



EVOLUTION OF THE PRINCIPLES OF MONUMENT PROTECTION – AN EXAMPLE OF UNESCO WORLD HERITAGE CITIES

SZMYGIN Bogusław¹

¹ prof. dr hab. inż. Bogusław Szmygin, Faculty of Civil Engineering and Architecture, Lublin University of Technology
<https://orcid.org/0000-0003-0629-4495>

ABSTRACT: Heritage protection is in a period of transformation, which involves, among other things, increasing the influence of stakeholders on heritage protection, management and use. The need for such a modification was formulated in international documents - the Faro Convention (Council of Europe) and the HUL Recommendation (General Assembly of UNESCO), which should be implemented by the states - parties to these organizations. The task of the conservation community is to adapt the theory and practice of heritage protection to these changes. The implementation of the new approach in heritage protection will be a long-term process. The area where changes will quickly take place is the protection of historical cities. Three processes will have to be taken into account in the old town complexes: protection, use, and transformation. Monument conservators will have to develop tools to coordinate and control these processes. The management of UNESCO World Heritage Sites is a testing ground for these activities.

KEY WORDS: Conservation doctrine, stakeholders, historic cities

The development of disciplines usually involves the development of key problems that have been diagnosed by specialists dealing with a given field. However, in heritage conservation, the topics of research and discussion are often not determined by the specialists dealing with that discipline. In practice, they often result from various impulses - even events or anniversaries which come from outside of conservation. Therefore, heritage conservation is a discipline determined and formed primarily by the needs and factors coming from outside.

In recent years, there has been growing pressure from stakeholders, who are not qualified in the field of monument protection, to join in all decision-making processes and activities related to heritage protection, development and use. It is not an effect of a specific event or program, but the sum of many processes characterizing contemporary societies, economy, culture. Processes such as liberalization of the economy, development of democracy and self-government, empowerment of local communities, investment pressure, deep changes in all utility standards, urban development, accelerating transformation of the cultural environment, put more and more pressure on the way heritage is handled and discussed.

The result of external processes are more and more clearly formulated expectations of various stakeholder circles, who demand to participate in heritage management. The response to these expectations are documents adopted by the international community concerning the understanding of heritage, its role and the way it is protected and developed. Such program documents are adopted mainly by political assemblies, which verbalize certain trends in very general manner. The task of these documents is to indicate the directions of action, but without specifying concrete, practical solutions. Implementation of the adopted guidelines into practice is to be the task of specialists. In this way goals are formulated, which are to be solved by contemporary conservation.

In heritage protection, two program documents, adopted by political assemblies, are the most frequently referred to at present as a realization of stakeholders' expectations. At the European level it is the *Framework Convention on the Value of Cultural Heritage for Society* - called the Faro Convention, adopted by the Council of Europe in 2005. At the global level, it is the *Recommendation on Historic Cultural Landscape* - called the HUL Recommendation, adopted by the General Assembly of UNESCO in 2011¹.

Both documents underline the significant role of cultural heritage in the functioning of contemporary societies and the right of these communities to dispose of their heritage. The Faro Convention deals with all those elements of the cultural environment that are treated as heritage today, while the HUL Recommendation deals with the very broadly defined heritage of cities (called the *historical urban landscape*). However, this difference is not significant from the perspective of the general message of both documents. And it is unambiguous - the heritage is owned by the communities for which it constitutes their cultural environment. These communities have the right to decide on the forms of protection and use of their heritage. This

¹ The detailed characteristics of the circumstances that led to the HUL Recommendation are presented in the work: Bandarin F., van Oers R., *The Historic Urban Landscape. Managing Heritage in an Urban Century*, Wiley-Blackwell, 2012.

means that the conservators should not impose their vision of how to deal with the heritage. Rather, their role is to advise and assist in the realization of the vision of heritage use that society has. These documents do not contain such direct expressions, but this is the message that the sum of their provisions forms².

However, it should be clearly emphasized that both documents, although commonly recognized by the conservation community, should not be treated as strictly doctrinal documents of this discipline. This is due to important reasons. First of all, these documents were not created by the conservation community, nor were they accepted by the conservation organizations within the framework of activities controlled and managed by these communities. As a result, they were not subject to the verification procedures adopted by the conservation community. This is important because the lengthy process of repeated consultations provides an opportunity to check whether the document is properly formulated and has a chance of being applied (whether it will actually standardize practical conservation activities)³. Although the HUL Recommendation was adopted by the General Assembly of UNESCO 6 years after the start of the work, the document was inspired and controlled by the UNESCO World Heritage Committee⁴. In this case, it means an entity that represents whole countries and various organizations rather than the point of view of the conservation community⁵.

However, the external inspiration and authorship of these documents does not change the fact that the approach to heritage formulated in them should be discussed and implemented in conservation practice⁶. This is a task for conservators, who should modify the existing approach, principles and forms of action on monuments. Therefore, it is one of those stages in the development of heritage protection, which clearly reveals the fact that this discipline operates within the framework outlined by societies (heritage protection is not an autonomous discipline).

² The analysis of the content of the HUL Recommendation is presented in the article: Szmygin B., *Rekomendacja o Historycznym Krajobrazie Miejskim – wdrożenie zmiany paradygmatu w ochronie miast historycznych*, "Budownictwo i Architektura", vol. 12, no. 4, 2013, pp. 117-126.

³ For example, the document entitled Charter on Fortifications and Military Heritage; guidelines for Protection, Conservation and Interpretation, has been prepared by the ICOMOS Scientific Committee on Fortifications and Military Heritage (ICOFORT) since 2007. During this time, subsequent versions of the document have been developed and are being discussed, consulted and modified. The adoption of the document was planned during the General Assembly of ICOMOS International in Sydney in 2020, which did not take place due to the pandemic.

⁴ The formal beginning of the process of developing the HUL Recommendation is assumed to be the conference held in Vienna in May 2005, which adopted a programmatic document entitled: *Vienna Memorandum on World Heritage and Contemporary Architecture - Managing the Historic Urban Landscape*.

⁵ Several international organizations were involved in the initiative leading to the HUL Recommendation, of which ICOMOS was only one of many partners. The majority were organizations dealing with broadly understood development, including banks, organizations of architects, planners, development specialists.

⁶ The Faro Convention is a document that other European countries ratify - and thus accept for implementation. The Convention entered into force in 2011 after being ratified by 10 countries, now (November 2020) it has been ratified by 19 countries. The Convention becomes law in the countries that have ratified it.

The paradigm change - such a term is fully justified - is obviously not a simple and quick action. It is a process that takes decades. At present, this process is far from being completed, which is reflected in the ongoing discussions of the conservators on the interpretation and implementation of the discussed documents⁷. These discussions show that it is very difficult to translate general indications into detailed guidelines governing the conservation practice. Therefore, the changes must begin to reformulate the fundamental assumptions of the conservation theory, which give shape to the goals, principles and limits of conservation activities. **In this case, it is necessary to reformulate the key assumption of traditional heritage protection, that the main goal is the protection of monuments (not their use and exploitation), that the protection consists in the preservation of monuments (it does not assume their transformation and analysis of these transformations), and consequently, the way of dealing with monuments is decided by specialists (rather than other stakeholders).**

Formulating and implementing new foundations (new approach) in the conservation environment will be a long-term process. It is necessary to develop a new methodology of operation and convince conservators of it. This process will therefore not be based on the same assumptions, but on a network of changes taking place in many places and at different speeds. A leading role in this process will probably be assumed by these areas of heritage protection where there is the greatest pressure to absorb the new approach.

One of the areas where contemporary problems, needs and contradictions related to heritage protection seem to manifest themselves are historical cities. **In historical cities, the conflict between the general, long-term, idealistic need to protect historic values and the individual, ad hoc, commercial needs of many stakeholders is most intense.** Therefore, it is no coincidence that a worldwide document formulating - or even imposing - a new conservation doctrine is the HUL Recommendation. This document is supposed to define a new position of stakeholders in historical cities under the greatest pressure and scrutiny - the UNESCO World Heritage Cities.

The above facts fully justify the analysis of the possibility of considering the new role of stakeholders precisely in relation to the cities included in the UNESCO List. This is also supported by the development of the most excellent system of assessing historic values in the World Heritage System, combined with the condition of the monument and its management system. Thus, in the case of this group of historic cities, it is possible to take into account both analytical conservation tools and the more widely recognized needs of stakeholders.

A new approach to the historical city requires going beyond the current - conservation - point of view. A historical city - even if it is included on the World Heritage List - should be seen from three complementary and interdependent perspectives:

- conservation perspective - that is, the needs and problems related to the protection (preservation) of the historic values of the city/district recognized as a UNESCO asset; these are the problems of conservationists,

⁷ For example, one of the two main topics of the scientific symposium during the annual meeting of ICOMOS National Committees from Europe on 26-27 November 2020. (for pandemic reasons organized as a webinar) was the implementation and interpretation of the Faro Convention.

- the utility perspective - i.e. the needs and problems related to the functioning and use of the city/district recognized as a UNESCO asset; these are the problems of residents, tourists, other users who use but do not transform the area,
- transformation perspective - i.e. needs and problems related to the development, adaptation, transformation of the city/district recognized as a UNESCO asset; these are the problems of the city's self-government, facility managers, investors, owners who want to adapt, develop, invest in the facilities and area.

The first perspective is the conservation perspective, i.e. resulting from the requirements specified for the goods recognized as UNESCO World Heritage Site. The conservation community knows these requirements, so it is worth emphasizing only those aspects that do not have analogies in the Polish system of monument protection. The essence of the World Heritage system is the methodology of value determination (the so-called outstanding universal value), which is a condition positively classifying the good. This methodology is characterized by the following elements:

- analytical determination of value, which requires the definition of assessment criteria and a reference group/scale,
- linking historic values to their physical carriers, which allows to identify elements that require absolute protection and to distinguish them from elements that can be transformed to some extent,
- the connection of the value of the object with the state of its preservation and protection conditions; the recognition of the OUV value requires the condition of authenticity and integrity and the provision of adequate protection and management⁸.

These elements constitute the essence and uniqueness of the World Heritage System. Therefore, they should be fully recognized and taken into account in dealing with the cities included in the List. It is difficult because none of these elements exists in the Polish system of monument protection⁹. The Polish system of monument documentation and conservation supervision is based on descriptive (non-analytical) determination of historic values.

Therefore, in the protection of UNESCO cities in Poland the possibilities of the World Heritage methodology (parameters describing the monument and its value more precisely) are not used. In consequence, it is difficult to objectively determine the permitted scope of interference. Many examples confirm this thesis. Even in Warsaw - the small ensemble of the Old Town with a clearly defined value, the decisions to transform individual objects are accompanied by stormy yet intuitive discussions. Examples of adaptations of the Museum of Literature (covering the courtyard) or new buildings on Senatorska Street can be cited.

⁸ It is worth noting that there is a logical contradiction between the definition of OUV value, its dependence on AI conditions and management. It does not, however, question the validity of linking the value determination with its protection within the formal system of monument protection.

⁹ By the way, it can be added that each of these elements should be implemented in the Polish system of monument protection - this is the key postulate resulting from the experience of the UNESCO World Heritage System.

In Cracow, where the area listed on the UNESCO List is 6 times larger, there are dozens or hundreds of examples of interference of different scale. The total scale of interference is therefore incomparably greater, and is not discussed in the Committee for World Cultural Heritage in Poland. Lack of discussion does not mean lack of problems. It is just that not using analytical tools allows the problem to remain concealed. Meanwhile, the transformations are taking place and adding up, which in time will significantly reduce the historic values of this historical complex.

The second perspective is that of the widely understood users of historical areas. This concept covers various groups of stakeholders, including residents, people working in the area, clients and stakeholders of the institutions located here, tourists. The essence of distinguishing this group of stakeholders is their relationship with historical objects and space; this group of stakeholders uses objects and space in different forms and for different purposes, but they do not engage themselves in active (material) transformation.

The relationship of users with historical objects and space defines the limits of their expectations. For users it is primarily the various conservation restrictions that affect the functioning and equipment of the historical area and tourist traffic with its many consequences (proportional to the scale of traffic). Both factors generally have a negative impact on the conditions of use of the old town area.

Restrictions imposed by conservation lead, among other things, to restrictions on entry, limited parking, lack of parking lots, lack of greenery, use of traditional surfaces. On the other hand, tourist traffic results in noise, price increases, displacement of certain services, crowding, accumulation of advertisements, accumulation of nuisance functions. What is important, both factors are related to the status of the protected historical city, as it is its exceptional value that justifies the conservation restrictions and confirms its tourist attractiveness¹⁰.

However, the restrictions and nuisance of the use of the old town area were not analyzed from the conservation perspective. These problems were beyond the horizon of interest of the conservation theory and beyond the responsibility of the conservation services supervising the most valuable historic areas.

The currently adopted program documents are to lead to changes¹¹. In practice, the recommendations concerning the involvement of stakeholders - users in heritage management come down to knowing their opinions and needs and to participating in making certain decisions concerning old-town complexes. This is done through so-called public consultations. These usually take the form of surveys and consultation meetings, which allow users to express their opinions and demands.

¹⁰ It is worth noting that discussions and research are underway on the magnitude of the impact of obtaining UNESCO status on the growth of tourist traffic - this impact has not been clearly defined.

¹¹ New approach to heritage protection is being developed in subsequent program documents. The studies entitled *Towards an integrated approach to cultural heritage* (2014) and *Outline of the European Heritage Green Paper* (2020) deserve special attention.

Organization of public consultations is a relatively simple task, but it should be done in a timely manner and with a certain regularity. In the practical management of Polish UNESCO cities, consultations are organized when spectacular problems appear or when program documents are prepared, e.g. local government care programs, management plans or revitalization programs. However, it does not allow to recognize that users have a systemically organized participation in managing historical teams. It does not change the fact that recognition of opinions and needs of users of old-town areas should be a standard element of managing such area. Therefore, these practices should be improved, and taking into account the opinions and needs of these stakeholders - to the extent consistent with conservation priorities - should be an element of the management program and plan. These activities are not yet standard in the UNESCO system of city protection in Poland¹².

The third perspective is that of the various transformations that take place in historical areas. Many factors make even the urban complexes of the highest value undergo transformations. Transformations are necessary and result from changes in utility functions, technical standards, safety norms, ecological requirements, aesthetic standards, needs of the disabled, actions of investors. These factors and needs result in adaptations, modernizations, extensions, transformations, new investments. Such actions are undertaken by a separate group of stakeholders, which consists of, among others, the city's self-government, owners and managers of facilities, investors.

It must be clearly stated that the necessity of transformations results from irremovable practical and economic reasons. All historic cities are a collection of objects which must perform modern utility functions and provide economic basis for their maintenance. The vast majority of objects are maintained on market principles. Therefore, the pressure to transform the objects increasing their broadly understood utility is justified and must be taken into account to some extent by the conservation supervision and management of historical areas.

Therefore, in practice, the protection of the historic city cannot lead to stopping all transformations, but it must work out a compromise between protection and transformation. Building this compromise requires precise indication of historical values, their attributes and material carriers. Only then can the elements subject to absolute protection be identified and justified, and thus the space for permitted transformations be determined. Therefore, it is necessary to implement and consistently apply a value assessment methodology that allows for differentiation of individual elements of an object (assembly)¹³.

¹² A wide range of public consultations was imposed by the City Offices in Zamość and Cracow, which were the first to develop management plans in line with the requirements of the UNESCO World Heritage System. The conditions set by the Municipality of Krakow have planned stages for public consultation in the work schedule.

¹³ A proposal of a method differentiating the assessment of the value of a historic complex is presented in the following publication: Szmygin B., Fortuna-Marek A., Siwek A., *Wartościowanie dziedzictwa w systemie SV – metoda i przykłady zastosowania*, Publishing House of the Lublin University of Technology, Lublin 2017.

Transformations in historical areas, however, do not result only from the needs of the stakeholders-investors. Also the conservation services and the municipal self-government - partners co-responsible for protecting historic values - sometimes want to make transformations. Interventions and changes can serve to consolidate and make historic values more readable. Revalorization, understood as restoring values, is a recognized conservation activity that accompanies, for example, revitalization programs.

Thus, transformations, as well as protection and use, should be recognized by conservators as part of the processes taking place in protected historical cities. Therefore, this group of activities and the stakeholders representing it must be included in the discourse and plans for action in historical cities. The limits and possibilities of these activities should be defined and predicted in a holistic way. At present, however, these issues are not properly recognized, analyzed and taken into account in the protection of UNESCO cities. At this stage of development of the management of historical cities, the activities are limited to reacting to individual transformation proposals of the stakeholders.

The sum of the presented processes, needs and expectations that intersect in the old town areas makes their management a very complex task. There is no doubt that further programmatic isolation of the protection program is not appropriate and possible. On the one hand, it is more difficult to carry out a conservation program which does not include the processes of using and transforming the old town complex. On the other hand, the lack of a concept of using and transforming the old town area, which is correlated with its protection, significantly limits the possibilities of modern functioning of the area. Thus, from both points of view, it is necessary to create a coherent concept of historical area management, which takes into account all three needs: protection, use and transformation. This approach is adopted in the contemporary policy of the World Heritage Committee.

Therefore, the analysis of the situation leads to the conclusion that there is a need for a tool that will program the activities in the historical city according to the presented assumptions. Such a tool can be a management plan, which is currently obligatory for the World Heritage of UNESCO.

The structure of the management plan has not been explicitly imposed in the UNESCO documents, which is due to the need to adapt it to the specificity of very different sites from all over the world. However, on the basis of many documents and publications it is possible to determine the structure and content of the management plan. It should include all parameters and conditions relevant for World Heritage sites (i.e. protection of historic values) and be adapted to the specificity of a given group of goods. In the case of historic cities, this means carefully considering all three needs: protection, use and transformation.

For several years now, Polish National Committee (PKN) of ICOMOS has been carrying out works aimed at the protection of UNESCO assets, which has led, among other things, to the

development of a management plan model¹⁴. This model has been implemented, among others, in Zamość, for which a management plan was developed in 2018. The management plan for Zamość also used a system for determining and differentiating the value of the historic old town complex, which made it possible to indicate a certain range of transformations of the complex, necessary for its modern functioning.

It is also worth mentioning that the management plan may be supported by the municipal monument care program. This document must be prepared by all local governments every four years and reported every two. Therefore, the obligatory care program should also be used in the protection of UNESCO cities, remembering to create a coherent whole with the management plan. This possibility was used in Zamość.

Therefore, two documents can be used in the Polish system of monument protection: the management plan required by the World Heritage System and the municipal monument protection program required by the Polish law. With the help of these documents it is possible to plan the management of historical cities, which will combine three necessary processes in a balanced way: protection, use, transformation.

The work to implement the new approach to heritage protection will be continued by Polish ICOMOS. It is necessary to improve the already developed tools and their dissemination. Pilot documents developed for UNESCO teams should be transferred to other historical cities, recognized at least as Monuments of History.

It can be assumed that such extended activities will help to overcome the impasse in which the protection of historical cities has found itself. There is a need for systemic cooperation between the local governments, the most important driving force in cities, and the conservation services. Effective protection of cities can be carried out only through and with the participation of local government. Without this, contemporary functional needs will lead to a marginalization of power and conservation control, and consequently to an increasing transformation of historical cities.

Conclusions

1. International documents - the Faro Convention and the HUL Recommendation - have introduced a new approach to heritage protection, which provides for granting stakeholders the right to co-decide on the protection, management and use of heritage. These documents did not specify how to implement the new approach to heritage protection and management. It is the task of the conservation community to develop principles and tools that will enable the implementation of the new approach to conservation practice.

¹⁴ Publications presenting the model of the management plan, the valuation system, the Zamość management plan, the municipal programme of care for the monuments of Zamość and other publications on related topics are presented on the website of the Polish ICOMOS Committee - <http://www.icomos-poland.org/pl/publikacje.html>.

2. Three processes take place simultaneously in a historical city: protection, use, transformation¹⁵. None of these processes can be eliminated. The processes are carried out by many entities / stakeholders with rights to the historical city. The goals of individual activities or of particular stakeholders may be contradictory, which additionally hinders their planning and control. However, if the manager of the area has adequate resources, the course and form of the processes can be shaped. Therefore, passive protection of the city - consisting in reacting to the proposals of transformations and control of the historic stock proposed by investors - is not enough to protect the values of the historic city.

3. In a historical city, the local government cooperating with the conservation services has the greatest possibilities of directing the processes of protection, use and transformation. The local government has financial, legal, organizational, human resources, communication and promotion possibilities, etc. The conservation services are formally authorized to supervise historical buildings at all stages of their existence - during transformation projects, their implementation, and use. Therefore, the active protection of the city, consisting in conservation activities (protection) and the direction of use and transformation, can only be effectively implemented by the local government cooperating with the conservation services.

4. In the area included in the UNESCO List, the protection of historical values should be a priority, to which all processes taking place in this area are subject. However, the needs of stakeholders related to the use and transformation of the area should also be taken into account in its management plan/programme.

5. The method used in the World Heritage System to determine the value of a site and to link it with physically existing carriers is universal - only the value of the UNESCO site (so called OUV), defined for the needs of this system, is specific. Analytical determination of historic values and their connection with material carriers allows to indicate elements requiring protection and conditions and limits of intervention in other elements. This creates space for activities aimed at using and transforming historical areas.

6. The management plan is a tool to plan and combine the implementation of the three processes taking place in the historical city. Appropriate structure of the management plan allows to keep the priority of conservation needs and at the same time to coordinate individual processes, i.e. protection, use and development, taking place in the historical city.

7. The need to harmonize the processes taking place in the historical city is a universal indication. Therefore, management plans - tools for planning the processes of protection, use, and development - should be applied to all historical cities under protection (this applies at least to Historical Monuments). Management plans should be a tool introduced into the system of monument protection.

¹⁵ The boundary between individual processes is not clearly defined, especially between use and transformation; transformation is often the result of use. Nevertheless, for analytical purposes, these processes can be distinguished.

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