

(iii) Investigation of potential plants/products by pursuing ethnobotanical and ethnozoological studies and their 'development' for consumption/marketing.

I. Development Projects

(i) Obligated to have a local orientation so that they become part of local area development and in no case upset local people - resource equations, especially in relation to CPRs. Appropriate compensation/alternatives to be built into project costs.

(ii) Obligated to be compensated by providing inputs into the site-specific package of ecodevelopment measures e.g. lift irrigation along reservoir and along the river upstream and downstream.

(iii) Obligated to allow (where admissible vis-a-vis the PA) local people to farm in draw down areas by providing lift irrigation facilities.

(iv) Preferential employment to locals, if necessary after arranging education and/or training.

THE CONSERVATION OF OUR HERITAGE (THE WORLD HERITAGE CONVENTION AND HOW IT WORKS)

S.K. Mukherjee

THE WORLD HERITAGE CONVENTION

The convention concerning the protection of the World Cultural and Natural Heritage (The World Heritage Convention) was adopted at the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on 16th November, 1972 and came into force on 17th December, 1975 (after the twentieth country had deposited an instrument of ratification - as required under article 33 of the convention).

Under this convention - Monuments, elements of structure which have unique historical value of art or science or site having unique ethnological, anthropological, values etc. will come under cultural heritage. Natural heritage would include natural features consisting of physical and biological formation which are of outstanding universal values. Areas which constitute habitat of threatened species of animals and plants of outstanding value from the point of view of science or conservation.

India joined this convention on 14 November 1977. The "Cultural" side is looked after by Department of Culture, Ministry of Human Resource Development, and for Natural Sites, Ministry of Environment and Forests is the administrative Ministry. Following cultural and natural sites of India have been recognized under this convention:

Ajanta Caves, Ellora Caves, Agra Fort, Taj Mahal, Sun Temple of Konarak, Group of Monuments

at Mahabalipuram, Churches and Convents of Goa, Khajuraho Groups of Monuments, Group of Monuments at Hampi, Fatehpur Sikri, Group of Monuments at Pattadakal, Elephanta Caves, Brahadeeswara Temple Thanjavur.

Kajiranga National Park, Manas Wildlife Sanctuary, Keoladev Ghana National Park, Sunderban National Park, Nanda Devi National Park, (Gir National Park is under consideration for inclusion in the list of World Heritage Sites).

Preservation of some of the natural and man-made sites concerns all of us because such sites are under constant threat from the effects of under-development or ill advised development. The objective of the convention is "Protection of the World Cultural and Natural Heritage". It is admitted that the world is changing rapidly and if such essential traces of heritage are not given special universal recognition, they may be swept away by the forces of change. If this happens, the notion of permanent value and its expression in specific sites and artifacts may be lost.

It may however, be noted that the properties chosen for inclusion on the World Heritage List are not the only those that deserve to be safeguarded but all such properties are required to be preserved and the most chosen ones should serve as examples and encourage the formation of national or local policies for safeguarding the environment as a whole. The objectives of the convention are thus both ambitious and credible. It affords to every state party prestige, specific assistance

and safeguards in the events of catastrophes against which no country can be forewarned. The convention tries to define this shared heritage by drawing up the World Heritage List.

THE WORLD HERITAGE LIST

On signing the convention each state party pledges to conserve the sites and monuments within its borders that are recognized to be of exceptional universal values. It may be said that these countries present the world with their greatest treasures which should remain intact for future generations. In return, the international community helps them to protect these marvels. The convention has established a mechanism of international cooperation.

This mechanism functions through the World Heritage Committee which is composed of specialists from 21 countries elected from among the nations who have signed the convention.

The Convention Committee which meets once a year has two important tasks:

- To define the World Heritage, that means selection of the cultural and natural sites that are to become part of it. Committee is helped in this task by ICOMOS (International Council on Monuments and Sites) and IUCN (The World Conservation Union) which critically examines each of them.
- To administer the World Heritage Fund and to determine the technical and financial aid to be allocated to the countries which have requested it.

Currently more than 322 such sites have been listed from 111 member countries.

LISTING CRITERIA

The first criterion to be fulfilled is that the proposed site must be considered to be part of the cultural or natural heritage by the state party on whose territory the site is located.

Articles 1 and 2 of this convention spell out as to which site may be considered part of the "Cultural" or "Natural" heritage. These considerations are made by World Heritage Committee. Art 11(15) of the convention requires the committee to establish criteria on the basis of which a property deemed by the state, in which it is situated, to belong to the cultural or natural heritage as defined by Art 1 and 2, may also be deemed worthy of inclusion in the list. For this purpose operational guidelines for implementation of World Heritage Convention (DOC.No.WHG/2 Revised Jan., 1984) is available and

may be obtained from UNESCO, 7, Place de Fontenoy, 75700 Paris, France.

As mentioned earlier World Heritage Committee is helped by ICOMOS and IUCN in careful and critical examination of the proposals from different countries and then drawing up an evaluation report on each of them. Though, neither the convention nor the operational Guidelines insists that a site need to be a protected area, India proposed sites which were already protected under national legislations, namely, The Ancient Monuments and Archaeological Sites and Remains Act, 1958, and Wildlife (Protection) Act, 1972. There are advantages of including a protected area in the world Heritage List as party concerned will be entitled to apply for assistance from the World Heritage Fund and the added status given by the convention may help bolster protection of such areas.

A very precise schedule for processing the nominations for World Heritage List is followed. The secretariat of the convention must receive the proposals to be processed during the year latest by 1st of January of that year. By first April the secretariat registers and checks the origin, contents and inventory of each nomination and transmits for evaluation to ICOMOS or IUCN. Recommendations are received back by June and placed before the "Bureau" of World Heritage Committee which consists of seven members of WHC. By July the bureau transmits its recommendations to all parties to the convention and may even ask for additional information in respect of any site from the concerned party members. The secretariat collects any supplementary information on the nominations in August - September and the World Heritage Committee meets in October-December to determine which site should be listed.

DELETION OF PROPERTIES FROM THE WORLD HERITAGE LIST

The operational guidelines stipulate that the committee shall delete properties from WHL under the following two circumstances:

- where the property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the WHL; and
- where the intrinsic qualities of a WHS were already threatened at the time of its nomination by action of man and where the necessary corrective measures as outlined by the state party at the time were not taken within the time proposed.

When either of these circumstances arises, the party on whose territory the property is situated should inform the secretariat. If the information comes from other sources

the secretariat may make its own investigation and report to the chairman of the WHC who will decide the action to be taken. The operational guidelines emphasise that all possible measures should be taken to prevent the deletion of any property from the list and the committee should offer technical cooperation as far as possible to states in this connection. So far no site has yet been deleted or even proposed for deletion from the list. However, about three years back, some apprehension prevailed in respect of Manas Wildlife Sanctuary because of ethnic unrest in the state of Assam. Convention also publishes list of World Heritage in Danger and Manas Wildlife Sanctuary has been listed from India.

PARTY'S OBLIGATIONS TO PROTECT WORLD HERITAGE SITES

(a) Conservation of sites in the World Heritage List

Article 4 and 5 of the convention set out the obligations on parties to conserve sites in the WHL which are situated in their countries. The text of the Article also says that parties will conserve such sites primarily with its own resources but where necessary international assistance and cooperation for funds, scientific and technical assistance which it may be able to obtain, should be made available. The conservation of such areas should be taken as regular planning programme with appropriate staff and infrastructure and suitable operational methods for research and monitoring so as to counteract the threats. Parties will also foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of cultural and natural heritage and to encourage scientific research in this field.

(b) Conservation of sites not in the World Heritage List but which are part of the cultural and natural heritage referred to in Act. 1 and 2.

(c) Conservation of sites situated outside their territories.

Article 6 of the convention imposes two obligations on parties with respect to sites situated outside their own territories. First requires each party to help other party/parties on whose territory a property listed in the World Heritage List or the List of World Heritage in Danger is situated, if the later requests for assistance.

The other obligation, imposed by a more far reaching Article 6(3), requires each party not to do anything that will directly or indirectly destroy or damage a site situated outside its territory which is deemed to be part of the cultural or natural heritage as defined by Article 1 and 2. It is however, ironical that Keoladev Ghana National Park at Bharatpur, which is in WHL, is losing its value as wintering ground for siberian crane, one of the reasons is believed to be hunting and trapping of these birds and the loss of suitable habitat along its migratory

route through Afganistan and Pakistan, though both are signatories to this convention. In spite of having suitable provisions in the convention under Article 6(3) no positive steps have been taken.

(d) Presentation and Education

Article 27(1) of the convention urges parties to strengthen appreciation and respect for heritage sites by educational and information programmes and keep the public broadly informed of the dangers threatening such heritage and activities carried on in pursuance of this convention. For this purpose parties may receive international assistance under Article 28 of the convention.

(e) Reports

Parties are required to submit biennially to the general conference of UNESCO all information in form of report about legislative, administrative and other action taken by the parties towards implementation of the convention together with details of the experience acquired in this field.

WORLD HERITAGE FUND

One of the important features of this convention is the trust fund to which all contracting parties must contribute according to the U.N. scale to the budget of UNESCO.

System of contribution

Contracting parties may undertake to contribute to the trust - fund one percent of their contribution to the regular budget of UNESCO every two years and a theoretically voluntary system (contribution) on regular basis, at least every two years, and should not be less than the contributions which they should have paid if they had been bound by compulsory system. The one percent level contributions are also accepted from non-party states.

USE OF THE RESOURCES OF THE FUND

Parties may request for assistance for protection, conservation, presentation or rehabilitation of sites situated within their territory which have been listed or are potentially suitable for inclusion in either WHL or list of WHS in Danger.

Requests are to be made to the Secretariat of the convention and decided upon by WHC.

TYPE OF ASSISTANCE

(i) Preparatory assistance

Any party may ask any time assistance for making inventory of the properties for tentative list. This

assistance may come in form of consultant services or equipment or in exceptional circumstances financial support to prepare the nomination file. Each request for preparatory assistance should not exceed a total of \$ 15,000.

(ii) Technical cooperation

Technical cooperation is the most utilised form of assistance, the annual budget being of the order of \$ 700,000 for different types of activities which serve to safeguard properties inscribed on the World Heritage List, namely:

- Studies on the problems of heritage protection e.g. an inventory of important species in a park or conservation problems of an archaeological site.
- Provision of services of experts or technicians.
- Supply of equipments.

It is also possible to obtain low-interest or interest free loans which might be repayable on a long term basis or in exceptional cases, non-repayable subsidies.

Requests should be sent to the secretariat through the administrative Ministry of the Government, using the "Request for Technical Co-operation" form and should contain information on the inscribed property, the planned activities and agency responsible for the project. These forms can be obtained from the secretariat. Requests are processed by the secretariat in consultation with ICOMOS, ICCROM or IUCN.

(iii) Emergency assistance

World Heritage properties may suffer sudden damage, most often through natural phenomena such as earthquakes, landslides, fires or floods, etc. Under these circumstances, the State party can request emergency assistance for inscribed or nominated properties to combat the serious and imminent danger or to repair damage that has already occurred.

(iv) Training

State parties may request support for the training of specialised staff at all levels in the fields of the identification, protection, conservation, presentation and the rehabilitation of the cultural and natural heritage. Requests should be made in standard application forms. Priority is given to group training, particularly at national or regional centres. The fund can also be used for group training through national or regional seminars by providing financial support for their organization or for the participants. During 1991 at Wildlife Institute of India, a Regional Training Workshop on Protected

Area Buffer Zone Management was organised for which US \$ 20,500 was available from UNESCO.

(v) Support for promotional activities

The fund can be used to support two types of promotional activities:

- At the International or the regional level, for the organization of meetings to promote more active involvement in the implementation of the convention, the exchanges of experience on the work of the convention, or joint promotional activities among state party.
- At the national level, for meetings to stimulate greater awareness of the convention, particularly by creating national World Heritage Associations or for the publication of general information material on the convention. World Heritage Fund can not be used to support the preparation of material promoting an individual World Heritage Property.

Requests for support for national promotional activities should not exceed \$ 5,000. Sums up to \$ 10,000 can be exceptionally approved for projects of special interest.

Wildlife Institute of India has been requested to organise travelling seminar for this region on Protected Area Management and the fund will be provided by UNESCO. Possibly the seminar will be organised in March, 1993 getting fund from WHC.

Since the signing of this convention India has not taken much assistance financially or otherwise as far as natural sites are concerned. However, there exist significant scope provided good planning is made jointly by the Ministry of Environment and Forests and concerned State Governments for better management of our natural heritage.



The emblem symbolizes the interdependence of cultural and natural properties.

The central square is a form created by man and circle represents nature, the two being intimately linked. The circle also symbolises protection.