

# Strategic Issues for World Heritage: some IUCN and personal perspectives

Peter Shadie

This brief chapter aims to highlight a number of strategic issues for the World Heritage Convention (Convention) as it celebrates its 40<sup>th</sup> birthday and to stimulate our thinking on Australia's role. Australia, as a 'first world' mega-biodiverse country and the State Party with the most natural World Heritage properties, can and should, play a pivotal role in helping the Convention move in positive directions over the next ten years and beyond. The timing of the next International Union for Conservation of Nature (IUCN) World Parks Congress in Sydney in November 2014 provides a special opportunity to demonstrate best practice at home and advocate excellence elsewhere. Listed below are a selection of key challenges and opportunities for the Convention assembled from IUCN, the UNESCO World Heritage External Audit (UNESCO, 2011) and the author's views. It is stressed that these views represent those of the author and not any official position.

## Future strategic issues

### 1. The objectives of the World Heritage Convention beyond listing

The inscription of properties onto the World Heritage List (the List) is not the end, but the beginning of the global community taking responsibility for effective protection and management of these exceptional places. This expectation is clearly identified in Article 4 of the World Heritage Convention (UNESCO 1972). State Parties to the Convention have displayed a preoccupation with the listing process, often at the expense of objectives centred on protection, conservation, promotion and transmission of our shared priceless heritage to future generations.

Future strategies should reinforce the message of Article 4 and find ways to sustain a collective global responsibility for properties that are on the List. Proposals such as the IUCN Green List of Effectively Managed Protected Areas (IUCN, 2012a) and IUCN's Conservation Outlook initiative (IUCN, 2012b), which aim to recognise and celebrate well managed areas in a positive manner, should be used to concentrate international attention on better protection and management.

### 2. Confused understanding of 'a credible, representative and balanced list'

The preoccupation with listing noted above has resulted in very different views on what constitutes a credible, representative and balanced List. The Convention's Global Strategy for a Credible, Representative and Balanced World Heritage List (1994 - 2011) has generated a long running debate on this issue over nearly 20 years (UNESCO, 1994). IUCN contends that Outstanding Universal Value (OUV) as defined in the Operational Guidelines should remain the primary driver



The tall cool temperate forests of Tasmania have been a much contested area of World Heritage policy in Australia  
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of decisions about the List. This leads to a view that credibility comes before representativeness and balance. From this perspective 'representative' equates to the representativeness of sites with OUV for all regions; 'balanced' is not about numbers of sites, rather bioregional representativeness; and 'credible' should be taken to mean ensuring a rigorous application of the criteria for nominations and management.

The reality, however, is that many countries do not follow these definitions and new nominations are increasingly based on geographical or political considerations. The reasons behind this are obscure, however, they appear to derive either from misinterpreting the intent of the Global Strategy or from motivations outside of the aspirations of the Strategy. World Heritage nominations may be motivated by economic prospects; a desire to strengthen protection of an area from current or potential threats; and/or a narrow focus on the values. The pride and prestige of having a site inscribed on the List can often cloud sound scientific rationale.

### **3. OUV – a variable and evolving concept**

Outstanding Universal Value underpins the Operational Guidelines for the Convention. The OUV of a property is central to the nomination and the basis of a decision to inscribe properties onto the List. Furthermore the maintenance of a property's OUV is becoming more explicitly the basis of management and the measure against which the state of conservation is assessed. The evolution of the Convention's Operational Guidelines and our understanding of the seemingly simple concept of OUV has changed over time. Outstanding Universal Value is now considered to be not just a measure of values but intertwined with the principles of integrity, protection and management. For example an area of habitat for a globally endangered species must not only have those species present but in viable numbers and with enough ecological integrity and adequate ongoing protective care to sustain that species into the future. All three words in OUV: 'outstanding', 'universal' and 'value' are also subject to cultural interpretation.

Greater analysis is needed to understand and agree on how OUV should be understood and technically defined. Recent nominations to the List are more and more using hyper-specialised arguments which define OUV on the basis of narrow technical evidence. Such arguments are at odds with the Convention's concept of 'universal' and future efforts should maintain the principle that values must be easily communicated, understandable and accessible to all. For example a value which would only be appreciated by a narrow field

of science may not readily translate into something understandable and of shared, 'universal' heritage to people all over the world.

As OUV is the core concept within the Convention it is essential that future strategies continue to debate the concept vigorously, what it means in different contexts now and into the future.

### **4. Increasing divergence between the World Heritage Committee and Advisory Body recommendations**

The UNESCO World Heritage External Audit (UNESCO, 2011) notes a "very worrying evolution for the credibility of the List: increasing divergences between World Heritage Committee (the Committee) decisions and the recommendations of the Advisory Bodies." In the period between 2000 and 2005 the average divergence between the recommendations of the Advisory Bodies and the decisions of the Committee was 13.4% which contrasts with 34.6% between 2005 and 2010. In short this is a measure of the extent to which the Committee has disagreed with or departed from the technical advice from its Advisory Bodies. The Operational Guidelines call for the International Council on Monuments and Sites (ICOMOS) and IUCN to be "objective, rigorous and scientific in their evaluations" and to operate systematically and with consistent professional standards (UNESCO, 2008).

Four options are available for a site nominated to the List: it may be inscribed onto the List; it may be referred back to the State Party to fix a number of relatively simple issues; it may be deferred which means the issues needing to be addressed are more substantial; or the Committee may decide not to inscribe a property onto the List. In the case of deferral a fresh nomination and full evaluation cycle is triggered. The Committee is tending to refer nominations, rather than defer them, resulting in weakened opportunities to address concerns regarding values, integrity, protection and/or management issues.

Future strategies should reinforce the scientific credibility of the Convention such that it retains a reputation for listing only the world's most superlative places, which in turn receive international best practice care and management. Furthermore, processes under the Operational Guidelines may need to be reviewed to combine referral and deferral processes in a way that offers constructive opportunities to improve the conservation prospects of properties before they are considered for inscription.

Strengthening investment in so called 'upstream processes' is critical to ensure early cooperation and



Buffer management is critical for areas like the Blue Mountains where water quality can be compromised by settlement and visitation. Photo © D.Finnegan, OEH NSW

technical advice on these issues. That said, some tension between the views and recommendations of the Advisory Bodies and those of the Committee is not necessarily a bad thing as it provides a separation of science-based technical advice from other considerations which the Committee, as an inter-governmental body may wish to factor into its decisions.

#### **5. Convention still seen as a traditional approach to conservation**

The origins of the Convention in the early 1970s coincided with a fairly traditional conservation paradigm which centred on ‘setting aside’ protected areas. Sites added to the List included iconic ‘national parks’ and historic buildings in public ownership. Over time the Convention has added a more diverse range of sites with greater integration of natural and cultural attributes. Site management and governance has also evolved from more classical models to more varied approaches involving multiple actors. The Convention is moving in a number of ways to address more contemporary integrated approaches to protected area planning, establishment, governance and management.

There is mounting pressure on the Convention and its Advisory Bodies to address rights-based conservation issues with respect to the nomination of new properties and the management of existing ones. Articles 26, 29, Article 32, 36 of the United Nations (UN) Declaration on

the Rights of Indigenous Peoples (the Declaration) relate to the rights of indigenous peoples relative to their lands, resources and environment (UNDRIP, 2008). The UN Permanent Forum (UNPFII) is mandated by UNDRIP to support dialogue with States and UN agencies on how to implement the Declaration. Challenges need to be addressed regarding the consultative processes followed by State Parties during the preparation of nominations and how IUCN evaluates nominations and assesses this aspect. For example, how can State Parties work in a more collaborative manner with Indigenous Peoples who may be the traditional owners of lands being nominated for World Heritage? Governments need to ensure culturally sensitive, transparent and timely collaboration with all stakeholders and rights holders before submitting a nomination. Beyond this are cases where Indigenous peoples with land rights have been the driving force for a World Heritage nomination, believing that the Convention offers an effective means to protect both heritage assets and living cultures. The fact that the Convention only recognises State Parties (Sovereign Governments) makes it challenging to empower others in aspiring for World Heritage status. Clearly Australia’s record of protected area co-management with Aboriginal People and Traditional Owners, and current process over Cape York (see Talbot chapter), offers outstanding opportunities to showcase innovative ways of working together on World Heritage.

With respect to the above challenges, IUCN in 2012 commissioned an internal review and sought recommendations on improving its evaluative processes around rights issues. IUCN will improve guidance to field evaluators; strengthen partnerships with rights groups (such as the IUCN Theme on Indigenous Peoples Local Communities, Equity and Protected Areas (TILCEPA) and the UNPFII); add rights issues expertise to the IUCN WH Panel; and provide for a separate analysis of rights issues in its evaluation report to the World Heritage Committee.

## **6. Integrating World Heritage properties into wider land and sea scapes**

A further issue for the Convention is how World Heritage properties can be better integrated into the wider land and seascape. This approach is consistent with international calls under the Convention on Biological Diversity's Aichi Targets and Programme of Work on Protected Areas (CBD, 2012). Related to this is the question of buffer zones for properties and how these might be established and managed effectively. Australian World Heritage properties generally do not define buffer zones, relying instead on the Federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), State and Local legislation and planning instruments. In large part, State and local legislation and planning instruments do not work particularly well, especially when the impact is on adjacent World Heritage lands, not the land subject to a particular development proposal.

The issue of buffer zones is well illustrated in the Greater Blue Mountains World Heritage Area (GBMWA) west of Sydney. This area of over 1m ha sits on the edge of the Sydney Metropolis of five million people and deals with a raft of threats emanating from edge effects; a result of its convoluted, fragmented boundary, over 150 inholdings totalling 75,000 ha and several developed corridors which split the area. Threats to the GBMWA include fire, climate change, visitor pressure, visual intrusions, feral animals and introduced weeds, hydrological (surface and sub-surface), nutrient overload and mining subsidence to name a few.

The World Heritage provisions under Australia's national EPBC Act aim to avert threats and impacts on the nation's World Heritage portfolio. The EPBC Act could provide a useful regulatory tool to address buffer zone threats, however the legislation suffers from a number of shortcomings: it primarily addresses development control issues; is reactive; does not specifically address cumulative impacts; relies on initial self-assessment of impacts; and relies on effective coordination between Federal, State and Local government authorities.

This challenge is being addressed by the Blue Mountains World Heritage Institute (BMWHI, 2012). BMWHI was created in 2005 as a not-for-profit research organisation with a mission to "broker and facilitate research and community engagement that supports the conservation and management of the GBMWA". BMWHI is a membership organisation comprising land management authorities and universities (see Appendix A).

The Institute is working on proposals to map threats and assess the feasibility of defining an effective buffer zone for the GBMWA. An effective buffer zone should seek to conserve all of the values within the World Heritage Area, through four complementary purposes:

- 1. control development and associated impacts on the World Heritage property;**
- 2. facilitate sympathetic landuse;**
- 3. facilitate enhanced conservation connectivity; and**
- 4. optimise benefits to surrounding communities.**

BWMI plans to undertake baseline research that will inform the policy debate on an issue which is of relevance for all of Australia's World Heritage properties. The work will undertake a spatial analysis of landuse to pilot buffer zone landuse capability mapping.

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## Appendix A

### Blue Mountains World Heritage Institute

Article 5 of the 1972 World Heritage (WH) Convention calls upon State Parties to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage (Art. 5c); and to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field (Art. 5e).

The Blue Mountains World Heritage Institute (the Institute) represents one of the few expressions of this commitment at a site-based level in Australia. Established in 2005, some five years after the inscription of the Greater Blue Mountains World Heritage Area (GBMWA), the Institute's mission is to *"broker & facilitate research & community engagement that supports the conservation and management of the GBMWA."* It pursues this mission through an independent and not-for-profit membership structure that spans government land management agencies and a number of universities. For more than seven years the Institute has successfully worked to bring together land managers, policy-makers, the research community and the broader community on critical conservation issues for the GBMWA.

The Institute works to collaboratively identify knowledge gaps; define, broker and facilitate research & community engagement; and build partnerships to ensure the uptake of knowledge into policy and management. The institute is funded through membership contributions, charitable donations and project income and has generated research which represents a 4:1 return on investment. Despite this fact, funding the Institute is a constant challenge requiring the development of creative and entrepreneurial approaches to secure funds.

The Institute can do things that its individual members cannot. It has:

- the power to convene and broker across multiple tenures, sectors and disciplines;
- a capacity to bridge the gap between community, research, policy and management ensuring that research is management oriented;
- an ability to reinforce the scientific credibility behind policy and management decisions;
- an ability to innovate;
- an ability to promote the adoption of research findings and knowledge into management practice;
- a role as a repository of research and scientific knowledge which can be accessible to all; and
- a capacity to tackle contentious issues that may be difficult for individual agencies.

The Blue Mountains World Heritage Institute offers an instructive localised model of how research can be shaped to help answer specific site-based questions to improve World Heritage management. A similar approach could be considered in other World Heritage properties, perhaps creating a network of Institutes across the country.

More information: [www.bmwhi.org.au](http://www.bmwhi.org.au)

### Author

#### Peter Shadie

IUCN Senior Advisor World Heritage  
107 Craigend St, Leura, NSW 2780  
[peter.shadie@iucn.org](mailto:peter.shadie@iucn.org)

### Biography

Peter Shadie has over 30 years' experience working in conservation both in Australia and abroad. He spent the early part of his career with the NSW National Parks and Wildlife Service before taking up a position with IUCN's Global Protected Areas Programme in Switzerland in 1999. He was Executive Director for the 2003 IUCN Vth World Parks Congress and oversaw planning and delivery of the Congress. From 2006 to 2010 Peter was the Head of IUCN's Protected Areas Programme in Asia, leading the Union's protected area work across 23 countries.

Since 2010 Peter has been based in the Blue Mountains west of Sydney where he works as a freelance consultant specializing in protected areas and World Heritage. Peter has been a Member of IUCN's World Heritage Panel for more than 10 years and currently works as a Senior Advisor on World Heritage. He also works part-time as Research Director for the Blue Mountains World Heritage Institute.