
APPLICATION OF EXPERIENCE GLEANED FROM THE WHL SYSTEM IN NATIONAL HERITAGE PROTECTION SYSTEMS – OPPORTUNITIES AND BENEFITS

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ABSTRACT: As part of the UNESCO World Heritage System, a unique methodology for the analysis of cultural properties and standards for their protection and management have been developed. The protection of UNESCO properties should be carried out in accordance with these standards. However, the protection of cultural property inscribed on the World Heritage List is carried out within the framework of national monument protection systems. Meanwhile, the standards, methodologies and procedures in force in the World Heritage system, developed by international experts, are in many respects not inconsistent with national heritage protection systems. Therefore, it is necessary to postulate the inclusion of the World Heritage methodology in national heritage protection systems. This is justified for two reasons – it will facilitate the protection of UNESCO properties in accordance with established standards, and it will improve the quality of national heritage protection systems.

KEY WORDS: UNESCO World Heritage List, forms of monument protection, Polish system of monument protection

The *UNESCO Convention for the Protection of the World Heritage of Culture and Nature* was created to protect the world's most precious sites¹. In principle, therefore, the World Heritage system includes a small group of the most valuable sites. However, the extraordinary value of these properties means that the methodology of their analysis as well as the principles of protection and management are at the highest level. This was possible because the World Heritage system has been perfected by leading specialists for 50 years. In this situation, it is natural to ask what are the possibilities and benefits of introducing the solutions developed in the World Heritage system into national monument protection systems.

Each country has developed a different system of monument protection. The basic parameters characterizing these systems are different – legal bases, organization of conservation services, principles of financing, procedures for dealing with monuments, number of monuments, forms of their protection, rights of stakeholders, etc.. These differences result from internal conditions - political, social, cultural and economic systems existing in individual countries. Of course, monument protection systems must be consistent with the systems of the countries in which they operate. Therefore, the idealistic system of protection of World Heritage properties – although it is very modern and comprehensive – cannot be transferred to the protection of entire national heritage sets. There is also no universal form of introducing the entire World Heritage system into national protection systems in order to protect UNESCO properties. On the other hand, certain elements of the World Heritage system can be introduced into national protection systems. Such a need certainly exists in Poland.

When analyzing the possibility of introducing the solutions developed in the World Heritage system into national monument protection systems, the following problems should be addressed².

- Why is it worth introducing World Heritage system solutions into national heritage protection systems?
- Which elements/solutions of the World Heritage system are worth introducing into national protection systems?
- How can elements of the World Heritage system be incorporated into the national protection system?

¹ International documents become binding law in Poland when they are adopted in the ratification process. The Convention for the Protection of the World Cultural and Natural Heritage was "*adopted, ratified and confirmed*" by the Council of State of the People's Republic of Poland on 6 May 1976 (Journal of Laws of 1976 No. 32, item 190).

² An extensive argumentation justifying the introduction of the inscription on the World Heritage List as one of the statutory forms of protection to the Polish Act on the Protection and Care of Monuments (2003) was presented in the article – Szmygin B., *Inscription on the UNESCO World Heritage List as a form of protection in the Polish system of monument protection*, [in:] *Journal of Heritage Conservation*, No. 72/2022, pp. 7-19.

1. Why is it worth introducing World Heritage system solutions into national heritage protection systems?

The arguments for the introduction of WH system solutions into national protection systems are formal and qualitative (presented in point 2).

The basic formal argument for introducing elements of the World Heritage system into national protection systems is the need to grant UNESCO properties an appropriate status. This is due to practical needs. The protection of UNESCO property is fully implemented within the framework of national heritage protection systems. Therefore, all aspects of these measures should be based on national rules and procedures, as this is a prerequisite for their proper implementation.

The World Heritage System – as an international structure – is first and foremost a set of rules and institutions (bodies) with the power to formulate these regulations, evaluate and control UNESCO properties. The World Heritage system is also an extensive, comprehensive methodology for the analysis of properties and requirements of their protection. All recommendations – the methodology of the analysis of sites and the requirements they must meet – are presented in the *Operational Guidelines*, which are updated from time to time³.

The World Heritage system is an international construct that has neither the powers nor the tools to work on UNESCO property. All activities related to UNESCO properties - work planning, financing, execution, specialists, monitoring, access, management, etc., are carried out by national heritage protection systems. Therefore, it is a somewhat inconsistent relationship between the decision-making and control part and the implementation part.

The separation of decision-making and implementation functions is used in many systems, as it increases the efficiency of their operation. However, in such a case, there should be a common base that allows to agree on the scope of requirements, possible forms of their implementation, forms of communication and monitoring, etc. This condition is fulfilled in national protection schemes.

In the case of the protection of World Heritage properties, there is no such basis. National systems of monument protection have been shaped in individual processes, in close correlation with legal, cultural, economic, political conditions, etc. of particular countries. Meanwhile, the internationally developed World Heritage system does not take into account any local conditions. It is a universal and idealistic construct (such is its assumption and function), aimed only at the protection and presentation of the historical values of the most valuable sites.

The lack of a common base affects the effectiveness of the protection of UNESCO properties exercised by national systems. In practice, the inconsistency of the systems lies in the lack of many essential elements in the national systems that are very important in the World Heritage system. For example, in the Polish protection system, there are no such elements as: analytical

³ The methodology for the analysis of the properties and all the requirements for the protection and management of the properties inscribed on the UNESCO World Heritage List are presented in the so-called *Operational Guidelines* (2021).

assessment of the value of sites, determination of value attributes, assessment of authenticity and integrity, determination of buffer zones, determination of threats, systemic monitoring, mandatory Management Plans. Meanwhile, each of these elements is important in the World Heritage system, both at the stage of evaluation of properties (during inscription on the UNESCO List) and during their protection and management. The lack of these elements makes it very difficult to protect the property in accordance with UNESCO requirements.

The specific forms of forming nominations that are in force in the UNESCO system can also be treated as a formal problem. For example, there are no equivalents for mixed nominations in the Polish protection system *mixt properties, transboundary properties, serial nominations or transnational nominations*. These forms make it possible to treat groups of sites (even in different countries) as a whole that is jointly evaluated and managed. In such nominations, the management system should be common (at least coordinated), and the problems of one site are treated as the problems of the entire group (nomination). This can lead to complications that are not predicted in the national monument protection system.

Ratification of the 1972 Convention means that a State-Party is obliged to implement its provisions. This means that the conservation and management standards set for UNESCO properties should be fully respected. Therefore, it is necessary to find a formula that will allow these requirements to be formally introduced into the monument protection system in a given country. As a result, the requirements and solutions of the World Heritage system will become formally binding and required in a given national monument protection system. As a result, their enforcement will be the responsibility of the conservation services, and not only the managers of these properties.

2. What elements/solutions of the WH system should be introduced into national protection systems?

The most important argument for introducing the entire World Heritage system - or selected elements of it - into national protection systems is its high quality.

The collective work of specialists from all over the world has led to the development of the most perfect system for assessing the value of heritage property and for its protection and management. What is very important, both systems are properly interconnected.

It is worth enumerating the arguments that justify this statement.

First of all, the World Heritage system has developed an analytical methodology for assessing the value of cultural heritage. The protection of heritage is always justified by the need to protect historic values, and consequently their protection should determine the scope of interference in historical objects. Therefore, the analyses of historical objects – which lead to granting them this status and determining the form of their protection – should identify historic values. The determination of these values should be objective. Meanwhile, in the Polish system of monument protection, the determination of historic values is descriptive (not analytical), even in the

documentation justifying the entry of the object into the so-called register of monuments⁴. As a result, this important document does not provide scientific support for dealing with the historic building.

Otherwise, this problem is solved in the World Heritage system. The determination of the *ouv* value – which determines the inclusion of a site on the UNESCO List – is of an analytical nature. A system of 6 complementary criteria has been developed, which evaluate selected aspects/features of a historical object⁵. The application of these criteria is described in the relevant procedure. As part of this procedure (in accordance with the general principles of valorization), a value assessment scale is also defined – a set of sites to which the characteristics of the assessed site are compared. A scale (e.g. territorial, temporary, cultural) is also determined, in which a set of goods to be compared is created.

Importantly, the entire process of evaluation is presented in a separate study – the so-called *comperative study*. In this way, the value of the historical good is objectified. This makes it possible to analytically determine the permissible scope of contemporary interventions and transformations. This is facilitated by the determination of the so-called attributes – i.e. the material representation of the *ouv* value. The method of determining the attributes of values is developed in the methodology of analysis of World Heritage properties.

It can be assumed that the methodology for determining the OUV value can be adapted to the assessment of the value of other historical objects.

Another element that should be introduced into national heritage protection systems is the determination of authenticity and integrity. These are two complementary parameters that well characterize the "state of preservation" of a historic property.

In the WH system, the assessment of these parameters is formalized – the nomination documentation should include documents confirming the authenticity and integrity of the site⁶. The assessment of these parameters should be made on the basis of the evaluation of the attributes of the *ouv* value⁷. In this way, the evaluation of the *ouv* value of historic site is completed and objectified.

⁴ The Register of Monuments is the basic form of granting formal status of protected objects to properties of historic value in Poland. The basis for entering a building into the register is the recognition of its historical, scientific and artistic value. Despite such requirements, no procedure has been established for the analysis of values in the process of entering historical objects into the register of monuments.

⁵ The World Heritage system has adopted a common list of criteria for assessing the *ouv* value, the first 6 criteria are used to assess cultural sites, the next 4 are used to assess natural sites.

⁶ The nomination documentation should contain two statements - a Statement of Authenticity and a Statement of Integrity. The analysis of authenticity should be carried out in accordance with the *Nara Document on Authenticity* (1994) - a provision of Article 79 of the Operational Guidelines.

⁷ WH sites can be transformed to a certain extent, however, these transformations cannot include elements that are "carriers" of *ouv* values. If the "carriers" of *ouv* are material attributes, then the analysis of authenticity and integrity should focus on these attributes.

In the Polish heritage protection system, a formal assessment of the authenticity and integrity of the protected monument is not required. The methodology for such an analysis has not been developed. Therefore, it is fully justified to introduce into the Polish heritage protection system the assessment of these parameters (authenticity and integrity), using the methodology developed in the World Heritage system⁸.

Another element that should be transferred to national protection systems is the requirements for the management of UNESCO properties.

A number of unique solutions have been introduced in the WH system, which are important for various aspects of the protection of cultural property. These include elements such as: Management Plan, buffer zones, impact assessments (e.g. Heritage Impact Assessment), periodic monitoring, reactive monitoring⁹.

The key element in this list is the Management Plan – in the case of sites in Europe, an obligatory document – which comprehensively covers all aspects related to the protection and management of the historic site. If such a document is prepared reliably, it allows the manager of the property to have a full understanding of the protected site. Therefore, the Management Plan should be a mandatory document also in the protection of the most valuable national historical sites¹⁰. Regulations and methodologies developed for World Heritage properties can be used to develop the Management Plans¹¹.

The approach to management in the World Heritage system has another very important aspect. In the World Heritage system, the recognition of *ou*v is conditional on a positive assessment of the parameters of the state of conservation – authenticity and integrity – and the management system. This is an important solution because it links the decision on the formal recognition of the value of a historic building with the assessment of the possibility of its contemporary maintenance.

⁸ An extensive analysis of the concept of authenticity and its assessment in the UNESCO World Heritage system is presented in the article - Szmygin B., *Authenticity – a parameter diagnosing the monument and conservation activities*, [in:] *Warsaw Old Town - authenticity unknown*, City of Warsaw, Warsaw 2020, pp. 5-25.

⁹ Particularly useful may be the methodology for assessing various types of threats to the value of historical sites developed for UNESCO properties - *Guidance and Toolkit for Impact Assessment in a World Heritage Context. World Heritage Resource Manual*, UNESCO, ICCROM, ICOMOS, IUCN, 2022.

¹⁰ In the Polish system of monument protection, the Management Plan should be developed primarily for objects recognized as the so-called Monuments of History. This status has been granted to a group of more than 100 monuments so far. According to the Polish *Act on the Protection and Care of Monuments*, only objects with the status of a Historical Monument can be proposed to the UNESCO List, which justifies the development of Management Plans for them.

¹¹ The binding structure of the Management Plan for UNESCO Properties has not been introduced. However, a number of detailed recommendations have been developed to support the development of Management Plans – *Enhancing Our Heritage Toolkit 2.0*, UNESCO, ICCROM, ICOMOS, IUCN, 2023.

The adoption of such an approach in national protection systems would have a revolutionary significance – in the Polish system, the formal protection of a historic building (e.g. entry in the register of monuments) is not related to the possibilities of its protection. This problem is not taken into account, only the assessment of the historic value of the historic building is decisive.

The WH system has another important feature. In accordance with the contemporary approach to heritage, it assumes (*Historic Urban Landscape Recommendation or Faro Convention*) that historic site should be protected, accessible and used.

Of course, the protection of the value of the site is dominant, but the other two functions are also present and envisaged in the management systems/plans. Such an approach makes it possible to coordinate the individual functions of a historic building, as well as to assess and plan their mutual impact. Such a holistic approach, which is enforced on the managers of historical buildings, facilitates the effective implementation of all functions, including the protection of historic values. Therefore, the implementation of the concept of a planned combination of three functions – protection, access and use of a monument – into the national heritage protection system is fully justified. Importantly, this approach should be promoted by conservation services.

A very important substantive argument is also the incorporation into the World Heritage system of a mechanism for modifying the methodology of analysis and evaluation of UNESCO properties. This is a very important factor, because doctrinal assumptions about dealing with heritage are constantly being reformulated.

The period of paradigm shift - the obsolescence of the old theory and the lack of a new theory, is very unfavourable for monument protection systems. During this period, it is not established how to deal with monuments – the old rules and methods can no longer be applied, and new ones have not yet been formulated. The current state of uncertainty, which is very destructive for monument protection systems, may unfortunately last for a long time. The extensiveness and diversity of the national collections of monuments – dynamic factors, makes it almost impossible to formulate systemic principles of their protection – a static element. That is why it is so important to protect the most valuable monuments on a national scale based on the high standards of World Heritage.

To sum up, there are many arguments and elements that can be transferred from the World Heritage system to national heritage protection systems. Of course, in each country, this requires a detailed analysis of needs and opportunities.

3. How can elements of the World Heritage system be incorporated into the national protection system?

The form in which the World Heritage methodology is introduced into national heritage protection systems obviously depends on their specificity. In general, each country has developed its own system of heritage protection, so it is not possible to give a universal formula for introducing the World Heritage methodology into national systems.

In general, it can be concluded that it would be optimal to fully integrate the World Heritage methodology into national conservation systems. This is due to the fact that the World Heritage system is coherent and complete at the analytical and practical level (requirements for the protection, management and use of UNESCO property).

The World Heritage methodology can be introduced in Poland, for example. The *Polish Act on the Protection of Monuments* defines the so-called forms of monument protection (art. 7) – *the register of monuments, a cultural park, a historical monument, and provisions in the local spatial development plan*. For each of these forms, regulations, procedures and possibilities of action have been defined. Adding one more form of protection – *"inscription on the UNESCO World Heritage List"* – is possible and will not affect the cohesion of the existing system of protection. Such a proposal ICOMOS Poland submits to the Ministry of Culture and National Heritage, which organizes Polish system of monument protection.

Finally, it is also worth asking an important question: is it worth undertaking difficult legislative actions if there are few historical objects on the World Heritage List (the number of cultural assets will be less than a thousand for several years to come). For example, in Poland there are only 17 properties recognized as World Heritage, and over 80,000 objects are included in the register of monuments.

However, the small number of UNESCO properties should be treated as a key argument for introducing World Heritage solutions into national heritage protection systems. It is irrational to use modern analysis methodologies, procedures, standards of protection and management, educated specialists only to protect 17 sites. This heritage must be disseminated and used to protect the entire collection of 80,000 registered historic monuments, at least its most valuable part. The UNESCO World Heritage system has proven its quality and effectiveness in protecting heritage. Therefore, it is the task of specialists who know the value of this system to integrate it into national heritage protection systems.