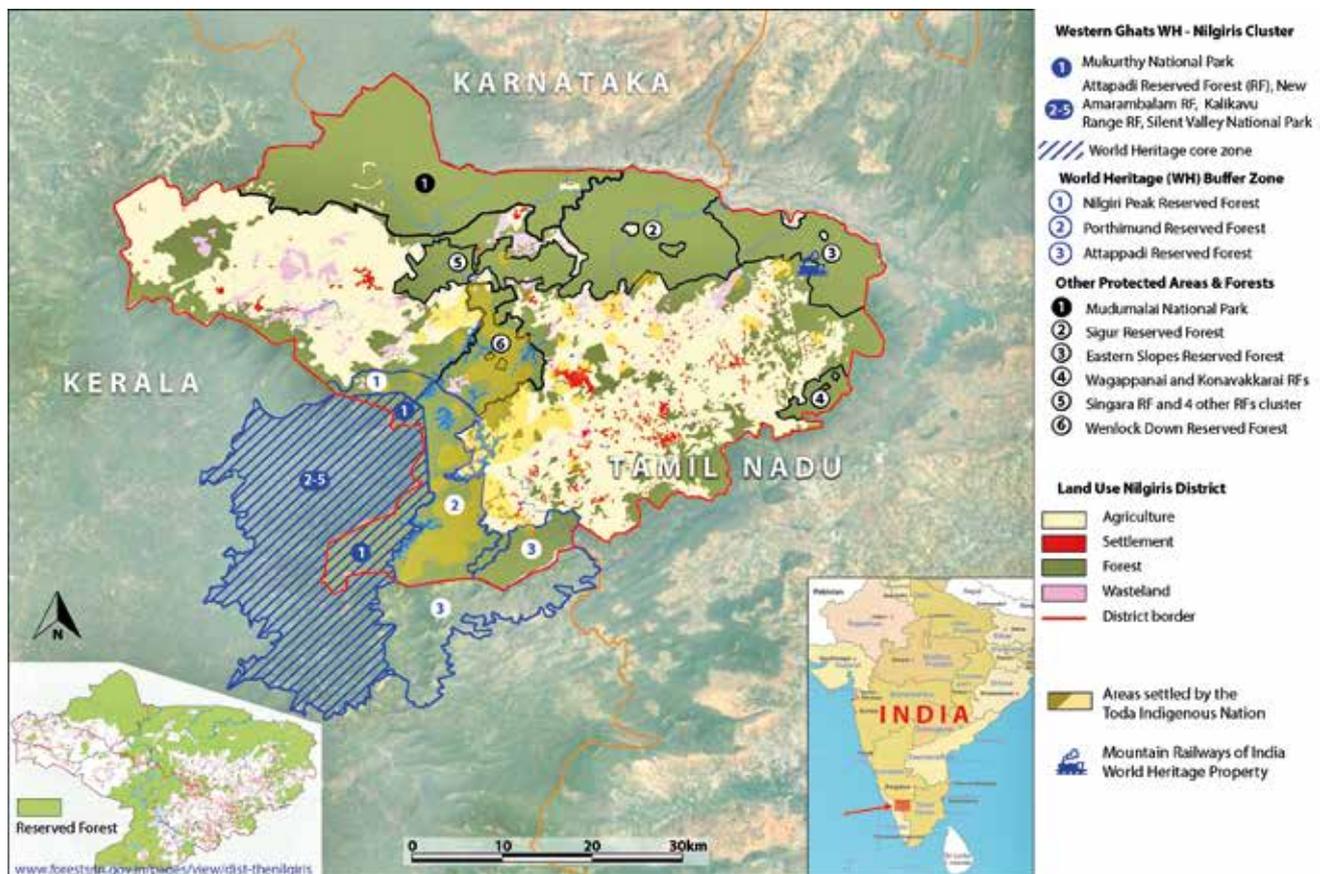


Fig. 4: A map of the Nilgiris District showing land use, protected areas, and areas inhabited by the Toda.

Map: Martin Lenk

ted, tigers have diminished drastically in the hills that were once their natural home. Haphazard urbanisation and the coming up of the towns of Ootacamund [Ooty] now called Odhagamandalam, Coonoor, and Kotagiri have led to a loss of swamps, lakes and other water bodies leading to water stress in the Nilgiris.

This paper requests that an expert consultative body, knowledgeable in saving the environment of mountainous tourist regions, be established to produce a comprehensive Ecological and Cultural Conservation Plan for the Nilgiris, with an operational timeline and estimated budgets, both feasible and affordable, to be presented to the Tamilnadu Government and the Government of India. Since, with proper implementation of the plan, the Nilgiris could become a model among developing economies for ecological and cultural conservation, both governments may be willing to undertake such development with international partnership.



Fig. 5: Kurinji flowers in full bloom near Manjoor in the Nilgiris.

Photo: M. Sathyamoorthy / The Hindu

The plan should include the replanting of the native shola evergreen forests, removing eucalyptus, wattle and other exogenous species wherever possible; restoration of the montane grasslands; and the revival of water bodies. A return to organic cultivation, and water-saving methodology would be economically remunerative with proper training. The land and water plan should include a human resources and educational component for involving the local village communities in maintenance and proper utilization.

Like other indigenous peoples around the world, those of the Nilgiri hills also suffer from discrimination, despite well-intentioned government programmes. The plan should offer positive and innovative support for their crafts, cultural heritage, and use of natural resources to enable them to overcome local discrimination, and lead other communities to perceive how tribal culture enriches their own lives. Thus, the ancient tribes of the Nilgiris could play a model, emulatable role as first guardians of the environment, and through their acceptance as key community members of mainstream society demonstrate social pathways for the development of other tribes while respecting their cultural integrity.

Tourism and Urban Heritage

Since the Nilgiris is an easily accessible tourist and resort destination with a salubrious climate in an otherwise hot and humid southern India, it faces great pressure from tourists who number more than three million every year, or more than three times the local resident population. To this pressure is added the fast growth of new residents every year, with many new buildings, residential and commercial, adding to environmental destruction. Tourist and commercial pressure has resulted in the picturesque towns of Ooty, Coonoor and Kotagiri losing much of their charm for tourists and residents alike.

The Tamilnadu Government's Hill Area Conservation Agency [HACA] has laid down limited rules restricting construction, but these are poorly followed, partly because of local bureaucratic corruption and local political pressure. The HACA rules do not have a comprehensive and future directed perspective, urgently necessary to revamp previous policies. The ecological plan has to go hand in hand with a plan for cultural conservation. Any plan that is produced must provide urban and peri-urban de-congestion and revival of the beauty of these towns.

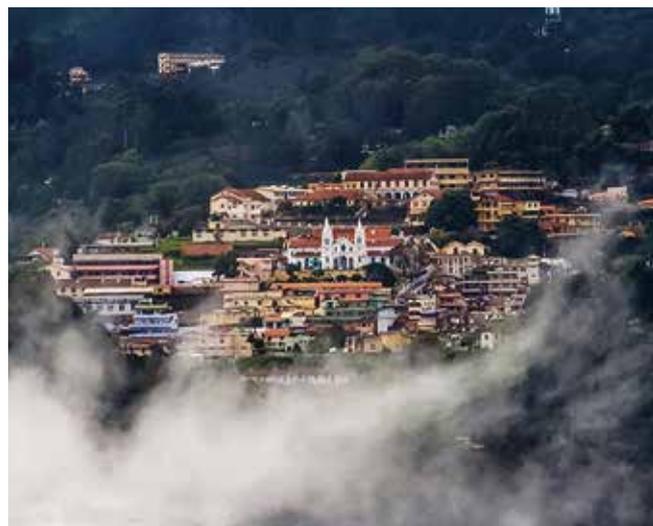


Fig. 6: The city of Coonoor seen through the mist.

Photo: Dethan Punalur

Most of the year-round traffic to the Nilgiris is through a few winding motorable roads that add to forest destruction and produce vehicular pollution. Like many other tourist destinations in the world, the Nilgiri hills also require that most of the human and goods traffic should be through an electrified railway system, reducing road traffic to a minimum.

The Nilgiris Mountain Railway, now in poorly maintained condition and regarded as no more than 'a toy train,' would play a vital contemporary role in the maintenance of the ecology of whole area, and thus demonstrate how a heritage site can be a dynamic component in Sustainable Development. Hence the urgent need to electrify and revitalise the Nilgiris Hill Railway to save the area from further environmental destruction.

The concept of eco-tourism, while showing high growth rates, remains the exception in many developing economies. The Nilgiris could offer an affordable example of a large-scale eco-tourism program that protects the environment, is culturally sensitive, and inclusive of communities in a developing economy.



Fig. 7: The Nilgiri mountain train, a World Heritage, at Kattari Bridge near Coonoor.
Photo: M.Sathyamoorthy / The Hindu

The successful implementation of the plan and future maintenance of the area would require the participation of all stakeholders, tribal and village communities, corporate bodies, school children, men and women local residents, government and NGO organisations. Such people's participation may again

demonstrate how ecological and cultural conservation can be achieved affordably in developing economies.

There is a wealth of human resources available to aid, fund, and participate in a plan of ecological and cultural conservation. Several excellent and famous schools are located in the Nilgiris. Children from all over India and many from abroad come to study in them. One of the oldest libraries of India is in Ootacamund, where the annual Ooty Lit Fest takes place. Many of the elite of India including wealthy corporate leaders have a second home in the Nilgiris. Already many active civil society volunteer groups exist, which carry out local research and work for environmental restoration.

The funding of the Ecological and Cultural Conservation Plan for the Nilgiris should elicit support from several stakeholders not only to make it feasible but also to lock in participation. A multi-partnership funding programme involving governmental bodies at all levels, corporate bodies [Indian law requires such participation as Corporate Social Responsibility], NGOs and the public [through donations and volunteer work] could again demonstrate how successful conservation can be carried out through cooperation even under difficult financial circumstances.

The many-faceted benefits listed above show that the ecological and cultural development of the Nilgiris could serve as an outstanding and demonstrable model for other regions and World Heritage Sites.

Undermining Subak Protection at the UNESCO World Heritage Site and Elsewhere in Bali

Wiwik Dharmiasih, Ni Luh Emi Dwiyanti, I Gede Yudha Bhismaya and Yefta Surtisno

Subak is a traditional water management system that coordinates the irrigation of smallholder rice fields. It gives shape to the complex and iconic terraced landscapes of Bali. The *subak* is a farming tradition that has existed since at least the 11th century (UNESCO, 2021). However, tourism industry development in Bali has become one of the major threats to the existence of the *subak*. The rapid rise of tourism facilities such as villas, restaurants, and shops disrupt *subak* functions by diverting and polluting water resources, as well as raising land values in ways that compel farmers to sell their rice fields. For a small island like Bali, land use change out of rice cultivation has taken place at significant rates in recent years. A study reported that 2,800 hectares of paddy fields diminish every year (BaliPost, 2021a). More alarming reports predict that *subak* may disappear altogether in Bali by the year 2030 (BaliPost, 2021b; Bali Express, 2021).

The Balinese *subak* was inscribed in 2012 as a UNESCO World Heritage Site. The aims were to protect the traditional cultural practices from extinction, especially due to land use change, the rapid pace of tourism development, and other factors. Designated as “The Cultural Landscape of Bali Province” (CLBP), its Outstanding Universal Value is premised on the Tri Hita Karana philosophy, which defines three pillars of harmony and prosperity. These consist of balancing relations between i) people with the spiritual realm (*parhyangan*), ii) people with people (*pawongan*), and iii) people with the environment (*palemahan*). Tri Hita Karana is manifested through the *subak* system in the iconic rice terraces of the island. In practice, *subak* consists of a grouping of farmers who own and manage paddy fields within a defined water source (Windia, 2018).

The CLBP covers a total area of 19,520 hectares, with a designated 1,455 hectares of buffer zones, all of which are dispersed across five districts in Bali (UNESCO, 2021). The sites include all of the key *subak* features, such as water resource protection areas like forests and lakes, the rice terraces, cultural landmarks and temples, and villages. There are currently 23 *subaks* included within the CLBP, each of which range from a membership of just a handful, to *subaks* with membership of several hundreds of farmers.

This brief report highlights the various challenges that the CLBP is facing as well as some of the growing threats to *subak* pro-

tection more broadly. Our narrative draws from issues taking place at the most well known *subak* in the CLBP, *Subak Jatiluwih*, which is a popular destination to view the expanse of rice terraces. We also bridge our findings with issues occurring elsewhere in Bali, whereby *subaks* are facing threats beyond the UNESCO World Heritage Site. We conclude with overall implications about the longer term existence of the *subak* and offer some possible next steps to consider for addressing these challenges.

Undermining the *Subaks* of the CLBP: The Case of Jatiluwih

Subak Jatiluwih is commonly associated with the UNESCO World Heritage Site, and it is located within the most complex network of *subaks* in the CLBP called the *Subak* Landscape of Catur Angga Batukaru. The site at *Subak Jatiluwih* offers a dramatic landscape view of the interconnectivity of the rice terraces and also has a UNESCO monument at the main lookout that visitors like to feature in their photos. Since inscription, *Subak Jatiluwih* has grown in popularity, experiencing a significant increase in tourism rates.

Although tourism provides additional livelihood benefits to some local community members in Jatiluwih, rapid changes in and around the terraces have also led to complaints about traffic congestion, damages to rice fields, and the conversion of rice fields. Indeed, to accommodate the rise of tourism since CLBP inscription, significant land use change has taken place in *Subak Jatiluwih*. These land use changes began in earnest in 2015 and were initiated by the conversion of a productive rice field into a tourism facility (Dharmiasih and Arbi, 2016). The owner argued for converting rice fields to provide parking spaces for visitors, but also led to the parcel’s construction of a restaurant overlooking the rice fields. This event led to others at the site converting their rice fields into tourism facilities. These changes have had uneven benefits to local farmers, and some find it difficult to accept that these changes are in line with interests of preserving traditional cultivation systems.

For farmers that have embraced tourism development in *Subak Jatiluwih*, they do so by building a variety of small shops to large structures (See Fig. 1, Fig. 2 below). Pre-pandemic, *Subak*



Fig. 1: A large restaurant complex in Jatiluwih.

Photo: Wiwik Dharmiasih



Fig. 2: A stall for visitors built by a farmer.

Photo: Wiwik Dharmiasih

Jatiluwih received around 1,500 visitors per day (NusaBali, 2020; Suara Dewata, 2021). Even though these numbers have come to an abrupt halt since the onset of COVID-19, it has not stopped construction of tourism structures in anticipation of future tourism growth. The Government has tried to impose regulations prohibiting development in the core and buffer zones of the CLBP. However, a lack of enforcement has led to a mushrooming effect of development throughout the site (Dharmiasih, 2020). This phenomenon was referenced by a local farmer describing how one structure leads to a series of other construction sites within the rice fields. Some argue that this helps increase farmer income, but this argument must also be viewed in the context of potential impacts to neighboring farmers and its implications on broader impacts on cultural and traditional systems in Bali.

Farmers are also reporting other externalities from these developments. Ongoing changes in favor of tourism are affecting the overall function of *Subak* Jatiluwih. For example, the main *subak* road in Jatiluwih now operates largely as a tourism trekking route, disrupting farmers' ability to access their rice fields, particularly during harvest period. Farmers are also experiencing an increase in pollution and solid waste in their irrigation channels, which have not been addressed through any plan-

ning or resources to address the issue. These impacts change the cultural landscape as a site that had long held deeply rooted agricultural and cultural practices connected to the land and water, which has now transitioned into a tourist attraction landscape. In the process it turns farmers into second class citizens.

Bali's Development Policy and Planning: Heightened Threats to the *Subak*

Government efforts to protect the *subak* system in Bali are being undermined through current policy and planning initiatives. This applies to the overall policies for administering the *subak* system in formal development planning processes, as well as through large scale development projects reshaping the overall character of the island.

Initial efforts to protect the *subak* focused on establishing a governing assembly to manage the CLBP. The governing assembly consisted of formal agencies and other related stakeholders and institutions, such as customary villages, temples, and *subaks*. However, this management body was ineffective due to overlapping jurisdictions and authority. It also demonstrated a top-down management system that marginalized the participation of local communities, particularly the farmers most interested in protecting the *subak*. Demands from the *subak* for access to economic benefits and greater control over guiding tourism infrastructure development led to the establishment of a bottom up coordination and communication forum. The forum aimed to balance conservation efforts and economic development but was shortlived without the resources to sustain it. This effort was also deemed ineffective because of growing tourism interests that marginalized the initiative. Conflicting interests between conservation and economic development through tourism also divided the farmers into different groups.

At the national level, the Government of Indonesia recently proposed including the CLBP as a Strategic National Area to facilitate coordination among government agencies. This policy would create an integrated management system from the nation's capital (Jakarta) to connect with the provincial, district, and local levels. But given the experience with the governing assembly and the coordination forum, designs for such an institution would only further undermine the authority of local farmers. It would also increase requirements for administering the CLBP through formal bureaucratic channels, rather than empowering the local cultural and institutional authority of the *subak*.

In the latest State of Conservation Report submitted to UNESCO regarding land use changes in *Subak* Jatiluwih, the Government of Indonesia explained that "the village head (*perbekel*), head of customary village (*bendesa pakraman*) and head of *subak* (*pekaseh*) stated that traditionally and under the

village government regulation, the people of Jatiluwih village have full control over the protection and use of *Subak* Jatiluwih” (UNESCO, 2021). This raises key concerns, however. Historically, the customary village and the *subak* have functioned under independent authority, cooperating when necessary but maintaining autonomy over key functions (BaliPost, 2021a). This statement from the state of conservation report suggests a reordering of authority, subsuming the *subak* under the village. This would make the *subak* dependent on resource and development channels through the customary village, which would significantly undermine *subak* authority. This is part of a broader national trend and interpretation of policies in Bali. The expansion of the village law have made key distinctions of customary authority that place cultural institutions under similar management frameworks, posing a threat to the autonomy of *subak* elsewhere in Bali.

Threats to the *subak* are not only limited to the policies governing village affairs. Large scale development projects to reshape Bali’s future are having a significant impact on numerous *subaks*. The Ministry of Public Works has initiated its plans to build a toll road stretching across the western part of the island. The Indonesian Forum for the Environment (WALHI) reported that 481 hectares of rice fields from 97 *subaks* would be affected, disrupting water sources and connectivity across those *subaks* (Kondo, 2021).

Conclusion

This brief report has shown that efforts to protect the *subak* are facing increasing challenges both within the CLBP World Heritage Site and beyond. Tourism impacts at the iconic Jatiluwih site of the UNESCO World Heritage Site have experienced rapid conversion of rice fields. Rather than empowering local farmer authority and supporting *subak* as an autonomous cultural institution, the effects of the CLBP have served to reshape the site as a tourism landscape. These developments are alarming relative to the initial intent of trying to protect the *subak* from identified threats.

Furthermore, UNESCO inscription in Bali was initially intended to protect a core grouping of *subak* sites that would expand to incorporate other *subaks*. However the increasing developments that threaten the *subak* within and beyond the UNESCO site are more under threat than ever before. The management plans and practices have fallen well short of its intended mission. Development planning beyond the CLBP are intensifying threats to their *subak*. *Subak* authority are being folded into the customary village, which will further undermine *subak* and farmer households. When viewed from an island scale, the development plans that aim to transform the island will accelerate the conversion of rice fields through enclosures, water resource diversions, land prices, and through the further erosion of the *subak* as an institution.

Next steps to address these concerns will require rethinking the Operational Guidelines and management plan governing the cultural landscape. This includes addressing the overall way the World Heritage Site in Bali is administered, especially in how the site defines and supports local cultural institutions. Going forward, the Site needs to ensure that the rights and responsibilities of ownership and management of the *subak* goes back to the farmers. This begins by providing access for local farming households to voice their concerns directly to UNESCO through its representative offices. If there is a meaningful desire to address threats to farmers and their longstanding cultural institutions in Bali, then policies will need to begin to reflect their priorities. Only once the farmers and the *subak* become the face of the WHS management can it begin to have the larger desired effect of incorporating new *subaks* into the fold, and thus actually serving as a means for protecting what may soon be lost.

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IV. Historic Cities and Urban Ensembles

Cerro Rico de Potosí: A Sacred Mountain In Danger of Imminent Collapse

Voluntariado "Vale Un Potosí"



The City of Potosí, Bolivia, was inscribed in the UNESCO's World Heritage List in 1987. The property consists of the Mt. Cerro Rico de Potosí, the city of Potosí and the Lagoons of KaryKary, Carcamos, Cantumarca and Tarapaya. Its historical importance lies in the recognition of Potosí as the largest mining, metallurgical and commercial center of the Andean culture during the viceroyalty and republican periods. However, the preservation of this heritage site is insufficient which led, in 2014, to the inscription of the City of Potosí in the List of World Heritage in Danger.



Fig. 1: The city of Potosí and the Cerro Rico.

Photo: Voluntariado "Vale Un Potosí"

The inscription was based on the degradation of the historic site due to ongoing and uncontrolled mining operations at Cerro Rico, the instability and risk of collapse of the Cerro Rico, the deficiencies in conservation: especially referring to the restoration and improvement of structures with residential use and industrial archaeological heritage, the ineffective application of protective legislation, and the environmental impacts on the hydraulic complex, which in turn affects the historic structure and the local population.

The Management Plan of the City of Potosí, a document resulting of the combined efforts of UNESCO and the Bolivian Government, should be valid from 2017 to 2022. The main concerns highlighted in the document were the degradation of the historic site due to continuous and uncontrolled mining activities, the instability and lack of conservation of the Cerro Rico, and inefficient protective legislation. The main goals of the new management plan were to guarantee the stabilization of the summit of Cerro Rico, to relocate the miners to below the ele-

vation of 4,400 meters, to better define and agree upon mining projects, to run a monitoring system, to expand legal protection of the Cerro Rico, and to apply the following corrective measures for Cerro Rico:

- Stabilization of the collapse at the summit of Cerro Rico. NOT FULFILLED
- Evaluation of preliminary results to define a revised strategy and timeline for completion of the stabilization project. NOT FULFILLED
- The current situation of high risk of collapse affects and threatens miners who work above 4,400 meters. NOT FULFILLED
- Proposing the relocation of miners working above those coordinates is therefore necessary and urgent. However, in the relocation you cannot consider the Kari area as an option Kari – Jayaquilla. NOT FULFILLED

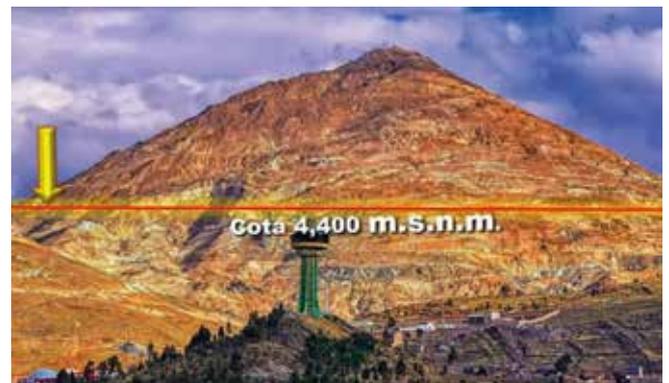


Fig. 2: The line of 4,400m altitude above which no mining should occur.

Photo/Graphic: Comité Cívico Potosinista

The Cerro Rico has been preemptively protected by national legislation since 2004. The Supreme Decree 27787 included the prohibition of mining activities between the elevations of 4,400 and 4,700 meters. However, no progress has been observed in executing State policies, much less on the part of the local authorities (Municipality and Government of Potosí), in the preservation and restoration of Cerro Rico.

Reports from the Bolivian Mining Corporation (COMIBOL) show 20 active mine shafts and 14 sinkholes above the 4,400 meters mark. However, on-site inspections show numbers that are not

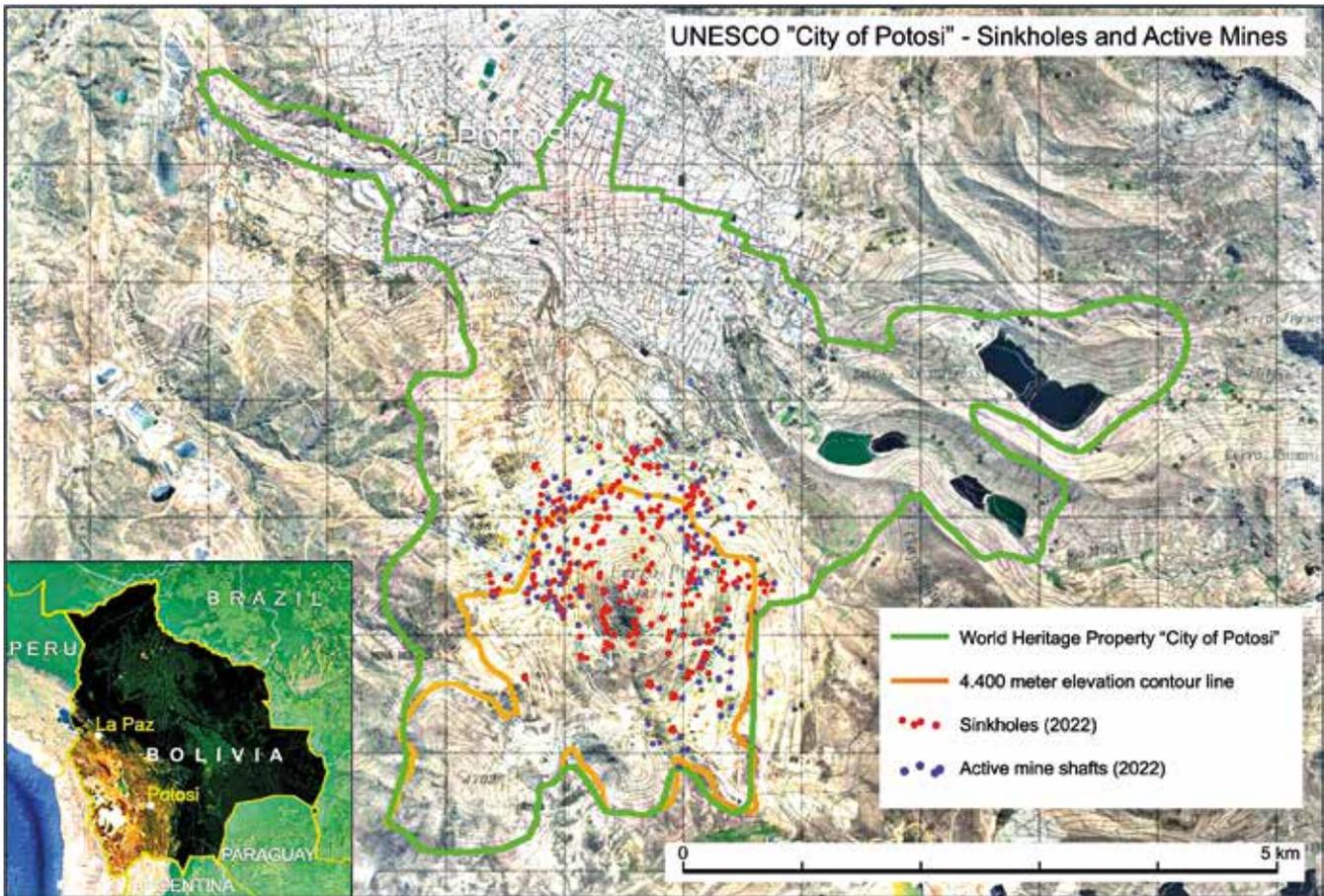


Fig. 3: Mine shafts and sinkholes above and below the 4,400m altitude line in the World Heritage Property.

Map: Martin Lenk / UNESCO / Comité Cívico Potosinista

corresponding to those from COMIBOL. In reality there are 56 active mining shafts and more than 209 sinkholes above the 4,400 m level.

Despite the state laws and international recognition as World Heritage, the safeguarding of the Cerro Rico de Potosí is neglected. The presence of mining cooperatives has a very strong economic interest, and following the rules to reduce damage and incentivize conservation is not taken seriously. COMIBOL continues to sign contracts for mining activities on the Cerro Rico, including deals with the transnational Andean Precious Metals Corp, together with the Manquiri Mining Project, which has its oxide treatment plant in the vicinity of Cerro Rico, and various Mining Mills behind the mountain. The purchase of oxide mineral from Cerro Rico promotes its destruction. We see with pain multiple fissures, subsidence in the surface, halls or large empty spaces internally without fortification in the Cerro Rico, and we constantly hear of accidents, even with death, of the mining workers.

It is estimated that there are around 5,000 mining workers at the Cerro de Potosí today. Despite the availability of work, exploitation of the mines is still unsafe and without technical support. That includes: no ventilation system, few mining carts, no

safety measures and risk of the collapse of the mountain. Such conditions lead to hundreds of deaths each year. Each cooperative digs by hand where they feel like it, in any direction and in any way, that's why landslides drag lives, "the mountain that devours men", they say.

The state's indifference to the subjugation, looting, destruction of our heritage will leave the world without this incomparable historical symbol, like no other mountain in the world. The negligence towards the Cerro Rico is caused by the Potosinist Civic Committee (COMCIPO), the Ministry of Mining and Metallurgy, COMIBOL, the Bolivian Government, the Mining Workers Federation (FEDECOMIN), the transnational Andean Precious Metals Corp., and the Manquiri SA Mining Company.

As a result, the National Civic Committee of Potosino Residents and Potosino Professionals at the national level decided to start defending our heritage and carrying out a constitutional process known as La Accion Popular. The legal battle started in November 2021 in order to ensure the protection and conservation of the Cerro Rico. In this understanding we were able to achieve our purpose by recognizing the Cerro Rico as heritage and monument of humanity, and it is no longer considered a mining site. Today Cerro Rico has rights.

Requests

We ask UNESCO and international institutions, with mining technicians and others to promote:

1. An appropriate integral multidisciplinary project for geomorphological restoration for the Cerro Rico. Currently, COMIBOL proposes filling in paste. Our technicians consider this to be just a patch that will not solve the integral problem of the destruction of Cerro Rico. Support for sustainable mining.
2. There is still a lack of knowledge of what is World Heritage, for that we ask for the development of forums of debate, information, awareness about World Heritage.
3. Support for the development of the volunteering project Young Guardians of Heritage, for the following, sensibilization of the care for the Cerro Rico World Heritage.
4. Investigation on the environmental depredation and contamination of the Cerro Rico since the establishment as World Heritage In Danger until today, this means from the year 2014 until the year 2022.
5. Declaration of Cerro Rico as a Sacred Place, for its relationship with the Tiwanacu empire, with an antiquity of 10.000 years B.C, including the belief that the Sumerians arrived in this territory. The investigations of Abbott and Wolfe show that there was intense exploitation by the Aymara lordships and federations in the years between 1,100 and 1,400 BC.

In the Andean worldview, the Hills are deities, *achachilas* or mythical ancestors. They are protective spirits, an energy-only deity, with material representation. Close to *Mullu Punku* (today called La Puerta), in Yocalla municipality, department of Potosí, is the entrance (La Puerta a lo Sagrado – the Gate to the Sacred), from where Cerro Rico was greeted as *Capac Ique* or Gran Señor or Rico Señor, asking for health, ventura (spiritual well-being), and wealth. Capac means rich, *Ique* is a *puquina*¹ word also equivalent to soul, ancestor, Divinity of the Sun, first ancestor, who infuses the vital spark to all beings. This is how the *Sumac Orco* (Cerro Hermoso or Beautiful Hill in the Quechua language) was revered, even in the Inca empire. This Philosophy denotes that the most essential for the Andean person was translated into this triad: Health (having a healthy body), happiness (being happy beyond the material), and wealth (having the necessary economic support for existence). During the Inca era, the *Sumac Orco* was considered to be the Coya (Sacred Queen in Quechua), full of riches, the *W'aca* (Sacred Place) – revered, respected, even protected, by the priests appointed by the Inca from Cuzco.

There was no relationship with the Devil and/or Demon, as a negative figure, contrary to God, whose mythical figure

arrived with the Spanish invaders. With the Spanish colonization, the *mita*² was implanted, leading to the death of a large number of people from these places.

With the arrival of the republic, the *pongueaje*³ was imposed, and mining wealth continued to be used by few, to the detriment of the growing Bolivian population. As in the present 21st century, we have the Cerro Rico, invaded by locals and foreigners, beyond its natural capacity, being destroyed and looted.

Considering that the Cerro Rico was revered since before the Inca conquest, during the Inca empire, until today, the declaration as a sacred place is requested.

6. Observation of the Constellation of the Southern Cross around Cerro Rico, on certain dates. This Andean constellation gives rise to the symbolic representation of the square cross or *tawa chakana*, which is the synthesis of the mathematical, philosophical and cultural knowledge achieved by the inhabitants of these lands.

At the beginning of the month of May, this constellation is aligned in a zenithal position forming a perfect cross, marking the culmination of the harvest season, for which we have the *Chacana Raymi* or the Festival of the Cross. This date marks the transition from the rainy season to the dry season.

In the colonial era, by converting the inhabitants of these lands to Christianity, the Spanish brand these beliefs as pagan idolatry, replacing or superimposing their religious beliefs, such as the cult of Tata Santiago, San Bartolome, etc.

On May 3, the *Chacana Raymi* is precisely aligned with the peak of the Great *Sumac Orco*; Sacred *Wak'a* and ancient astronomical observatory of the Andes. On the night of May 2, a massive group of people ascend to the top of Cerro Chico or *Wayna Potosí*, to perform ritual offerings and astronomical observation of the light and dark constellations, which are sheltered in the Andean world. As can be seen, the cult of the *Chacana* still persists, showing the persistence of the Andean symbology of the Southern Cross.

Worldwide we have 88 constellations, one of them is the Southern Cross. Mentioned persistently in this part of the Southern Hemisphere, it is an indicator of the South. We Potosinos have this at our zenith – a mythical constellation which can be seen from January to September, especially in the trajectory around the *Sumac Orco*. The observation of the constellation constitutes a relevant reason to avoid the gradual destruction of Cerro Rico.

¹ Puquina is an ancient dialect spoken in this Andean region, prior to the Spanish conquest, that still survives to this day.

² The Mita was established during the Spanish colonization by the Viceroy Francisco Toledo. It consisted of the exploitation of the inhabitants of these lands through forced and almost unpaid mining work.

³ Servitude of the pongos (residents of the place), in the Bolivian Republic; like the serfs in Europe, in the middle ages.

We ask UNESCO and other international organizations to request the Bolivian Government:

1. To establish (in Potosí, Bolivia), a Unit of Interinstitutional Management, with a task to ensure that the plan to be removed from the List of World Heritage in Danger is implemented.
2. In our city of Potosí, the removal of workers of the elevation of 4,400 of the Cerro Rico and other mining deposits, outside of Cerro Rico (ratified by judicial process of Popular

Action, with decision of February 22, 2022). Removal of the oxide treatment plant of the transnational Andean Precious Metals Corp, next to the Manquiri Mining Project. Removal of the Mining Mills behind Cerro Rico which treat oxide minerals from Cerro Rico.

3. Reinvestment of revenues from mining, and economic diversification. Since the Department of Potosí lives from mining, we must create other industries and other sources of work that are not just mining, such as agriculture, painting, tourism, etc.

Annex: Photographs taken during an inspection of Cerro Rico, September 2021

All photos by *Olinda Rodriguez*



Fig. 4: The destroyed tip of Cerro Rico



Fig. 5: Sinkholes near the summit of Cerro Rico



Fig. 6: Loose soil shifting or falling away



Fig. 7: Sinkholes



Fig. 8: A giant crack in Cerro Rico



Fig. 9: Sinkholes



Fig. 10: Collapsed dry landfill

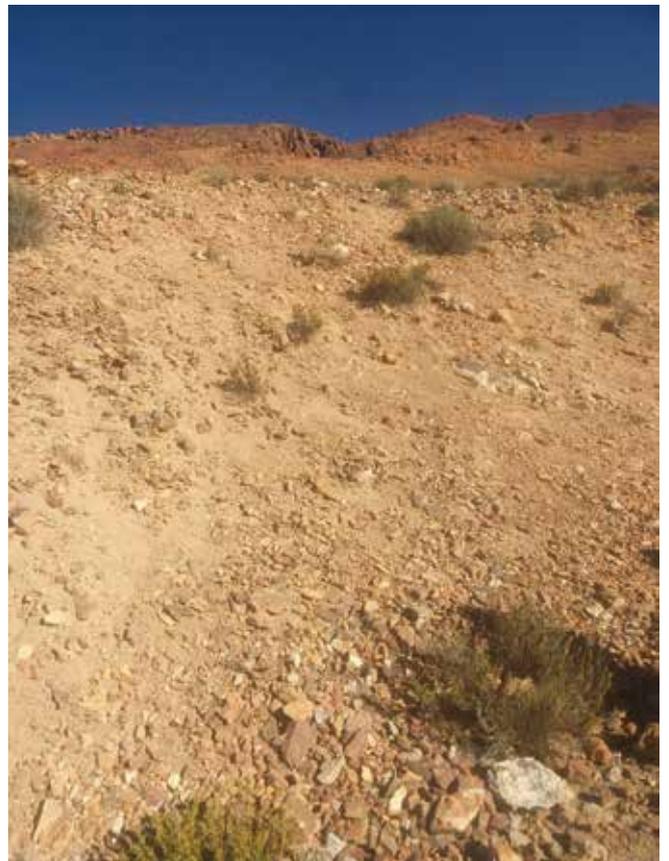


Fig. 11: Collapsed dry fill at the tip of Cerro Rico

The Tug-of-War for St. Petersburg's Okhta Cape Continues

Elena Minchenok and Mikhail Ryzhov

This year the St. Petersburg heritage preservation community is addressing the same issue as the previous year, the case of the Okhta Cape and its unique historic and archeological inlay. The territory of the Cape falls within the boundaries of the UNESCO WHS 540 "Historical Center of St. Petersburg and Related Groups of Monuments" inscribed in 1990 as a serial property, numbering 36 components, some subdivided into elements, but not inscribed as a separate component. On the 2021 World Heritage Watch Forum, the St. Petersburg civil society actors, the heritage preservation community and the architecture and urban development professional society claimed the need to

have the Okhta Cape and its historic and archeological monuments inscribed as a WHS component. Obviously, this wasn't done nor even discussed. In the meantime, the situation keeps evolving in the most unfavorable way.

Brief Information on the Okhta Cape

The archeological site on a high-positioned bank of the Neva river at the point where the Okhta river enters it, was first opened up in 1990 and declared archeological monument, according to Russian law. Later the lot was bought by Gazprom,

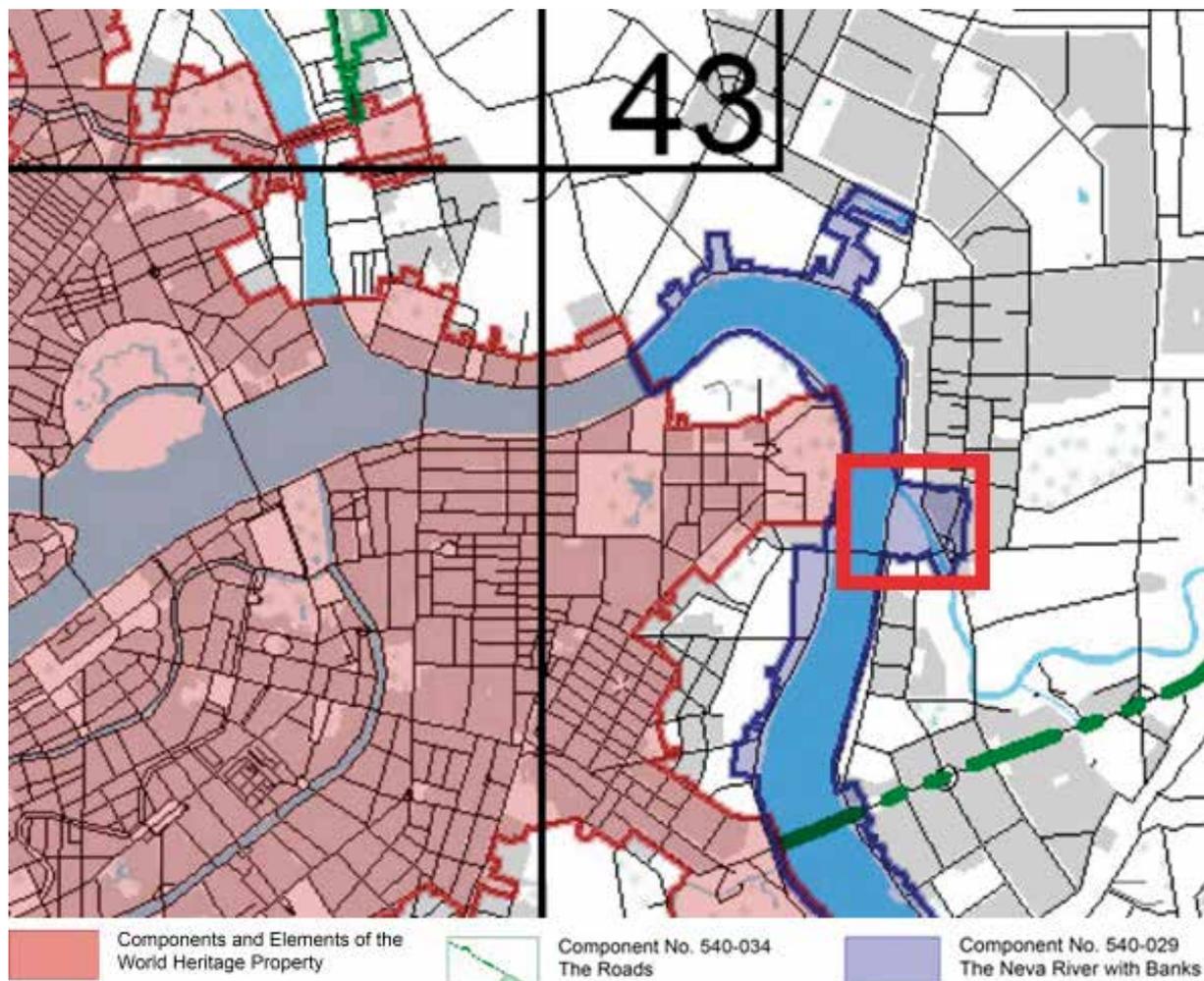


Fig. 1: The territory of the Okhta Cape marked with a red box within the boundaries of Component 540-029 The Neva River with Banks (fragment of the official maps of the inscribed property with clarifications of 2014 adopted)

Source: UNESCO https://whc.unesco.org/en/list/540/multiple=1&unique_number=1958



Fig. 2: Aerial view of the Okhta Cape as of 2021.

Source: (<https://okhta.online/aktualno/budushhee-ohitinskogo-mysa-chto-my-znaem-o-zastrojke-territorii-i-sporah-gazpromnefti-s-arheologami/>)

the government-affiliated monopolist oil and gas producer, with an intention to build a 300-meter skyscraper which almost put St. Petersburg on the UNESCO List of the World Heritage in Danger. During the preparatory phase of construction, the site was thoroughly studied by a team of archeologists led by Pyotr Sorokin, senior research fellow of the Institute for the History of Material Culture of the Russian Academy of Sciences, to reveal four layers of archeological content – dating from the 17th century Nyenskans fortress with the full set of ditches, bastions and wooden ramparts back to a Neolithic settlement, findings of which changed the whole geological history of the Baltic area. More detailed information on the composition of the archeological monuments of the Okhta Cape is available in Minchenok 2021.

Thanks to the vast range of efforts of the St. Petersburg heritage preservationists, civil and political community, as well as the huge support of scientists and experts worldwide, the

skyscraper wasn't built in that place, instead it was moved 9 kilometers off the city center. Its height rose to 400 meters, and it is still very visible from the historic center and intrudes the protected panoramas of the WHS.

The territory of the Cape meanwhile is still a property of Gazprom, and the company had leaked several plans for using it for residential construction, until in January 2020 it presented a project chosen within a closed architectural competition for the construction of a multifunctional office (Fig. 3).

Dubious Assessments at the Base of Legal Decisions

In 2011 Gazprom had commissioned a historic and cultural expert assessment that recommended listing the Okhta Cape as a landmark of regional significance, however giving away most of the territory for construction. Heritage preservation campaigners successfully challenged it in court and made it revoke its authors' rights to perform expert examinations and evaluations. An alternative assessment was done by the All-Russian Society for the Protection of Historical and Cultural Monuments (VOPIK) which demanded the full preservation of the immovable objects of cultural heritage (which is also required by Russian law). However, the Committee on State Control, Use and Protection of Historical and Cultural Landmarks (KGIOP) refused to list the objects and the site, and the Ministry of Culture rejected both papers.

In 2018, another assessment, presumably paid for by Gazprom subsidiaries, was commissioned to Kazan-based archaeologist Airat Sitdikov, who stated that it was necessary to preserve only a small part equaling 15 % of the total area of the monument. The document was fully accepted by Gazprom Neft, the Minis-



Fig. 3: 3-D visualization of Nikken Sekkei project for the Okhta Cape site.

Source: <https://gorod-812.ru/kak-peresadochnye-uzly-svyazany-s-ohitinskim-mysom/>

try of Culture, and the city heritage protection body. The courts relied on it as the only officially approved expert evaluation.

On the contrary, the only purpose of Sitdikov's assessment, according to Pyotr Sorokin and many other experts, was to justify the construction project on the Okhta Cape within the preset building footprint. In November 2021, Mr. Sitdikov testified at the Kuybyshev Circuit Court in St. Petersburg that he had not examined the original reports of archaeologists who excavated the territory of the Cape of over 40 thousand sq.m. He also claimed that the original moats of the Landskrona fortress of the 14th c. did not deserve any sort of preservation because of 5-centimeter-deep rabotage which had presumably stripped the moats of their historical and cultural value. This point was rebutted by the plaintiff's experts who reminded that rabotage was the necessary excavation method used in every single excavation, and taken the overall surface of preserved moats (more than 7 thousand sq.m.), their length (c. 400 m.) and depth (c. 3 m) into consideration, the 5-centimeter rabotage did not change the structure of moats and they still contain all the necessary historical information and have their historical appearance intact to be preserved for the future generations.

The unscholarly arguments of Sitdikov and the experts' assessment cited by the plaintiff made it clear to the court that the moats of the Landskrona fortress and many other archaeological objects of the site still exist and are of great historical and cultural value. However, as of February 2022, the Ministry of Culture and other proponents of construction project keep claiming that Sitdikov's expert assessment is still the only theoretic base for regulating the possible construction on the Okhta Cape. The decision of Kuybyshev Circuit Court is fiercely opposed by the owner of the land lot and is examined by the appeal body now.

2021: How to Ignore the Mandate of Putin

In December 2020, one of the founders of the Moscow heritage NGO Arhnadzor, Konstantin Mikhailov, addressed Vladimir Putin at a meeting of the Human Rights Council under the President of the Russian Federation. Quite unexpectedly, Vladimir Putin publicly spoke out for the idea of a museum on the site. The instruction of the President followed to consider creation of an archaeological and historical reserve on the Okhta cape and to submit relevant proposals until May, 1. It was addressed to the Minister of Culture of the Russian Federation Olga Lyubimova, the Governor of St. Petersburg Alexander Beglov and the head of Gazprom Alexey Miller.

A working group was created by the officials, unsurprisingly consisting mainly of the members of the city government, the Gazprom tops and several state museum executives. Out of the 21 members of the group, there were only two representatives of civil preservation groups. While the officials and Gazprom tops ardently protected the build-up of the territory, the mu-

seum executives took a cautious stance: some of them gave the real list of existing monuments and pointed at the extreme historical value of the territory and the need to take reasonable decisions, some conceded they had not enough information for any judgment and extensive study was needed. Thus, the Director of The State Hermitage Museum Mikhail Piotrovsky recommended against any haste and said that the issue of creating a historical and archaeological museum and reserve on the Okhta Cape was a serious complex scientific, cultural, archaeological and business mission and required considerable intellectual effort, expert assessments, public consideration and financial investment. Referring to particular archaeological monuments, he maintained that the majority of the found objects needed preservation, for which end a conservation project was a must.

However, the 4-page large-font report to Putin issued by the Ministry of Culture claimed that all the museum executives were unanimous in waiving the idea of the large-scale museum and reserve on the Cape. This blatant lie was revealed in an article in *Novaya Gazeta* ('How to Fool Putin: Ask Ministry of Culture and Smolny, They Can Tell')¹. The report actually substituted an archeological museum and reserve (offered by Vladimir Putin) with "a park as part of the landscaping during the construction of the public and business center of PJSC Gazprom Neft". Basically, the declared decision was the same: a small 1,500 m² exposition within the building and a 15% part of the whole archeological monument (a part of one bastion of Nyenskans and some unrelated fragments of cultural deposits – without a single square meter of Landskrona moats), that, according to Gazprom and the authorities, are worth preserving.

In December 2021, during the regular annual meeting of the Human Rights Council under the President of the Russian Federation, the same Konstantin Mikhailov addressed Vladimir Putin, making it publicly present that the President's mandate of the year before has never been fulfilled. Vladimir Putin brilliantly gave a most vague answer that can be read in whichever manner.

High-Tech Media Camouflage

In the meantime, Gazprom keeps launching breaking news. In spring 2021, it presented a concept of a new skyscraper of 703 meters to be built next to the previous one outside the city center. A little time later another idea of a highrise hit the sky, intended to be erected on an artificial island in the Gulf of Finland, with no details given until today, February 2022, except for an impressive 3D-render video (Fig. 4).

By the end of the year yet another playful idea was brought back to light, the proposal to "reconstruct" a 168-meter bell tower of the Smolny Cathedral once designed by arch. B. Rastrelli

¹ <https://novayagazeta.ru/articles/2021/12/20/kak-obmanut-putina>



Fig. 4: 3-D visualizations of the new Gazprom skyscraper projects, announced in 2021.

Source: PAO Gazprom, <https://www.gazprom.ru/>

but never actually built. Launched by the “Foundation for Assistance to the Restoration of Objects of History and Culture in St. Petersburg” (heads of the foundation are simultaneously busi-

ness unit supervisors in Gazprom), it produced beautiful videos of a horde of drones prototyping the belfry’s silhouette in the Christmas sky, a magic image so easily made viral (Fig. 5).

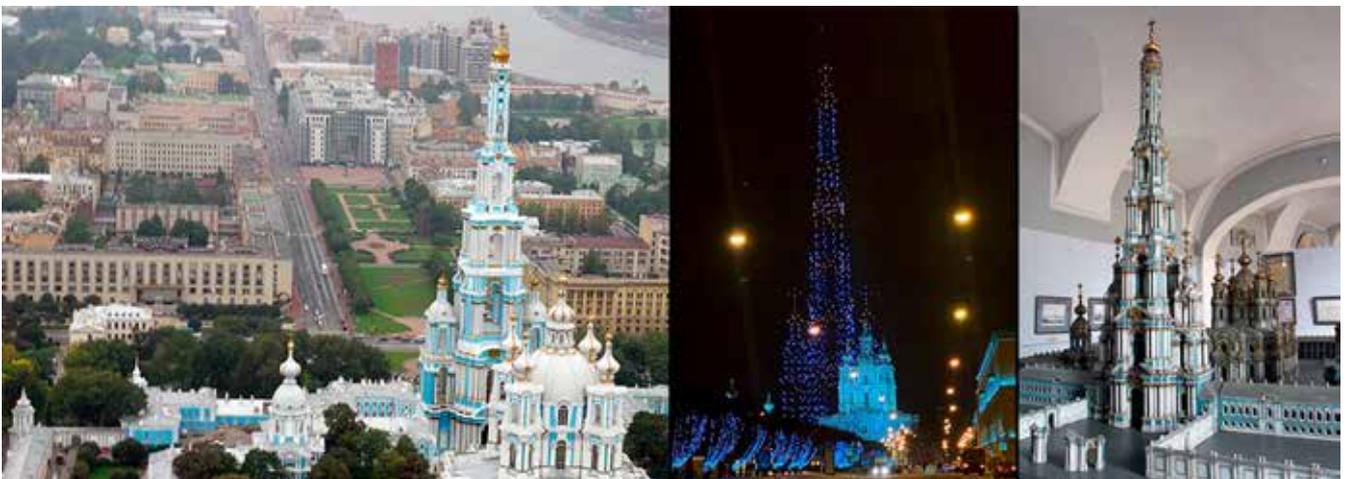


Fig. 5: 3-D visualization of the Smolny Cathedral belfry. Source: XYZproject (<http://xyzproject.ru/portfolio/mirage>) (left); drones forming the outline of the unbuilt belfry, February 26, 2021 (center); Smolny Cathedral belfry model, Academy of Arts of St. Petersburg (right).

Photos: O. Feofanova

Either it’s a cunning way to draw attention away from the Cape and its unsolvable problems, or a way to test the tolerance of the city community to the idea of new tall kids on the block. Or both, actually. Whatever is Gazprom’s strategy, the archeological monuments of the Okhta Cape remain under great threat, given that even the existing court sentences cannot guarantee safeguarding of the heritage.

To support and favor the unfolding situation the civil society actors, the heritage preservation community and the urban development professional society inform UNESCO of the status quo of the Site and state that:

1. At the moment no more than 15% of the surface of Okhta Cape archaeological monuments is under state protection. Once the Circuit Court’s provisional remedy is rescinded, the 14th c. Landskrona moats and the other monuments are likely to be demolished.
2. The WH Committee should request the Russian State Party to submit full information about the archaeological evidence as well as existing plans for constructions on the Okhta

Cape according to §172 of the Operational Guidelines for the Implementation of the World Heritage Convention. It is impossible to carry out the planned construction without nullifying the Outstanding Universal Value of this part of the component 540-029 of the UNESCO WHS 540.

3. It is highly necessary that the WHC requests a detailed report on the status and listing perspectives of the archeological monuments of the Okhta Cape that lie within the boundaries of the UNESCO WHS, from the Russian Federation;
4. It is most needed that the Site that currently falls into the boundaries of the component 540-029 of the UNESCO WHS 540 be defined and recognized as a separate component, and the WH Committee can solicit that the Russian Federation review the list of the components of the WHS including the archeological monuments of the Okhta Cape as a separate component.

Reference

Minchenok, Elena: Okhta Cape: Archeological Site Extending from the Stone Age to the XVIII Century in Urgent Need of Support and Recognition. World Heritage Watch Report 2021. Berlin: World Heritage Watch 2021, pp. 49-53

The Waldsiedlung Zehlendorf Between Environmental Protection and Monument Preservation

Hans-Jürgen Kraft, Parrot Settlement Association



Anyone traveling by Subway Line 3 to the Zehlendorf district of southwest Berlin will reach Onkel Toms Hütte, the last stop before the end of the line. The station opened in December 1929 and is listed as an architectural monument. It is an elongated, roofed building with numerous small shops on both sides of the train tracks, the Ladenstraße (shopping street). It is Berlin's first and only shopping mall inside a subway station, serving residents of the surrounding Onkel Tom neighborhood, and still functions as a social and cultural center and meeting place easily accessible without a car. The subway station forms the center of the Waldsiedlung Zehlendorf (Zehlendorf Forest Settlement), as it is officially called. The neighborhood was designed by architect Bruno Taut and built by the non-profit housing association GEHAG in 1926–1931/32.



Fig. 1: The Ladenstraße (shopping street) in the Onkel Toms Hütte subway station. Note the subway tracks on the left.

Photo: Peter Kuley

The construction of this neighborhood, including the shopping streets, was of enormous significance at the time. After the First World War, Berlin had grown to over 4 million inhabitants causing a housing shortage of dramatic proportions. In the 1920s, 400,000 new Berliners arrived. The vast majority of the population suffered from economic and social hardships in the 1920s and 30s. Working-class families lived in filthy conditions in cramped tenement houses. In response, housing construction became a political issue of highest priority. Committed politicians, trade unionists and architects worked and fought for affordable housing for lower income individuals and families, desiring a better living environment in the social, cultural and health spheres.

They finally succeeded with their plans despite considerable resistance. At that time, Zehlendorf's politicians saw themselves as representatives of bourgeois Zehlendorf and felt adversely affected by the Waldsiedlung. They defamed it as a workers' neighborhood, all the more so because the plans for the "Berlin Modernism" style of construction, which could be partially attributed to the Bauhaus style, included design elements that must have been a thorn in the side of the villa residents, such as flat roofs, colorfulness, idiosyncratic proportions, rhythms etc.



Fig. 2: A view of single-family homes in the Waldsiedlung with its characteristic colourful houses architecture and small gardens.

Photo: Stephan Doempke

Construction of the "Waldsiedlung Zehlendorf" finally began in 1926, with architects Bruno Taut, Hugo Häring and Otto Salvisberg wanting to contrast cramped living with brightness, space and nature. A vision where children were to grow up surrounded by fresh air and space to play in front of and behind their houses. The response of the families who moved into the first finished houses in the southern part of the estate in 1927 was overwhelmingly positive.

The houses and gardens, most of which were only five meters wide, were designed to encourage inter-generational social contact between neighbors. Important elements in the construction were contrasting colors. The window frames with their graduated colors earned the neighborhood the name "Parrot Settlement," which was meant to be a disdainful name. After completion, the Waldsiedlung had a population of around 5,000 people in about 2,000 residential units;

about 1,100 were rental apartments and 900 were single-family owned row houses.



Fig. 3: The Waldsiedlung Zehlendorf and its architects.

Map Source: Denkmale – Schutz und Pflege. Waldsiedlung Onkel-Toms-Hütte. Published by Bezirksamt Steglitz-Zehlendorf von Berlin, Untere Denkmalschutzbehörde, Berlin 2006

Currently 800 of these homes are owned by Deutsche Wohnen, a real estate company with one of the largest housing portfolios in Germany and a reputation of making apartments unaffordable to lower-income people through luxury modernization. How could this happen?

In 1990, the regulations governing the non-profit housing industry were abolished in Berlin. In 2000, the Berlin Senate (government) privatized GEHAG, with the approval of parliament. GEHAG then had seven other owners, including various US hedge funds, before finally ending up in the hands of Deutsche Wohnen. Thus, the socially committed housing company GEHAG, with a profit limited to 4 percent, became a stock market oriented company. Deutsche Wohnen has contributed to the fact that in recent years many of the two-storey houses in the estate have been restored in a manner appropriate to their status as historic monuments.

Among the residents and owners of the houses, a greater understanding of the neighborhoods' uniqueness only emerged toward the end of the 1970s. Countless changes had led to sometimes serious architectural disfigurements, a development

that some architects living in the neighborhood and other committed house owners increasingly tried to prevent. Since the 1980s, they were supported by the monuments authority. In 1982 the neighborhood was designated as a protected urban ensemble, and since 1995 it has been listed as a historic monument.

In 2008, the planned inclusion of the neighborhood in the UNESCO World Heritage List failed because many private houses no longer corresponded to the original uniqueness of the neighborhood in terms of color and design; the same was true for most of the apartment buildings. Instead, the Hufeisensiedlung in Britz won the bid as the sixth ensemble on the UNESCO list of Berlin Modernism. The Waldsiedlung Zehlendorf would be the seventh modernist settlement on the World Heritage List.

Its desirable location near the forest, a lake and subway access, has caused apartment rents and demand for houses to rise considerably. Even today, only people with medium to high income can afford buying a row house, and concerns are rising that a World Heritage inscription could send rents further skyrocketing, turning Taut's political and social intentions into their straight opposite.

Reviving Taut's ideas was one of the concerns of the non-profit "Verein Papageiensiedlung e.V." (Parrot Settlement Association) founded in 2010. Its aim was to raise awareness and further develop the versatile possibilities of the neighborhood, which would ideally combine "a village sense of community with urban freedom". The non-profit has about 80 members, but the number of people the association reaches is about 650 households, well over 1,000 people.

The purpose of the association is "to promote the preservation of historical monuments in the area of the listed ensemble of the Onkel-Tom-Siedlung (Parrot neighborhood) including the shopping street in the subway station Onkel Toms Hütte (...) as well as the education of local residents, especially with regards to the historical and current significance of the neighborhood. The association's "Bruno Taut Archive" contains display boards and material on the urban planning significance of the neighborhood."

In response to the climate crisis and the government's hesitant climate policy, some members of the non-profit have developed new, more far-reaching plans for this problem. The question of what Bruno Taut would initiate as a major innovation today led to the initiative to make the neighborhood CO₂-neutral on its 100th anniversary, i.e. from around the year 2030 on. After a workshop on this topic and a survey in the neighborhood, some neighbors have organized the Climate-Friendly Parrot Neighborhood (KLIP) project since 2020. They created various focus groups on the topics of ecological sustainability, gardens, reforestation, biodiversity, Terra Preta (a type of very fertile black soil), regional food, photovoltaics, insulation suit-

able for historical monuments, and other energy measures. In the area of climate-friendly mobility, the focus is on car sharing, cargo bikes, e-cars, and car-free streets. On the topic of social sustainability, the focus is on healthy and age-appropriate living, fireplaces and fine particles, and stair lifts.



Fig. 4: A solar panel on a house in the Waldsiedlung, hardly discernible from the street. The objectives of climate protection and monument conservation are competing goals here, both supported by international conventions.. Photo: Stephan Doempke

Since 2021, another group has expanded this project into a “neighborhood concept” (KliQ). Based on the consideration that comparable problems, but also opportunities, exist in the surrounding area of the neighborhood, the aim is to involve as many climate-relevant stakeholders as possible from a radius of about one kilometer around the Ladenstraße center between 2021 and 2023. These include schools, daycare centers, sports clubs, a church congregation, a hospital, housing associations, green spaces and others. They are all to be encouraged in workshops and other accompanying measures to plan and carry out climate-friendly conversions and renovations. Combining the urgently needed and technically feasible energy measures with historic preservation is the primary goal of the association as well as of KliQ, but this is made considerably more difficult by restrictive conditions imposed by the historic preservation authority.

In the meantime, efforts have been made to add the neighborhood to the UNESCO World Heritage List again by being added to the Berlin Modernism Settlements already inscribed. According to the UNESCO criteria, citizen participation, i.e. the inclusion of the interests and wishes of the residents, is obligatory for the procedure, but the nature of this participation is not defined in the Operational Guidelines.

A public event for this purpose on 11.08.2021 was organized digitally due to the corona pandemic by the Monument Authority of the Land Berlin. Deutsche Wohnen had been invited half a year before to participate on the podium, but no neighborhood initiative was contacted. The Parrot Neighborhood Association was invited only at the last moment. The affected parties were clearly underrepresented at an event whose purpose

was to encourage citizen participation. It also clearly revealed the unwillingness of the panelists to respond to the ideas of affected tenants and residents. The statements of the monument authority left most of the questions previously submitted by the non-profit completely or largely unanswered.

After all, the “rationalization of housing construction” of the 1920s was seen as one of the “values” that make the neighborhood worthy of nomination, but not the social issues that were Bruno Taut’s core concerns. The non-profit is committed to Bruno Taut’s eco-social legacy and does not want a nomination without content such as tenant protection, climate protection and genuine citizen participation. In this sense, a representative of the non-profit’s board, Ms. Ute Scheub, made the following statement at the event, assuming the voice of Bruno Taut’s perspective today:

“We wanted people with tight budgets to be able to let their children grow up in light, air and sun. But today the neighborhood is degenerating into a rich people’s neighborhood because the purchase prices for private houses, and Deutsche Wohnen’s rental prices have risen so exorbitantly. That makes me turn in my grave. All priority today must be given to climate and nature protection - everywhere. I am proud to see that our flat roofs are suitable for solar energy and green roofs. But monument conservators request every single homeowner to submit plans exact by centimeters when they wish to install solar panels. I urge them: Rather fight big cars and traffic, which disfigure the overall landscape much more.”

- Even if the following ideas are not based on representative surveys, the opinion is emerging among homeowners and residents that before any World Heritage nomination:
- Historic preservation must not be applied or enforced dogmatically, in particular when other global goals are at stake such as climate protection, which is also supported by international and national law.
- Landlords must agree to limit rents in the Waldsiedlung.
- Genuine citizen participation must be ensured in the decision-making process for the re-nomination of the Waldsiedlung.
- The Waldsiedlung should be added to the six inscribed settlements only if it exhibits important new features or elements of the Outstanding Universal Value which are not present in the six settlements already inscribed.
- The architecture and urban planning of the Waldsiedlung Zehlendorf cannot be appreciated without understanding Bruno Taut’s social and ecological ideas. It could actually be argued that in this case the tangible heritage achieves its OUV only through the intangible value which gave rise to it. As such, social and ecological considerations should take the highest considerations in the management of a future World Heritage site.

Condition of buildings and built structures

The condition of many unique built structures, as well as the streets and green spaces throughout the historic district have not been adequately protected and appreciated. This is true of many buildings as well as the majority of streets and sidewalks throughout the historic district, and green spaces with valuable trees. Particularly striking is the poor condition of small monuments whose preservation was neglected (Fig. 3; for this and all further photos see the documentation at the end of this report.), leading to demolition in some cases. The radiating granite pavement of the market square in front of the town hall – Goslar’s most iconic place which has been there since about 1834 - has been missing in parts in front of the building for 12 years (Fig. 4). No effort was made to restore it for this year’s celebration of the city’s 1,100th anniversary. To itemize all damages would result in a seemingly endless list¹. Overall, the result is a severely neglected cityscape. A closer inspection of the individual buildings gives a dramatically deteriorated picture.

Need for renovation

Various buildings and small monuments, including those of particular historical value, are in urgent need of restoration (Fig. 5). In the Old City area, an estimated 180 buildings are in a structurally poor condition, and there are about 200-300 buildings with a major renovation backlog. Rescue programs for historically valuable buildings, or the placement of buildings with suitable prospective buyers do not exist either. The findings for the Lower Town² alone that about 211 of 374 evaluated buildings are in a medium structural condition and about 99 are in a structurally poor condition, can only be explained by years of lack of supervision. This evaluation did not take into account the remaining approximately 1,126³ listed buildings.

Vacancies

A conspicuous feature of the entire city area is the large number of buildings which have been vacant or dilapidated for ten or more years (Fig. 6). Some of them are or were owned in the past by the city. In these buildings in particular there is a conspicuous backlog of renovation which has led either to demolition or to visible damage, as in the case of the pavilion in the gardens on the ramparts, whose demolition is to be feared in the near future (Fig. 7). Vacancy registers for the entire area of buildings in the Old Town are not known to exist.

Inappropriate restoration and renovation

Structural elements of buildings and walls all across the Old Town have been restored using materials in full ignorance of

the historic models (Fig. 8), or renovated using elements not in line with the historic features. This is particularly obvious on many windows and doors inserted in historic buildings (Fig. 9). In a significant number of cases, such inappropriate works have been conducted by the city itself.

Loss of authenticity and integrity

Grossly inappropriate individual new buildings (Fig. 10) and shop façades with oversized windows and imposing advertisements (Fig. 11) diminish the otherwise high integrity of the townscape, and have led to an almost complete loss of integrity in some streets of the Old Town (Fig. 12). These phenomena indicate in a lack of specifications in Goslar’s urban guidelines, or in their implementation and enforcement.

Streets, parking lots and green spaces

The Old Town of Goslar has about 9.0 km of streets, which are an important part of its appearance. Their condition is similar to the buildings. For many years, until the most recent renewal work on the Abzucht and the Moritz-von-Sachsen Square, there was no uniform street design.

About half of the street pavements in the Old Town - both roadways and sidewalks – are either in poor condition or consist of various mixtures of materials in a wide variety of laying patterns, giving the Old Town the appearance of a hardware store display (Fig. 13). Other streets and even sidewalks have been paved with tarmac (Fig. 14). A uniform paving throughout the Old Town would greatly enhance the cityscape.

Even more unfortunate is the condition of the street trees in Old Town. The root zone of many trees is not protected, and they grow over their boundaries or are damaged by vehicular traffic (Fig. 15). Parts of the historic city walls, the enclosing walls of the Frankenberg Church (Fig. 16), some vernacular buildings and even parts of the Emperor’s Palatinate are overgrown with plants.

Lighting and energy supply

The entire streetscape of the Old Town is illuminated by different versions of lanterns. Lighting adapted to the style of the Old Town exists mainly only around the market square and less in other streets. The lighting model chosen by the city as a successor to the lanterns from the 1960s does not harmonize with the important facades (Fig. 17).

A problem that has existed for years is the distribution stations in the Old Town. They are either defaced or built so close to the buildings that the intermediate area remains permanently wet and can cause damage to the buildings (Fig. 18). Most of the basic lines for energy supply are outdated and have not been renewed in the entire area over a long period of time. This affects larger parts of the old town.

¹ A more complete and detailed list can be found at <https://world-heritage-watch.org/content/wp-content/uploads/2022/06/3-page-report-with-photographic-documentation-31-05-2022.pdf>.

² The Old Town is informally divided in a Lower (eastern) and Upper (western) part.

³ Based on the number of 1,500 listed buildings given by the municipality.

House entrances, plinths and advertisements

A striking feature of the Old Town is the variety of different individual house entrance designs. There is a wide range of different materials and patterns of tiles, granite and sheet metal cladding, or clinker, and a considerable number of them is damaged (Fig. 19). Some plinths lack grading, allowing rainwater to enter the founding beams of the timber framework (Fig. 20).

Institutional failure

The municipality of Goslar is responsible for the preservation of many built structures and has a supervisory duty over the entire private building stock, as far as the preservation of protected monuments is concerned. The Monument Protection Authority of the City is responsible for handling matters relating to monument law. A single fully trained monument conservator covers the Old Town, but is in home office outside of town three days a week.

Years of failure to carry out the necessary repairs or safeguarding works have already led to an irreparable loss of part of the historic building fabric. Where renovation is still possible, this leads to immense follow-up costs to catch up with the renovation backlog. Before the necessary renovation work begins, one of the main tasks of the Goslar municipality will be to convince the citizens of the necessity of the upcoming work, and to provide the affected owners with professional support and assistance.

This must be done against the background of the obligation to protect the world heritage and to preserve it for the next generations and all humankind. Such a task can only be accomplished in harmony between citizens and municipality, which is indispensable for the continued existence of a living urban structure.

Demands

From the City of Goslar

- The rehabilitation of the Old Town must become a top priority, and the mayor should immediately present a comprehensive and thoroughly financed rehabilitation plan for the Old Town that meets the high demands of a world heritage site.
- It is important to look for the reasons why so much of the stock of architectural monuments is in such poor condition. In many cases, only worse can be prevented, but the

original condition cannot be saved in its entirety. In particular, the financial and human resources in the responsible departments must be raised to a sufficient level.

- The urban guidelines for the Old Town should be revised and given greater binding force in order to guarantee uniform designs of urban features.
- More thorough inspections should be carried out during and after every construction project.
- A comprehensive survey of the Old Town seems essential and should be carried out according to the following criteria:
 - A complete damage register of all buildings in the Old Town must be established.
 - A register of vacant buildings must be kept and suitable prospective buyers found.
 - On which buildings were construction measures carried out that do not comply with the regulations for the protection of historical monuments.
 - Construction management of the municipality to assist with planning and implementation.
 - Establishment of a building materials exchange for the donation of historical building materials. An example of this can be found in the World Heritage City of Quedlinburg.
 - A rescue program for acutely endangered buildings of architectural-historical importance
 - Rapid and consistent implementation of flood protection measures to prevent another flood disaster like the one in 2017.
 - Creation of a cadastre for basements, corridors and other underground facilities.

From those responsible for World Heritage in Germany

The Standing Conference of the Ministers of Culture (KMK) should investigate

- how to improve the World Heritage monitoring in Germany, and
- how German monument protection law can be improved in order to identify at an early stage undesirable developments such as those described above, and to remedy them through improved intervention options.

The federal and state ministries responsible for building and urban development should urgently set up a program that makes it easier for homeowners to renovate listed buildings in a way that is appropriate for the monument and at the same time takes climate protection requirements into account, and in doing so work closely with homeowners and civil society.

Photographic Documentation: Damages in the Old Town of Goslar

Photos show examples of the types of damages. Numerous cases of each type can be found in the Old Town of Goslar.



Fig. 3: The damaged fountain at the Breites Tor ("Broad Gate"). Photo: Henning Frase



Fig. 4: The pavement of the market square in front of the city hall has been missing since 2010. Photo: Henning Frase



Fig. 5: The house at Glockengießergasse 93a has been left to decay. Photo: Henning Frase



Fig. 6: One of many vacant buildings in the Old Town. Photo: Saskia Hüneke



Fig. 7: The pavillon in the gardens of the city ramparts. It is owned by the city and has been left to decay for ten years. Photo: Henning Frase



Fig. 8: The containing wall of the Abzucht Creek has been reconstructed with red clinker instead of the historic natural stone. Photo: Henning Frase



Fig. 9: Unhistoric alteration of the façade, using inappropriate materials, in the Schreiberstraße.

Photo: Stephan Doempke



Fig. 10: The new building of the city library and archive disrespects the height, volume, materials and façades of the surrounding cityscape.

Photo: Stephan Doempke



Fig. 11: The building opposite the city hall with oversized shop windows and obtrusive advertisements.

Photo: Saskia Hüneke



Fig. 12: The Rosentorstraße has lost its historic character and integrity to a large extent.

Photo: Stephan Doempke



Fig. 13: No less than eight (!) different types of pavement, a mix of patterns not going well together, can be found on an area of 10x10m at the Moritz-von-Sachsen-Platz.

Photo: Stephan Doempke



Fig. 14: Tarmac on the sideways of the Neue Straße.

Photo: Stephan Doempke



Fig. 15: Trees give the Obere Schildwache street its character, but most of them are in danger due to damage to their roots from pavement works. Photo: Henning Frase



Fig. 16: Plant overgrowth on the south side of the enclosure wall of the Frankenberg Church. Photo: Stephan Doempke



Fig. 17: The type of street lights which are predominant in the Old Town. Photo: Henning Frase



Fig. 19: House entrance stairs of Charley-Jakob-Str. 1 next to the municipality building which houses the lower monument protection authority. Photo: Henning Frase



Fig. 20: Restored plinth of a historic building lacking the grade that would allow water runoff. Photo: Saskia Hüneke



Fig. 18: Distribution boxes in the Münzstraße. Photo: Henning Frase

High-ranking Vienna City Official Insults ICOMOS and UNESCO

Herbert Rasinger, Initiative Stadtbildschutz Wien



Fig. 1: Rendering of the View of the Belvedere with the remodeled high-rise building on the Heumarkt. Photo: M. Kupf

The Vienna Ice-Skating Club – Intercontinental Hotel – Vienna Konzerthaus real estate project has such a great impact on the city that an Environment Impact Assessment (EIA) is necessary. Surprisingly, however, the Mayor of Vienna, Mr. Michael Ludwig, issued a letter on 16 Nov 2018 to real estate tycoon Michael Tojner assuring him that his project does not need an EIA. The city administration, however, did not continue his favourism and asked the European Court of Justice for its opinion concerning the need of an EIA for this huge real estate project in the world heritage zone of Vienna. A decision by the Court is expected in autumn.

High-rise buildings on the Heumarkt

In my last report I had to report that public land in the Historic Centre of Vienna WHS had been sold for a high-rise project not yet approved by ICOMOS or UNESCO. Since then, the city council of Vienna has continued to take further steps that will result in Vienna's loss of the World Heritage status.

On 19 December 2019 the city council sold 82 m² of public land adjacent to the planned Heumarkt high-rise building project to the investor Mr. Tojner for a price of 516.600 Euro. This was in direct conflict with the management plan which the city had confirmed to the UNESCO WHC in 2006, referring to decisions 27 COM 7B.57 and 28 COM 15B.83. This 1st management plan does not allow new high-rise buildings in world heritage zones.

On 25 November 2021 the city council of Vienna adopted a new management plan. This 2nd management plan now allows high-rise buildings in the world heritage site.

NGOs like the Initiative Stadtbildschutz Wien ("Association for Vienna Cityscape Protection") issued a press release asking for a revocation of this 2nd management plan. A further claim was that the Vienna city council should revoke its land use plan 7984 which fosters high-rise building construction in Vienna's world heritage zone.

In a Technical Review, ICOMOS informed Austria and the Vienna city government in April 2022 that this huge real estate project with high-rise buildings up to 56 meters is not compatible with World Heritage regulations. The project will have „irreversible detrimental effects“ on the world heritage site. Vienna can therefore not be deleted from the List of World Heritage in Danger as long as this project is considered.

The reaction of the President of the Vienna city council, Mr. Woller, was furious. He issued a statement to the press in which he insulted ICOMOS and UNESCO, calling the document of these organizations an "unscientific, superficial and pretentious" paper.

The adamant sponsorship of Mr. Tojner by the city government is astonishing. The same Mr. Tojner is suspected of having defrauded the state of Burgenland of 163 million Euros, and he will have to appear in court.

Unpleasant cases of roof superstructures

At the same time, the destruction of Vienna's historic centre continues in other places, too, in particular through building exaggerated roof superstructures on monuments supposedly protected under Austrian law.

The Oppenheimer house



Fig. 2: Authenticity and visual integrity of the baroque Oppenheimer house have been seriously damaged by addition of a 2nd floor on the roof. Photo: Herbert Rasinger



Fig. 3: The original baroque roof truss of the Oppenheimer house has been cut into pieces and is now part of a bathroom, exposed to humidity. Photo: Herbert Rasinger

The Wienmuseum (Museum of Vienna)



Fig. 4: Horizontal Concrete slabs of the superstructure protrude into the Resselpark in front of the St. Charles Church. Photo: Herbert Rasinger



Fig. 5: A 3-storeys superstructure has been placed upon the dismantled Wienmuseum as of April 2022, giving the building the distinct appearance of the brutalism architecture of the 1970s. Photo: Herbert Rasinger

The Present Situation of Venice and its Lagoon is Unsustainable



Jane da Mosto, We are here Venice

Over the recent years, a multiplicity of efforts by civil society groups in Venice as well as other international organizations have been trying to overcome evident blockages in the UNESCO world heritage evaluation process, considering the widely known and persistent problems threatening Venice and its lagoon, and calling for the site to be registered as endangered.

Participation by local organizations in relevant discussions and deliberations regarding the site has been uneven, and information flows, especially when the “site manager” is involved, have not met the standards expected of a European city. This issue has been highlighted ever since the release of the 2014 Management Plan.

A quick run through the critical issues is barely necessary considering widespread concern with – and media coverage of – Venice’s deteriorating condition and uncertain destiny:

Housing availability¹ has been eroded by unfettered market forces associated with speculative investing, consumerism and mass tourism. The supply of social and public housing by the administration and other public and semi-public institutions has also been consistently overlooked. Thousands of housing units are empty and unassigned.



Fig. 1: Empty and closed apartments in Giudecca, 2022. Photo: Eleonora Sovrani

Likewise, the range of productive activities and jobs in Venice has narrowed due to lack of policies to ensure minimum stand-

ards in tourism-related businesses as well as to promote and defend other types of work. The historic city is losing many traditional activities along with repositories of local knowledge and intangible heritage; the unique characteristics of everyday life and the quality of life for residents is increasingly compromised by pollution, noise, congestion etc.



Fig. 2: We are here Venice’s billposting campaign, 2020. Photo: Eleonora Sovrani

Lack of political agency (representation) of the lagoon, now that it has shrunk to less than one-third of the mainland population (Venice and the islands versus Mestre, Marghera etc.). These very different territories constitute the single municipality of “Venice”, therefore residents of the lagoon (including the historic city) are mathematically excluded from influencing the democratic processes and political outcomes. With almost 75% of voters based on the mainland, the daily population of Venice is dominated by commuters and tourists².

The ecological state of the lagoon system is threatened by “marinisation”, i.e. a series of trends connected with erosion, ongoing loss of sediments to the sea and stronger currents and waves, that exalts the marine features and removes the characteristics and inherent resilience of a transitional zone, threatening the numerous ecological functions of the lagoon and the associated values to society.³

² <https://www.weareherevenice.org/whose-city-is-it-anyway/>

³ Rethinking Venice from an Ecosystem Services Perspective, Jane da Mosto et al, Feem Working Paper Series (2020) <https://www.feem.it/en/publications/feem-working-papers-note-di-lavoro-series/rethinking-venice-from-an-ecosystem-services-perspective/>

¹ <https://ocio-venezia.it/>



Fig. 3: Eroded protection posts in the Venice lagoon. Photo: Eleonora Sovrani

These problems are so persistent that none of the site manager's or the national government's stated policy intentions, promises or plans should be accepted by UNESCO. Venetian authorities have had more than enough time to demonstrate specific action and provide evidence of positive change. The cruise paradox is an emblematic example. There is still no effective resolution to the problem since the "sudden ban" of cruise ships larger than 25,000 tonnes from coming through the heart of Venice in July 2021 but expected since 2012. The media excitement and embrace by the UNESCO World Heritage

Committee at the meeting hosted by China has still not been matched by a satisfactory solution from any of the stakeholder viewpoints (local community, port workers, cruise sector economic interests, cruise lines).

The reasons for this are obvious:

The environmental unsustainability of "gigantism" in the cruise sector is a growing issue throughout the world,⁴ and the problems evidenced by Venice should instead stimulate systemic change within the industry rather than allow the root cause of these problems to be relocated elsewhere.

Marghera, earmarked as a "temporary solution" is unsuitable for large cruise ships due to logistical and safety issues associated with frequent strong winds in the access canal and hazards of bringing passengers in proximity to industrial activities and contaminated sites.

⁴ <https://globalcruiseactivistnetwork.com/>, "Environmental and Human Health Impacts of Cruise Tourism: a Review", by Josep Lloret, Arnau Carreño Hrvoje Carić, Joan San, Lora E. Fleming (10.1016/j.marpolbul.2021.112979). It appears in Marine Pollution Bulletin, Volume 173, (September 2021), published by Elsevier.



Fig. 4: Large cruise ship in front of Sant' Erasmo beach, 2018.

Photo: Eleonora Sovrani

Existing businesses dependent on container and industrial traffic in Marghera are compromised by the overlap with cruises that is causing scheduling and spatial problems, together with the opportunity cost of further investments for adaptation of infrastructure and extensive dredging.

The volume of business for Venice-based cruise sector workers has been reduced by around 80% therefore, obsolescence combined with the uncertainty surrounding the permanent off-shore port (yet to be designed, tendered and built), it would be logical to promote changes in production in line with the ecological transition instead.

At the root of all these issues we inevitably find Venice's unresolved governance situation: various competing agencies (national, regional, local) as well as an underlying systemic weakness that deprives the primary interests of this World Heritage Site of representation as regards the issues that are most affecting the existence of Venetian residents.

Of course among the sites at risk, there are much more extreme cases of fragility and mismanagement, but if we cannot show how good management can work in an iconic place like Venice, what hope can there be elsewhere?

It was visionary of UNESCO to endorse the unity of the built heritage, the natural context and the significance of the Venetian civilization as a beacon of humanity when defining the site in 1987. The significance of Venice and the lagoon as one World Heritage Site is now especially relevant in the face of the climate emergency and consequent sea level rise amidst issues such as climate justice and the huge overspend on Venice's deeply flawed flood defense system known as MOSE – considering the relatively small and shrinking resident population as well as the possibility of permanently closing the lagoon at the cost of the ecosystem in order to “save” the city.⁵



Fig. 5: High tide (“aqua alta”) in San Marco square, 2020.

Photo: Eleonora Sovrani

We reject the proposition that a choice is inevitable. Regeneration of the lagoon system, including expansion of the areas of salt marsh, combined with adaptive management of sediment balance and hydrodynamics via a “nature based systems” approach is integral to protecting Venice as a “living city”, together with its distinctive civilization. Once global climate change goes beyond this threshold, we argue that system instability will have advanced beyond the point of no return and saving or not saving Venice in whatever shape or form will be a marginal issue amidst the sixth mass extinction.⁶

Hence our persistent renewal of our appeal to the UNESCO World Heritage committees, commissions, ICOMOS / RAMSAR / WH Office expert study teams and the core office to recognize the endangered status of Venice and the lagoon and thereby help to trigger the necessary response that will not just protect this site but serve to create a key threshold for humanity overall within which to curtail climate change.

⁵ Documentary France24, May 2022 <https://www.france24.com/fr/émissions/élément-terre/20220527-venise-sauver-la-ville-ou-la-lagune>

⁶ The Sixth Extinction, Elisabeth Colbert, Bloomsbury Publishing (2014) and many other researchers and writers.

Historic Bastions Views of Valletta Negated by Commercial Development

Jorg Sicot, Flimkien ghal Ambjent Ahjar



The City of Valletta (Malta) (C 131) was inscribed on the World Heritage List in 1980: Island of Malta N35 54 02 E14 30 52 Ref: C 131. Malta's walled capital boasts an iconic skyline, for five centuries one of the most important views on the Maltese Islands.



Fig. 1: The Valletta Skyline. Source: <http://gallery.world/wallpaper/488974.html>

In order to protect the vista from both north and south, UNESCO requested the Maltese Government to establish a buffer zone in order to safeguard the view of Valletta's skyline for the enjoyment of all in 2009, since the Government Legal Notice 133 Development Planning Act 1992 Section 46 from 2001 fell far short of any tangible protection for the required view-corridors. Boundaries lie mid-way in the seas surrounding Valletta, but the buffer zone excludes the majority of the Three Cities to the south of Valletta, Manoel Island and the promenade surrounding Marsamxett Harbour to the north of Valletta. These are, however, included into a Boundary and declared to be Areas of High Landscape Value (AHLV).

An economic thrust in Malta has brought with it the desire to commercialize even such a sensitive good as the unobstructed views onto the iconic Valletta skyline. On Manoel Island a

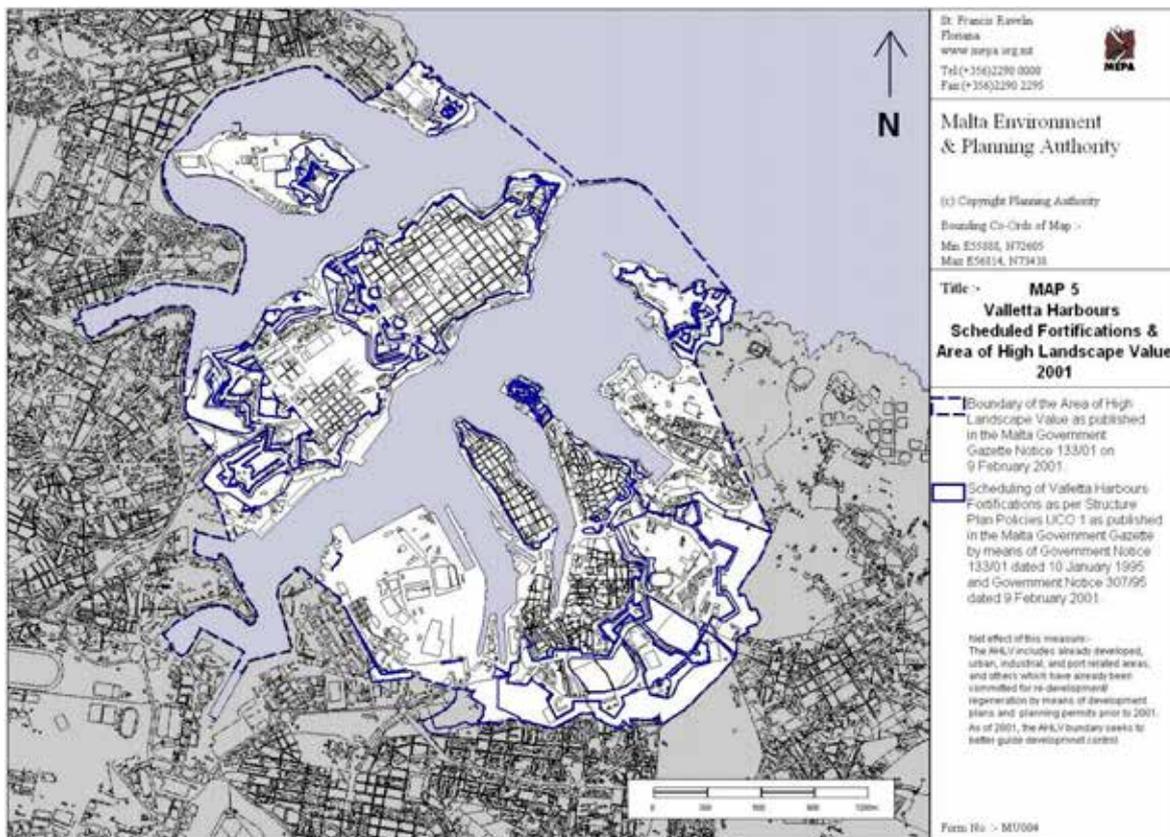


Fig. 2: Valletta Harbour's Scheduled Fortifications and Area of High Landscape Value 2001.

Map: Malta Environment and Planning Authority

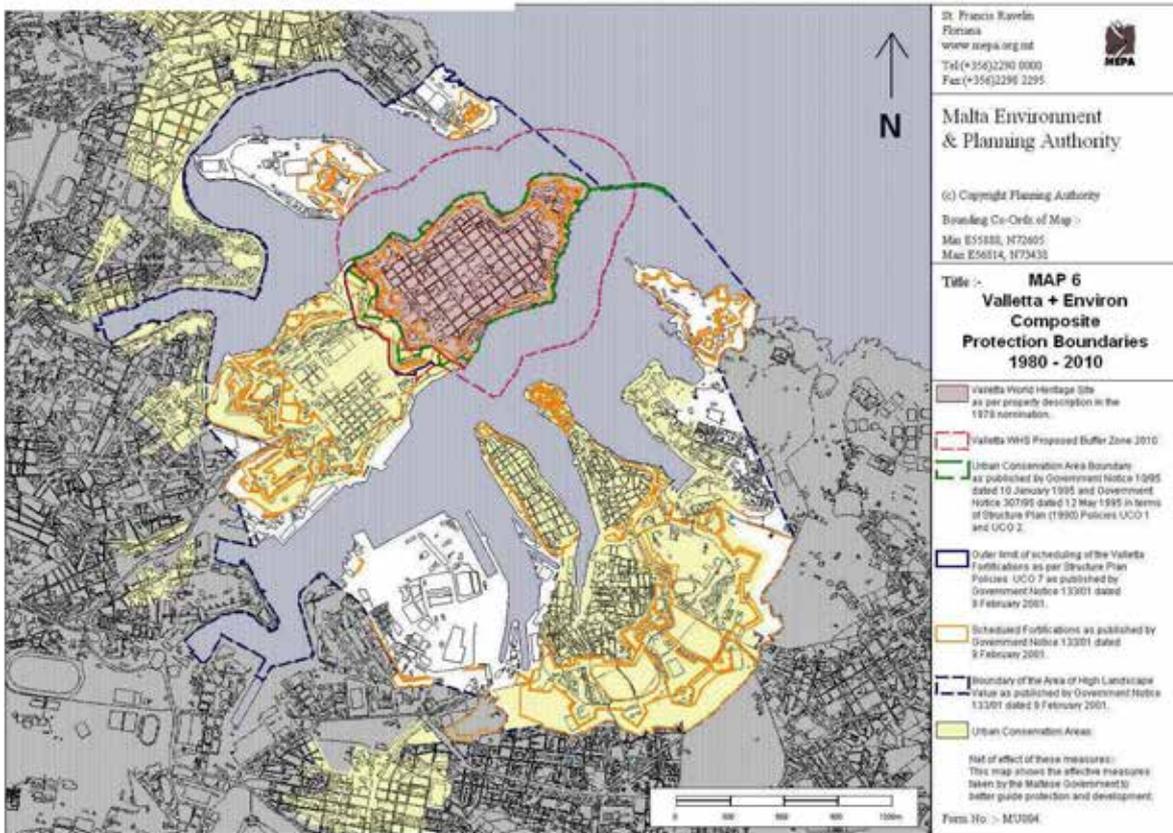


Fig. 3: Valletta + Environ Composite Protection Boundaries 1980-2010.

Map: Malta Environment and Planning Authority

development proposal has been approved by the Maltese Authorities, which will block important view-corridors of Valletta to the general public from the Marsamxett Promenade. Along the promenade itself, several salami-slicing projects – ferry landing points, hotel lidos and further catering establishments – have and will block the view of Valletta from the promenade. The unencumbered view onto a UNESCO World Heritage Site has become a negotiable good and is slice by slice being reserved for the patrons of commercial development.

The following four proposals, built and in planning, illustrate the grave concerns put forward by FAA. Land-reclamation within the buffer zone of AHLV has also been undertaken, and must be condemned by all means. Commercial and residential developments ranging from between ten and twelve storeys in height have completely taken over the northern promenade of Marsamxett harbour whilst the seaward side of this promenade is being developed as detailed below.

Manoel Island Development

The Masterplan for Manoel Island was approved in 2020 by the Planning Authority in Malta, despite strong objections from civil society and numerous NGOs. To add insult to injury, Manoel Island forms part of the Buffer Zone, aimed at protecting views onto the Valletta Bastions alongside it. The proposed construction of several apartment blocks and other commercial

outlets with proposed building heights of 25 meters above sea level, will effectively block views of the Valletta skyline from the promenade of Gzira. Additional floors to be built onto the historic Lazzaretto on Manoel Island will also obliterate views of Valletta from Ta'Xbiex.

The map and photomontages below (Fig. 5) illustrate the very real concerns which endanger long-distance views of the iconic UNESCO World Heritage Site Valletta Skyline. Currently, Flikkien għal Ambjent Aħjar are appealing the Masterplan as well as the subsequent planning applications derived from that in Malta's courts of law.

Lido Gzira

A further development within the declared Buffer Zone is illustrated by the land reclamation of 2,300m² within the Buffer Zone, which then was used to construct a Lido. A cunning smokescreen used during the application process has since shown its true colours. Whilst the restaurant facilities were declared as one-storey structures predominantly glazed, the result is now a massive structure screened off from within with blinds, whilst tables, chairs and umbrellas are spread over the complete roof space. In effect, the lido blocks out all views of the Valletta Bastions along a considerable stretch of the Marsamxett / Gzira Promenade to the general public, whilst affording those very views only to patrons of the lido.

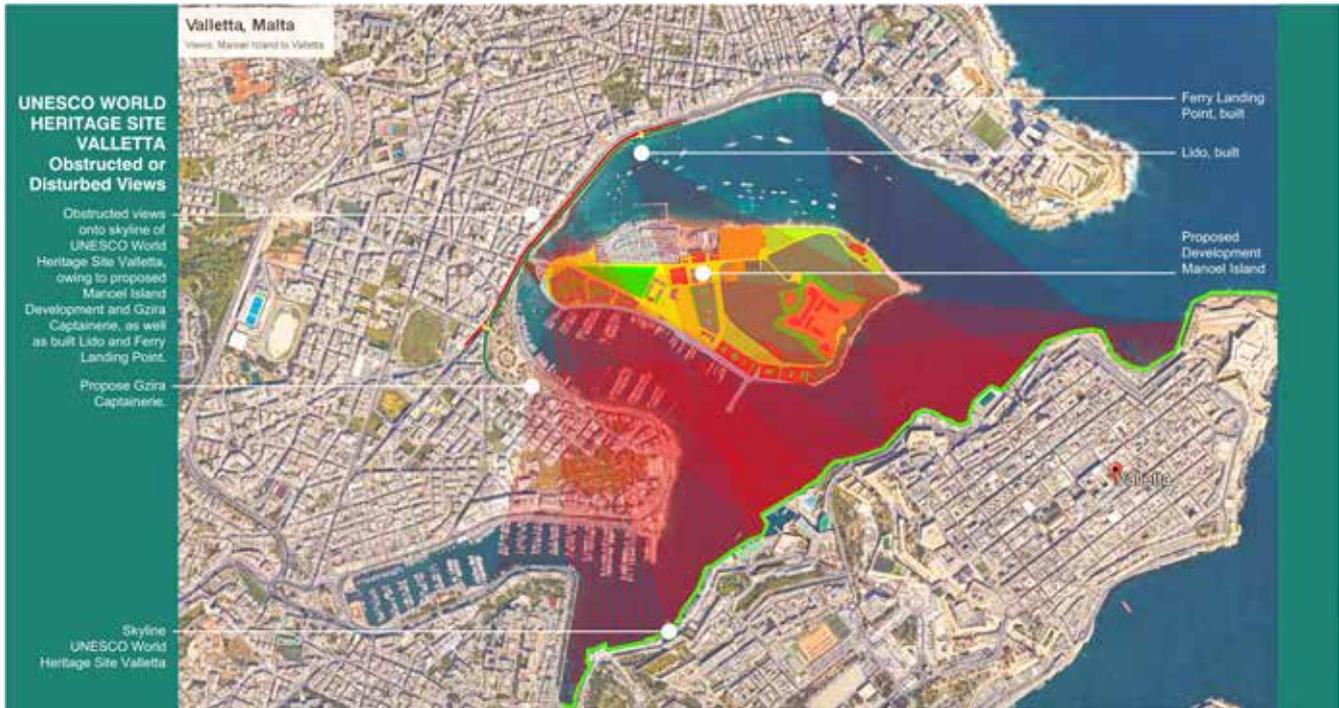


Fig. 4: UNESCO Heritage Site Valletta View Obstructions 2022.

Map: Flimkien ghal Ambjent Ahjar



Fig. 5: Manoel Island – Existing Proposed Development. Map: Flimkien ghal Ambjent Ahjar

north-western side of the Buffer Zone is to be sacrificed for this commercial development whilst the open view corridors from Gzira Gardens / Ta'Xbiex will again be blocked off to the general public and reserved exclusively for the patrons of said establishment (see Fig. 6–8).

The Superintendence for Cultural Heritage in Malta notes with concern alongside FAA that the proposed development is no longer located within the established public garden and therefore will not impact directly on the garden or on any specific cultural heritage asset. Nevertheless, the Superintendence still notes with concern that the marina office and its associated facilities, together with the proposed fueling area, create a very extensive development. The location of the proposed development on the foreshore between the garden and the sea will inevitably impact on views on the garden towards the sea and towards Manoel Island.

Capitainerie, Gzira Gardens

The construction of a capitainerie with ancillary facilities, including a restaurant and sanitary facilities, is of grave concern to FAA. A major chunk of the only public garden along the



Fig. 6: PA 03932_15 Gzira Lido as Constructed. Photo: Flimkien ghal Ambjent Ahjar

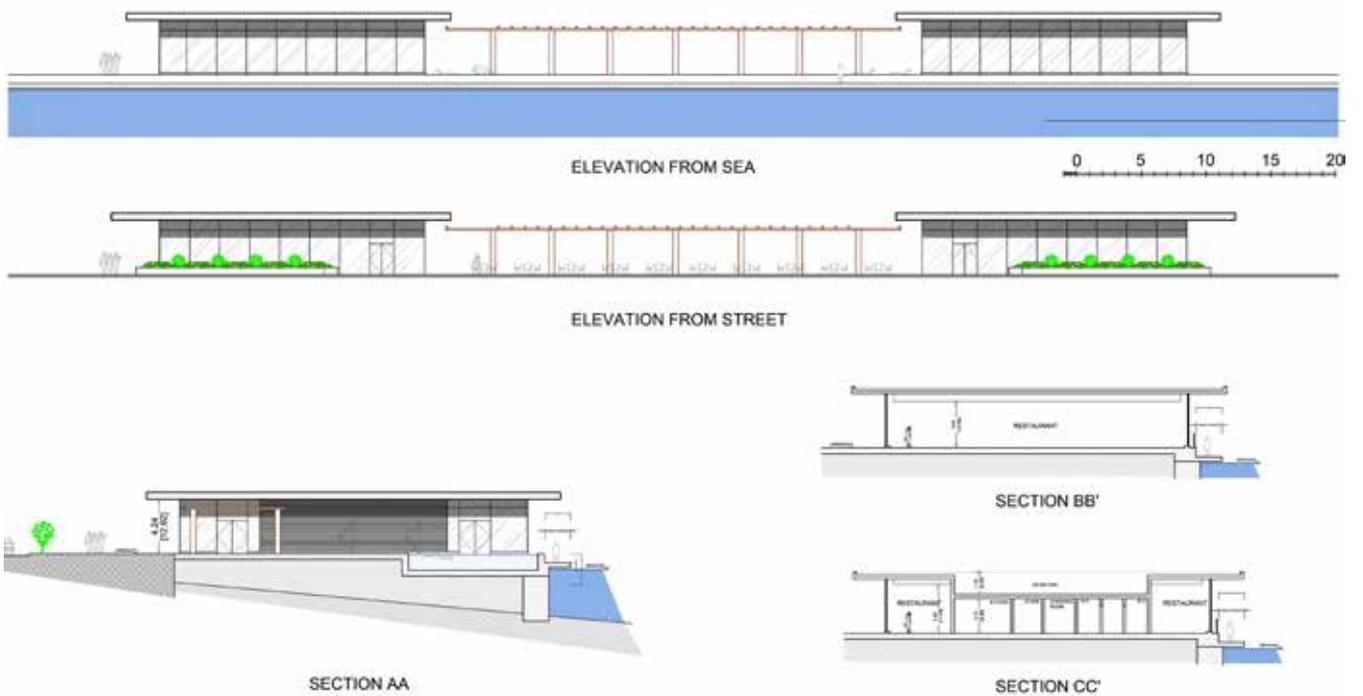


Fig. 7: PA 03932_15 Gzira Lido Doc 61b Proposed Elevations. Graphics: Malta Environment and Planning Authority (<https://www.pa.org.mt/pacasedetails?CaseType=PA/03932/15>)

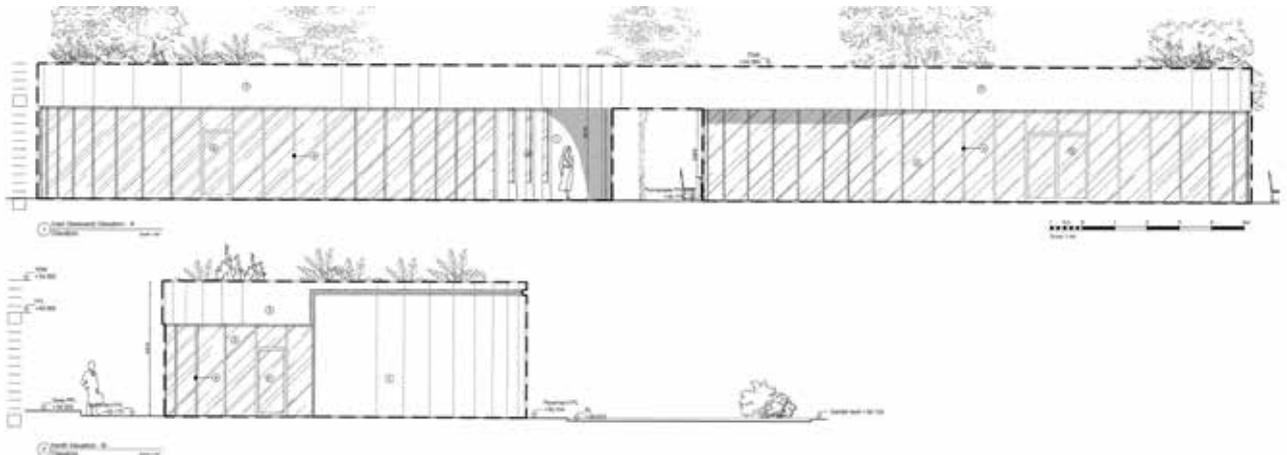


Fig. 8: PA 00680_22 Gzira Gardens Doc 8j Proposed Elevations. Graphics: Malta Environment and Planning Authority (<https://www.pa.org.mt/pacasedetails?CaseType=PA/00680/22>)



Fig. 9: Current view from the proposed Capitainerie location to the Valletta Bastions. Photo: Flimkien ghal Ambjent Ahjar

Ferry Landing Point, Sliema

Within the AHLV Buffer Zone, the Planning Authority of Malta has approved a ferry landing point. The construction is currently underway, comprising a large one-storey waiting room with ancillary snack bar/restaurant. Apart from extensive view corridors cut off to the general public, the development of the roof area as a restaurant terrace is anticipated, which will further block out views of the UNESCO World Heritage Site Valletta to pedestrians.

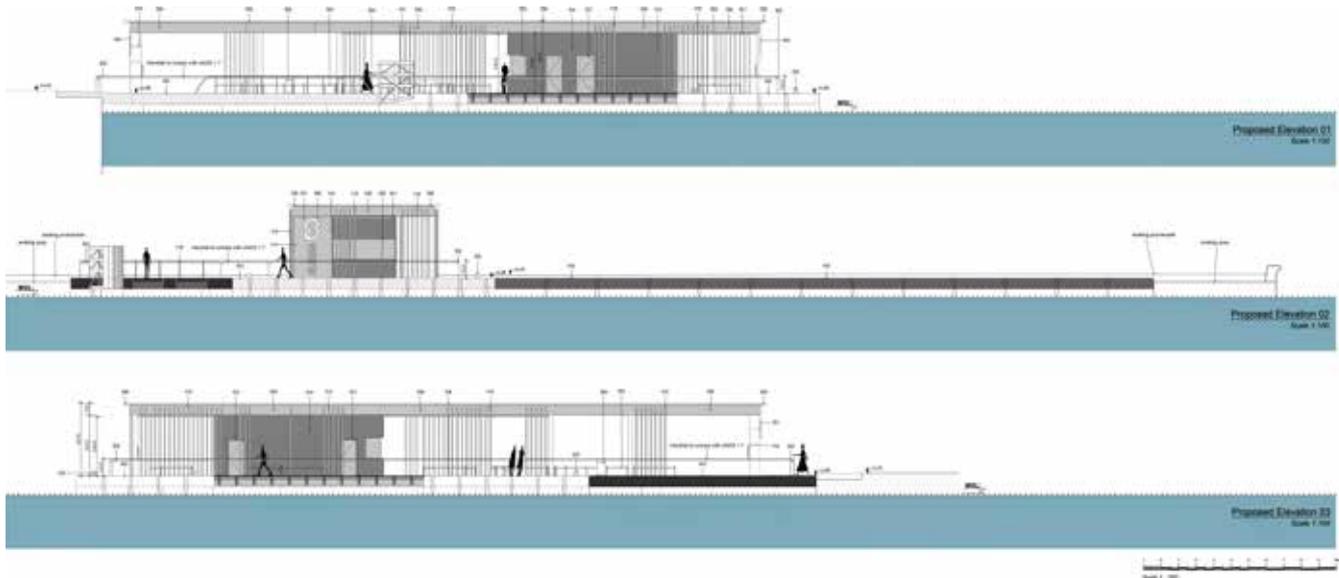


Fig. 10: PA06002_18 Sliema Ferry Landing Doc 149a Proposed Elevations. Graphics: Malta Environment and Planning Authority (<https://www.pa.org.mt/pacasesdetails?CaseType=PA/06002/18>)



Fig. 11: Artist's Impression of Proposed Ferry Landing Point as per the developer.

Photo: Flimkien ghal Ambjent Ahjar

Demands from the State Party of Malta

The State Party of Malta must retain Valletta's dynamics as an urban centre and a political and economic focal point. Urgent intervention is demanded to ensure that no commercial development may obliterate the clear visual enjoyment and legibility of the urban skyline and fortifications of the UNESCO World Heritage Site Valletta, be that from the perimeter of, and more crucially directly within, the buffer zone as established by law.

The State Party of Malta must ensure that the enjoyment of its World Heritage Site is not treated as a negotiable good, and it cannot be acceptable that such enjoyment is made available to patrons of any commercial development whilst depriving the general public its right to its cultural heritage.

The State Party of Malta ensures that the Buffer Zone around Valletta, which serves to safeguard the legibility of views to its historic skyline, are retained and freed of all visual disturbances. All loopholes allowing such disruptions must be clearly penalised.

The State Party of Malta must be held accountable at setting up a Buffer Zone around its World Heritage Site, and then blatantly ignoring its own Legal Notices and submitting two of the above-mentioned case studies for approval through its own Transport Malta Road Agency.

Albania Continues Construction of the Gjirokastra “Bypass Road”, Ignoring UNESCO

Kreshnik Merxhani

An infrastructure project is currently being implemented by the government of Albania in the UNESCO World Heritage site of Gjirokastra. The project includes a bypass road and a parking lot, based on the arguments of the need to ease and divert traffic from the Bazaar for the residents living within the historic center, and to create a new needed parking space for visitors. This document will provide a chronology of this project, the harmful effects on monuments of culture, and a proposal.

Chronology

Gjirokastra was enlisted in UNESCO in 2005. After the fall of the dictatorial regime in Albania in 1991, and up to the UNESCO enlistment, the management of the site went through a very chaotic period. Before the fall of the dictatorship, a reg-

ulatory plan entered into effect in 1974 (Fig. 1) with the idea to remove traffic from the Bazaar, creating different ring-roads around the buffer zone and improving the existing network of roads within the historic ensembles in the old town, and in some occasions creating shortcut roads with low impact on the historic landscape. The regulatory plan was then designed in collaboration with the State Institute of Monuments, but the regime change in Albania left the plan unfinished. Under new developments and conditions in the country, the old plan was now exposed to new needs that were not previously predicted.

Nonetheless, the ring road system envisioned by the old plan still holds some value, as it would facilitate access in the neighborhoods located high on the hills of the historic center, without damaging the historic center, while assisting with emergency transportation or with the touristic economy linked with the needs for hotels, restaurants etc. However, the Albanian government never went back to the possibility of revisiting and adjusting the old regulatory plan, but decided rather to embark on a new intrusive infrastructure project, the chronology of which is provided below:



Fig. 1: Map of Gjirokastra.

Source: Plani Rregullues – Gjirokastrë, 1974.

1. First proposal for the “bypass” infrastructure project: 2013 – 2014
2. Rejection from UNESCO (Dec. 39 com 7b.75) in 2015 with a request for a “mobility plan” prior to any decision for a bypass.
3. Second proposal in 2016, as part of an international competition - still no mobility plan presented.
4. The Forum for the Protection of the Values of Gjirokastra presents in Krakow, Poland, a report signed by 30 professionals and academicians against the proposed bypass. The Albanian government suspends the project.
5. General local plan (Regulatory Urban Plan) for the Municipality of Gjirokastra in 2016 - 2017 requires a mobility plan to be made as a pilot project.

6. On October 3, 2020, the Municipality of Gjirokastra, in collaboration with the Albanian Development Foundation (ADF) announces a new bypass road project, again within the historic center of Gjirokastra. They plan to start the works within 2020.
7. On October 4, 2020 the Municipality of Gjirokastra holds a public presentation and hearing on the new bypass project. The presentation ends with no time allocated to questions or comments from the public. The announcement for the presentation was only made one day in advance. No other presentations were made on this new project with the public or different interest groups. The project itself was not published, in order to give experts no opportunity to analyze it. During this one-time presentation, the public authorities claimed that they were presenting a new bypass project which, according to them, was already approved by UNESCO. On the same day, the Mayor of Gjirokastra gave an interview on TV with "Fax News" claiming that the bypass will be constructed in the buffer zone and not in the historic center. Again, no mobility plan was presented.
8. On October 12, 2020, the ADF opened a call for a "mobility plan" of Gjirokastra.
9. On January 29, 2021, the Council of the Municipality of Gjirokastra (according to an announcement on the official facebook page of the Municipality) approved the beginning of the procedures for the expropriations required for the implementation of the project "The construction of the bypass in the historic center". (Albanian: "Ndërtimi i bypass-it në Qendrën Historike").
10. On February 6, 2021, the Mayor of Gjirokastra and the Prime Minister of Albania, presented in situ the project of the bypass. The bypass was to be built on a new road constructed on top of a natural creek, going behind the castle, and linking a main road with one of the neighborhoods (Dunavat). No explanation was made about the mobility plan. No explanation was given about the reinforcement of the already problematic geological formations, as well as the monuments that would be affected by this construction. According to the Mayor of Gjirokastra they were still waiting for UNESCO approval, for something that, in fact, was already started in situ.
11. UNESCO decision (Dec. WHC/21/44.com/7b) by the World Heritage Committee on June 4, 2021, raises concerns about the negative impact on the outstanding universal values, affected by the new ongoing works of the new bypass project. This decision recommends that the State Party (Albania) halt the project until a mission has assessed the impact on the outstanding values.
12. Different sources have confirmed that an international mission of UNESCO/ICOMOS arrived in Albania in December 2021. The findings of this mission have not been made public.
13. To date, there has been no publication of the full technical project, closing any opportunity for transparency. The works on the ground for this project are ongoing.



Fig. 2: Ongoing construction of the bypass in September 2021 after the decision of the WHC requesting the State Party of Albania to halt the works until a UNESCO/ICOMOS mission.
Photo: Chris Hassler, 14.09.2021



Fig. 3: Construction continues even after the decision of WHC to halt the construction works.
Photo: Sokol Karauli, 20.03.2022

Negative impacts of the project

1. Construction within the historic center of Gjirokastra is not in line with the regulations.
2. Destruction of a natural river, part of the landscape as well as the destruction of the historic cobble stone streets.
3. Destruction of archeological remains of the "Old Varosh" neighborhood, during the construction of the parking lot.
4. Destruction of three bridges enlisted as First Category Monuments of Culture, known as the Zerzebili bridges after the name of the creek.
5. More than 15 houses, First and Second Category Monuments, in the Cfake and Old Bazar neighborhoods, are now affected and at serious geological risk.
6. Studies from the 1980s to 2015 that present the geological fragility of the zone, and studies that present solutions improving the conditions of the inner road have been neglected.



Fig. 4: Ongoing construction at one of three first category monuments (18th cent. stone bridge on Zerzebili stream).
Photo: Wouter de Rooij, 11.05.2022

7. The Bypass Road is not in line with the priorities of safeguarding cultural heritage – in Gjirokastra we have more than 400 illegal interventions in protected monuments, more than 100 monuments in poor state of conservation and more than 60 monuments in a state of ruin.

How to proceed further

Considering that the Government of Albania has created facts in defiance of decisions of the World Heritage Committee, I suggest to address the situation as follows:

1. Unesco should be monitoring the Albanian state party regarding the new bypass project closely and to publish the field evaluation done by UNESCO/ICOMOS.
2. The Committee should inscribe Gjirokastra on the List of World Heritage in Danger and take the mobility plan funded by the World Bank into renewed consideration.
3. The Committee should enter into consultations and collaboration with stakeholders, including civil society, in order to create a landscape recuperation project for the zone where the new bypass is located in order to decrease the impact on the historic urban landscape.



Fig. 5: Ongoing construction at one of three first category monuments (18th cent. stone bridge on Zerzebili stream)
Photo: Wouter de Rooij, 11.05.2022

4. The Committee should explore other alternatives for transportation, i.e. a perimetral ring around the buffer zone, as well as improving the infrastructure within the neighborhoods and pushing the authorities to provide more services into neighborhoods that will reduce the need for the usage of vehicles.
5. The Committee should urge the authorities to upgrade the public transportation service with more vehicles that are sustainable, eco-friendly and suitable for the values of Gjirokastra.

In more general terms, the Committee should consider establishing a regime of sanctions for countries such as Albania who have a long record of non-compliance with the Operational Guidelines and of ignoring the Committee's decisions.

New Construction in Istanbul's Süleymaniye World Heritage Site

Namık Kemal Döleneken, Foundation for the Protection and Promotion of the Environment and Cultural Heritage (ÇEKÜL)



The Süleymaniye Area as a World Heritage

The 'Historic Areas of Istanbul' that are located on the Historic Peninsula and consist of four districts were inscribed on the World Heritage List in 1985.

The first conservation plans for the components of Zeyrek, Süleymaniye and the Land Walls were prepared and approved in 1979 and 1981. Süleymaniye Mosque and its Associated Component Area of World Heritage Site was put under conservation in 1981 and is within the boundaries of the Historic Peninsula urban and historic conservation area.

There are a total of 920 registered properties in the Süleymaniye Mosque and its Associated Component Area of World

Heritage Site, of which 127 have been lost and 793 still exist. Seven of the 358 monuments in the site no longer exist. The total number of civil architecture examples is 515, of which 120 are lost and 395 still exist.

Chronology of the Management of the Süleymaniye Area

- 1995 Historical and Urban conservation area
- 2005 Conservation and development plan
- 2006 Süleymaniye Renewal Project (94 Ha)
- 2011 Historic Peninsula 1st Management Plan
- 2011 Historical Peninsula Conservation Master Plan
- 2012 Historical Peninsula Conservation and Development Plan
- 2018 Renewal Project 1. Stage start
- 2018 Historic Peninsula 2nd Management Plan

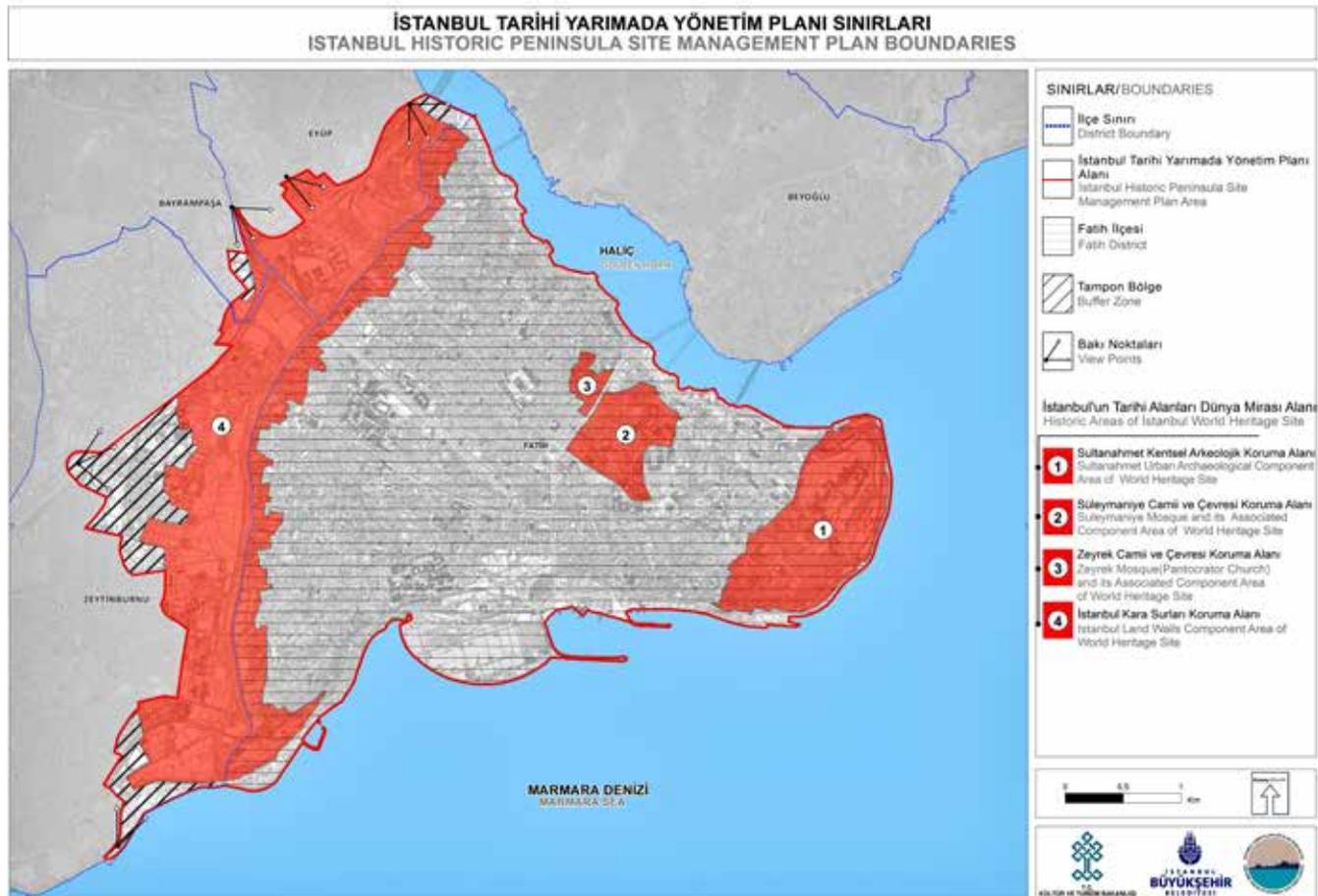


Fig. 1: Istanbul's Historic Peninsula with the four World Heritage Components.

Map: Historic Areas of Istanbul Site Management Directorate

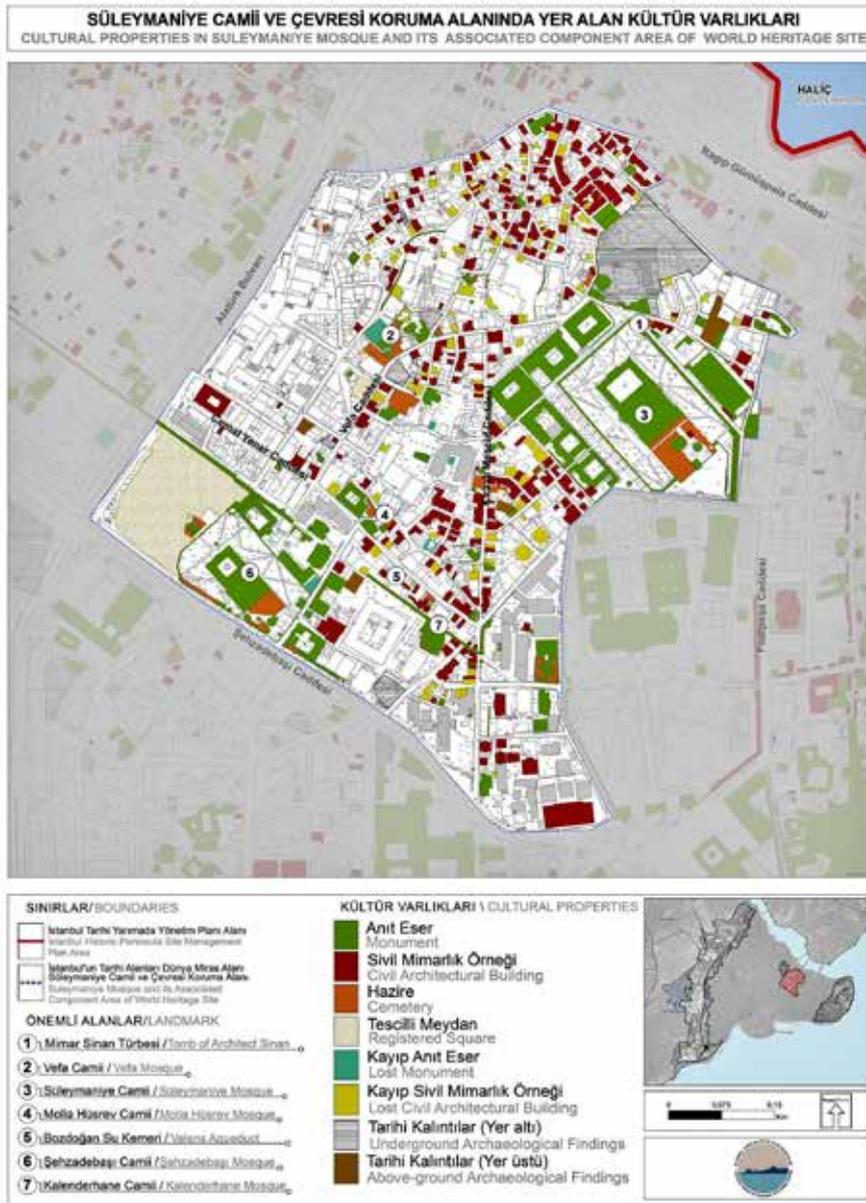


Fig. 2: Cultural Properties in the "Süleymaniye and its Associated Component Area"

Map: Historic Areas of Istanbul Site Management Directorate

each other have been taken into account while making the required simplifications. For example, the content of the "Project IV-PP19 on Monitoring and Assessing the Impact on the Silhouette, Structure Density and Building Quality of the Historic Peninsula" with respect to the project package on "Perceiving the Importance and the Value of the Site" was determined in the light of the "Conservation-Planning" theme while taking into account relevant institutions. The other actions of the "Perceiving the Importance and the Value of the Site" project package were discussed under the "Training, Awareness Raising and Participation" theme as those actions overlapped with this theme.

When the relevant and responsible institutions and organizations of the project packages were reviewed, those responsible in charge of the actions were defined together with the executives of relevant institutions and organizations. It was seen that the institutions such as ministries, metropolitan municipalities and district municipalities were in charge of almost all actions. "For this reason, while updating the plan, it was aimed at defining those in charge of the actions more clearly and providing that these actions are handled directly by the related institution." (Istanbul Historical Peninsula Management Plan 2018)

After the Management Plan was approved in 2011, the Historic Peninsula Conservation Plans were approved and changes were made in the boundaries of the Area, the corporate structure and the legal-administrative structure. In addition, there were various problems encountered in the implementation of the Management Plan. These are the issues that guided the updating process.

The Conservation Master Plan was approved in December 2011 and the Conservation Implementation Master Plan (Conservation and Development Plan) was approved in October 2012.

The Istanbul Historic Peninsula Management Plan approved in 2011 includes 49 project packages and a total of 183 actions under 7 themes. The project packages defined in line with these themes, project packages-actions, actions and relevant responsible institutions have been reviewed and assessed in the light of their relations with each other. As an outcome of these assessments, the areas that overlap and/or conflict with



Fig. 3: The location of the new construction just north of the Süleymaniye Mosque complex.
Map: Fatih Municipality

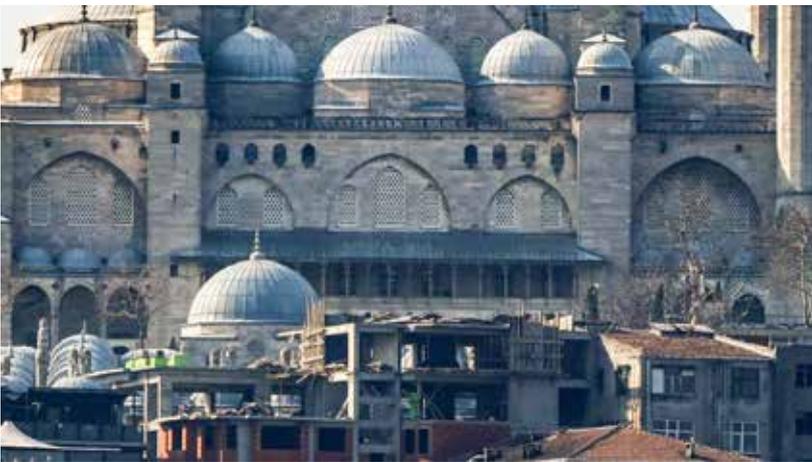


Fig. 4 – 7: The new 7-floor construction (from top to bottom): as seen in front of the Süleymaniye Mosque from the north, disturbing its silhouette; in a close-up view from the same perspective; seen from the Süleymaniye Mosque towards the north, and looking up at the construction site.

Photos: Fig. 4, 6 and 7 Istanbul Metropolitan Municipality; Fig. 5 Ozan Köse



It is clearly defined in Management Plan; there are overlaps, reviews, responsibility of several organisations on the same projects. And finally crisis is also a result of that chaos.

New construction subject to conflict in Süleymaniye Area

Pictures of a building under construction appeared on social media, which seemed to seriously affect the silhouette of the

Süleymaniye Mosque complex. All institutions, local authorities, non-governmental organisation and owner of the building made their statements.

The İstanbul Metropolitan Municipality informed that the maximum height of buildings allowed in the Conservation Plan is 9.50 m, but the Project was approved with a height of 11.20 m. During an inspection on location of the construction site, it was determined that the final floor height in the Project Appli-



Fig. 8: Drawings of the original (left) and revised (right) projects.

Source: Fatih Municipality

cation was 13.70 m. The impact of the project on the silhouette of the Süleymaniye Mosque was not discussed or approved by the Regional Conservation Board. No preliminary project was approved by the Metropolitan Municipality, which is a must.

The Fatih District Municipality stated that the 7-floor building was constructed on the basis of a permission given in 1991. The Building Project was prepared under the rule of the Conservation and Development Plan for the Historical Peninsula and approved by the Regional Board of Conservation in 2019. A permission of the Fatih Municipality was given on 03.06.2021 for 6 floors which means that the new construction is 1 floor less and the eave level is lower than before.

And also the owner of the building declared that "Süleymaniye is the soul of İstanbul, and we always care for the soul". That is why we never suppose to spoil the silhouette. We are ready to sacrifice. As a result of the conflict, the building was sealed and construction stopped by the Metropolitan Municipality.

Afterwards the three parties came together and declared that they have already taken a decision of maximum stability for protection to the historic silhouette. "In this context, we decided to work together. While making this decision, our basic principle is: First of all, it should not spoil the silhouette of Süleymaniye. Another issue is that we decided in principle to complete this building by obtaining a facade design in accordance with its identity in historical records."

The main problem in the Süleymaniye zone is the renovation area defined as "Block 39" within the borders of Fatih District Municipality but where KİPTAŞ (an enterprise of the Metropolitan Municipality) and a foreign company formed a consortium and have already conducted a renovation project.

Both municipalities decided to work together to find a relevant solution for Block 39. They also declared: "We also agree on concerns and hesitations, both Fatih Municipality and Metropolitan Municipality, of carrying out a joint work in this field as well. But first, our relevant institutions will deal with the relationship here, especially with KİPTAŞ and its partner foreign company. There has been made a protocol in the previous period. They will cover all the process here. From now on, they will start a process by taking into account the background work on how to continue. We will share the developments that will occur in the process here with the public in time."

Conclusion

It remains unclear whether UNESCO has been informed about this project under §172 of the Operational Guidelines for the WH Convention, but finally there is hope that we are near to finding a solution which should be acceptable by all stakeholders and also comply with the commitment made by the State Party to the UNESCO WH Committee. And also to creating a joint work of all sides diminishing confusion and hesitation for any new Project.

A New Development Plan Puts Safranbolu at Risk

İbrahim Canbulat, M. Arch.

The historic city of Safranbolu is rural as well as urban. This situation is clearly seen in the spatial and functional programs of the Safranbolu house. What makes Safranbolu unique is the Safranbolu Plateau, in which it is settled in, geomorphology and habitus. For this reason, we cannot think of Safranbolu Historic City separate from the geological and natural environment surrounding it. What makes Safranbolu so special is the whole of this social and natural system that works efficiently in terms of forest, agriculture, and animal husbandry of the plateau in which it is settled, and as a result leaves behind its tangible and intangible cultural heritage. (Canbulat, 2021) (Canbulat 2022)



Fig. 1: Safranbolu within canyons.

Photo: Hüseyin Karataş

Early development plans enabled the rapid developing of new settlements, undermining the historic city, and left it vulnerable to many problems. Soon the natural sites surrounding the historic city of Safranbolu will be opened for development, and the Historic City of Safranbolu, which has never had a buffer-zone, will lose all its values as a result. *At this point, all international and national initiatives, especially UNESCO and ICOMOS, need to act and stop this process right now before it reaches an irreversible point.*

Safranbolu's first development plan was made by specialist urbanist architect Bürhan Arif Ongun in 1936. As can be understood from the zoning plan, it focuses mostly on new settlements. We see that the roads for motorized traffic, are solved for the first time in this plan and have remained as they are today. You will get off from Kıranköy, where new settlements

will take place, and Bartın and Kastamonu connections will be provided from Çarşı. On the other hand, Ongun, while directing all his attention to new settlements, stated that the historic city consists of makeshift wooden structures that are not even worth demolishing.

Having won a competition in 1968, Prof. Dr. Gündüz Özdeş' zoning plan evaluated Karabük and Safranbolu together and defined the central function of Karabük, while it defined Safranbolu more as a residential area. It can be seen that there is a positive understanding in the plan for the preservation of the historical texture. In 1974, it was seen that the existing zoning plan could not solve the urban planning problems, and the preparation of a new zoning plan was undertaken by M. Architecture Eng. Baran İdil. The plan, which came into force in 1981, can be interpreted as a Revision Plan. In the 1968 Identical Plan, three separate protection areas were determined in Safranbolu. In 1985, the buildings to be protected were determined and published in the Official Gazette.

Prof. PhD. İsmet Okyay's Conservation Development Plan gained effectiveness by being approved in 1990. "...it was decided to protect these three historical regions, and these centers were declared as 'Urban Conservation Areas' in this plan (Okyay 1990). Two areas within the Impact Transition Area around the Urban Conservation Areas and adjacent to the Natural Sites are defined as 'Archaeological Areas'. A 'Natural Site' has been determined between the Çarşı and Kıranköy region and separating these two sites from each other and sometimes overlapping the protected areas. The 'Impact Transition Zone', which is defined around these designated sites, is a buffer zone determined to preserve the characteristics of the settlement areas, considering the geographical formations of the city. It is a transition between the old center and the new residential areas and was announced to prevent the city from adopting a degenerate language in terms of architectural identity".¹

The conditions for construction in the Conservation Area and the Impact Transition Zone of the Conservation Plan prepared

¹ Yetiş, R., Turcan, Y. & Dinçer, A.E. (2018). Safranbolu Kent Formunun Tarihsel Serüveni ve Morfolojik İncelemesi, "Değişkent" Mekân ve Biçim: Türkiye Kentel Morfoloji Araştırma Ağı II. Kentel Morfoloji Sempozyumu, 31 Ekim – 2 Kasım, İstanbul: İTÜ, Mimarlık Fakültesi.

in 2010 are limited with certain rules. On the 2010 map (Fig. 2), the Urban Protected Areas and the Natural Site, located to the north, extend to the south by entering between the Conservation Areas 1 and 2. The reason for this report is that the Natural Sites defined in green on the map have been opened for development. In fact, the transition (buffer) areas included in both the ICOMOS and UNESCO acquis have never been around Safranbolu’s protection areas, but this function of the Natural Site has been substituted. With the opening of Natural Sites for development, cultural heritage sites will not only be deprived of their integrated part of their natural environment, but also become the object of the physical and social pressure of the environment opened for development.

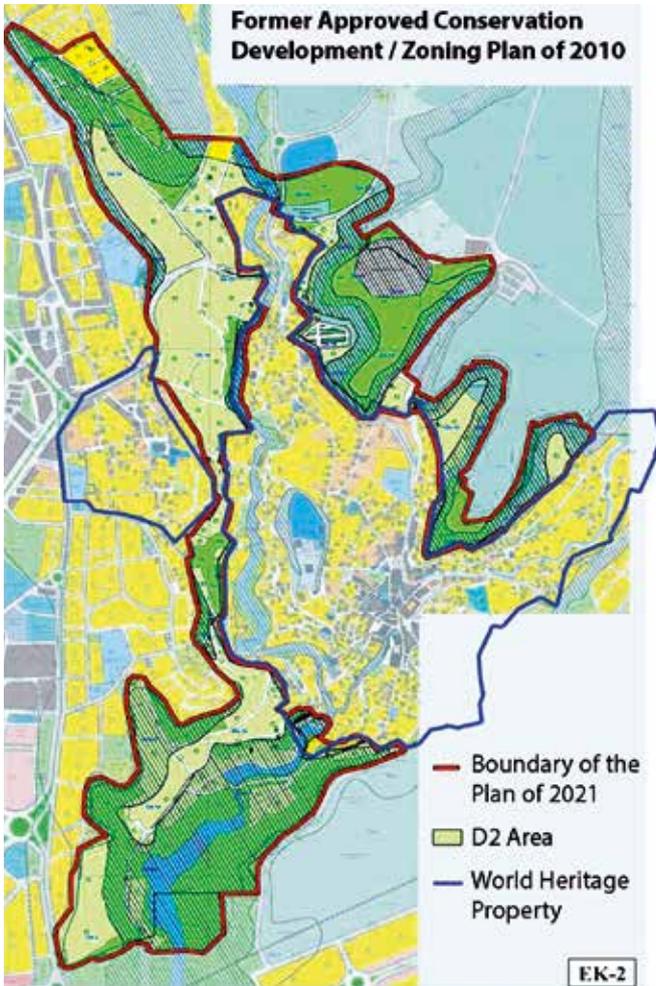


Fig. 2: Former Approved Conservation Development / Zoning Plan of 2010 for Safranbolu. Map: Karabük Provincial Directorate of the Environment

Safranbolu Number 1 Cultural Conservation Area has been experiencing such an impact for a long time. The Cultural Heritage Site boundary is marked in yellow on Fig. 3 below. These structures emerged in the area where there is no Natural Site in the southeast of the Urban Protected Area, and spread over time and their floor heights increased. In fact, even the 2010 Conservation Plan, which is claimed to be “well-intentioned”, proves how bold it is in terms of building in an area that does not have a Natural Site.



Fig. 3: Babasultan development above the Cultural Conservation Area without buffer zone. New constructions appear in the Babasultan Quarter above the Urban Conservation Area on its eastern border. Similar constructions are also seen in Barış Quarter, located in the south of the city. Photo: Ibrahim Canbulat

In 2021, by Presidential Decree responsibility was taken from the Ministry of Culture and Tourism and transferred to the Ministry of Environment, Urbanization and Climate in accordance with domestic law, followed by the opening of Natural Sites to development in accordance with domestic law. Recently, a Development Plan has been prepared for these areas (Fig. 4).

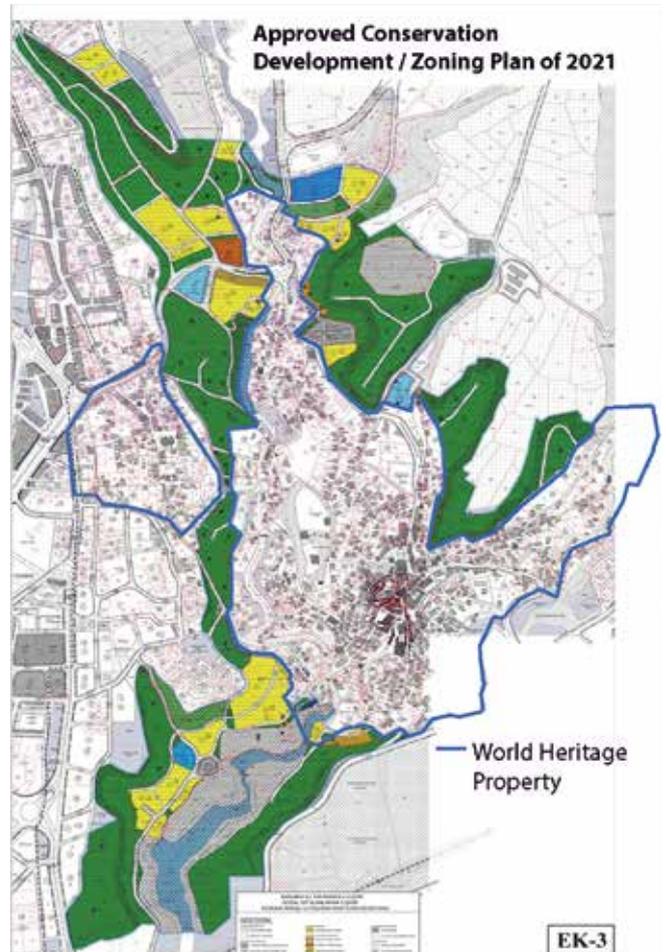


Fig. 4: Approved Conservation Development / Zoning Plan of 2021 for Safranbolu. Map: Karabük Provincial Directorate of the Environment

Safranbolu's Natural Sites Development Plan Conclusion

The development plans were taken from the pages of the Provincial Directorate of Environment as a PDF. Area calculations have been tried to be made close to the truth of course with the margin of error in scaling to get an idea about the subject.

There are 7 registered structures, 2 of which are planned as Social Services Area, throughout the plan.

1. Large buildings

- Primary school area in Gümüş region: 8.000 m²
- Tourism and trade area: 5.500 m²
- Social Facilities: 4.500 m²
- Social facility area next to the fire station: 4.000 m²
- Derekoy Social facility area: 3.000 m²

2. Housing Areas

- **0.20 Building-precedent areas**
 - Beşgöz area 12.000 m²
 - Deretarla around 30.000 m²
 - Basil circumference 13.500 m²
 - Next to the silver school 3.500 m²
 - Dereköy area 16.000 m²
- **0.10 Construction equivalent areas**
 - he area around Cami Kebir is 15.000 m²
 - Total: 90.000 m²



Fig. 5: Natural Site in the north opened for development. Safranbolu Citadel is seen on the back.

Photo by Ibrahim Canbulat

With the opening of the Natural Sites for development, the recreation areas located on the water sides complementing it in the south and north of the Cultural Heritage Area will be completely cut off from the vineyards and orchards. Not only that, Çarşı, where Muslims used to live in the past, and Kıranköy, where Greek Orthodox lived, will be completely separated from each other by the new building line that enters between them. I stated above that the intercity highways passes through the Cultural Heritage Site on purpose. The proposed Development Plan foresees a new center at the entrance of Gümüş Canyon on this highway.



Fig. 6: Natural Site Safranbolu - Kastamonu & Bartın is opened for development of a highway passing through. Güyükgöztepe Tumulus is seen above the canyon.

Photo by Ibrahim Canbulat

In fact, Safranbolu does not have any housing need. Hundreds of hectares of vacant land, except for the protected areas, are still waiting to be built. In my opinion, the aim is to benefit from the tourists' attraction created by the Cultural Heritage Site and therefore to be right next to the site. An area of 5,000 m² in the region has been determined as a commercial area. Its zoning situation can be 0.25/0.50, that is, a 1,000 m² building, 10.50 m roof height from the road when it is leveled from the upper road, that is, it can be 2 floors. Considering that there will be a construction 13 m below the road due to the level difference in the land, 4 floors can be built below the road level and a total of 6 floors will be a commercial building. This structure can be planned as hotel, restaurant, sales departments, shopping mall or all of them.

Over time, this Center will begin to erode the Cultural Heritage Site in its south both physically and socially. It will not only erode the physical and social fabric, but at this point, it will attract more traffic to the Cultural Heritage Site on the road network, which currently does not have sufficient physical capacity. As a result, heavy traffic around the new center will create the need for wider roads and parking areas. Çarşı, which is registered by the name "Çukur" (Pit) in the UNESCO World Her-

itage List, will turn into a real pit, isolated from all its surroundings, if these Development Plans are implemented. As a result, the Cultural Heritage Site will lose all its authenticity.

Request for Immediate Action

The Operational Guidelines for the Implementation of the World Heritage Convention (UNESCO 2021) state in Paragraph 82:

“Depending on the type of cultural heritage, and its cultural context, properties may be understood to meet the conditions of authenticity if their cultural values (as recognized in the nomination criteria proposed) are truthfully and credibly expressed through a variety of attributes including:

- ...
- Location and setting.”

In this statement, the most important requirement regarding our subject is “location and settlement”. As we mentioned in the introduction, Safranbolu Cultural Heritage Site is an inseparable whole with the place it is settled in, and the way of settlement. On the other hand, the natural sites surrounding it are an inseparable complement to it, as well as protecting it from the pressure of the new settlements surrounding it.

Again, according to § 172 of the Operational Guidelines, a plan for such a substantial construction should be immediately notified to the Committee. But the government authority deemed only the approval of the Karabük Cultural Heritage Preservation Regional Board sufficient for these arrangements that would have an irreversible effect on the Cultural Heritage Site but did not consider it necessary to submit the plans to the UNESCO World Heritage Committee.

The whole process proceeds rapidly in accordance with domestic law. On the other hand, Turkey has commitments and responsibilities before UNESCO. The UNESCO World Heritage Committee should immediately watch this process, which may cause irreversible damage to the Safranbolu World Heritage.

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The Character of Diyarbakır's Suriçi Quarter is Changed from Residential to Commercial

Deniz Ay, Dilan Kaya Taşdelen, Kaner Atakan Türker, and Nevin Soyukaya

This report synthesizes the field observations of our team members on the World Heritage Site and its buffer zone, Suriçi (Diyarbakır), since the armed conflict erupted in inner-city residential areas in 2015. It has a forward-looking perspective to put forward a direction for action that could be taken from now on given the most recent developments in the field.



Fig. 1: Suriçi after the conflict. Photo: Diyarbakır Kültür ve Tabiat Varlıklarını Koruma Derneği

This photo was taken two months after the official end of armed clashes in the area in 2016, portraying Yenikapı Street. Two months after the official declaration by the state officials regarding the clearance of the area from the armed clashes, an excavator is clearing the debris and continuing the demolition although the armed conflict is over. The image powerfully captures the whole process that has been ongoing since the end of the clashes in the area: State-led post-conflict redevelopment continues while excluding the locals from the planning and implementation phases, leaving the civil society observant of the ongoing transformation from a state-set distance. This image also gives an idea about the changing urban fabric of the destroyed settlements and the architectural heritage that kept going even though the armed conflict was over in 2016.

A total of 3,569 buildings located in six neighborhoods (more than 23 thousand people displaced) where the armed clashes were concentrated are completely demolished with the post-conflict excavation led by the State authority. Among those demolished buildings, 87 were registered historic heritage sites and 247 buildings were architecturally significant valuable monuments.

Undemocratic Planning Process and the Post-Conflict Redevelopment

The post-conflict redevelopment planning in the Suriçi area has been completely centralized. The State continues to make and execute all the planning decisions and it is the sole responsible body with complete exclusion of the local elected officials, property owners, and the local civil society. The central authority is shared between the Ministry of Environment and Urbanization, which coordinates the demolition and reconstruction activity, and the Ministry of the Interior, which is mainly in charge of the securitization of the area. From a legal standpoint, the State is the only property owner in the whole Suriçi area because of a wholesale mass expropriation decree in 2016, issued shortly after the official declaration of the end of the armed clashes. The nationalization of private property in the Suriçi area was legitimized based on the “ongoing national security threat” of the area despite the end of armed conflict.

Wholesale expropriation based on national security risk claims illustrates securitization as a major planning priority in Suriçi for the State. A striking planning decision is a prevalent land-use change from residential use to commercial uses. This change in primary land-use function is accompanied by the transformation of narrow alleys, which were elements of characteristic architectural style in the Suriçi area, into wide boulevards. These road widenings together with the land-use change are legitimized by the plan revision undertaken by the Ministry of Environment and Urbanization in 2016.

The 2016 revision of the plan is not only illegitimate on a legal basis, but also fundamentally in conflict with the historical and social characteristics of the Suriçi buffer zone. First, the plan revision was imposed completely top-down by the central government, so the actual legal planning mechanisms were not followed. Second, the plan revision by the Ministry is an illegitimate attempt to formalize the post-conflict excavation and demolitions retrospectively. The demolition of registered buildings and the urban fabric was already committed; therefore the plan revision is approved after the physical execution of the revisions. In other words, the plan revision of the central government is used as a legal instrument to formalize the state-led post-conflict demolitions in the conflict zone. Third, the introduction of newly-built boulevards and new connected security



Fig. 2: Urban Conversion Plan 2012 (before revision).

Map: Diyarbakir Metropolitan Municipality

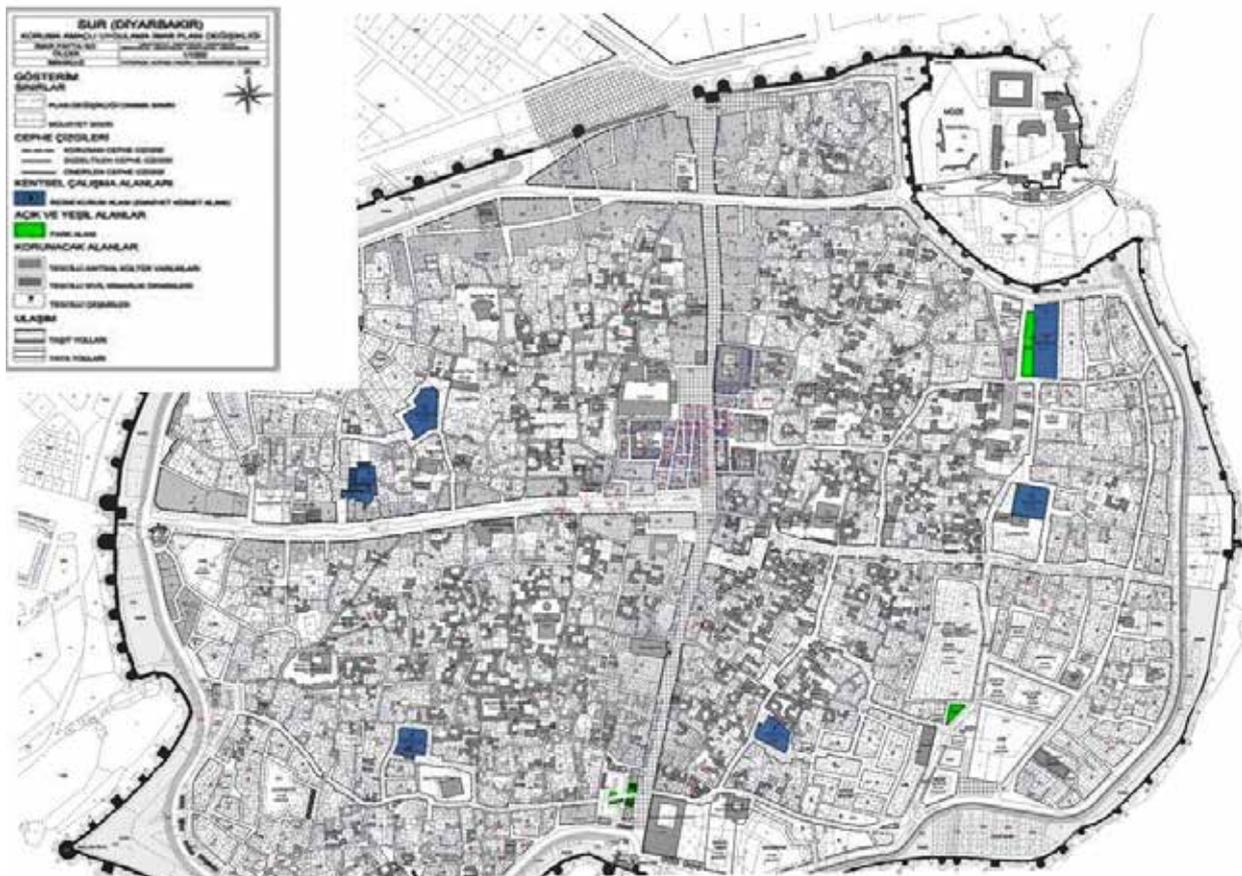


Fig. 3: Revised Urban Conversion Plan (2016).

Map: Ministry of Environment and Urbanization

points replaces basic urban amenities and services including education and healthcare. In other words, the land-use conversion from residential to commercial is also supported by changing the social functions of public buildings from basic services to security and public office functions.

Destruction of the Built Environment in the Buffer Zone

Thousands of buildings were demolished in Suriçi but as of 2021 the State was to build only 506 residences, 122 commercial spaces built, and 9 boutique hotels in the demolished neighborhoods (Diyarbakır Governorate, 2021). Suriçi is now designed as a commercial space and what is targeted is a demographic change.

As mentioned, the State has prioritized securitization and revised the urban conservation plan such that the narrow alleys – characteristic of Suriçi’s architectural style – would be widened and replaced with boulevards. The most striking example of this change is Yenikapı Street (see Figs 2 and 3). In 2014, Yenikapı Street was a seven-meter-wide street with registered monuments and other buildings that reflected the historical district’s characteristic architectural fabric on both sides. As of 2022, Yenikapı Street is a fifteen-meter road that is designed as a boulevard with commercial units. Many historical buildings – including registered monuments – were demolished during the conflict and/or during the excavation and reconstruction period led by the State after the conflict ended (Union of Chambers of Turkish Engineers and Architects, 2020).



Fig. 4: Yenikapı Street in 2014.

Photo: Nevin Soyukaya

Yenikapı Street is redesigned as a space of consumption – i.e., an open-air mall. In February 2022, the State conducted a “competitive” public auction to rent 52 shops over the boulevard, yet the auction was open to only those admitted by the auction commission, which operates under the State’s authority (Tigris Haber 2022a, 2022b). This process has created questions concerning who was invited to rent these commercial units. Given that 40 of these units were spared to function as coffee

shops and restaurants, another question is whether Suriçi needs that many coffee shops and restaurants. These questions become more burning as there are still unresolved problems concerning thousands of Suriçi’s displaced residents.



Fig. 5: Yenikapı Boulevard in 2022.

Photo: Nevin Soyukaya

Not only Yenikapı Street but the entire demolished neighborhoods are rebuilt prioritizing their commercial use. For example, there are neither schools nor health clinics in the area. While there were three schools before the conflict, currently there is merely one school that can welcome the children from six neighborhoods demolished during/after the conflict. Süleyman Nazif Primary School, which was affected by the war in 2016,



Fig. 6: Süleyman Nazif Primary School in 2016 (after the conflict)

Photo: Diyarbakır Kültür ve Tabiat Varlıklarını Koruma Derneği.



Fig. 7: Office of the Sub-Governorship (Formerly Süleyman Nazif Primary School) in 2022.

Photo: Nevin Soyukaya

is going to be used as the office of sub-governorship – an authority appointed by the State. The building of another school, Yavuz Selim Primary School, now functions as a police station. The omission of these indispensable spaces for residential areas confirms the impression that the State does not want these spaces to be used as residential areas anymore.

The images below show some of the newly built residential units. Once contrasted with the typical Suriçi buildings, it becomes obvious that the State has imposed a uniform style while building the residences and commercial spaces. The unique architectural features of Suriçi were replaced with a generic architectural style of central Turkey, reflecting the State's negligence of the local socio-cultural needs and climatic conditions. It also shows that the local actors' opinions were excluded during the planning and implementation process.



Fig. 8–10: Newly Built Houses in Suriçi.

Photos: K.A. Turker

The civil architectural practices and styles in Suriçi have been developed over centuries and shaped together with the socio-cultural traditions in Diyarbakır and its climatic conditions. For instance, the courtyards, which form an important part of Suriçi houses as a meeting point for the families, have lost all their functionality now. The courtyards are built way smaller than the average, and they lack all the essential elements of the ornamental pools and friezes (Gerçek Gazete, 2020). Similarly, basalt bricks – particularly due to the city's climatic conditions – are a typical feature of the Suriçi houses. However, the newly built units are simply covered with a thin layer of basalt stones to aesthetically mimic the original houses.



Fig. 11: Newly-built house built in concrete with basalt layers. Photo: K. A. Turker

These newly built residences are built in such a way that they can easily be turned into coffee shops, restaurants, or hotels by demolishing the courtyards between the houses and merging them into a single unit. Unsurprisingly, there are talks among local people and investors to turn these residential units into commercial units.

The "restoration" projects are also a cause of concern for the local actors. For instance, the following images are from the Armenian Catholic Church on Muallak Street. Post-conflict excavation work to open up a new road that passed through the Church's courtyard heavily destroyed the monument (see Fig. 12). After considerable local backlash, the State had to take a step back and rebuild the courtyard from scratch (see Fig. 13).



Fig. 12: Armenian Catholic Church in 2016 (after the conflict).

Photo: Diyarbakır Kültür ve Tabiat Varlıklarını Koruma Derneği



Fig. 13: Armenian Catholic Church in 2022 (reconstructed courtyard).

Photo: Nevin Soyukaya

Conclusion

The presence of the UNESCO heritage recognition has certainly played a significant role in the protection of Suriçi despite its destruction. Especially for the city walls and the fortresses, the UNESCO heritage recognition has been the only formal institution that grants protection. First, we advocate for necessary steps to be taken, and we are making an urgent call for UNESCO's reactive monitoring mission in the area for the protection of the world heritage site and to limit further damage to the area. It is essential that the UNESCO reactive mission takes the local NGOs, residents, and property owner perspectives into ac-

count. If the state officials are the only correspondent in the area, this would constitute a serious conflict of interest as the perpetrator of the destruction and the responsible agency for informing the UNESCO Mission. Second, we strongly recommend the recognition of the plan revision's illegitimacy as it was retrospectively approved to justify what was already done on the ground. The plan revision is also illegitimate based on the content it pushes for the future of Suriçi.

We would like to conclude with a call for international solidarity with local civil society actors, which is essential for the protection of the world heritage site.

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The Impact of the “Network Roads Project” on Cairo’s Medieval Necropolises

Galila El-Kadi



Fig. 1: View of the Northern Cemetery from the Sultan Qaitbay's mosque looking south towards the Citadel.

Photo: Wikiwand

This report is by a group of intellectuals, artists and architects interested in heritage and antiquities to record their objection to the demolition of parts of Historical Cairo's City of the Dead that includes two main necropolises: the northern cemetery, known as Saharaa al-Mamalik, and the southern one, Imam al-Shafe'i, within a planned heavy network of roads. This project is a traffic thoroughfare that will lead to the enlargement of existent north-west roads bordering the two necropolises, and a road crossing the historic southern cemetery, called "Mehwar al-Hadarat", from east to west. In addition, the creation of two circular squares around two Mosques, Sayeda Nafissa and Sayeda Aicha, is planned (see Fig. 9 below).

Cairo's Medieval Necropolises are an integral part of Historic Cairo, a World Heritage Property since 1979. On the national level, the area is registered as an "Area of Heritage Value" with protection and development measures established in accordance with the Egyptian legislation and building law (Law No. 119 of 2008) and approved by the Supreme Council for Urban Planning and Development in July 2009. It also includes 75 registered monuments according to the Antiquities Law (Law No. 117 of 1983), as well as valuable tombs registered under "Law No. 144 of 2006" and its executive regulations. Thus, any en-

croachment on the historic cemeteries constitutes a violation of the law and an attack on the integrity of the historic city as a whole, which has very serious repercussions for the World Heritage Property.

The Problem of Historic Cairo's Boundaries

When Historic Cairo was listed as a World Heritage, the nomination file submitted included the two main necropolises. No proper delimitation of the boundaries was defined until 2007, when the Egyptian Government submitted the boundaries of Historic Cairo and its Necropolises, on a base map drafted in 1948. In 2010, UNESCO launched the "Urban Regeneration Project for Historic Cairo" (URHC project), with the aim of establishing a conservation and management plan for Historic Cairo. A border of the cemeteries was proposed for the property and its buffer zone, with a set of parameters and regulations to be implemented for the sake of their protection. At the same time, the National Organization for Urban Harmony (NOUH) established a similar map with three defined protection levels. The first one, the level of maximum protection, includes the boundaries of Fatimid Cairo, Al-Darb Al-Ahmar district, and the northern and southern necropolises. The second level in-

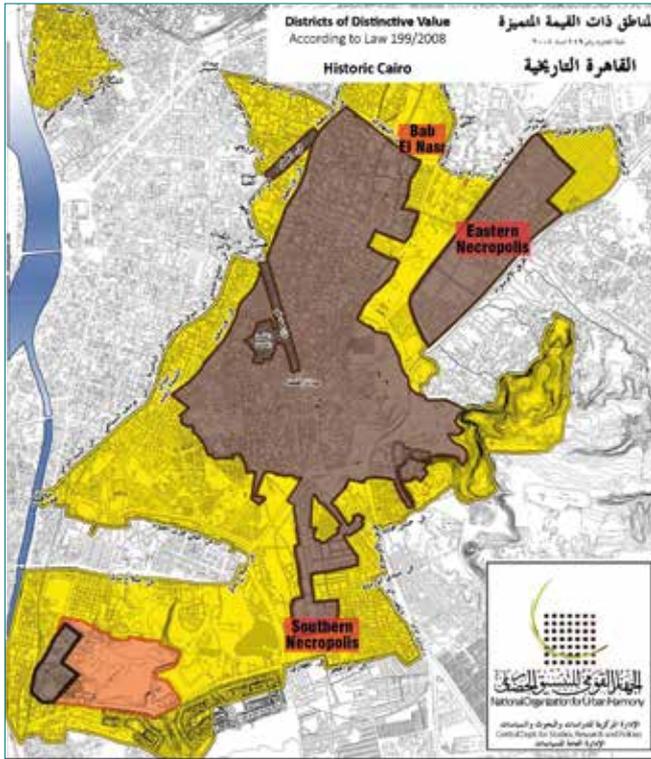


Figure 1 Borders and Protection Zones
 Zone A
 Zone A (overlap between Khediveal and Historic Cairo)
 Zone B
 Zone C

Fig. 2: Districts of Distinctive Values of Historic Cairo.
 Map: National Organization for Urban Harmony 2010



Fig. 3: Historic Cairo Visitor Map.
 Map: Cairo Governorate

cluded part of the Al-Fustat area, and the third level of protection, the lowest one's, comprises the cemetery of Bab al-Nasr (Fig. 2).

In 2014 a new map was drafted with UNESCO technical support, defining the geographical borders of historic Cairo and its buffer zone. The two necropolises were included (Fig. 3). It has never been approved by Egypt.

In 2020, another new map has been produced by NOUH defining new boundaries for the privileged zones of Historic Cairo. The first level of protection was reduced to a ratio of approximately half of the protected zone of 2010, and half of the eastern necropolis and most of the southern one were removed lowered from the first level to the third level protection zone, which is less in terms of protection and preservation (see Fig 4). All these changes raise the question of which parts of Historic Cairo are listed as a World Heritage Property, and which parts of the cemeteries are included.

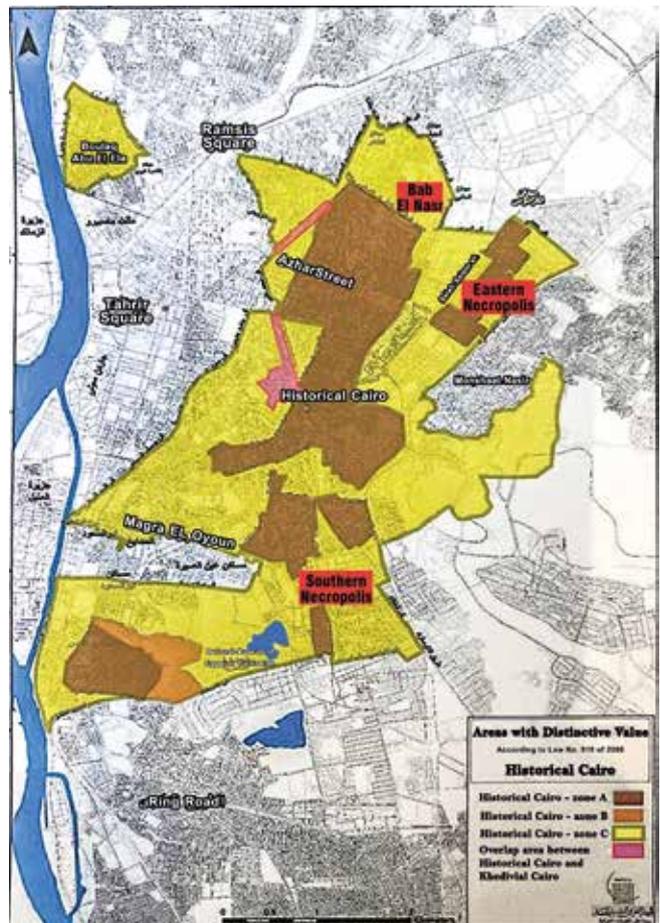


Fig. 4: Districts of Distinctive Values of Historic Cairo.
 Map: National Organization for Urban Harmony 2020

Chronology of the destruction of the cemeteries

- 1954 two main thoroughfares connecting the northern and southern parts of Greater Cairo were built, dissecting the cemeteries from the historic city. Many tombs were razed.

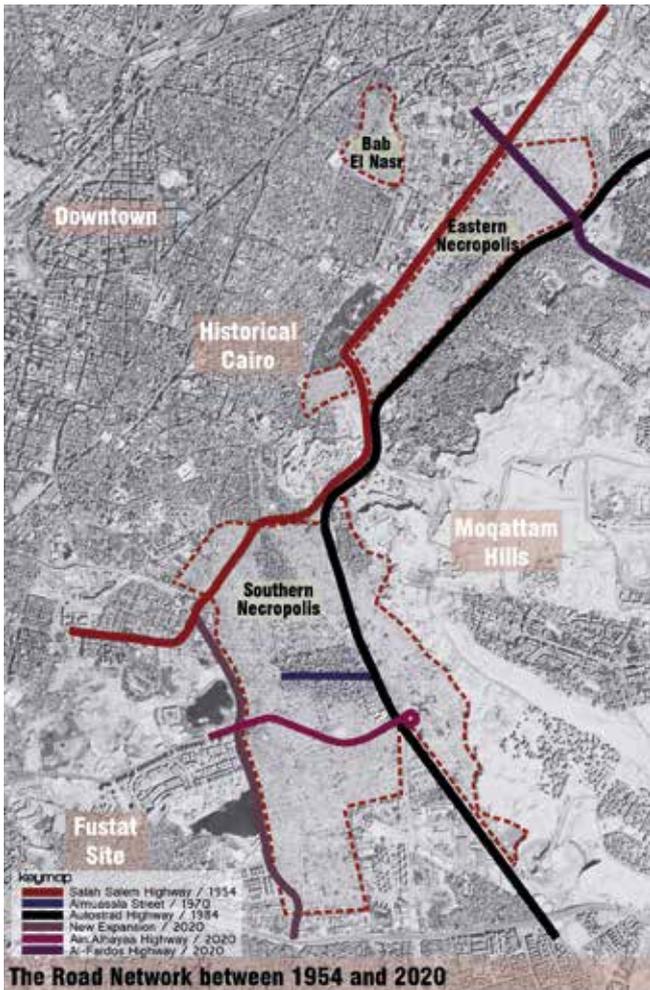


Fig. 5: Location of the historic cemeteries and the development of the road network from 1954 – 2020. Map: Amr Essam

- 1984 another north west highway called Autostrad was introduced to the eastern fringe of the eastern necropolis, demolishing new parts of Cairo’s Heritage and raising the question of the legal status of the City of the Dead as a heritage.
- July 2020 two new east-west throughfares: Ain al-Hayat in the southern necropolis and Al-Fardous in the eastern one has been brutally introduced, demolishing valuable tombs belonging to famous figures in the world of art, literature, economy and politics (Fig. 5 and 6). This violation has been mentioned in Decision WHC/21/44.Com/7B.Add.
- July 2021, two main monuments of the southern necropolis have been totally or partially demolished: The Ibn Tulun Aqueduct dating back to the 18th century (876, registration number 306) (Fig. 7a-c), and Al Tabataba, the only testimony of the Ikhshid period (935-969, registration number 563) (Fig. 8). Another registered monument, the Imam al-Leithy tomb, situated close to the Imam al-Shafe’l tomb, has been totally disfigured.



Fig. 7a-c: The gradual destruction of the Ibn Tulun Aqueduct.

Photos 7a: K.A.C. Creswell, 7b: facebook.com/historiccairo/, 7c: Ibrahim Almasri

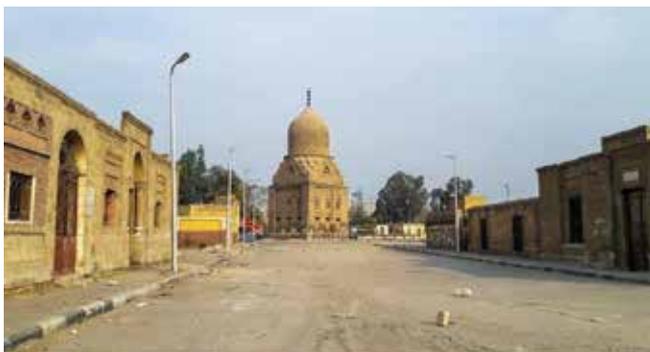


Fig. 6: The impact of the Mehwar Al Fardous highway on the eastern necropolis. Photo: top: unknown author, bottom: Emad Othman Mahran



Fig. 7b



Fig. 7c



Fig. 8: The Mausoleum of Tabataba.

Photo: Galila El Kadi

The engagement of the prime minister to stop all demolitions in Historic Cairo, to resume all the previous projects and to elaborate a management plan during a public meeting with all stakeholders, held in March 2021, has not been respected. In September 2021, a new Roads Network Project has been published dissecting the two necropolises and leading to the demolition of hundreds of valuable tombs (Fig. 9).

Following the mobilization of civil society against this project, the original plan has been modified several times. The Eastern Necropolis Plan is currently under revision. The map we use in this report is the last version we could obtain for the southern necropolis (Fig. 10). The projected east-west road called Mehwar al-Hadarat is still maintained, and accordingly, sixty four (64) tombs of exceptional value will be demolished in the southern necropolis, putting at risk 6 listed monuments.

The main negative effects of the Mehwar al-Hadarat Project on the southern necropolis

Violating Law 119 of 2008 and its implementing regulations - regarding urban planning, urban coordination and organizing construction work

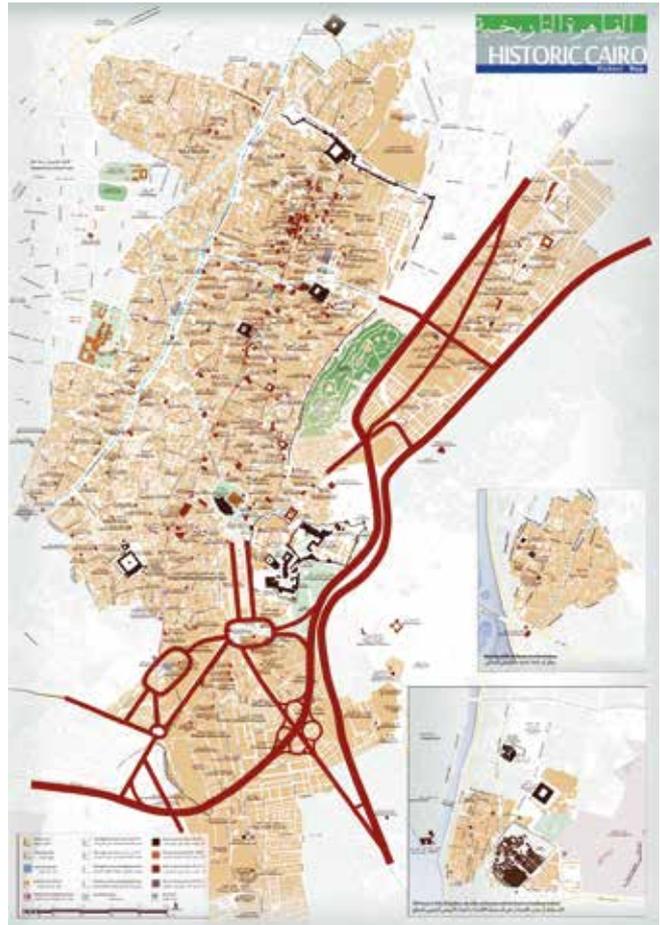


Fig. 9: The Road Network Project of 2021.

Map: Cairo Governorate

The area of the southern cemeteries "Al-Imam al-Shafe'i" is an integral part of Historic Cairo registered according to Law 119 of 2008, which is the law concerned with registering heritage areas as a "built-up area". This area is characterized by a unique urban fabric.

According to this law and the regulations of Historic Cairo, it is the urban fabric that must be protected and preserved. It is clearly stated in the regulations that "it is forbidden to construct footbridges or overhead roads for cars or to remove trees or works that would change the visual image of the area." The law also stipulates that: "It is not permissible to establish, modify, elevate or restore any fixed or mobile buildings, projects, or installations, neither temporary or permanent, nor removing architectural elements, statues, sculptures, or decorative units in public urban spaces in the areas referred to in the previous paragraph...."

Whereas the objective of al-Hadarat road project is to link two highways to accelerate vehicular circulation (see Fig. 9).

Conflicts with Law 114 of 2006 and its bylaws regulations - regarding the regulation for demolition of non-collapsing structures and building, and the preservation of architectural heritage

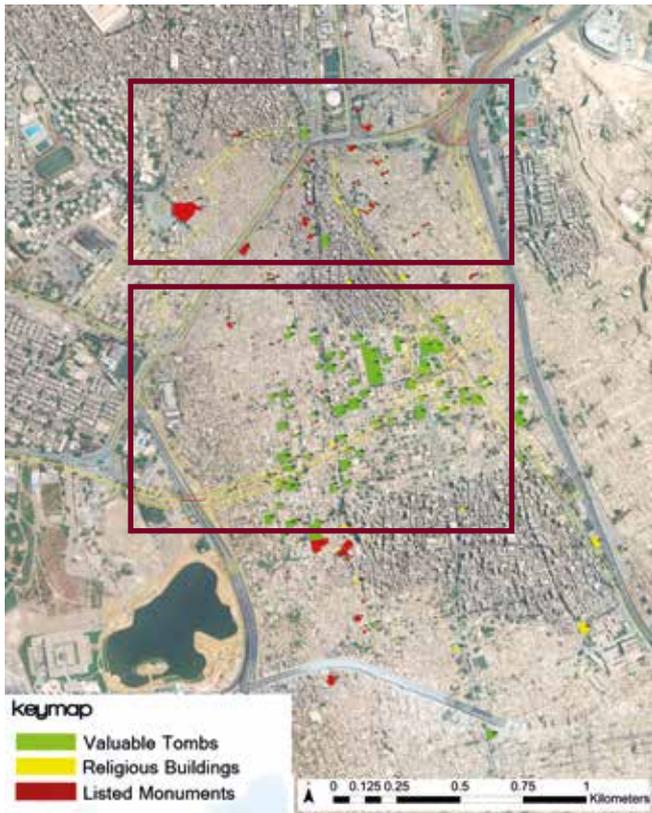


Fig. 10: Monuments impacted by the planned road network. Map: Amr Essam

Issued in 2006, this law is firstly concerned with protecting the distinctive architectural heritage, and through it many buildings and structures have been registered for their architectural and historical merit as well as their association with personalities that have an imprint on the history of Egypt. It is also concerned with preserving the memory of the society and the

city as well as the artistic, architectural and urban fabric. Many tombs will be demolished or altered although they should have been preserved due to their association with historical figures such as former prime ministers of the royal regime; and famous figures of the arts, literature, theatre and poetry of the Egyptian renaissance and liberal age (see Photo Documentation Fig. 11 to 19 at the end of this article).

Conflicts with Law 117 of 1983 and its implementing regulations – regarding antiquities protection

We express our severe worry concerning the lack of any studies dealing with the effect this thoroughfare with similar vehicular traffic will have on listed monuments. It is very important to conduct comprehensive archaeological excavations before commencing any digging or preparation work for new facilities or foundations, especially as it is well known that the area was built on layers during successive historical stages. Thus, it is possible to find through excavations and historical foundations below the road, which are important findings that are no less important than the visible structures.

Inconsistency with requirements to preserve the World Heritage Property

The Road Networks Project is inconsistent with the standards and requirements of the conservation and management plans of Historic Cairo World Heritage. The Egyptian bodies concerned with the World Heritage have an obligation to protect this property for humankind, and failing to apply the requirements and standards of UNESCO may lead to deterioration and serious loss of parts of the property, which might lead to adding Historic Cairo to the List of World Heritage in Danger.

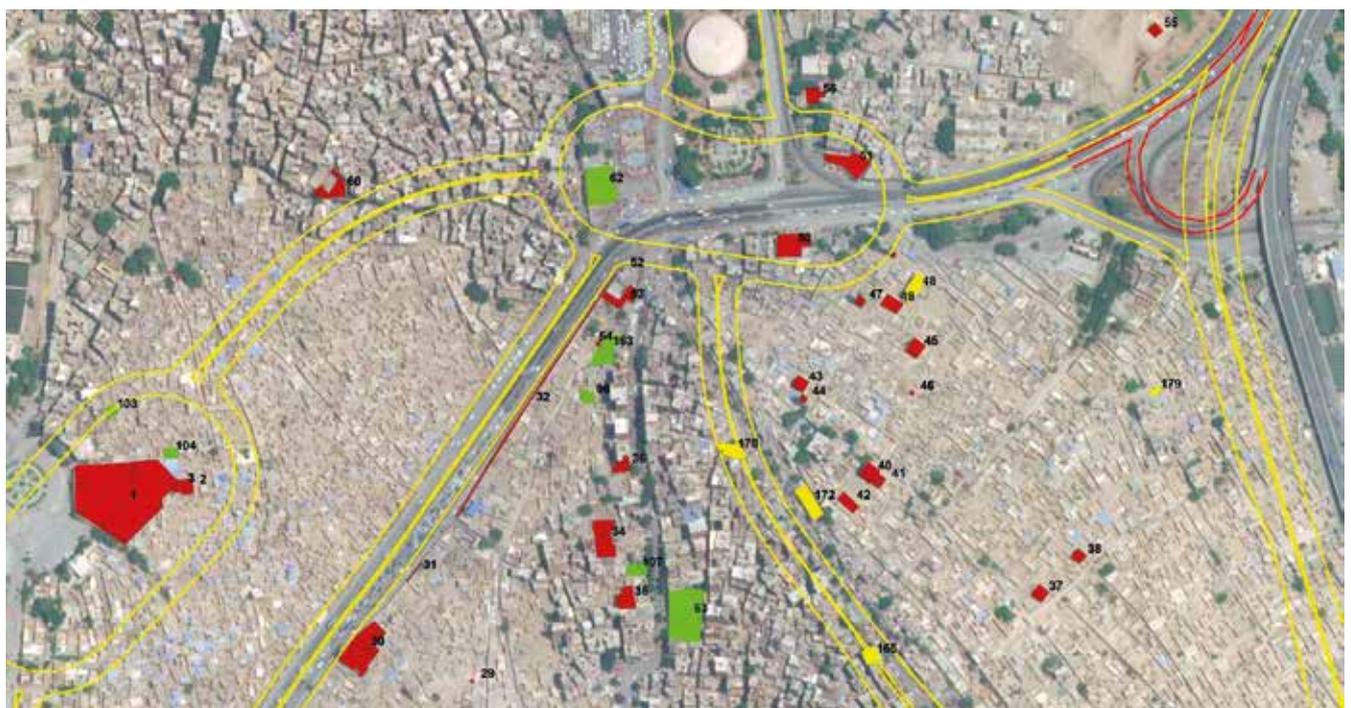


Fig. 10a Impact of the road network_Detail

Failure to consult specialists and authorities entrusted with protecting the heritage

Failing to take the necessary administrative measures stipulated in the laws mentioned above. Neither consulting nor involving the competent official authorities during the decision making of such roads projects is a very severe intervention, and demonstrate lost opportunities that cannot be compensated:

- Not giving opportunity for professionals to discuss proposals and alternatives that may contribute to protecting heritage.
- The absence of alternatives should at least, to document, disassemble, and re-install the facades elsewhere (especially since most of these structures were built of stone).

Conclusion

Historical Cairo and its Necropolises are in a great danger and need a strong international action to save an exceptional site. We are worried about the damages that will result from the implementation of the new proposed projects of roads that will be introduced in the two Necropolises.

As a part of the memory of Egypt was at risk to be lost for good, a group of interested intellectuals, architects, artists followed by family members of the tombs at risk emerged. The group launched immediately a campaign entitled "Safeguard Historical Cairo Cemeteries" and defined eight lines of action comprising the documentation of the threatened tombs, raising local and international awareness, protest and complaints, the proposal of an alternative project to avoid the destruction of

parts of the Necropolises, and finally the rebutting the decision of transferring the necropolises site as a public utility space.

All these actions have resulted in the changing of the original network plan several times and pushed three parliamentary members: Drs. Maha Abd El Nasser, Doha Assi and Sahar Attia to present a briefing request. The project has been temporarily suspended. Much doubt is hanging over what will happen in the near future. Some indicators lead to believe that the ambitious network project, among others, will be temporarily postponed. We can refer to the economical crisis, new political trends aiming at the installation of a national dialogue, and the need to review the former economic policies.

(Numbers in brackets refer to the numbers on the map Fig. 10.)



Fig. 11: The tomb of former Queen Farida (1938–48) and her family which covers 2,700 m² and includes 27 burial places of the Zulficar family (no. 112).

Photo: M. El Sadek



Fig. 10b Impact of the road network_Detail



Fig. 12: The tomb of Mohammad Mahmoud Pasha, former twice prime minister of Egypt (1928-1929 and 1937-1939) (no. 85). Photo: M. El Sadek



Fig. 13: The tomb of poet Hafiz Ibrahim (1872-1932) in Sayeda Nafissa cemetery. Photo: Alia Nassar



Fig. 14: The tomb of Yousef Bek Wahbi, (1898–1982), one of the pioneers of theatre in the Arab world (no. 132). Photo: Michel Hanna



Fig. 15: The tomb of the Yakan family, Adly Yakan Pasha, prime minister of Egypt and minister of the interior, and Ahmad Yakan Pasha, co-founder of Bank Misr, the first Egyptian Bank after the 1919 revolution and the independence in 1922 (no.s 157 and 86). Photo: Michel Hanna



Fig. 16: The tomb of the poet Ahmad Shawki, a famous Egyptian poet known in the whole region as the prince of poets, located in the Sayeda Nafissa cemetery. Photo: Michel Hanna



Fig. 17: The tomb of Prince Yousef Kamal (1882-19650), founder of the Beaux Arts Faculty in Cairo (1905) (no. 69). Photo: Alia Nassar



Fig. 18: The tomb of Mahmoud Sami El Baroudi (1939–1804), a famous poet called “the sword and pencil of poetry” (no. 71). Photo: Alia Nassar



Fig. 19: The tomb of Fazil Pasha, ex minister of education 1862, minister of finance (1864-1869) and minister of Justice (1871-1872) (no. 82). Photo: M. El Sadek



Lamu Old Town Faces Mounting Pressures Under Climate Change and Large-Scale Infrastructure Development

Mohamed Athman, Save Lamu

Bryan P. Galligan, S.J., Jesuit Justice and Ecology Network Africa (JENA)



The World Heritage Committee is well aware of the threats to Lamu Old Town posed by the Lamu Port—South Sudan—Ethiopia Transportation Corridor (LAPSSET) large-scale infrastructure development project. As early as 2011, it expressed concern about the construction of the port component of LAPSSET, arguing that “the port project could be considered a mega-project” and that it was likely to cause severe ecological and social impacts that would threaten world heritage in Lamu.¹ Ten years later, with the first three of 32 planned berths of the port now complete, those predictions have already come true.



Fig. 1: A berth in Lamu Port.

Photo: Save Lamu

Save Lamu has included a discussion of the damaging effects of LAPSSET in the World Heritage Watch Report 2020,² and the situation has not improved since the publication of that analysis. Today, the combined impacts of LAPSSET and climate change, along with the State Party’s glaring neglect of its commitments under the World Heritage Convention, make including Lamu Old Town on the list of World Heritage in danger an urgent priority. These compounding threats are made even more pressing by the intimate relationship between Lamu’s cultural heritage and the integrity of its natural ecosystems.

1. The Nexus Between Ecology and Heritage in Lamu Old Town

One of the reasons why the World Heritage Convention is such a remarkable document is that it includes natural and cultural heritage under one unifying framework, declaring that the loss of either “constitutes a harmful impoverishment of the herit-

age of all the nations of the world” and including “the combined works of nature and man” in its definition of cultural heritage.³ The World Heritage Committee further specified in 2006 that “cultural heritage [can include] individual sites, buildings, or structures as well as urban or rural landscapes.”⁴ Taken together, these statements point to the profound truth that, in many places around the world, nature and culture are co-constitutive; one cannot thrive without the other.

This vision of the interdependence of nature and culture is certainly true for the residents of Lamu, who describe their relationship with the environment as having existential consequences:

Our environment has provided our communities with resources over the centuries. We are the guardians of our environment. We have utilized and conserved our natural resources, acknowledging their importance for future generations. Indeed, our cultural identity depends on it.⁵

For people in Lamu, then, damage to the environment is also and at the same time damage to identity and culture. This self-description by Lamu community members was even given legal recognition in 2018, when Kenya’s High Court ruled that the impacts of the LAPSSET port project on local ecosystems and fisheries amounted to a violation of residents’ right to culture.⁶

That nature and culture are intimately connected in Lamu is not only true in a general sense. It is also true of the specific criteria that justify Lamu Old Town’s inscription as a World Heritage Site.⁷ This justification is based on criteria (ii), (iv), and (vi) of the Operational Guidelines for the Implementation of the World Heritage Convention.⁸ Under criterion (ii), the inscription refers to “the architecture and urban structure of Lamu.” The buildings in Lamu Old Town are built with local materials, including sustainably harvested mangroves, and this building tradition continues today as a distinct architectural style.⁹ This architectural tradition can only continue while there is a steady supply of sustainable mangrove timber. Under criterion (iv), the inscription also describes Lamu as a locus of trade and “interaction between the Bantu, Arabs, Persians, Indians, and

Europeans.” While Lamu is no longer a center of international trade, some of these cultural dynamics persist to the present day. Local trade, especially in fish and other natural resources, still cements relationships among the many ethnic groups in the region and provides for peace amidst a background of great cultural diversity.¹⁰ These trading networks, and the cultural exchange they facilitate, will be severely threatened as their natural resource base is diminished.



Fig. 2: Traditional Lamu houses are built of coral rock and mangrove wood, with characteristic carved entrances. Mangroves are Lamu's primary source of wood but logging mangroves has become a controversial issue recently due to their important function for global climate.

Photo: Save Lamu

In addition to these direct links between nature and culture in Lamu, environmental damage also threatens the integrity of Lamu Old Town's cultural heritage by threatening the community that sustains and preserves it. The World Heritage Committee recognizes this possibility in its guidelines on climate change, describing places like Lamu as “living places, which depend on their communities to be sustained and maintained.”¹¹ In this context, and making specific reference to climate change, the Committee warns of “effects on social structures and habitats that could lead to changes in, or even the migration of, societies that are currently sustaining World Heritage sites.”¹² This type of outcome is very possible in Lamu, a community that is culturally and economically reliant on its natural resources, as the environmental impacts of LAPSSET and climate change combine to create a perfect storm of socio-environmental degradation.

2. Compounding Threats: Climate Change, a Mega-Project, and an Ecosystem Under Pressure

Climate change and the mega-project known as LAPSSET represent the most urgent and severe threats to the local environment in Lamu Old Town and its surroundings. Consider the coral reefs in Manda Bay, just a few kilometers from the World Heritage Site, and a key fishing ground on which the town relies. As global climate change has caused the world's oceans to warm, coral reefs have been one of the most affected ecosystems. When water temperatures become too warm, the symbiotic algae that live inside coral polyps leave in search of a more suitable host, causing the corals to turn white in a phenomenon known as bleaching. If temperatures remain high, the corals eventually die and are replaced by algae.

Mass bleaching events, unknown prior to 1998, are becoming increasingly common,¹³ and their negative impacts on fishery yields in Kenya are well-documented.¹⁴ As a result, coral reef conservation ought to be an extremely important priority in places like Lamu. Even so, rather than protect Lamu's coral reefs, Kenya's government has assaulted them. Just as ocean warming causes corals to bleach and die, dredging the channel for the LAPSSET port has released sandy sediment into the nearby waters, effectively smothering the corals and leading to the same outcome.¹⁵ The additional pressures LAPSSET has exerted on the coral reefs in Manda Bay is likely to kill them entirely if the project continues as it has begun.

Lamu's mangrove forests, which provide nursery habitat for commercially and culturally important fish species and provide timber for the distinct architectural style cited in Lamu's inscription as a World Heritage Site, are also threatened by both LAPSSET and climate change. Lamu county is home to an estimated 35,678 ha of mangroves, 62% of all mangroves in the country.¹⁶ Virtually all of the coastal development planned under LAPSSET will require the clearance of these forests. While planting new mangroves elsewhere is possible, there is no way to replace the ecological and cultural value of the forests that will be cleared. Mangroves in Lamu are also threatened by sea level rise, increased air temperatures, and an increase in the prevalence and severity of drought due to climate change.¹⁷ In the long term, the loss of mangroves will also make Lamu more vulnerable to coastal erosion due to rising sea levels and represent the loss of a very valuable carbon sink.¹⁸ Again, LAPSSET and climate change are conspiring to threaten Lamu's future.

Surface and groundwater resources in Lamu face a similar dual threat. Their depletion could threaten the survival of the very community that sustains and protects the Outstanding Universal Value of Lamu Old Town. At the present moment, Lamu is already “on the verge of a freshwater crisis.”¹⁹ Under climate change, sea level rise will increase saltwater intrusion, shrink-

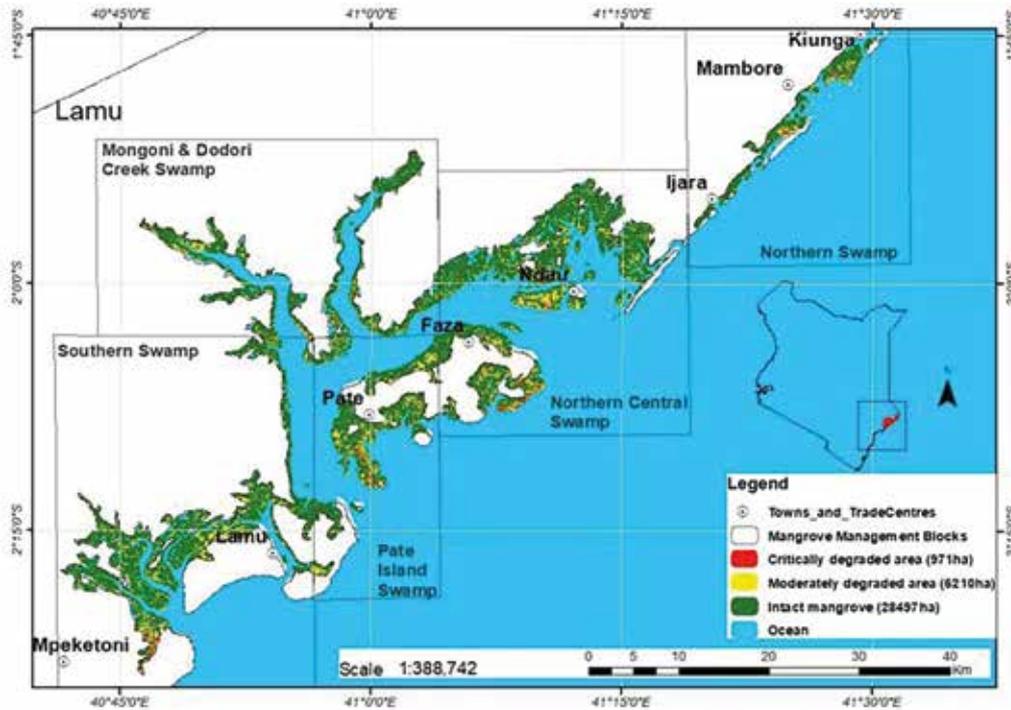


Fig. 3: Condition of mangrove forests in Lamu county.

Map source: <https://www.frontiersin.org/articles/10.3389/ffgc.2021.709227/full>

ing the volume of Lamu’s groundwater resources.²⁰ Increasing drought will shrink these resources even further.²¹ When this climate-induced stress is coupled with existing and future population growth associated with the LAPSSSET project, projections show that the Shela aquifer, on which Lamu Old Town relies, may entirely fail within five to ten years.²² While the government has proposed to install a desalination plant, there is no evidence those plans have been set in motion or will be completed in time to prevent the aquifer’s collapse.²³



Fig. 4: A serious water shortage occurred in Lamu in 2021, enhancing fears that LAPSSSET could lead to more frequent such events in the future. Photo: t47

3. An Urgent Situation Exacerbated by Negligence

The environmental pressures posed by LAPSSSET and climate change in Lamu are already quite severe, and they present a real and immediate danger to the Outstanding Universal Value of Lamu Old Town and the community that sustains it. As if these pressures were not enough, it is particularly disturbing that the State Party has provided no indication that it is meaningfully invested in protecting the cultural heritage of Lamu Old

Town. At a time when climate change already places Lamu’s cultural heritage in danger, the State Party should be doing all it can to increase resilience and preserve cultural heritage. Instead, it is shamelessly pursuing a development project that has so far only intensified the threats faced by the local community.

At its 44th session, the World Heritage Committee noted that the State Party had still provided no management plan for Lamu Old Town that accounted for the LAPSSSET project.²⁴ This is despite the fact that construction has been ongoing since 2012, and that the first portion of the port was officially commissioned in 2021. In the same decision, the Committee requested the State Party to complete “as soon as possible” a revised Strategic Environmental Assessment (SEA) for LAPSSSET that would consider the impacts of the project and its sub-projects on the Outstanding Universal Value of Lamu Old Town.²⁵ The State Party, however, is unlikely to comply with this request as it has a pending appeal in the country’s court system in response to a judicial ruling that LAPSSSET violated the law by not producing an adequate SEA before beginning construction.²⁶ This appeal seems to signal the State Party’s official position that it has no intention of producing an adequate SEA.

Finally, the Committee requested that the State Party create a forum in which LAPSSSET would work more closely with the community in Lamu.²⁷ Not only has the State Party failed to carry out this recommendation, but it has actively avoided consulting the community on any matters related to LAPSSSET. Community members report that they first learned about the project from news media.²⁸ Since then, the State Party has continued to exclude the community and has actively worked to sow misinformation and avoid fulfilling its legal responsibilities under environmental and constitutional law. Meanwhile,

the State Party has provided no evidence that it is interested in changing course.



Fig. 5: Save Lamu press conference demanding the protection of Lamu's ocean waters. Photo: Save Lamu

4. Recommendations

The threats to the Outstanding Universal Value of Lamu Old Town posed by climate change and LAPSSET are urgent and severe. We request that the World Heritage Committee take the following actions in its next session:

- Add Lamu Old Town to the List of World Heritage in Danger pending the State Party's compliance with Decision 44 COM 7B.6, including a revised SEA and meaningful inclusion of the community in the decision making and planning processes of LAPSSET.
- Request the State Party to provide resources for culturally appropriate and locally led adaptation to the impacts of climate change and LAPSSET in Lamu Old Town and the surrounding region.
- Urge Kenya to develop only clean, renewable energy (solar, wind, wave, or geothermal) within 50 km of Lamu Old Town World Heritage Site, as per UNESCO's policy on world heritage and sustainable development.²⁹
- Review whether Kenya is acting in alignment with the goal of limiting global warming to less than 1.5° C above the pre-industrial average with the proposed construction of fossil fuel infrastructure as part of the LAPSSET project, including a coal plant and an oil pipeline.

Endnotes

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V. Monuments and Sites

Stonehenge, Avebury and Associated Sites Now Under Threat of Delisting



Kate Fielden, Stonehenge Alliance

The long-running saga of the UK Government's plans to widen the A303 road to a dual-carriageway across the Stonehenge part of the WHS is recorded in World Heritage Watch Reports for 2018, 2019 and 2021. We refer the reader to these accounts for details of the road project (which includes a c.3km tunnel) and its likely impacts but, for ease of reference, a map of the scheme is reproduced here.

2021 concerns of the World Heritage Committee

In our last World Heritage Watch report we recorded that the UK Government's Secretary of State for Transport had granted a Development Consent Order (DCO) for the road scheme. He ignored advice not to grant the DCO from the Examining Authority (ExA) of five planning inspectors who formally examined the scheme in 2019 and disregarded the World Heritage Committee's repeated suggestions for the scheme to be amended. In July 2021, the Committee finally advised the UK Government that if the scheme were to go ahead unmodified, the OUV and Integrity of the WHS would be adversely impacted and consid-

eration would be given to placing the WHS on the List of World Heritage in Danger. In its Decision², the Committee reiterated *"its concern that as previously advised by the Committee and identified in the 2018 mission report, the part of the A303 improvement scheme within the property retains substantial exposed dual carriageway sections, particularly those at the western end of the property, which would impact adversely the Outstanding Universal Value (OUV) of the property, especially affecting its integrity; and*

"its previous request that the State Party should not proceed with the A303 route upgrade for the section between Amesbury and Berwick Down in its current form, and considers that the scheme should be modified to deliver the best available outcome for the OUV of the property;" and noted moreover,

"that in the event that DCO consent was confirmed by the High Court, the property warrants the inscription on the List of World Heritage in Danger;" and finally requested

"the State Party to submit to the World Heritage Centre, by 1 February 2022, 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 45th session, with a view to considering the inscription of the property on the List of World Heritage in Danger if the A303 route upgrade scheme is not modified to deliver the best available outcome for the OUV of the property."

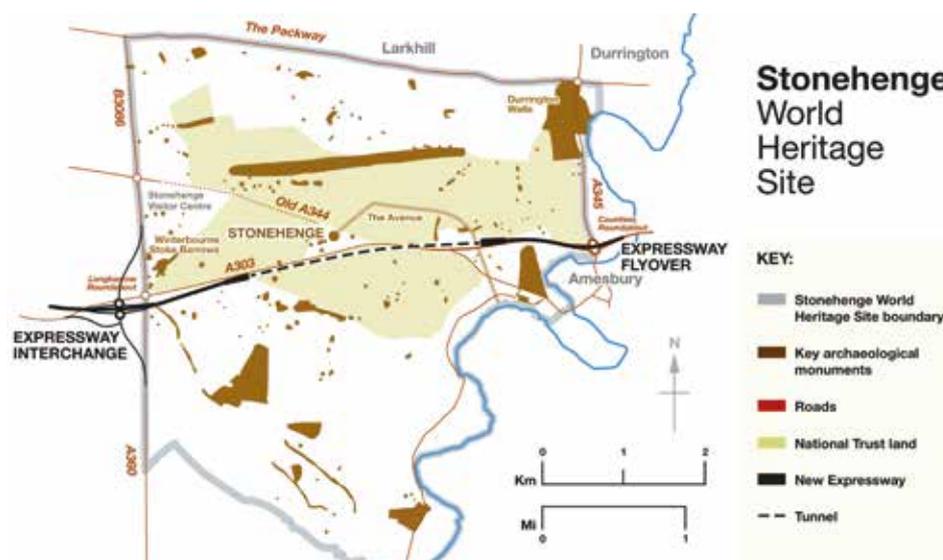


Fig. 1. Stonehenge WHS showing proposed new A303 Expressway, tunnel and junctions.

Graphics: Amesbury Museum and Heritage Trust

¹ The Stonehenge Alliance is supported by Ancient Sacred Landscape Network; Campaign to Protect Rural England; Friends of the Earth; Rescue, The British Archaeological Trust; Transport Action Network; and many individuals worldwide. <https://stonehengealliance.org.uk/>

² WH Committee Decision 44 COM 7B.61. <https://whc.unesco.org/en/decisions/7778>). Quotes given from Decision Items, 7, 9, 12 and 13

A legal challenge to the decision to proceed with the road scheme

In the spring of 2021, a group of individual supporters of the Stonehenge Alliance formed a limited company, Save Stonehenge World Heritage Site, to mount a legal challenge to the Transport Secretary's decision. In a heart-warming expression of generosity and concern, more than eighty thousand pounds was raised, via social media and crowdfunding from around 3,000 donors, to cover the costs of the case. The Judgment³, published on 30 July 2021, was in favour of Save Stonehenge WHS Ltd. and the DCO was quashed.

The Judge found that the Secretary of State for Transport (STT) had not properly considered the impacts of the scheme on all designated heritage assets or assessed alternatives to the proposed scheme that would be less damaging. He found that

“... the designation of the WHS is a declaration that the asset has “outstanding universal value” for the cultural heritage of the world as well as the UK. There is a duty to protect and conserve the asset (article 4 of the Convention) and there is the objective inter alia to take effective and active measures for its “protection, conservation, presentation and rehabilitation” (article 5). The NPSNN [National Policy Statement on National Networks] treats a World Heritage Site as an asset of “the highest significance” (para. 5.131).” (Judgment, para. 278)

“... this is not a case where no harm would be caused to heritage assets... The SST proceeded on the basis that the heritage benefits of the scheme, in particular the benefits to the OUV of the WHS, did not outweigh the harm that would be caused to heritage assets. The scheme would not produce an overall net benefit for the WHS. In that sense, it is not acceptable per se. The acceptability of the scheme depended upon the SST deciding that the heritage harm (and in the overall balancing exercise all disbenefits) were outweighed by the



Fig.2: Campaigners outside the Royal Courts of Justice, London, 23 June 2021.
Photo: Stonehenge Alliance

need for the new road and all its other benefits. This case fell fairly and squarely within the exceptional category of cases... where an assessment of relevant alternatives to the western cutting was required...” (Judgment, para. 282)

UK Government's intention to redetermine the road scheme

Campaigners' pleasure at the outcome of the legal case was short-lived. On 30 November 2021, the Secretary of State announced that he would re-determine the road scheme, setting out, in a “Statement of Matters”, issues on which he wished to receive further information prior to redetermination⁴. National Highways (formerly Highways England), as initial consultee, submitted a response published on 24 February 2022⁵. It comprised 51 documents, most of which were technical reports including geotechnical and groundwater monitoring data.

It was immediately apparent that National Highways had made no changes to its scheme and continues to assert that it would bring overall benefit to the WHS. The Heritage Impact Assessment (HIA) had not been revised to take into account the Secretary of State's finding that the overall impact of the scheme on the WHS would be “significantly adverse” (Judgment, para. 279), so the HIA may now be considered unfit for the purpose. This obviously brings the scheme's value for money, largely dependent on perceived heritage benefits, even further into question⁶.

National Highways' assessment of alternatives gave little more than the scant information produced for the Examination and is insufficient for meaningful comparisons with the proposed scheme. Westward tunnel extensions by cut-and-cover or longer-bore methods were dismissed as providing only minor beneficial impacts compared with the scheme's short tunnel and not justifying the cost. Some technical drawbacks were raised in engineering longer tunnel options but without full explanation and justification, they could simply be seen as excuses for not changing the scheme.

At around the same time, the UK Government's State of Conservation Report to the World Heritage Committee⁷ was pub-

4 Secretary of State for Transport to All Interested Parties, 30 November 2021. https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010025/TR010025-002191-TR010025_A303%20Amesbury%20to%20Berwick%20Down_DfT%20Statement%20of%20Matters.pdf

5 Published on the Infrastructure Planning Inspectorate website, under “Documents”. <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-stonehenge/>

6 See, for example, presentation by Professor Phil Goodwin on Highways England's heritage contingent valuation survey undertaken for the DCO application. <https://stonehengealliance.org.uk/presentation-by-professor-phil-goodwin/>

7 State of Conservation Report by the State Party: Stonehenge, Avebury and Associated Sites, UK (373bis), February 2022. <https://whc.unesco.org/en/list/373/documents/>

3 R(oao Save Stonehenge World Heritage Site Ltd) v SST [2021] EWHC 2161 (Admin). <https://www.judiciary.uk/wp-content/uploads/2021/07/Save-Stonehenge-v-SST-judgment.pdf>

lished on the World Heritage Centre’s website. It indicated that an Advisory Mission had been invited to Stonehenge, saying “The State Party would welcome the opportunity to explore the commitments and opportunities to continue to refine the scheme’s design in a manner that could reduce the extent and width of the open cut at the western end of the WHS with the World Heritage Centre and the Advisory Bodies.” (State of Conservation Report, p. 9)

National Highways has hitherto given no indication of exploring the potential for reducing the extent and width of the open cut to the west tunnel portal. Is the Government hoping that such a measure might persuade the World Heritage Committee to withdraw its concerns about the scheme? Cut-and-cover, however much is covered, would be severely damaging, not only for permanent loss of archaeological sites (OUV attribute 2) but also for the continuing necessity for a massive new Longbarrow Junction just beyond the western boundary of the WHS.



Fig. 3: Stonehenge in summer, with prehistoric burial mounds among the trees on King Barrow Ridge.

Photo: Stonehenge Alliance

The Secretary of State himself agreed with the Examining Authority (at paragraph 10 of his Decision Letter⁸, that seen from above, the junction would “dwarf all other individual features, including the Stones” (Examining Authority Report (ExAR)⁹, para. 5.7.243); and that

“The harm [caused by the Longbarrow Junction] reflects that caused by the cutting on the OUV, including a continuation of the harm to the Wilsford/Normanton dry valley. Also, the harm to the overall assembly of monuments, sites, and landscape through major excavations and civil engineering works, of a

8 Secretary of State for Transport, Decision Letter on the Application for the proposed Amesbury to Berwick Down DCO, 12 November 2020. <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010025/TR010025-002180-STON%20-%20Secretary%20of%20State%20Decision%20Letter.pdf>. Also available at <https://stonehengealliance.org.uk/wp-content/uploads/2022/04/A303-Stonehenge-Decision-Letter-12.11.20-compressed-SMALL.pdf>

9 A303 Amesbury to Berwick Down Examining Authority’s Report of Findings and Conclusions and Recommendation to the Secretary of State for Transport, 2 January 2020. <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010025/TR010025-002181-STON%20%E2%80%93%20Final%20Recommendation%20Report.pdf>

scale not seen before at Stonehenge. Whilst the existing roads could be removed at any time, should a satisfactory scheme be put forward, leaving little permanent effect on the cultural heritage of the Stonehenge landscape, the effects of the proposed junction would be irreversible.’ (ExAR, para. 5.7.247)

The Stonehenge Alliance, along with many others, has responded to National Highways’ submissions to the Secretary of State’s request for further information. We have made submissions on various aspects, including legal representations, which can be now seen on the Infrastructure Planning website¹⁰. We have suggested that another formal Examination of the scheme is needed to consider the large volume of new material and ensure that the Secretary of State receives independent specialist advice on it.

Revision of WHS governance arrangements

Over the past year, consultations have been held on proposed revisions of the WHS’ governance. Currently in place are Steering Committees for Avebury and Stonehenge (the two parts of the WHS) and a Partnership Panel that ensures Steering Committee decisions and Management Plan objectives are carried out. The preliminary report and recommendations of the independent consultant undertaking the governance review highlights the conflict between those on the committees who support the road scheme and those who do not. He advises that all responsible for the well-being of the WHS need to put organisational interests to one side, treat care of the WHS as a priority and discuss objectively the potential impacts of the road scheme in view of the now very serious risk of losing the WHS designation.

The Stonehenge Alliance continues to campaign through the experience and skills of Kate Freeman, our social media manager, for best outcomes for the WHS. Bearing in mind that the Climate Emergency now requires a radical change in approach to road traffic, we suggest that non-road engineering solutions should also be sought in preference to new road building, especially where irreparable damage to a WHS is involved.

What could the World Heritage Authorities do to help?

We urgently hope that the World Heritage Committee will be encouraged to maintain its concerns expressed in 2021 and stand firm in asking for the best available outcome for the OUV of the property.

10 Stonehenge Alliance. Covering Note and legal submission; and submissions on: Alternatives; Transport, Carbon and Economic Issues; Environmental Information Review, including Cultural Heritage, Landscape and Biodiversity; Geology, Ground Investigation and Groundwater Monitoring; and Any Other Matters. Published on the Infrastructure Planning Inspectorate website under “Documents”. <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-stonehenge/>

Blenheim Palace World Heritage Site under Threat

Andrew Rein, Campaign to Protect Old Woodstock



Blenheim Palace World Heritage Site (WHS) lies in the historic town of Woodstock, Oxfordshire, England. The WHS was inscribed on the UNESCO World Heritage list in 1987. The UNESCO World Heritage Committee decided that the site met two of the criteria of outstanding universal value (OUV): criterion (ii) by virtue of the baroque architecture of John Vanbrugh and Nicholas Hawksmoor and the romantic Park laid out by Lancelot “Capability” Brown, and criterion (iv) by virtue of the historical connection to the first Duke of Marlborough’s victory at the Battle of Blenheim in 1704. The WHS is owned by a trust¹ but management of the WHS is in the hands of a management committee.

The OUV of the WHS is now under threat. Farm buildings within the WHS have been allowed to fall into disrepair and

the setting of the WHS is now threatened by massive housing estates that Blenheim² itself is proposing to build. They have proposed building 1230 homes in Woodstock (which would double the size of the historic town). 300 of these homes are already under construction by Pye Homes Limited, a company that Blenheim purchased in 2018. In the case of that development (known as Park View), 30 % of the huge uplift in value of the land (resulting from the grant of planning permission) went to the 1981 Marlborough Settlement the beneficiaries of which are descendants of the 11th Duke.³

The Park View development of 300 homes mentioned above is marked ‘300’ on the map. The area marked ‘180’ on the map is known as the Hill Rise site and the area marked ‘250’ on the map is known as the Banbury Road site. Blenheim has applied

Blenheim WHS Setting and Developments (with number of dwellings)

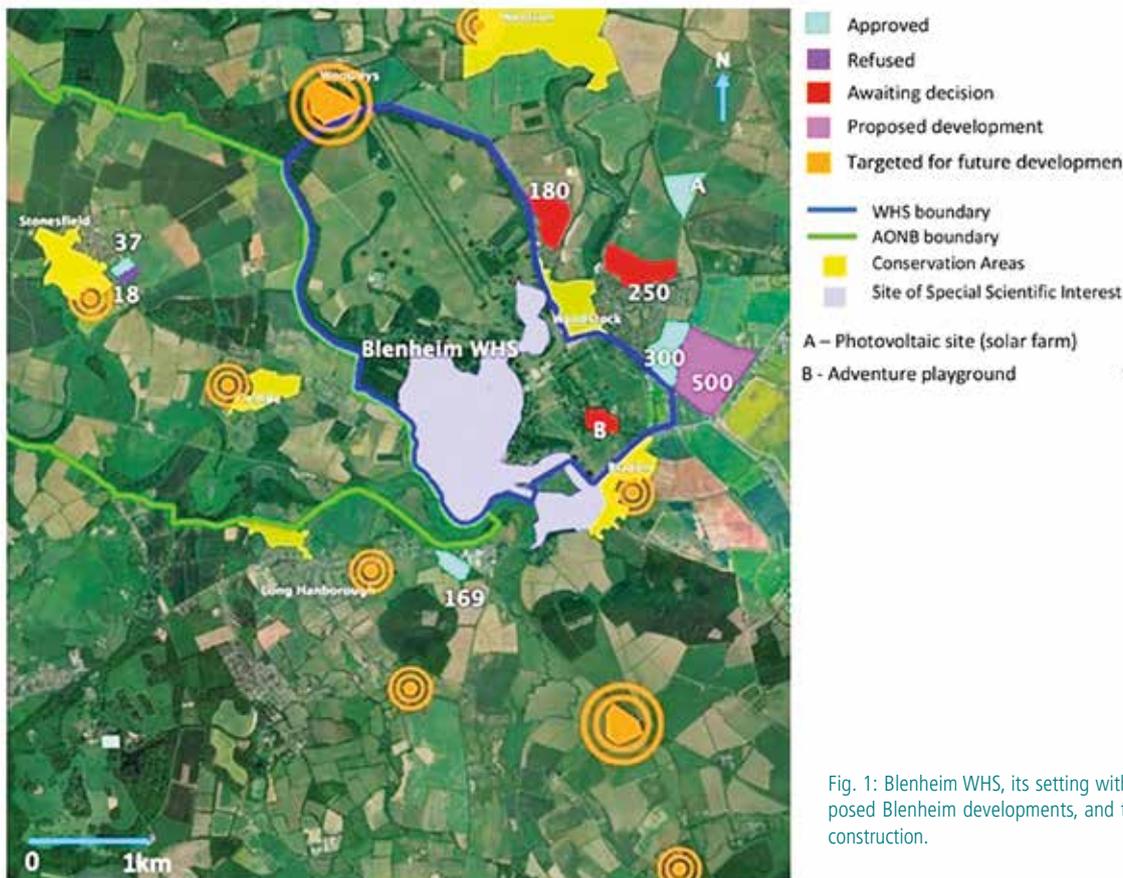


Fig. 1: Blenheim WHS, its setting within the Cotswolds, the proposed Blenheim developments, and those constructed or under construction.

Map: Del Nevo / Miller

for planning permission to build 180 houses on the Hill Rise site and 250 houses on the Banbury Road site. West Oxfordshire District Council (the planning authority for these areas) has yet to determine those applications but a decision is expected shortly.⁴ The area marked '500' on the map is an area in which Blenheim is seeking to build 500 houses. The planning authority for that site is Cherwell District Council. Cherwell District Council has not included that site in its local plan because of the effect such a development would have on the setting of the Blenheim WHS. Yet Blenheim is pressing ahead with its application for planning permission.

Paragraph 82 of the UNESCO Operational Guidelines⁵ states that location and setting can be attributes relevant to authenticity, and paragraph 88 states: "Integrity is a measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes. Examining the conditions of integrity therefore requires assessing the extent to which the property ... (c) suffers from the adverse effects of development and/or neglect."

We contend that Blenheim, in their ambitious plans for building houses in Woodstock and surrounding villages are, by altering the setting of the WHS, degrading the authenticity and integrity of the WHS and its OUV. We also contend that, by allowing several farm buildings within the Park Wall to become derelict, the Blenheim management committee has further degraded the integrity of the WHS and its OUV.

The Proposed Housing Estates

The areas marked '180', '250' and '300' on the map (the Hill Rise, Banbury Road, and Park View sites respectively) form part of the setting of the WHS. We contend that the overdevelopment of those areas (caused by the sheer number of houses Blenheim is building or planning to build there) undermines the integrity and authenticity of the WHS and thereby diminishes its OUV.

Paragraph 112 of the UNESCO Operational Guidelines states: "The broader setting may relate to the property's topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organisation, and visual relationships." The Xi'An Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas⁶ states: "The

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

Historic England defines the setting of a WHS as "the surroundings in which a heritage asset is experienced".⁷ They add: "The setting of a historic park or garden, for instance, may include ... land which is not part of the site but which is adjacent and associated with it because it makes an important contribution to the historic character of the site in some other way than by being visible from it."⁸ The fundamental question, therefore, is whether a change in the setting of a WHS negatively affects the surroundings in which the asset is experienced. If the setting of a WHS is in a rural area consisting historically of pastoral and arable land (as in this case) a change in the setting to accommodate housing estates will, we believe, do considerable harm to the integrity and authenticity of the WHS irrespective of the visual links between the WHS and its setting. As Blenheim's own Management Plan recognises: "The conversion of significant areas of agricultural land for other purposes ... would detract from the distinctiveness of the setting. ... The



Fig. 2: Masterplan of Proposed Hill Rise Developments. Map: Terence O'Rourke

grazed pastoral landscapes around the river valleys ... are particularly significant as these reflect the land-use and character of the landscape that would have been appreciated in the 18th century."⁹

The Hill Rise Site

This is the area in Old Woodstock which is marked '180' on the map above. A detailed masterplan of the proposed development (reproduced from Blenheim's planning application) is shown below. The proposed housing development is within the red border.

The land within the red border is arable land and has historically (until now) been used for growing cereals. In 2019 a Planning Inspector refused permission for the building of just two houses

at No. 1 Hill Rise (marked on masterplan above) at the northern end of the existing row of houses at Hill Rise. One of the key reasons was that “the proposed development would fail to preserve the setting of the listed building, the registered park and garden, and the WHS” and “the significance of these heritage assets would be diminished.”¹⁰ It is obvious, in our view, that the building of 180 homes on the Hill Rise site would inevitably have a much greater and more harmful effect than the two houses for which planning permission was refused.



Fig. 3: View of Blenheim Palace WHS from Hill Rise Development Site.
Photo: Resident of Woodstock¹⁵

In their report on the proposed development, ICOMOS (UK) stated: “The settlement of Old Woodstock grew up alongside the boundary wall of the medieval Woodstock Park from the 13th century if not earlier and the relationship between the two has always been, quite literally, a close one. Short terraces of 19th century Blenheim estate cottages sit among predominantly 18th and 19th century stone houses and cottages between the park wall and the road. Other stone buildings including Manor Farm, of medieval origin, lie on the east side of the A44 ... Further north to the east of Manor Road is more recent housing culminating in the Hill Rise development on the current edge of the town. The proposed development would serve as a significant extension of the existing settlement of Old Woodstock.”¹¹

Old Woodstock and the parkland of the Blenheim WHS to the west both fall within the Cotswolds National Character Area (No. 107) as defined by Natural England.¹²

It is clear from the historical and natural links between the Blenheim WHS and Old Woodstock that the proposed development would do serious harm to the setting of the WHS. In addition, there is a key visual link between the Hill Rise site and the WHS which would be adversely affected by the proposed development. This is shown in the attached photo.

This photo was taken from the Hill Rise development site towards the south and plainly shows Blenheim Palace on the skyline.

The effect of the proposed development on the WHS was considered in a report by Chris Blandford Associates of October 2017.¹³ Paragraph 8.3.13 of the report states: “At c.10 ha the

site is a large allocation and the development of the site in total would represent a notable encroachment into the rural setting of the WHS/Registered Park and Garden, assuming densities in the order of 30 units/ha total development would be c.300 units. This risk is further exacerbated by a potential cumulative/combined impacts associated with the two other allocation sites around Woodstock”.

We believe that the building of a housing estate on the Hill Rise site would not only affect the visual link between that site and the WHS but also that the setting of the WHS would be significantly impaired irrespective of those visual links. The proximity of the development site to the WHS can be seen from the map. The WHS lies immediately to the west of the main approach road (the A44) to Woodstock from the north, and the development site lies immediately to the east of it. The experience on that approach is of a rural setting on both sides of the A44 and the proposed housing estate would profoundly change that experience.

The Banbury Road Site

This is the area marked ‘250’ on the map to the east of the WHS. The land of this site is arable land which has historically (until now) been used for growing cereals. Although the site is further away from the WHS than the Hill Rise site, we believe that it forms part of the setting of the WHS. There are important visual links between the WHS and the Banbury Road site.

The diagram shows a view cone from its apex, the Column of Victory within the WHS, to the east. The view cone, which is the area shaded light green, includes much of the Banbury Road site. Thus, by Blenheim’s own admission, the construction of a housing estate on the Banbury Road site would affect the visual links between the WHS and the surrounding countryside.

We believe that the setting of the WHS includes the Banbury Road site and that this setting would be adversely affected by the proposed development.

The Derelict Buildings on the WHS

This group of buildings, known as Furze Platts, is a defining element of the rural and cultural landscape of Blenheim Park. The longitude/latitude grid location for the mid-point of these buildings is 62738N – 1.374043W (Ordnance Survey ref SP432184). The farm buildings have been in a derelict state for at least a decade and no attempt has been made either to demolish them or to restore them. In 2016 Blenheim arranged for an archaeological assessment of the area¹⁴ but to date no work has been done on the buildings and they remain in a derelict state.

These photographs demonstrate, in our view, that Blenheim has neglected their duty to preserve the WHS and in doing so have degraded its integrity and diminished its OUV.



Fig. 4: Visual Links between the WHS and the Banbury Road Site. Map: Blenheim Palace Revised Management Plan 2017, Appendix III, Figure 5¹⁶

Conclusion

We contend that the integrity and authenticity of the WHS and its OUV are under threat from the degradation of its setting and the neglect of key cultural buildings within its boundary.

We urge that a Heritage Impact Assessment be done in relation to the WHS in accordance with para 118 bis of the UNESCO Operational Guidelines and we call for the imposition of a Buffer Zone to protect the setting of the WHS in accordance with paragraph 103 of those guidelines. Urgent action needs



Fig. 5

Fig. 5-9: Farm buildings within the Blenheim WHS boundary which have been abandoned or allowed to become derelict.

Photos: Andrew Rein

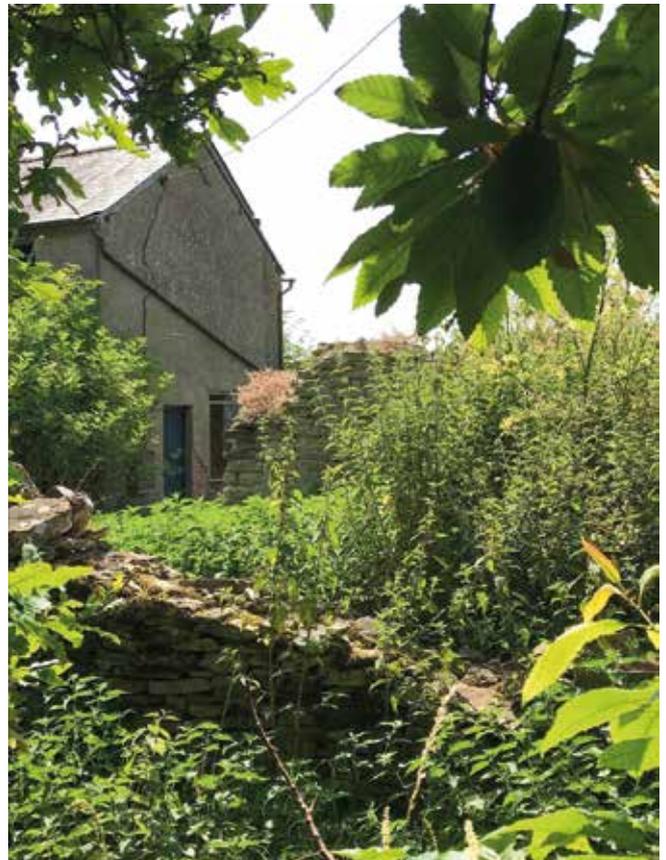


Fig. 6

to be taken because planning permission for the Hill Rise and Banbury sites could be given imminently and building on those sites could follow immediately. We would respectfully ask the UNESCO Heritage Committee to consider undertaking Reactive Monitoring to assess whether the WHS should be placed on the List of World Heritage in Danger. Paragraphs 179 (a) (ii), (iv), (v) and 179 (b) (iii) and (iv) of the UNESCO Operational Guidelines are in point.



Fig. 7



Fig. 8



Fig. 9

Endnotes

- 1 The 1994 Blenheim Parliamentary Estates Settlement.
- 2 There is a web of trusts and corporate entities within the Blenheim group. We use the term "Blenheim" to include these entities generally and the Blenheim management committee.
- 3 See *Gelber & Anor v The Sunderland Foundation* [2018] EWHC 2344 (Ch).
- 4 The West Oxfordshire District Council's Local Plan included provision for building 120 houses on the Hill Rise site and 180 houses on the Banbury Road site – far fewer than Blenheim propose to build.
- 5 Operational Guidelines for the Implementation of the World Heritage Convention (10 July 2019).
- 6 Principle 1, ICOMOS 2005
- 7 Historic England Good Practice Advice 3, 2017, p2, adopting the definition of the National Planning Policy Framework.
- 8 P.5. The view that visual links are not the only aspect of setting was affirmed in the recent UK case of *Steer v SSCLG* [2017] EWHC 1456 at para 69.
- 9 Blenheim Palace Revised Management Plan 2017 paras 5.04 and 5.06.
- 10 See paras 16 and 17, Planning Ref. APP/D3125/W/18/3204229.
- 11 See paragraph 4 of the linked document https://publicaccess.westoxon.gov.uk/online-applications/files/E287C507356AE84B70C53EFF0F1CD0EC/pdf/21_00189_FUL-ICOMOS-UK-984681.pdf
- 12 <http://publications.naturalengland.org.uk/publication/5900626>
- 13 See Chris Blandford Associates report, October 2017, commissioned by West Oxfordshire District Council.
- 14 See <https://eprints.oxfordarchaeology.com/3194/1/WOBFZ16.pdf>
- 15 The name of the photographer is known to the author of this paper.
- 16 Blenheim Palace WHS Revised Management Plan 2017 Appendix III.

Out of Perspective: World Heritage Castles Augustusburg and Falkenlust in Danger

Rheinischer Verein für Denkmalpflege e.V.
DENKmal-bruehl.de



There are plans for a new housing estate that would spoil one of the most important historic views from Augustusburg Castle into its cultural landscape. Despite several requests of the WH Committee, no buffer zone for the World Heritage in Brühl has been fixed until now. The visual axis from the castles into the surrounding landscape is nevertheless an integral part of the outstanding universal value (Fig. 1).

The integrity and authenticity of the site

In 1984 the Castles of Augustusburg and Falkenlust at Brühl were inscribed on the World Heritage List. ICOMOS recommended “the inclusion of the ensemble of the castles and gardens of Brühl based on criteria II and IV;

- criterion ii: Augustusburg and Falkenlust represent the first important creations of the Rococo style in Germany. For more than a century, they were a model in the majority of the princely courts.

- criterion iv: like the Residence of Würzburg (included on the World Heritage List), the castles and gardens are the eminent example of the large princely residence of the 18th century.”¹

In Brühl “the property’s unique situation in the surrounding cultural landscape”² documents the development of the original and new rococo design: Unlike Würzburg that was planned and built as a residence in town, the residence in Brühl was developed for the prince-archbishops of Cologne as scenic new residence. The hunting lodge, first meant to be the proper reconstruction of the demolished castle, has according to the new and exemplary design of François Cuvilliers been shifted in the environs and thus reveals open area as essential element of the new creation: The sumptuous palace with its impressive approach and magnificent entrance (Augustusburg) is combined within nearly 2 km with the small rural folly (Falkenlust).



Fig. 1: The World Heritage Castles of Augustusburg and Falkenlust and the planned housing estate (BP 05.10) just north of Schwadorf village (in red). The blue arrow indicates the visual axis from Augustusburg to the village and its medieval Schallenburg castle. Map based on a roadmap from Geobasis NRW: <https://www.tim-online.nrw.de/tim-online2/>

With the connecting avenue between Falkenlust and Augustusburg, Dominique Girard defined the castles as elements of one general design. The existing castles and farms in the neighbourhood are incorporated into the spatial design and are thus identified in their dependence; the Augustusburg and Falkenlust Castles expose their calculated dominance over the landscape (Fig. 2).

This dominance is realized by a design of routes and views.³ Of eminent importance is the view from the garden terrace to the

connections from the World Heritage Property to its environs have been explicitly laid down in the extensive park maintenance programme.⁵ The WH Committee has several times requested the definition of a buffer zone since (2008, 2013), and the Landschaftsverband Rheinland / Rheinisches Amt für Landschaftspflege (Landscape Association Rhineland / Rhine Agency for Landscape Care) have produced a report (2009)⁶ in preparation. In this report, the prospects and individual views are presented in their historical relevance, and a circular district of special care has been defined with Falkenlust – the hunting folly in

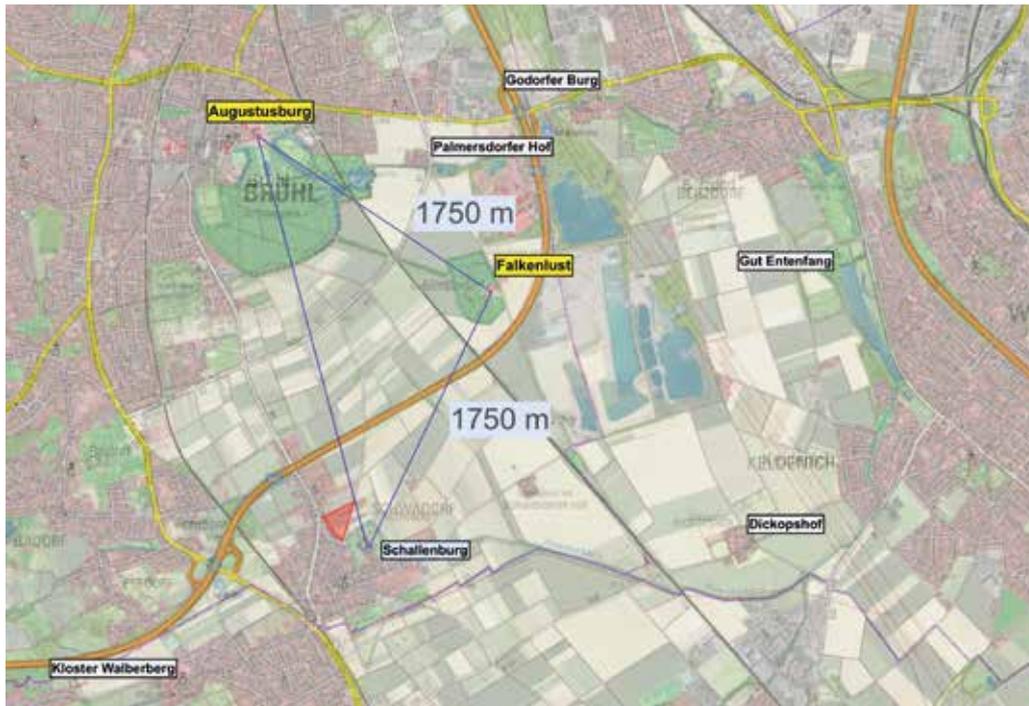


Fig. 2: Augustusburg and Falkenlust Castles, the surrounding farms and castles, and the prominent relation to Schallenburg castle.

Map: Roadmap and digital orthophoto from Geobasis NRW: <https://www.tim-online.nrw.de/tim-online2/>

south: With a lane through the mediaeval animal park the new rococo design of Dominique Girard defined the central axis around which symmetrical ornaments unfold the new gardening splendor in front of the south terrace of the castle. Following this central axis, the most prominent of the vistas reveals the mediaeval Schallenburg (castle of Schwadorf) to the south. Despite a motorway and a farmhouse – both built before inscription – this view is still existent (Fig. 3 and 4).

The relation to the landscape was emphasized by Peter Joseph Lenné in the 19th century with an observation platform at the end of the central avenue, later also named „Schwadorfer Allee“⁴: From here the view reveals to the south the towers of the Schallenburg and the village of Schwadorf, to the southwest the slopes of the ridge of hills called Vorgebirge, to the south by southeast the Rhine plains and the Siebengebirge (a hilly region called the ‘Seven Mountains’) at the horizon.

Due to the early inscription of the Augustusburg and Falkenlust Castles on the World Heritage List, the definition of a buffer zone is missing; however the importance of the references and

the landscape – as centre and the historical village Schwadorf in total as one prominent element⁷ (Fig. 5). The agricultural land in front of the area of the World Heritage (red) is shown as pink area. In the wider circle around Falkenlust (in a radius of 4,5 km), areas in green indicate the landscape that transmit the historical topic, the most important objects are identified by the still existing historical vistas (yellow).

Acute danger by the planning of municipal authorities

Since the inscription of the Castles on the list, the landscape surrounding the World Heritage has continuously been affected by settlement development that meanwhile exceeds vastly any existing need of Brühl on its own.⁸ Now the town claims the remaining open areas around the Augustusburg and Falkenlust Castles for further settlement extensions. Thus the town projects a district development with multi-level buildings called BP 05.10 „Östlich Lindenstraße / westlich An der Schallenburg“ located directly adjacent to the central visual axis that leads from the southern terrace of the Augustusburg castle through



Fig.s 3 and 4: The visual axis from the south terrace of Augustusburg castle to the Schallenburg in Schwadorf.
Photos: www.DENKmal-bruehl.de

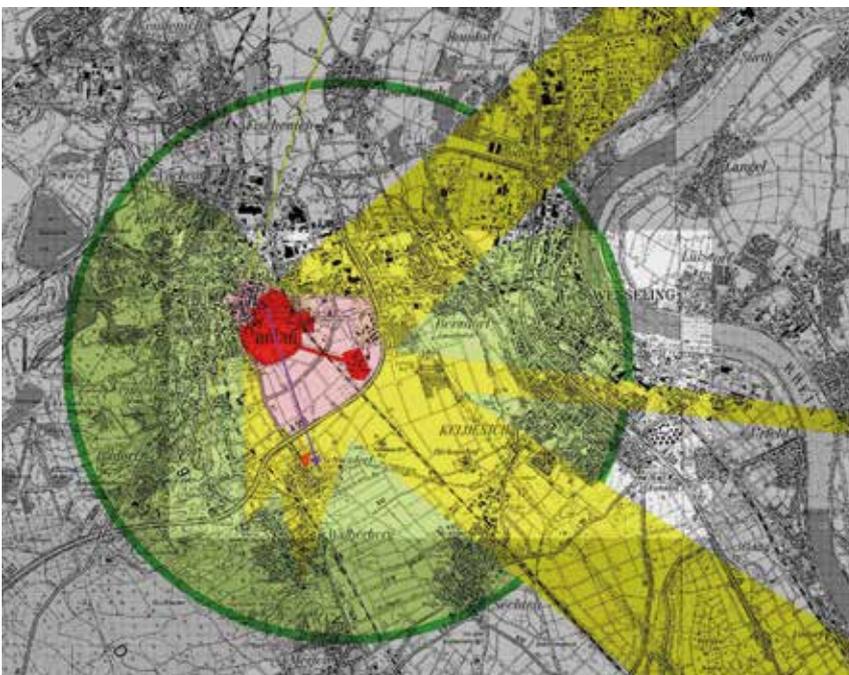


Fig. 5: Visualization of a buffer zone as suggested by Elke Janßen-Schnabel. The section regarded in Figs. 1 and 2 is highlighted.
Map: Elke Janßen-Schnabel

the central avenue to Schwadorf. These plans have been repeatedly proposed (2019, 2020, 2021), despite objections from ICOMOS, from WHW, and from numerous citizens.⁹

As municipal plans show, this project marks the beginning of an elimination of the open area around the historical village Schwadorf with the explicit purpose to destroy its isolated village character and join it to the town: with further extension of the building area in the north and with a large building area to the west of the visual axis that will destroy the historical view from Augustusburg to Schwadorf and from the observation platform to the Vorgebirge.¹⁰ The remaining distance from planned buildings to the World Heritage only indicate a small area without perceptible quality: it is only the agricultural area (pink in the design of a buffer zone) that is mostly conserved. Not the historical topic but a motorway limits the plans for settlement.¹¹ Nevertheless these plans of the municipal authorities

are already part of the initial draft for a revision of the present Area Development Plan (set up by the Cologne Government Regional Office)¹¹ (Fig. 6).

Our conclusions and recommendations

Legal protection of the Augustusburg and Falkenlust Castles World Heritage has so far been guaranteed by the wide definition of the area around the castles of Brühl as a “protected cultural landscape” (KLB 19.10 »Brühler Schlösser Vorgebirge«) in the Regional Development Plan of the State (Landesentwicklungsplan) and in the subordinate and more specific Area Development Plan (Regionalplan) (Fig. 7). The WH Committee has already noted in 2006 and again in 2013 that the legal protection is hardly sufficient to protect the outstanding universal value of the World Heritage and that “it is necessary to estab-

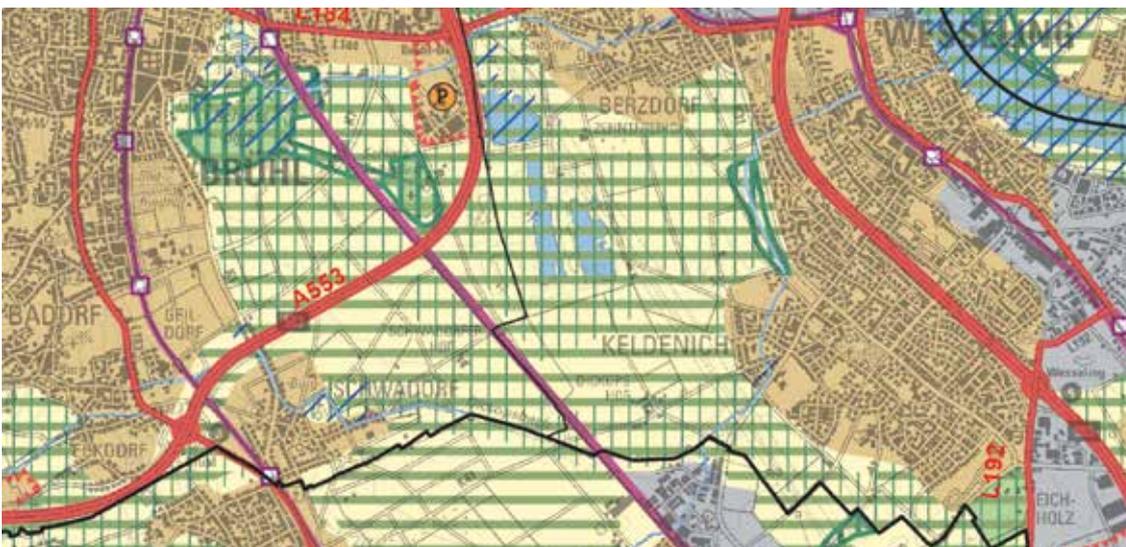


Fig.s 7 and 8: Regionalplan (Area Development Plan) 2018 and the proposal for the new plan 2021. The boundaries of the Castles Augustusburg and Falkenlust World Heritage property are indicated by a green line.

Maps: Cologne Government Regional Office

- 6 WHC, Periodic Reporting Cycle 1, Section II (Summary) 2006; Periodic Reporting Cycle 2, Section II (2013). Janßen-Schabel, a.a.O.
- 7 The village itself is also identified as specific element of cultural landscape cf. <https://www.kuladig.de/Objektansicht/KLD-274587>
- 8 Janßen-Schnabel, Elke: Die Schlösser Augustusburg und Falkenlust in Brühl. Untersuchung des Ausstrahlungsbereiches. In: Jahrbuch der Rheinischen Denkmalpflege Bd. 40/41, 2009, S. 201-219.
- 9 Cf. Wohnraumbedarfsanalyse 2017: <https://www.bruehl.de/wohnraumbedarf.aspx>
- 10 <https://www.o-sp.de/bruehl/plan?L1=11&pid=40412> To the protest see www.DENKmal-bruehl.de
- 11 Cf. the video „Die Landschaft von Schloss Augustusburg“ (<https://www.youtube.com/watch?v=HQ8b051b1Rw>), visualization of the recommendations for the reconfiguration of the land-use plan (set up by the town). Not visualized in the video are the also existing plans to approach the castle of Augustusburg with the building development nearby the Palmersdorfer Hof in the east.
- 12 This motorway (A 553) already existed when the Castles Augustusburg and Falkenlust were listed. The park maintenance programme therefore requests a special caution to protect the view (Wörner, a.a.O., p. 472).
- 13 https://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung03/32/regionalplanung/beteiligung_regionalplanung/index.html, see here: Zeichnerische Festlegungen / Blatt 04 – Rhein-Erft-Kreis. The planning for Bruehl is shown in ill. 7.
- 14 WHC, Periodic Reporting Cycle 2, Section II (2013), 4.16 and 4.2.4: “An adequate legal framework exists for the area surrounding the World Heritage property and the buffer zone, but there are some deficiencies in its implementation which undermine the maintenance of the Outstanding Universal Value including conditions of Authenticity and / or Integrity of the property”. Cf. <https://www.kuladig.de/Objektansicht/A-EK-20080730-0018>; for the Area Development Plan cf. also KLB 161 and 201 in Fachbeitrag Kulturlandschaft, 2016 (www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung03/32/regionalplanung/ueberarbeitung/regionalplanung_ueberarbeitung/fachbeitraege/kulturlandschaft/index.html)
- 15 WHC, Periodic Reporting Cycle 1, Section II (Summary) 2006. Already Friedrich Wilhelm IV. in the 19th century arranged the reclassification of the parks into a common garden, a „Volksgarten“, and local recreation area for Cologne with rail connection. (Löhmann, a.a.O., p. 159ff.) In this appropriation of the public and with the acquisition of the property by the country NRW the castle Augustusburg also got representative building of the Federal Republic of Germany in the early years. – For the consequences of the climatic change cf. the video Welche Auswirkungen hat der Klimawandel auf den Schlosspark Brühl? (<https://www.youtube.com/watch?v=1mzcPlwVkrI>)

Disfiguration Planned of the Western Access to the Acropolis of Athens

Tasos Tanoulas, Acropolis SOS



At the end of October 2020, the Acropolis plateau was paved with reinforced concrete, covering much of the face of the living rock. Most about it, and the outcry raised in Greece and, later, across Europe and America, is known through the press.



Fig. 1: Rain-water drainage system on the Athenian Acropolis, to the west of the Erechtheion. From top to bottom: the Parthenon, the foundation of the Old Temple of Athena, channels constructed in reinforced concrete for the accommodation of big plastic pipes. Photo: Tasos Tanoulas

All about it, until the end of spring 2021, is summarised in Tanoulas 2021). The recent implementations entirely circumvented not only the Greek legal frameworks and institutional standards but the international ones as well. Also, that, beyond the aesthetic damage caused to the site, they are responsible for permanent damages to the living rock, which is a monument on its own, according to the evaluation by UNESCO.

The recent pathways do not integrate with the natural rock, and they are water-tight. This, soon after they were completed, caused floods in December 2021 (Tanoulas 2021). It is only after these floods that the Greek Ministry of Culture decided to produce a study for rain-water management of the Acropolis. It seems though that no real study on a scientific level is carried out. This becomes evident by the fact that, despite all the negative effects and criticism about the extensive use of reinforced concrete in the last three months of 2020, the use of reinforced concrete continues to be a daily practice. The constructions for the drainage system, which started to be implemented retro-actively, inside the north wall and on the north slope of the Acropolis, have already encased tons of reinforced concrete inside the Acropolis (Fig. 1–2).



Fig. 2: Reinforced concrete channel, further west of the Erechtheion. Photo: Tasos Tanoulas

These works are constructed in a way that in the future it will be necessary to be broken or cut by heavy mechanical equipment, in order to be removed from the site. This will inevitably cause damages to the neighbouring ancient structures of the

Acropolis. Already, the use of a caterpillar percussion drill for the breakage of the massive reinforced concrete foundation of a crane that had been used for works on the superstructure of the west façade of the Parthenon caused damages to the living rock (Tanoulas 2021). This kind of machinery is prohibited on the Acropolis.

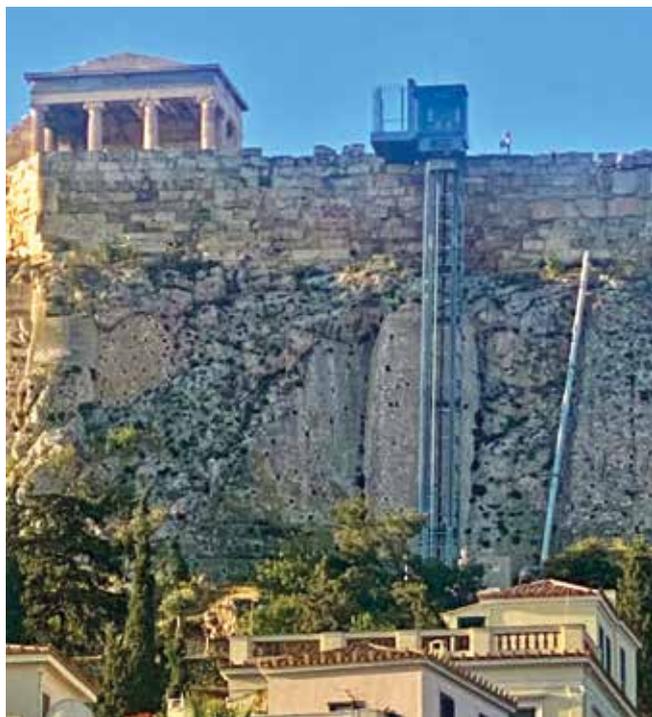


Fig. 3: View of the Acropolis north wall, with the elevator and the drainage pipe, conducting rain-waters to the drainage system at the feet of the Acropolis rock. Photo: Tasos Tanoulas

The view of the drainage pipe outside the north Acropolis walls, next to the massive construction of the elevator, caused international shock when it appeared in summer 2021 (Fig. 3). It conducts the rainwater into reinforced concrete channels at the feet of the Acropolis rock, running to the west, along the south side of the Peripatos, that is, the ancient pathway surrounding the foot of the rock (Fig. 4–5).

More new projects have been announced to take place in the near future on the Acropolis. They consist of the addition of new materials across the whole of the Acropolis plateau and the construction of retaining walls to hold back earthworks. This levelling would bury the rock and vestiges of the ancient buildings in between the major monuments and will irrevocably erase the historic unity and continuity of the Acropolis, “freezing” it in a theoretical form, for which there is not sufficient evidence (Tanoulas 2021). To the general outcry, the Ministry of Culture answered by giving priority to the reformation of the Acropolis west slope, in front of the west façade of the Propylaea. In February 2021, a proposal of the Committee for the Preservation of the Acropolis Monuments received the general vote of the Central Archaeological Council. The professed pur-



Fig. 4-5: Channel at the feet of the Acropolis rock, along the south side of the Peripatos (ancient pathway around the foot of the Acropolis rock). Photos: Tasos Tanoulas

pose of the proposal was the “restoration” of a flight of marble steps which was built in the first century A.D. occupying all the width of the west access of the Acropolis. The west slope of the Acropolis rock provides the only naturally negotiable access to the plateau on the top. It was cleared from mediaeval and Turkish fortifications around the middle of the 19th c.

In a photograph by Stillman, dated 1869 (Fig. 6), this area is viewed from the west, after clearing. Few of the Roman steps survive in situ. On the right side of the access, a flight of steps, reconstructed after the model of the Roman steps, provides access to the Propylaea. In a photograph dated 1980 (Fig. 7), the restored steps are missing, because they were considered too intrusive and, for this reason, removed. They have been replaced by a zig-zag ramp in a lower level, which follows the pattern of a ramp which, according to Gorham P. Stevens’ view (Fig. 8), was in use for centuries, after the erection of the Propylaea (Stevens 1946).

The restoration of the Roman steps will create a stepped piazza starting at the lower end of the west slope of the Acropolis, covering at least the three quarters of the area and most of the



Fig. 6: View of the west access of the Acropolis from the west, 1869.
 Photo: William James Stillman



Fig. 7: View of the west access of the Acropolis from the west, about 1980.
 Photo: Tasos Tanoulas

in situ archaeological remains, ascending up to the west front of the Propylaia. In the drawings presented in this article (Fig. 9-11), red colour designates new construction and new materials. The original steps discovered in the 19th century, after the demolition of the Frankish bastion between the Agrippa pedestal and the bastion of Athena Nike, will be incorporated in the new arrangement. But, even if all of the surviving original blocks of steps will be incorporated in the new construction, they will represent only about the one fifteenth (1/15) of the whole surface of the staircase. But the substructure will be

one hundred per cent new, and there is no suggestion how this substructure will be done. In the last session of the conference (November 13, 2021), it was seriously suggested that a metal substructure could be erected for the support of the steps, born by metal posts resting on the living rock that will have to be trimmed for securing the stability of the posts on the sloping surface of the rock – in spite of the fact that the living rock of the Acropolis is a monument on its own right, according to UNESCO, and trimming should be not permitted.

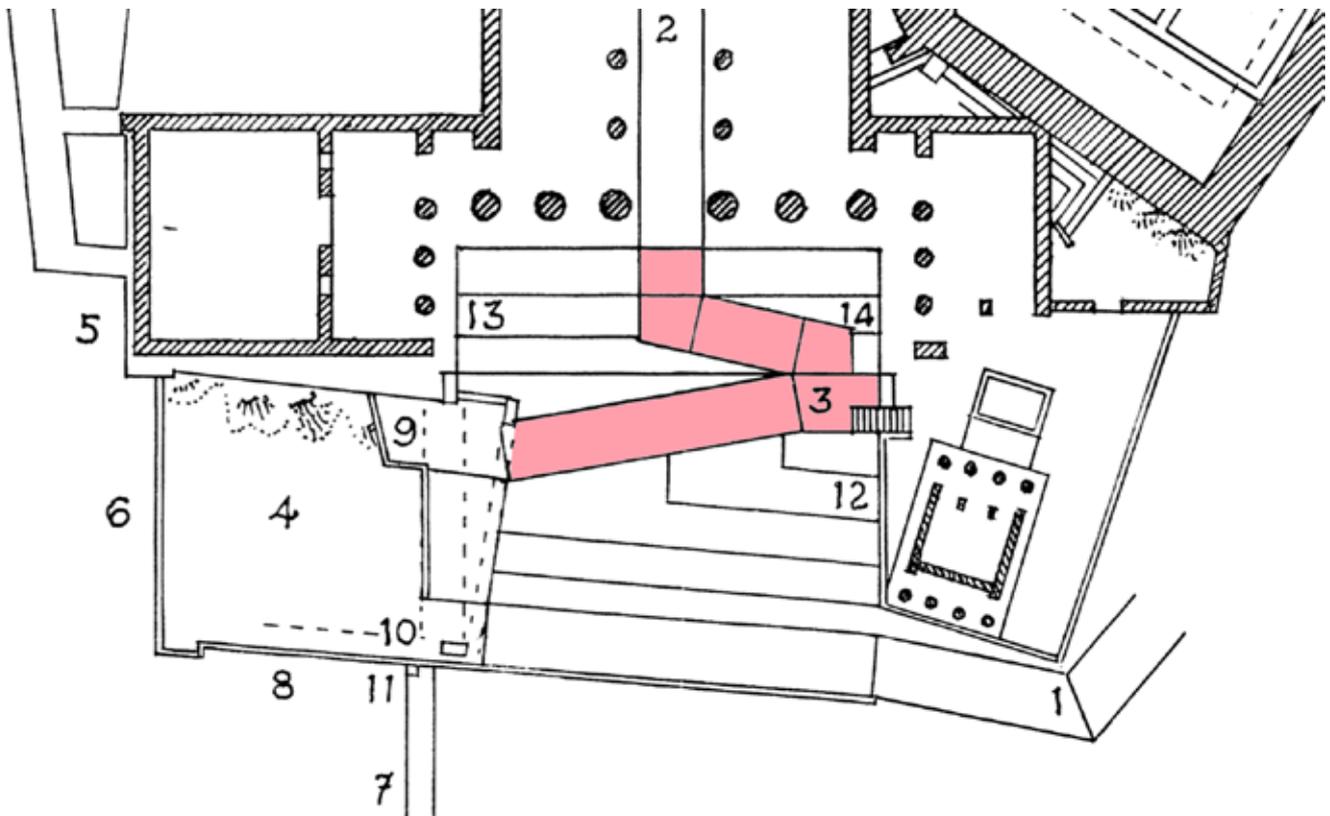


Fig. 8: Conjectural reconstruction of the plan of the west access of the Acropolis after 420 BC (Stevens 1946, fig. 7, detail). In light red colour the part that has been restored and is still serving as the way up to the Propylaia and the Acropolis.



Fig. 9: Plan of the west access of the Acropolis, red colour indicating the extent of the new stairs which would be constructed according to the proposed plans. Plan: Based on Tanoulas 1997

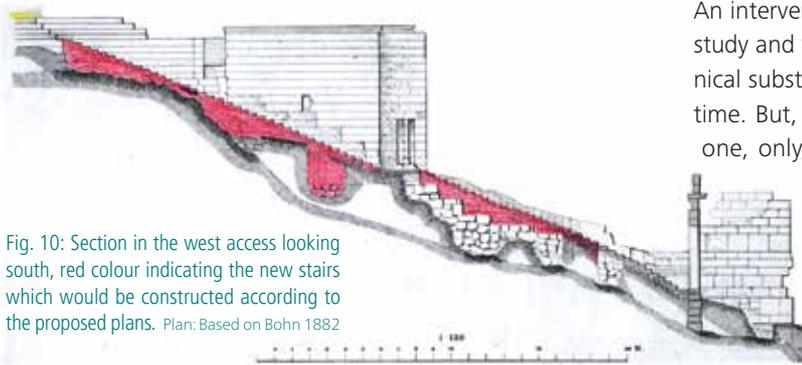


Fig. 10: Section in the west access looking south, red colour indicating the new stairs which would be constructed according to the proposed plans. Plan: Based on Bohn 1882

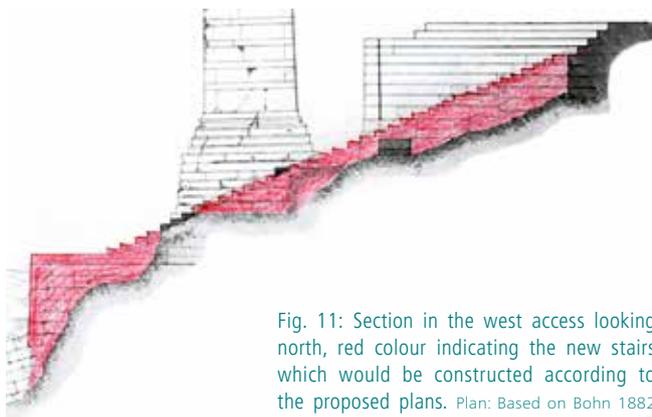


Fig. 11: Section in the west access looking north, red colour indicating the new stairs which would be constructed according to the proposed plans. Plan: Based on Bohn 1882

This modern construction of steps would occupy the whole width of the west façade of the Propylaea. This will allow crowds of tourists to have access to enter in the monument between the Doric columns and, through the monument, finally get to the Acropolis plateau.

The passage of tourists through the whole of the Propylaea during rush hours will cause problems, the most alarming of which is that the Propylaea's monumental steps, which are designed in a bigger scale than normal stairs, will have to be covered over

with regular stairs allowing visitor access. The original marble pavement will also have to be covered in a protective sheathing. These interventions would seriously obscure the architecture of the classical building.

The Greek Ministry of Culture, in order to add an aura of legitimacy to its actions, announced the 7th International Meeting for the Conservation of the Acropolis Monuments, which was held on November 11-13, 2021.

In the program of the conference, prominence was given to the reformation of the just above-mentioned west access to the Acropolis. The presentation, however, proved to be a proposal for the reformation of a much more extensive area of natural environment and antiquities to the north, west and south of the Acropolis rock. The approximate extent of this area is designated with a yellow shadow in the photograph of the Acropolis from the south-west published in this article (Fig. 12).

An intervention of that scale demands systematic excavations, study and further research, depending on a scientific and technical substructure and team-work, over a substantial length of time. But, even so, no-one will be ever legitimized to choose one, only, phase of the diachronic development, at the expense of others. These plans are aiming to serve a major project of transforming the "historic center" of Athens into a tourist-oriented agglomeration providing quick and easy access to archaeological sites, museums, shopping and other urban tourist attractions, that is, an ideal place for short visits favored by cruises, with very little benefit for the local economy, being pre-paid abroad.

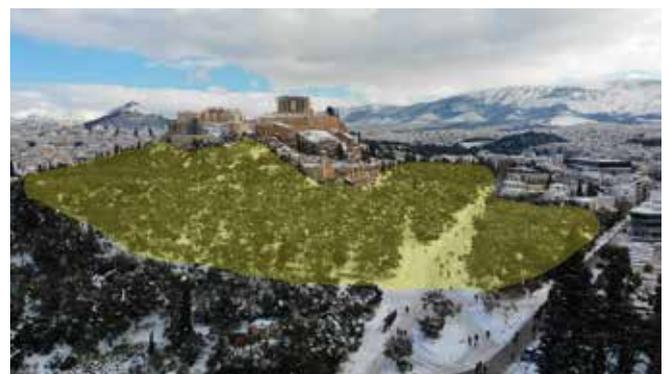


Fig. 12: View of the Acropolis and the surroundings from the southwest. In yellow, the area which is proposed to be reformed. Photo: Tasos Tanoulas

The last Acropolis meeting proved to be nothing more than a pretext for the legitimization of already-implemented/approved projects, as well as of works planned to be imposed on the Acropolis – which are of an extensive scale, exceptionally intrusive and contrary to the internationally recognized and established principles concerning restorations and the preservation, conservation and safeguarding of antiquities. They will pile up a

huge amount of new construction and material on the original body of the Acropolis, with inadequate, if not minimal, scientific documentation.

Indeed, the Greek Ministry of Culture has already decided to spend about 9 million euros from the European Recovery Fund for the implementation of structural works on the Acropolis, in spite of not yet having a final implementation study for them. The Ministerial Decree issued in September 2021 regarding the west access, is only a part of what the Acropolis Committee presented in the conference as a West Access Project. This means that European public money is to be spent with no planning or real implementation studies. The implementation of the reinforced concrete pathways on the Acropolis from the end of October to the beginning of December 2020, is typical of the way the Greek Ministry of Culture manages its monuments and finances: the private Onassis Foundation financed the so-called «upgrading of the infrastructure» on the Acropolis rock as «part of a larger strategy» concerning the profile of Athens.

The Ministry of Culture provided the institutional support. Beyond that, it provided the scientific backing, by means of the Committee for the Preservation of the Acropolis Monuments, and the Central Archaeological Council, the members of which, however, are appointed by the Minister of Culture. The project was carried out rapidly, by private technical companies chosen by the Onassis Foundation, sidestepping the institutional framework required by law and the Greek State Constitution for any work on the monuments of antiquity, especially on the Acropolis (UNESCO World Heritage Site). The Ministry tried to succeed in tracking the process for securing the necessary approvals for its institutional legitimacy retroactively, when public and political outcry spread out. The private companies used their own staff, and the speed of carrying out the job did not allow adequate control by the public services, resulting in inadequate quality of the work and inappropriate handling of archaeological material.

The Ministry of Culture continues to involve private sponsors for works in cultural heritage, sidestepping legal procedures, trying to legitimize them retroactively. This means that implementations in the Greek cultural heritage will risk to be carried out with minimal control by the Greek state, which is accountable to UNESCO for the management of its Cultural Heritage. Already, the institutional infrastructure of the Service for the Preservation of the Acropolis Monuments is being changed in a way that will allow much more of private initiative in the management of cultural heritage on the Acropolis.

The Acropolis meets the highest possible number of cultural World Heritage criteria, that is, five: Criteria (i)-(iv) and Criterion

(vi). It is certain that at least four of these criteria will be irrevocably eliminated, as it has been analyzed in Tanoulas 2021. To summarize: According to the evaluation by UNESCO, the Acropolis is "... the supreme expression of the adaptation of architecture to a natural site ... an outstanding example of an architectural ensemble illustrating significant historical phases since the 16th century BC. ... directly and tangibly associated with events and ideas that have never faded over the course of history." Depriving the Acropolis of these qualities will irrevocably erase its historic unity and continuity, thus degrading it to a common piece of public property that could be easily expropriated for the profit of individuals.

Considering all the above, we beg UNESCO to immediately:

- Take action to stop activities on the Acropolis until the Greek State Party has submitted all plans for the works to the WH Centre according to §172 of the Operational Guidelines, these plans have been examined by ICOMOS and the Centre, a Reactive Monitoring Mission has inspected the interventions, and the WH Committee has taken a decision how to proceed.
- Put the Acropolis on the List of World Heritage in Danger.
- Impose to the Greek authorities the removal of pavement with harmful material characteristics that has already been poured down on the Acropolis, and the cancellation of the projects which have been announced for construction on the plateau and at the west access to the Acropolis.
- Require a Tourism Plan for the Acropolis, before any future activity on the site. This tourism plan should guarantee the implementation of projects which will respect the natural and architectural landscape, abate the problems of visitor traffic, offer greater access to people with disabilities, and support the ongoing restoration works. These worthy motives should not be selectively deployed as pretexts for arbitrary interventions that are hastily implemented.

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- William James Stillman, *The Western Facade of the Propylaea, With the Temple Of Victory and the Ancient Steps* 1869. Accessed through https://www.moma.org/collection/works/51120?artist_id=5667&page=1&sov_referrer=artist
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Recent Developments and Threats to the Gelati Monastery, Georgia

Mzia Janjalia, Art historian

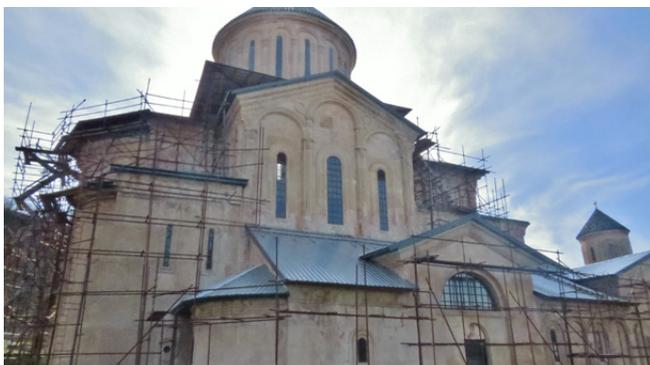
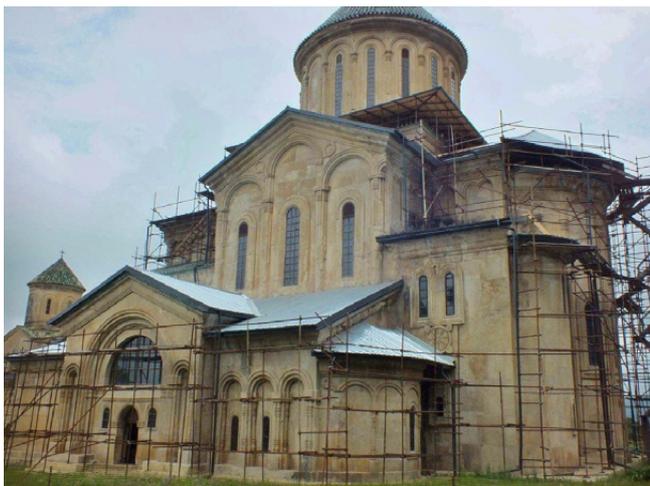


Fig. 1a and b: Roof cover of the Church of the Virgin, seen from the north, in June 2021 (Photo: Restruere 2021) and and February 2022 (Photo: Europe Our House)

The paper is a brief review on the developments after the decisions on Gelati Monastery (Georgia) (C 710bis) adopted at the 44th extended session of the World Heritage Committee (44 COM 7B.47)¹. None of the urgent issues requested to the State Party to implement and report for examination by the World Heritage Committee at its 45th session have been implemented.

WHC 44 COM 7B.47 “4 a. Provide a more workable solution to covering over both the Church of the Virgin and St George’s Church”: The coverings remain unchanged.



Fig. 2a and b: Roof cover of the St. George’s Church, seen from the northwest, in June 2021 (Photo: Restruere 2021) and February 2022 (Photo: Europe Our House)

WHC 44 COM 7B.47 “4 b. Develop a costed conservation programme for the property”: A conservation programme has not been developed. The Ministry has made a number of public statements that it is going to start working on a conservation programme.

¹ <https://whc.unesco.org/en/decisions/7764/>

WHC 44 COM 7B.47 "5 c. Provide a report on the activities of the World Heritage Protection Council of Georgia": The World Heritage Protection Council of Georgia is not active, therefore it is not involved in Gelati developments. The professional boards are not active, and in general, they do not have a decision-making role². Several professional meetings were held with advisory function for the Minister, though the legislation gives exclusive decision-making power to the Minister. There is no mechanism for checks and balances.

WHC 44 COM 7B.47 "6. Further requests the State Party to review and update the *Management Plan* for the property and submit this to the World Heritage Centre for review by the *Advisory Bodies*, and establish a *Management Committee* for its implementation":

The Gelati Management Plan has not been reviewed and updated. It has never been an acting document. A Management Committee for Gelati does not exist. All decisions are made by the Ministry. Information is hardly available - accessibility is a problem for professionals: the documents are not freely accessible.

WHC 44 COM 7B.47 "7. Calls for an increased mobilization of the international community to provide more financial and technical support to the State Party": Several activities were held by the State Party under contracts with international and Georgian companies. They received positive technical reviews by ICOMOS. However, serious methodological problems in regard of the activities raise concerns among Georgian professionals and our international colleagues in the field.



Fig. 3: Sondage R1. "As a result of the sondage, it was easy to understand that the tiles in this position are directly placed over a lime layer without any insulation device (Fig. 16, 17)".

Photo: Restruere 2021, p. 15

1. The ICOMOS review of the "Report on the mission, the preliminary suggestion on the reasons for water infiltration and the initial recommendations for protection from water infiltration" (Restruere 2021) does not take into view the fact that there are no developments on the issue of temporary covering, which was an issue in the report of the mission, as well as on the WHC session. The sondages have revealed moisture, and transpiration and lack of ventilation are stated as decisive risk factors for wall paintings in the report. For the analysis of samples taken during the June 2021, a contract was concluded in January 2022.



Fig. 4: Sondage R3. "From this sondage, it was possible to understand that the thickness of the mortar between the insulating layer and the tiles does not seem to be sufficient to ensure that the nails fixing the tiles do not pierce the insulating layer making the insulating layer ineffective."

Photo: Restruere 2021, p. 19

2. The ICOMOS review on the "Mission report on the state of conservation of the mural paintings of Gelati Monastery": Along with the fact that the review is too general, it is obvious that ICOMOS does not have full information on the activities implemented. The review is based on the background statement: "Between 22 and 29 June 2021, two international expert missions were carried out to Gelati Monastery.... Mission aimed to carry out an assessment of the condition of Gelati Monastery's mural paintings, develop mitigation measures to prevent further deterioration, and provide methodological recommendations to ensure the stability and safety of the wall paintings". In fact, there were several activities implemented concerning wall paintings:

- **9 June - 13 July:** Elaboration of mitigation measures to prevent further deterioration and provision of the methodological recommendations to ensure stability and safety of wall paintings.

² This was the situation in February 2022, At the moment WHPC of Georgia is activated, as well as some of the professional boards. The role of the WHPC and its boards remain formal, however, having somewhat of a 'notarization' function.

- **2 July–21 July:** Analysis of samples of stone plaster painting layer salts biological patina.
- **14 September–22 October:** Elaboration of mitigation measures to prevent further deterioration; test consolidation of endangered areas to ensure stability and safety of wall paintings.
- **1 November–30 November:** Research of wall paintings and mosaics, salt extraction, consolidation of mosaics and paintings.

Our serious concerns are based on the facts that

- the works implemented on the Gelati wall paintings are poorly documented;
- they are oriented on invasive means and remedial conservation;
- they are based on general statements regarding methodology and materials;
- they have poor links of sample analysis results with the works implemented;
- they lack arguments for the compatibility of methods and materials with the current case; they lack links with original techniques of paintings and environmental peculiarities;
- they contain proposals for aggressive interventions;
- they lack links with construction/roofing issues; and
- they lack links with the aims of the contract.

Conclusion

The WH Centre was not informed by the State Party regarding serious concerns of Georgian professionals on the proposals of the wall painting restorers, and on critical reviews of a number of international colleagues in discussions held upon request of the Georgian professionals (Comments by Rickerby & Shekede were sent to the Ministry, and an online discussion held with the Kunsthistorisches Institut (Institute of Art History) and the Opificio delle pietre dure (Workshop on Hard Stone) in Florence).

The poor management, and the minor role of professionals in the decision-making process, as well as the poor availability of information are principal features of the Gelati case. Of special concern is the improper use of the ICOMOS Technical Review on the Gelati wall paintings issue. Its “plain reading” has become a basis for the final decision by the State Party to ignore considerations of the professionals regarding the high risks for the paintings contained in the proposed approach and activities.

We have serious concerns that the ICOMOS Technical Review can become a trigger for years of drawback of the wall painting conservation standards in Georgia, along with causing damage to the Gelati paintings.

In general, we believe that the Gelati Monastery should serve as a case study for the risk assessment and the development of UNESCO principles and quality standards. Based on the importance of the case for Georgia we urge the WH Committee to revisit the wall paintings component³, as well as to be focused more intensively towards the whole case of the Gelati Monastery⁴. The process is far from modern standards of conservation and contains lots of risks, which is more crucial in case of a WH site, since a WH site should serve as a role model in the field.

References

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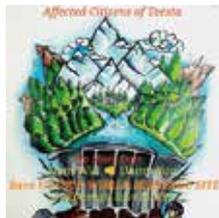
3 ICOMOS principles for the Preservation and Conservation-Restoration of Wall Paintings, 2003, Articles: 4, 5, 6, 7, 10

4 ICOMOS EUROPEAN QUALITY PRINCIPLES for EU-funded Interventions with potential impact upon Cultural Heritage - Revised edition November 2020. Manual; Granada Convention, 1985, Articles: 13, 14, 15, 17, 18; The Venice Charter, 1964; Article: 16

Annex

The Authors

Affected Citizens of Teesta



The “Affected Citizens of Teesta”, a small community organization of the indigenous Lepcha Nation, has been fighting against the unmindful construction of dams over the Teesta river in the little Himalayan State of Sikkim, in India. They have been raising concerns

about the ecology of their sacred river, indigenous rights over natural resources, and their sacred landscape of Mt. Khangchendzonga for the past 18 years.

Contact: gyatso@mayallyang.com

Agent Green

The Agent Green association is a non-governmental non-profit organisation dedicated to protecting the environment founded in 2009 in Romania for the purpose of preserving biodiversity. It has an affinity for investigating environment crimes, strategically exposing them and promoting solutions for protecting nature and ensuring the well-being of future generations. Agent Green focuses its activity on environment issues that can permanently damage biodiversity: the destruction of intact ecosystems, genetically modified organisms, climate change and poisoning the environmental factors (water, air and soil). Agent Green also approaches relevant national and international corporations with regard to the implementation of policies and standards which are superior to the existing environmental law, mobilizes locals and empowers companies to adopt a sustainable production.

Contact: office@agentgreen.org



Abdurrahim Ahmadi

Abdurrahim Ahmadi was born in Bamiyan, Afghanistan in 1988. He graduated from Kabul Polytechnic University Architecture Department in 2013 and worked as a senior Architect in Bamiyan Urban Development and Housing Directorate until 2017. After that, he joined a master’s Course in Urban Analysis and Management at Florence University of Italy. He was part of the Bamiyan Strategic Master Plan project from 2017–2018, and a member of the technical team of this project in Afghanistan when it was handed over in 2018.



Again he joined his colleagues in Urban Development and Housing Directorate as a Senior Architect, and worked there until September 2020. Then he moved to the UNESCO Kabul office, which started a project in Bamiyan on Landscape Preservation Special Plan and Management Plan for Archeological sites. He worked there as Urban Planner from 2020 to 2021.

Contact: a.rahim_ahmadi@yahoo.com

Emilija Apostolova Chalovska

Emilija Apostolova Chalovska (1982) is an architect specializing in cultural heritage. She holds a Master’s degree in Conservation of Architectural Heritage (2014) and a PhD in Architecture, Building, Urban Planning and Landscape (2021) from the Polytechnic University of Valencia, Spain. Since 2008 she has been employed as an assistant-researcher of vernacular architecture at the University “Ss. Cyril and Methodius” in Skopje, Macedonia. In addition to scientific research



work, since 2015 she has participated in teaching activities at the Faculty of Architecture in Skopje in the area of Documentation, Conservation and Revitalization of Architectural Heritage. She joined the Citizen Initiative Ohrid SOS in 2017.

Contact: apostolova_ema@yahoo.com

Carlos Asúnsolo Morales

Carlos Asúnsolo Morales is Attorney at Law and master in Applied Public Management by Tecnológico de Monterrey. He also pursued Advanced Studies of Human Rights at the Universidad Carlos III de Madrid and Legal Argumentation at the Universidad de Alicante. In 2017, he participated as a visiting scholar in Columbia University, where he developed a project on human rights education. Carlos has been an associate professor in universities like Tecnológico de Monterrey and Facultad Libre de Derecho de Monterrey. Prior to joining CEMDA, he has worked in the human rights office of the State Attorney General of Chihuahua. He served as an auxiliary clerk at the Mexican Supreme Court and recently was a human rights consultant for multiple clients such as the Universidad Iberoamericana of Mexico City and the Office of the High Commissioner for Human Rights in México.



Contact: casunsolo@cemda.org.mx

Mohamed Athman



Mohamed Athman was born in 1969 and raised in Amu Island, Lamu County, Kenya. He joined Save Lamu in 2010 as a board member representing marine and water users of Lamu. Since joining the Save Lamu platform, Mohamed has volunteered in many of the organization's activities. He was also one of the petitioners on behalf of the community at the National Environmental Tribunal (NET) for the case filed by Save Lamu against the construction of the Lamu coal plant. Mohamed's mission is to integrate board members' experiences, skills, and knowledge in making comprehensive resolutions towards achieving Save Lamu's goals and engaging key partners in supporting the movement, particularly in areas of resource mobilization and strengthening the organization's services. He holds a B.S. in development studies from the Technical University of Mombasa (Lamu Campus).

Contact: mohamedathman64@gmail.com

Deniz Ay

Deniz Ay is a postdoctoral researcher at the University of Bern in Switzerland. Her research interests sit at the intersection of political urbanism, sustainable spatial development, and spatial justice. She received her Ph.D. from the Department of Urban and Regional Planning at the University of Illinois at Urbana-Champaign in 2016. Before that, she received her master's degree in Economics from the London School of Economics and Political Science and her bachelor's degree in Economics from Sabanci University in Istanbul, Turkey. Her current research projects focus on the governance of urban transformation projects in Turkey, comparative study of sociopolitical dynamics of urban densification in Switzerland and the Netherlands, and governance of diversity in cities from spatial justice and sustainability perspectives.

Contact: dnzay19@gmail.com



I Gede Yudha Bismaya



I Gede Yudha Bismaya (28) is the Data and Archive Officer at Photovoices International. He graduated from Udayana University with a major in International Relations. He is an avid photographer who's been actively involved in using camera as a tool for community development in rural communities in Bali, Lam-

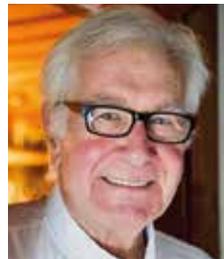
pung and Aceh in Indonesia. He has also worked with AIESEC Warszawa, and other international initiatives focused on youth empowerment.

Contact: igyudha.93@hotmail.com

Tamara Blasquez Haik

Tamara Blazquez Haik is a Mexican conservation photographer, environmental educator and animal rights' activist. She is a member of Xochimilco Vivo; a collective focused on disseminating and promoting actions to preserve the wetlands in the south of Mexico City. In particular, the collective has raised awareness about the environmental impacts of the bridge "Puente Vehicular Periférico Sur Oriente/Canal Nacional". This bridge was built over an UNESCO World Heritage and Ramsar site, also a protected area.

Contact: tamarablazquezhaik@gmail.com



Ibrahim Canbulat

Ibrahim Canbulat (74) is a conservation architect, hotelier, cook and writer with a Masters of Architecture. In 1972, he worked in the team that designed the Gaziantep Campus Plan Faculty of Architecture. He has held

various positions at the Department of Architecture of the Middle East Technical University (1973-1982) and at Karabük University. From 1992-2006 he worked as an independent consultant in Turkey's transportation, automotive and energy sectors. Since 2006, he has been a hotelier in the mansions which he restored in Safranbolu. He was granted an award for Best Conservation and Revitalization Project in 2006 by the Turkey Chamber of Architects for the restoration of the Macunağası İzzet Efendi House. and for Best Kitchen in the Black-Sea Region of Turkey in 2015 by the Government of Konya. He continues to publish about Ottoman Houses and Turkish cuisine.

Contact: mhicanbulat@gmail.com

Juanjo Carmona

Juanjo Carmona has been a lawyer and environmental consultant since 1999. In 1996, he started volunteering in Doñana through WWF Spain, so he lived through one of its blackest moments, the Aznalcóllar mining catastrophe. In 2001, he was hired for WWF's



Doñana office, located in Hinojos, where he lives. Since then he has been working to conserve Doñana in close collaboration with local communities, NGOs, businessmen, farmers and administrations. When talking about Doñana and its OUV, its beaches, lagoons, marshes, forests, dunes, lynx or imperial eagles, for him it is talking about his home and people.

Contact: donana@wwf.es

Jimmy Cordwell

Jimmy Cordwell is a Wilderness Campaigner with the Tasmanian branch of the Wilderness Society, a non-government organisation that has led conservation campaigns in Tasmania and across Australia since 1976. A wilderness tragic, Jimmy has worked across government, private, and NGO sectors focusing on wilderness conservation, he is studying wilderness at the University of Tasmania, and he spends his spare time hiking and photographing the depths of his iconic backyard – the spectacular Tasmanian Wilderness World Heritage Area. Jimmy joined the Wilderness Society's campaign team in 2020.
 Contact: jimmy.cordwell@wilderness.org.au



Jane da Mosto



Jane da Mosto (MA University of Oxford, MSc Imperial College London) is an environmental scientist and activist based in Venice, and the co-founder and executive director of the non-profit association We are here Venice WahV). Operating across many different disciplines, WahV has a mission to change the

future of the city, highlighting the need to protect the lagoon and rebuild a more resilient resident population. Jane's books include *The Science of Saving Venice* (Umberto Allemandi, 2004), *The Venice Report* (Cambridge University Press, 2010) and *Acqua in Piazza* (Linea d'acqua 2016). Alongside WahV's specific projects, Jane is active in the community and is President of Pan di Zenzero, a pedagogical project for early childhood. In 2017 she was honoured with the Osella d'Oro by the city of Venice and in 2021 she received the Fondazione Masi Prize for "vision and courage".

Contact: jane@weareherevenice.org

DENKmal-bruehl.de

DENKmal-bruehl.de is a local initiative engaged for the integrity of the landscape of the World Heritage Castles Augustusburg and Falkenlust and a sustainable urban development of Brühl that preserve its characteristic mixture of living quarters and landscape around the Castles. The initiative started in Schwadorf to prevent the multi-level buildings in the north of the medieval castle Schallenburg (BP 05.10) that would spoil the historical village border of the site and affect the central view from Augustusburg in the landscape. At the homepage www.DENKmal-bruehl.de we present the plannings of the Municipal authorities and inform about the aspects not adequately considered in these plans: the cultural landscape, the legal requirements, and the objections



of ICOMOS and others. To organize the protest, we started a petition.

Contact: mail@DENKmal-bruehl.de

Deutsche Umwelthilfe e.V.

Deutsche Umwelthilfe e.V. (English:  Deutsche Umwelthilfe Environmental Action Germany) is a politically independent non-profit environmental and consumer protection organization that was founded in 1975. Its work covers mainly climate protection and marine conservation, and it is active primarily at the national and European level. DUH's Energy & Climate Protection Department has an open climate case in court against Germany's biggest oil and gas company, Wintershall Dea, since October 2021. Contact: sanchez@duh.org

Wiwik Dharmiasih

Wiwik Dharmiasih (38) is a lecturer at the Department of International Relations, Universitas Udayana, in Bali, Indonesia. She provided social and legal analysis for the World Heritage nomination of the Balinese irrigation system, subak, (2010-2011) and was the Coordinator for Program and Planning Unit at the Governing Assembly for Bali's Cultural Heritage (2012). She was involved in the establishment of Forum Peka-seh Catur Angga Batukau and helped design the monitoring and evaluation system of the management of World Heritage property in Bali under the Subak Research Center, Universitas Udayana (2014). She is currently active in supporting community participation and youth involvement in the management of Bali's Cultural Landscape. She recently facilitated a photovoices community engagement initiative in Subak Jatiluwih to elicit local perspectives on the future management of the site.

Contact: wiwikd@gmail.com

Sonja Dimoska

Sonja Dimoska is a native of Ohrid in the Republic of Macedonia, holds two bachelor degrees in Tourism Management and Philosophy, and a Master of Business Administration at National Taiwan University. Sonja joined Ohrid SOS in its early days in 2015, and has been one of its key members ever since. Her engagement spans from team management, PR and social media, to research and analysis of development plans, strategies and laws as well as Ohrid SOS's strategic planning. She has co-authored a few publications, three World Heritage Watch papers and Ohrid SOS annual reports to the World Heritage Centre.

Contact: sonja.ohridsos@gmail.com



Namık Kemal Döleneken

An urban planner dealing with heritage management and conservation, Namık Kemal Döleneken encourages and helps local authorities to support UNESCO-related subjects such as tangible & intangible heritage, creativity etc. He is a volunteer expert in ÇEKÜL and TKB (Union of Historical Towns). As one of the leading heritage NGOs in Turkey, the Foundation for the Protection and Promotion of the Environment and Cultural Heritage (ÇEKÜL) strives to foster and build a nation-wide awareness and network for the preservation of the urban and rural, built and natural environment. The Foundation works in collaboration with more than 400 historic localities (members of TKB) throughout Turkey for the protection of city and town houses and their contents, whole villages, fortresses, marketplaces and public squares, monumental structures and ancient archeological sites.

Contact: knamik@bnet.net.tr



youth initiatives in Jatiluwih and works to enhance local participation and raise awareness on management of the World Heritage Site.

Contact: emidwiyanti967@gmail.com

Galila El Kadi

Galila El Kadi is emeritus research director of urban and regional planning at the Institut de recherche pour le développement (IRD/France), where she was responsible of the urban environment research unit. In addition to teaching at French and Egyptian universities, she was Head of the Department of Architecture at the French University in Egypt (FUE). She co-founded the master program on Cultural Heritage at the FUE in partnership with the University of Paris 1 Sorbonne. She was a consultant to the Governor of Cairo for the rehabilitation project of Khedivial Cairo from 2013 to 2017 and is currently a member of International experts of UNESCO in the conservation of the urban and architectural heritage on modernity's in Arab world. In 2021 El Kadi founded "Save Historical Cairo's Cemeteries".

Contact: elkadiga@gmail.com



Sukhgerel Dugersuren

Sukhgerel Dugersuren is the Chair of Oyu Tolgoi Watch, a Mongolian NGO monitoring compliance of Rio Tinto's copper-gold mine and other IFIs financed mines with international environmental and human rights standards. She is also Mongolia Coordinator of Rivers without Boundaries International Coalition (RwB). She is engaging with the multilateral development banks (MDBs) on human rights and development issues, assisting local communities demand remedy for violations of rights. As part of her human rights work, she engages with the UN mechanisms, international and national level advocacy, including work on a draft law for the protection of Human Rights Defenders in Mongolia. Sukhgerel has a degree from the Moscow State Institute of International Relations. The longest years of her previous job experience was with the USAID Mongolia program office.

Contact: dsukhgerel@gmail.com



EuroNatur

EURONATUR

EuroNatur is a charitable internationally active nature foundation founded in 1987. In its projects EuroNatur focuses on creating nature conservation across national borders, to conserve our European natural heritage in all its diversity, and to protect precious ecologically valuable traditionally cultivated landscapes in Europe. EuroNatur links ecologically precious areas by protecting wildlife corridors or creating new ones. Further key concerns are achieving powerful public presence at political levels, ecological regional development, man-with-nature perspectives, long-term projects and nature conservation as a path to human reconciliation. EuroNatur always works with partners in the project region. It has developed an international network of scientists, conservationists and experts and maintains a constant dialogue with other organisations and with the business world.

Contact: info@euronatur.org

Ni Luh Emi Dwiyananti

Ni Luh Emi Dwiyananti (23) served as the field facilitator of the Photovoices International initiative in Subak Jatiluwih, Bali. She is a local resident of Jatiluwih and recently graduated with a degree in tourism management from Politeknik Negeri Bali. She is an active member of



Kate Fielden

Dr Kate Fielden is Honorary Secretary to the Stonehenge Alliance. As an archaeologist and Trustee of CPRE Wiltshire Branch she has been involved in planning issues at Avebury and Stonehenge for around 30 years and helped in the formation of successive Local Development



Plan policies and WHS Management Plans for the WHS. She is currently Vice Chairman of Rescue: The British Archaeological Trust, and of the Avebury (Civic) Society which she represents on the Avebury WHS Steering Committee.

Contact: katefielden20@gmail.com

Henning Frase

Henning Frase is a Graduate Engineer (University of Applied Sciences) and works as a freelance architect and expert for



damage to buildings, mainly in Berlin and Lower Saxony. Through years of work as an architect as well as an expert in the field of recording structural damage and the associated restoration and repair of structural facilities, he is closely associated with the city of Goslar and has known the development of the city for decades.

Contact: h.frase-architekt@email.de

Bryan P. Galliga

Bryan P. Galligan, S.J. is a Jesuit scholastic originally from the United States. He is the research and policy analyst for food and climate justice at Jesuit Justice and Ecology Network Africa (JENA) in Nairobi, Kenya, where he researches and writes about the ecology and ethics of small-scale fisheries and coordinates JENA's global advocacy efforts around the issues of food sovereignty, climate justice, and ecology. He received a B.S. in biology and theology from Fordham University in 2015 and an M.A. in social philosophy from Loyola University Chicago in 2021.



Contact: jeoresearchpolicy@jesuits.africa

Ursula Garzón Aragón



Ursula Garzón Aragón, has a Master in Environmental Management and Audits by the Universidad Europea del Atlántico and the Universidad Internacional Iberoamericana, is an Attorney at Law by the Instituto Tecnológico Autónomo de México (ITAM) specialized in environmental law and natural resources. Prior to joining CEMDA, she was a criminal lawyer and also worked at the

Federal Court. As CEMDA Defense Manager she selects, documents, designs and coordinates strategies for the cases to defend the environment, natural resources and environmental human rights at national and international courts, among which are areas with exceptional ecological and cultural integrity such as Wirikuta, Calakmul, Sian Ka'an, Islands and Protected Areas of the Gulf of California. She participates in diverse workshops and seminars and has published various articles.

Contact: ugarzon@cemda.org.mx

Andy Gheorghiu

Andy Gheorghiu works as a full-time freelance campaigner, consultant, and activist for climate and environmental protection. During the last decade, he co-authored several reports about the negative climate impact of gas and fracking. Andy collaborated with grassroots groups, NGOs, scientists, attorneys and political decision makers to introduce several fracking bans and moratoria in Europe and beyond. He also contributed to the final session of the Permanent Peoples' Tribunal on Fracking, Human Rights and Climate Change. Andy currently supports and is a member of the Saving Okavango's Unique Life (SOUL) Alliance.

Contact: andy.gheorghiu@mail.de



Teresa Gil



Teresa Gil is a Spanish biologist with 20 years of professional experience in Natura 2000-Protected Areas management and habitats and flora conservation. Since April 2019, she has been the Head of the WWF-Spain Freshwater Programme.

WWF-Spain's origin is closely linked to Doñana. Over the last 50 years, WWF has been fighting to ensure the preservation of its OUV, trying to stop the illegal theft of water that is degrading outstanding aquatic ecosystems like Doñana National Park and promoting marshland restoration in the Guadalquivir Estuary as a way to restore some of the losses of the past, while reducing the risk in the future, improving the biodiversity and giving a green economic alternative to intensive agriculture and tourism. Teresa is a member of several NGOs like WWF, SEO Birdlife, Territorios Vivos and SEBICOP. She is member of the IUCN WCPA (World Commission on Protected Areas) and EAGL-Spain.

Contact: tgil@wwf.es

Lourdes Granados Abad

Lourdes Granados Abad was born in San Gregorio Atlapulco, Xochimilco, a lacustrine town of Mexico City. She is an active member of the “Coordinación de Pueblos, Barrios Originarios y Colonias de Xochimilco”, a communitarian organization that aims to strengthen the social participation in Xochimilco, in order to protect the autonomy and heritage of Xochimilco’s resources. Lourdes is currently retired, and she dedicates her time to growing vegetables in the lacustrine chinampas.

Contact: lulu_granadosabad@hotmail.com

Elke Greiff Gossen



Elke Greiff Gossen was born in 1961, she studied Computer Science at the University of Dortmund. Elke operates the website Loreley-Info, an information portal for the World Heritage Upper Middle Rhine Valley. She is a member of the “BI Rheinpassagen”. This citizens’ initiative promotes the preservation of the World Heritage Upper

Middle Rhine Valley. Elke focuses on the fields of optimizing ferry services, noise reduction, conservation of nature and climate-friendly infrastructures. She is responsible for the online presence of the “BI Rheinpassagen”.

Contact: greiff-gossen@go-on-software.de

Fritz Groothues

Fritz Groothues studied in France and Germany and after two years as a social researcher in Ghana he moved to the UK in 1974. He spent most of his working life in the BBC World Service, first as a producer, then as Head of Strategy Development.

Contact: fritzgroothues@yahoo.com



Shin-ichi Hanawa

Shin-ichi Hanawa is a retired and freelance environmental conservationist. He serves an advisory role for various environmental NGOs and communities. Trained at Tohoku University and Tokyo University of Agriculture and Technology, he is specialized in ornithology, ecology, and environmental conservation. Shin-ichi worked for the Wild Bird Society of Japan, conducting extensive surveys



around Japan. He also worked for the WWF-Japan, planning and implementing conservation measures for endangered environments. His involvement in protecting the environment of Okinawa has been well recognized. He was a crucial figure in IUCN’s adoption of recommendations (2000 and 2004) which called for the inscription of the Yambaru Forest as a World Natural Heritage Site.

Contact: hanawashinichi2@mbn.nifty.com

Instituto Homem Pantaneiro



The Instituto Homem Pantaneiro (IHP) is a non-profit civil organization that was

created in 2002 to help with the protection and conservation of the Pantanal, one of the world’s largest freshwater wetland ecosystems, with its headquarters located in Corumbá, Mato Grosso do Sul State. The name of the institution was inspired by the way of life of the Pantanal residents (Pantaneiro Man), who have adapted their lives to live in harmony with the dynamics of the environment in the past 300 years. Among the IHP’s activities are protected area management and promotion of dialogue between stakeholders, in addition to research projects. Through its actions, we are committed to protect and conserve biodiversity as the essence of all forms of life. Our communication aims at valorizing the history, culture and knowledge of the Pantanal residents, which contribute to the conservation of the Pantanal.

Contact: faleconosco@institutohomempantaneiro.org.br

International Campaign for Tibet

The International Campaign for Tibet (ICT) works to promote human rights and democratic freedoms for the people of Tibet. ICT monitors and reports on human rights, environmental and socio economic conditions in Tibet; advocates for Tibetans imprisoned for their political or religious beliefs; works with governments to develop policies and programs to help Tibetans; ecures humanitarian and development assistance for Tibetans; works with Chinese institutions and individuals to build understanding and trust, and explores relationships between Tibetans and Chinese, mobilizes individuals and the international community to take action on behalf of Tibetans; and promotes self-determination for the Tibetan people through negotiations between the Chinese government and the Dalai Lama. Founded in 1988, ICT maintains offices in Washington, DC, Amsterdam, Berlin, Brussels and Dharamsala, India.

Contact: kai.mueller@savetibet.de



Mzia Janjalia

Mzia Janjalia is senior research fellow at George Chubinashvili National Research Center for Georgian Art History and Heritage Preservation and associate professor in the history of medieval Georgian art at Tbilisi State Academy of Arts. Her research focuses on medieval Georgian art and covers issues of medieval cultural identities, intercultural relations and cultural transfer. Her interest lies in methodologies of cultural heritage preservation and conservation. She is author and co-author of several publications on medieval Georgian art. She has participated number of research projects on issues of medieval cultural developments, as well as projects and international collaborations for the conservation of wall painting and stone, and general issues of research and education for conservation of cultural heritage.

Contact: mjanjalia@hotmail.com



Sean Keegan

Sean Keegan was raised between homes in East and West Africa, and boarding schools in England, before earning a master's in Engineering Science and Economics at Oxford. He worked some 35 years in civil design and construction management, culminating in private practice as a construction consultant and expert witness. He is now semi-retired and living in San Cristóbal, Galápagos, where he built and operates a guest-house with his wife: Maria Elena Ricaurte, the daughter of a local fisherman, whom he met and married in Canada where both had emigrated. Sean and Maria Elena are active in the local community and, since 2012, have managed two Facebook pages: SOS Galápagos and SOS Galápagos en Español: "Helping to protect the Islands from opportunists and crass commercial exploitation."

Contact: sean@galeodan.com



Sultana Kamal

Sultana Kamal is the Convener of the National Committee for Saving the Sundarbans (NCSS), a coalition of more than 50 civil society and non-governmental organizations of Bangladesh having shared interest in the environment, is concerned that the Government of Bangladesh continues to disregard the 2017 decision of the World Heritage Committee (WHC) 41COM 7B.25 to protect the outstanding universal values (OUV) of the Sundarbans Bangladesh World Heritage site.

Contact: bapa2000@gmail.com



Contact: bapa2000@gmail.com

Masami Mel Kawamura

Masami Mel Kawamura is the Director of the Informed Public Project (IPP) in Okinawa, Japan. IPP engages in research and advocacy regarding environmental contamination related to the U.S. military bases in Okinawa. Her research utilizing the Freedom Information Act has helped reveal the contamination of former and present U.S. military bases in Okinawa, including the UNESCO World Natural Heritage Yambaru Forest. Masami holds a Ph.D. in International sociology from Hitotsubashi University, and she teaches as an adjunct lecturer at the University of the Ryukyus and Okinawa International University. She is a member of the IUCN Commission on Ecosystem Management.

Contact: director@ipp.okinawa



Vadim Kirilyuk



Vadim Kirilyuk has been working in the Daurisky Nature Reserve for over thirty years, including almost 15 years as deputy director and five years as director. He holds a PhD in Biology, and has combined his nature conservation activities, including effective anti-poaching and integrated development of the protected area, with scientific work. He developed and lead the restoration program for Mongolian Gazelle in Transbaikalia (2001-2021), was one of the initiators and developers of the program for studying the adaptations of the Daurian ecosystems to the impacts of climate change. He designed and helped to establish two new PAs, including Dzeren Valley National Reserve. Vadim has been a key participant of planning, expeditions and other activities of the Russian-Mongolian-Chinese Dauria Protected Area. He also served for two years as the Head of the Biodiversity Program of the Amur Branch of WWF Russia.

Contact: vkiriliuk@bk.ru

Aleksandra Koroleva

Aleksandra Koroleva is co-chair of the Russian NGO Ecodefense. After declaring Ecodefese a foreign agent and initiating 5 criminal cases against her, she sought political asylum in Germany where she now lives. From 2006-2009, she served as Deputy Director of the Curonian



Spit National Park and is the author of books and articles on the Curonian Spit. Since 2018, she has been the head of the project “Monitoring of regional phenomena of global climate change in the Curonian Spit”, funded by the Heinrich Boell Foundation.
Contact: ecosasha@gmail.com

Zoltán Kun

Zoltán Kun studied forestry, gained an MSc degree on landscape architecture, and a professional engineering level on soil sciences. He has worked in both the civil society sector and also in the for-profit sector as a nature conservation expert. He is a research fellow of the Wildland Research Institute and currently serves as Head of Conservation of the Wild Europe Initiative. Zoltan Kun is a member of the IUCN’s World Commission on Protected Areas and serves in various specialist group of WCPA as well as in two IUCN Task Forces about Primary Forest and Rewilding. His main focus of expertise includes the following topics: protected area management effectiveness, old-growth forests and their importance for biodiversity and climate change, wilderness protection across Europe.
Contact: zoltankun71@yahoo.com



Viridiana Maldonado Galindo

Viridiana Maldonado Galindo majored in law at the Law School of the National Bar of Lawyers and has a Master’s Degree and a specialty in Public Policy, Energy and Environmental Management from the Latin American School of Social Sciences (FLACSO Mexico). She is the Regional Director at the Mexican Center for Environmental Law (CEMDA in Spanish) in which she is in charge of managing the projects of the Regional Office, coordinating the different strategic litigations, focused on human rights and environment as well as the accompaniment of environmental defenders and indigenous peoples and comparable communities in their processes of defense of the environment, land and territory. She is also in charge of one of the lawsuits against the Mayan Train because of the violations to the right to a healthy and balanced environment.
Contact: vmaldonado@cemda.org.mx

Kreshnik Merxhani

Kreshnik Merxhani (1982) graduated in architecture studies at the Polytechnic University of Tirana in Albania. Since 2008 he has focused on traditional architecture, restoration projects and artistic photography, particularly in Gjirokastra. From 2008–12 he was trained in restoration by Cultural Heritage without Bor-

ders. In 2012-14 he was the project manager of a restoration project of the Hammam (turkish bath) in Kruja, another historic city in Albania. From 2014-16, he was head of the Technical Department at the Regional Directory of National Culture in Gjirokastra, serving as chief architect for the design of several restoration and revitalization projects. He carried out a risk assessment of all the listed monuments in the region of Gjirokastra and since 2016, he has been the group leader and architect for restoring the city’s old Bazaar.
Contact: ark.kreshnik@gmail.com



Akino Miyagi



Akino Miyagi is an entomologist and independent researcher specializing in studying butterflies. She is one of the most visible environmental researcher-activists for the UNESCO World Natural Heritage Yambaru Forest. She worked at the Uruma City Sea Cultural Museum in Okinawa, where she helped bring the public’s

attention to the lives of insects in the Yambaru Forest. After parts of the U.S. military’s Northern Training Area in the Yambaru Forest were returned to Japan in late 2016, Akino began to survey the impacts of the U.S. military training area on the Forest. Her discovery of the U.S. military’s discarded materials and land contamination in the former training areas now incorporated into the World Natural Heritage site has prompted a public call for the Japanese and U.S. governments to clean up.
Contact: tyoutyo0924@yahoo.co.jp

Mikisew Cree First Nation

The Mikisew Cree First Nation is an indigenous nation in Canada whose lands and rights depend on the Peace-Athabasca Delta in Wood Buffalo National Park and surrounding waters. The Mikisew Cree signed Treaty 8 in 1899 at Fort Chipewyan on Lake Athabasca. Today, Mikisew members reside in Fort Chipewyan as well as Fort McMurray, Edmonton, Fort Smith, NWT, and elsewhere. The Mikisew Cree filed a petition with the World Heritage Committee in 2014 for the Wood Buffalo National Park World Heritage Site to be inscribed on the List of World Heritage in Danger as a result of threats to the Park from upstream hydropower and oil sands projects and climate change.

Contact: melody-lepine@mcfngir.ca



Elena Minchenok



Elena Minchenok, born in St. Petersburg (Leningrad) in 1983, graduated from Saint Petersburg State University as a Slavist. She was a co-founder of the St. Petersburg architectural heritage preservation NGO "Living City" (2006), one of the most noticed and influential civic organizations of Russia in the 2000s.

In 2007, she joined the All-Russian All-Russian Society for the Protection of Historical and Cultural Monuments (VOPIK) and has been member of the Presidium and of the Council of the organization for a number of years. Elena is a member of the Saint Petersburg ICOMOS (2009), co-editor and co-author of a bilingual report "Saint Petersburg: Heritage at Risk", a project that was lead in collaboration with MAPS (Moscow Architecture Preservation Society) and SAVE Britain's Heritage. Currently she works as an interior designer.
Contact: e.minchenok@gmail.com

Anne Collier Morriss

Dr. Anne Collier Morriss is a Professor of Academic Research and Writing. She has published five books and worked, before beginning her teaching career, as the historian on a number of high visibility projects, to include acting as the historian for the Howard Hughes Spruce Goose Museum and the Olympics Committee photograph project. She has been involved, as a volunteer, in many environmental issues both in Europe and in the United States, to include the current fight to stop the building of an incinerator on the Jurassic Coast, a World Heritage site.

Contact: aamm10235@gmail.com



Tomasz Pezold Knežević



Tomasz has been a conservationist for 19 years, including over 12 years international experience with IUCN and WWF in the following countries and territories: Serbia, Albania, (FYR/North) Macedonia, Montenegro, Poland, Croatia, Bosnia and Herzegovina, Kosovo, Moldova, Ukraine, Transnistria, Turkey, Bulgaria, Romania, Greece, Belarus. Currently he is working as Biodiversity Conservation Specialist, specializing in biodiversity conservation, protected area management, transboundary conservation, UNESCO World Heritage, building systemic and institutional capacities, regional development, tourism in protected areas, natural

resources management and governance. His special interests are in transboundary conservation, and UNESCO World Heritage. Tomasz is a member of the IUCN WCPA's World Heritage Network and Transboundary Conservation Specialist Group.

Contact: tpezold@wwfcee.org

Norbert Panek



Born 1954 in Berlin, Norbert Panek studied landscape planning and now lives in Korbach (northern Hesse). In 1990 he started an initiative for a national park in the Kellerwald. He has dealt with the subject of forests for more than 30 years and has written books and numerous papers for expert journals.

He has also rendered expert opinions, e.g. for Greenpeace.

PINGO's Forum

The Pastoralists Indigenous Non Governmental Organization's Forum (PINGO's Forum) is an advocacy coalition of currently 53 indigenous peoples' organizations working for the rights of the marginalized indigenous pastoralists and hunter-gatherer communities in Tanzania. Established in 1994 and based in Arusha, the PINGO's Forum strives for land rights, to create a lasting solution for injustices and poverty to pastoralists and hunter-gatherer communities, a just society, sustainable livelihoods, and recognized and respected rights for pastoralists and hunter-gatherers. Presently, the PINGO's Forum focuses its activities on including the rights of pastoralists and hunter-gatherers in governance principles, policies, laws and strategies, promoting the rights of women and youth, engaging in climate change mitigation, and access to information for decision-making.

Contact: eporokwa@pingosforum.or.tz



Vithal Rajan



Vithal Rajan, OC, PhD [LSE], BA Hons. [McGill], was formerly faculty, School of Peace Studies, University of Bradford, UK; Chair, World Studies, ISG, Switzerland; First Executive Director, The Right Livelihood Awards [also known as the Alternative Nobel Prize], Sweden; Director, Ethics & Education, WWF-International, Switzerland; and

founder-chair of several Indian NGOs. For his life work, he was made Officer of the Order of Canada. He is a peace and grassroots activist and an active member of environmental groups in the Nilgiris, India, where he lives.

Contact: vithal.rajan@gmail.com

Herbert Rasinger

Herbert Rasinger has been the chairman of the Cityscape Protection Initiative (Initiative Stadtbildschutz), based in Vienna, Austria since 2015. He is active in cultural heritage site (last atelier of Gustav Klimt) and city protection matters (Wien Mitte, Vienna ice skating ring). He is a graduate of the Vienna Technical University and of a high school in Wilmington, Delaware, USA.



Contact: i-stadtbildschutz@aktion21.at

Rede Nacional Pró-Unidades de Conservação



Rede Nacional
Pró-Unidades de
Conservação

The "National Pro-Conservation Units Network" (Pro-UC Network) was founded in 1998 by

some of the greatest conservationists in Brazil, due to the need to approve the bill that created the National System of Nature Conservation Units. Currently, one of its differentials is that it is formed by environmental allies spread throughout the various Brazilian biomes, which allows for the articulation of actions. We monitor discussions in the National Congress to find out whether any proposed bills pose any danger to the environment. We denounce these threats and take the information to the appropriate channels. Our legal department acts judicially and extra-judicially in favor of public policies to strengthen protected areas. We produce our own content to Conservation Units which is disseminated in our own channels and in the major media outlets.

Contact: angela.kuczach@gmail.com

Andrew Rein

Dr Andrew Rein is a founding member of the Campaign to Protect Old Woodstock (C-POW) and its treasurer. He began his career as a lecturer in philosophy at the University of Oxford where he taught for five years before switching to a career in law. He was called to the Bar in 1992 and was a senior legal adviser to the UK Treasury and HMRC (the UK tax authority). He has published articles in a wide range of philosophy and law journals. Now retired, he is active in promoting the aims of C-POW. He is also Chair of the Discipline and Complaints Committee of the Civil Service Sports Council and a trustee director of the health charity Dipex.



Contact: andrewrein@gmail.com

Rheinischer Verein für Denkmalpflege und Landschaftsschutz e.V.

The Rheinischer Verein (Rhine Association for Monument Care and Landscape Protection, RVDL), founded in 1906, is an association characterized by specialist know-how and voluntary commitment. It is engaged for the protection of monuments (Denkmalpflege) as well as for preservation of nature that preserve its ecological historical topic as landscape (Landschaftsschutz). The RVDL maintains three historic monuments (castles) and is also engaged for a protection of the modern architecture, especially for the monuments built in concrete (objects of so-called brutalism). The RVDL is part of a cooperation against the amendment of heritage protection law that was pushed through in 2022 and that weakens the position of experts in the discussion of cultural protection and area development.

Contact: rheinischer-verein@lvr.de

Daniel Scarry

Daniel Scarry became engaged with Ohrid SOS, a local citizen initiative in the Republic of Macedonia, in 2015 after proposals were announced to drain the vital Studenchtishte Marsh wetland and impose large-scale tourism infrastructure upon the Ohrid Region WHS. Fascinated by habitats, biodiversity and the interplay between them, he has co-authored two journal papers and several reports/articles related to socio-ecology, wetland protection, and natural heritage conservation in Macedonia.



dscar.ohridsos@gmail.com

Jorg Sicot



Jorg Sicot, Dipl.-Ing., age 52, is an architect and environmental activist. Born in Germany and having lived in South Africa, Germany and France, he is now working and living in Malta since 2005. For ten years he has been a committee member with Flimkien għal Ambjent Aħjar, and is currently its chairperson. He is an avid photographer with a special interest in architecture and built urban environment. Further interests and hobbies include gardening, painting, drawing, reading, cinematography and social justice. He is fluent in German, English and Afrikaans, with basic knowledge of Dutch, Maltese, French and Sanskrit. Currently he is self-employed as an Interior Architect.

Contact: joerg.sicot@gmx.de

Eugene Simonov



Eugene Simonov is an environmental activist and expert. He is the International Coordinator of the Rivers without Boundaries Coalition (RwB) focusing on North Eurasian transboundary rivers. He collaborated with the WWF Amur Program to curtail three hydropower projects and designed a methodology

for basin-wide environmental impact assessments of hydropower and analysis of the role of hydropower in flood management. He also works with the trilateral "Dauria" International Protected Area and the Sino-Russian Expert Committee on Biodiversity and Protected Areas. Since 2012, RwB has campaigned on hydropower projects sponsored by the World Bank and China Exim Bank. Since 2016 Eugene has worked with the Green Silk Road Coalition that pushes for more accountability and environmental sustainability of China's Silk Road Economic Belt integration initiative.

Contact: esimonovster@gmail.com

Nevin Soyukaya



Nevin Soyukaya graduated from Atatürk University, Department of Archeology. Between 1989 and 1994, she worked as the Culture and Art Director at the Diyarbakır Municipality. Between 1994 and 2013, she served as an Archaeologist and Museum Director at the Diyarbakır Museum. She served as the head of the Diyarbakır

Castle and Hevsel Gardens Cultural Landscape Area Management during and after the UNESCO candidacy process. In 2017, she was dismissed from civil service by a decree-law. Simultaneously with her duties in the public sector, she participated in voluntary work and carried out projects in various NGOs, designating the cultural inventory of Mardin and Diyarbakır provinces. She has been running the Archive and Portal Project on Diyarbakır/Sur under the Diyarbakır Association for the Protection of Cultural and Natural Assets since 2018.

Contact: soyukaya@gmail.com

SOSOrinoco



The purpose of SOSOrinoco is to shed light on the existing body of work regarding the situation in the Amazonia and Orinoquia regions of Venezuela, to raise awareness of the tragedy that is occurring and to outline some urgent measures that need to be taken in order to halt the unfolding human and environmental disaster. SOSOrinoco is an advocacy group started in 2018 by a group of experts inside and outside of Venezuela. They have been working anonymously,

concealing the names of team members and witnesses, due to the high risk of doing this type of research in Venezuela. Their commitment has been to document and create an in-depth diagnostic of the region south of the Orinoco River and to raise awareness about the tragedy that is occurring, as well as to outline urgent measures that need to be taken in order to halt this disaster.

Contact: info@SOSOrinoco.org

Sunspirit for Justice and Peace



Sunspirit for Justice and Peace is a civil society organization working in the area of social justice and peace in Indonesia. Working closely with communities and other civic actors at local and national level, their mandate is to encourage social transformation through civic driven initiatives. They combine various strategies of research, development of models or experiments, advocacy and networks in solving problems towards greater justice and peace in our society.

Contact: sunspiritindonesia@gmail.com

Yefta Sutrisno

Yefta Sutrisno (28) is a freelance researcher interested in social issues in Bali. He has been involved in Jatiluwih working with the local community since 2013. He is currently working on research project in Jatiluwih that is part of a multi-country study on "resiliency in indigenously engineered, yet vulnerable, rice farming landscapes."

Contact: yeftasutrisno@gmail.com



Tasos Tanoulas

Dr. Tasos Tanoulas is an architect who worked in the Greek Ministry of Culture from 1976-2016, at the Service for the Preservation of the Acropolis Monuments (1977-2010), and in charge of the Propylaia Restoration Project (1984-2010). After



retirement, he was superintendent of the Restoration of the Propylaia South Wing (2013-2016). A member of Greek and international scientific institutions and committees, he published more than seventy articles in scholarly periodicals and volumes, on architectural history and theory from antiquity to date, and published several

books on the Propylaia. He received the Europa Nostra Award for Conservation and the Europa Nostra Public Choice Award in 2013, as the leader of the Propylaia Restoration Project. In 2020, he founded the initiative Acropolis SOS.

Contact: atano1947@gmail.com

Dilan Kaya Taşdelen

Dilan Kaya Taşdelen graduated from the Department of Urban and Regional Planning at Istanbul Technical University and completed her master's degree at Yıldız Technical University in the field of post-conflict reconstruction on cultural heritage sites in 2020. She carried out several projects on oral history and archiving in collaboration with documentary producers during her university education. On behalf of various civil society organizations she has worked on the role of civil society on peace processes as well as the access to rights-based mechanisms for families displaced as a result of the conflicts in Suriçi, coordinated urban memory projects focusing on Diyarbakır, Suriçi between 2019-2021, and took part in the management of civil society organizations. Currently she is coordinating the Mapping Women's Cultural Labour in Diyarbakır project.

Contact: dilankaya91@gmail.com

George Tauika Vaipoki



George Tauika Vaipoki is a native of East Rennell and the current chairman of the East Rennell World Heritage Site Association, Solomon Islands, in the South Pacific. His post as chairperson is the highest and overall post. The association does not have coordinators as other WH sites have. It has ten members representing each community, women, youth and

village. George is working on a voluntary basis. He doesn't have a salary or wage, but the passion to protect and to preserve the OUV of East Rennell.

Contact: vaijorgelyn@gmail.com

Klaus Thomas

Klaus Thomas (1948) is an MBA who has retired from the Federal Ministry of the Interior and is now the spokesperson for the Bürgerinitiative Rheinpassagen ("Rhine Transit Routes Citizens' Initiative") which works for the conservation of the landscape and culture of the Middle Rhine. This includes various activities to fight against noise harassment from rail and road traffic in order to transmit this unique landscape unscathed to future generations.

Contact: klaus-thomas@web.de



Kaner Atakan Türker

Kaner Atakan Türker received his PhD degree from Clark University, Graduate School of Geography in 2020. His research focuses on economic geography, urban geography, and alternative economies. He is an independent researcher.

Contact: kaner.turker@gmail.com

Verein Papageiensiedlung



In 2007/2008, plans emerged among the residents of the Waldsiedlung (Forest Settlement) Zehlendorf to work for the preservation and maintenance of this special housing and living environment and the architectural monument of the subway station Onkel Toms Hütte (Uncle Tom's Hut").

In 2010, the Verein Papageiensiedlung ("Parrot Settlement Association") was founded in order to promote socio-cultural networking in the neighborhood, but above all to foster historical awareness of a unique urban ensemble and to promote historic preservation. Even though the promotion of ecological sustainability has been a goal of the association from the beginning, around 2019/2020, under the question "What would Bruno Taut advocate today?," the plan for a 'climate-neutral settlement' by 2030 (KliP) was developed, meanwhile extended far beyond the Parrot Settlement as a 'climate-neutral neighborhood' (KliQ).

Contact: scheub@posteo.de

Volontariado "Vale un Potosí"



Voluntariado "Vale un Potosí" is a group of professionals with activities to protect the Potosí World Heritage,

site, for which it coordinates with several Institutions, such as the Mayor's Office of Potosí, T. Frías University, the Potosí Civic Committee, other organizations and institutions of the city of Potosí. The general objective of the group is to promote and implement sustainable alternatives for better production, preservation, environmental and social management in the Cerro Rico and Potosí. Voluntariado "Vale un Potosí" raises awareness among the population and mining cooperatives regarding the economic, social and environmental importance of the extractive activities of Cerro Rico and its link with local and regional development, with a social responsibility approach. It is also forming the Youth Guardians of Heritage Volunteer group.

Contact: jemmbol@yahoo.com

WALHI

Wahana Lingkungan Hidup Indonesia (Indonesian Forum for the Environment) was founded in 1980 and joined Friends of the Earth Indonesia in 1989. WALHI is the largest and oldest environmental advocacy NGO in Indonesia. WALHI unites more than 479 NGOs and 156 individuals throughout Indonesia's vast archipelago, with independent offices and grassroots constituencies located in 27 of the nation's 31 provinces. Its newsletter is published in both English and the native language. WALHI works on a wide range of issues, including agrarian conflict over access to natural resources, indigenous rights and peasants, coastal and marine, and deforestation. WALHI also has several cross cutting issues such as climate change, women and disaster risk management.

Contact: information@walhi.or.id



Hideki Yoshikawa



Hideki Yoshikawa is the Director of the Okinawa Environmental Justice Project (OEJP) in Okinawa, Japan. OEJP engages in research, advocacy, and lobbying to protect Okinawa's Environment from the overwhelming presence of U.S. military bases in Okinawa. Hideki was trained as an anthropologist at U.S. and Canadian universities. For 15 years, he has

been at the forefront of internationalizing Okinawa's military base-related environmental issues. His work has highlighted the controversial situations of the UNESCO World Natural Heritage Yambaru Forest and the U.S. military's Northern Training Area sitting next to the World Heritage Site.

Contact: yhideki@gmail.com

Imogen Zethoven

Imogen Zethoven is director of Blue Ocean Consulting. She has 30-years of experience working to conserve nature on land and in the ocean through the development of public policy and environmental advocacy. She has worked for several NGOs in Australia, the USA and Germany including WWF, The Pew Charitable Trusts and the Australian Marine Conservation Society (AMCS) on matters such as marine park establishment, environmental law reform and climate change. She is currently advising AMCS on the Great Barrier Reef and World Heritage Committee advocacy. AMCS is the Australia's only national NGO dedicated solely to protecting Australia's ocean wildlife and ecosystems. AMCS was established in 1965 by a community of scientists and conservationists to protect the Great Barrier Reef.

Contact: imogen@izethoven.com





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