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REPORT
The Advisory Body "Our Common Dignity Initiative"
on Rights-based approaches in World Heritage:

Taking stock and looking forward

Editors
Amund Sinding-Larsen and Peter Bille Larsen

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1 OUR COMMON DIGNITY INITIATIVE - RIGHTS-BASED APPROACHES IN WORLD HERITAGE

1.1 INTRODUCTION

This document presents the key results of the *Our Common Dignity initiative* on rights and World Heritage undertaken by the Advisory Bodies to the World Heritage Convention (ICCROM, ICOMOS and IUCN) under the coordination of ICOMOS Norway between 2011 and 2016.

The report describes and discusses work carried out by the Advisory Bodies during this period, and should not be seen as their final words nor their entire institutional opinion on this topic. It seeks to contribute to discussions about what is needed to build equitable and rights-based heritage conservation approaches in the World Heritage and heritage practices.

The objective of the *Our Common Dignity* initiative has been to contribute towards building awareness of rights issues in World Heritage and heritage management in general, to promote 'good practice' approaches to rights and their enabling conditions, and to develop and recommend relevant tools and guidelines in World Heritage, from tentative lists and nomination through to management.

Our global diversity of culture and nature manifests an irreplaceable source of spiritual, material and intellectual richness for humankind. This diversity exists in widely varied and dynamic contexts of space and time. It is given varied tangible and intangible expressions, and is closely related to respecting and protecting human rights.

Advancing human rights has been an integral dimension of UNESCO's mission since its creation in 1945. However, it is only in the last few years that the link to World Heritage has become more evident. Rights issues are not explicitly mentioned in the 1972 World Heritage Convention text. However, since the inclusion of a 5th Strategic Objective in 2007 known as the '5th C', the purpose of which was *'To enhance the role of communities in the implementation of the World Heritage Convention',* the need to respect and support communities involved in World Heritage processes has become a clearer objective.

The Universal Declaration on Human Rights (UDHR) adopted by the United Nations General Assembly in 1948 remains the first pillar of international human rights law and practice. The UDHR proclaims: *'Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits'* (www.un.org/en/universal-declaration-human-rights).

Further human rights covenants, conventions and other standards such as declarations concluded since 1948 have complemented and expanded the body of international human rights documents. Today, the majority of States Parties to the World Heritage Convention (*Convention Concerning the Protection of the World Cultural and Natural Heritage*, here known as the 1972 Convention) include human rights provisions in constitutions or legislation.

Problems and conflicts can arise, and opportunities lost, where rights issues are not addressed in heritage conservation. Increased reflection on World Heritage practices have led to a better understanding of the social impacts of World Heritage inscription, and the need to repair earlier mistakes or oversights.

The adoption of a policy for Sustainable Development by the World Heritage Convention General Assembly in November 2015 *(Policy Document for the integration of a sustainable development perspective into the processes of the World Heritage Convention)*, the work on World Heritage by UNPFII (UN Permanent Forum on Indigenous Issues), the World Heritage Committee decisions as regards Indigenous Peoples (OG, WHCom 39, 2015), and the reports by the Special Rapporteurs to the United Nations High Commissioner for Human Rights are all seen as major contributions to support and promote the importance of rights dimensions in World Heritage.

It is anticipated that ICCROM, ICOMOS and IUCN will continue to collaborate and to produce guidelines and tools, to increase knowledge, and recommend approaches beneficial to their shared work with States Parties, local and associated communities, indigenous peoples, and other World Heritage stakeholders.

IUCN - International Union for Conservation of Nature
ICOMOS - International Council on Monuments and Sites
ICCROM - International Centre for the Study of Preservation and Restoration of Cultural Property

1.2 EXECUTIVE SUMMARY

This document aims to summarize six years of intensive debates, training efforts and analysis undertaken to raise awareness about the significance of rights-based approaches in the World Heritage context. The activity, also known as the *Our Common Dignity* initiative, was initiated and coordinated by ICOMOS Norway. It has brought together the work of the three Advisory Bodies to the World Heritage Convention (ICOMOS, ICCROM and IUCN), with financial support from the Ministry of Climate and Environment, Norway. The report summarizes key events and lessons, and seeks to look forward in terms of some current challenges and opportunities.

The *Background* section briefly outlines the *working assumptions* of the *Our Common Dignity* initiative, which not only catalysed Advisory Body collaboration in general, but also sought to reach out to the wider World Heritage community. The section reflects on *why* rights issues are so important in World Heritage work and summarizes the main initiative achievements.

The initiative has provided a dialogue platform to support information sharing and facilitate policy discussions, and is prompting a shift from individual case treatment towards a systems change.
It has also supported action by the Advisory Bodies from internal policy dialogue to capacity-building of their networks and heritage practitioners.

The report presents the *key lessons* of the initiative, not only in terms of the growing recognition of existing experiences in addressing rights concerns relevant to many World Heritage properties, but also the need to do more. Understanding of rights concerns remains limited in existing and new properties as well as for those being proposed for future listing,

An important finding of the initiative is the continuous lack of certainty about the role of rights experienced by many heritage practitioners, and the need to raise awareness and clarity on the topic.
Much more can also be done to engage with rights holders in a systematic manner at all stages of the World Heritage process. The report presents a possible set of key principles and issues for a rights-based approach to World Heritage.

The new World Heritage Sustainable Development Policy (2015) sets an overarching rights framework. To support this, the report emphasizes the need to build an effective and equitable approach to implementation in terms of international human rights standards. This should consider and include procedural and substantive rights, and the adoption of a set of working principles.

The report raises possible areas of further activity for discussion, including some where operational action can strengthen pro-active work on social equity and rights in the context of World Heritage work. It reflects on how efforts in the areas of transparency, information access, consultation, accountability, governance and remedial measures may be strengthened.

While important progress to recognize the significance of rights concerns and adopt policy language has been made, much work remains to build equitable World Heritage practice and ultimately make a difference for the individuals and communities on the ground seeking to reconcile heritage conservation and human dignity.

The most recent *Our Common Dignity* activities (2015-2016) are outlined, including:

- the Heritage Management and Human Rights Pilot Training Course,
- the Advisory Bodies bibliography project on human rights, and
- notes on the Advisory Bodies rights policy, including a brief summary on the ICOMOS rights policy review.

Brief reports by the ICOMOS National Committees of Australia, India, South Africa and Norway are included (some in abbreviated version). A short report from the SNIS-funded (http://projects.snis.ch/rights-world-heritage-system/) project, *Understanding Rights in the World Heritage System in Asia-Pacific*, coordinated by the University of Lucerne, Switzerland is included, followed by the project seminar *Caux Statement* of January 2016.

The document concludes with a summary of *Our Common Dignity* initiative activity across the period 2011-2016, and the Resolutions and Recommendations adopted by ICOMOS on Rights-Based Approaches in Heritage Management.

1.3 BACKGROUND

UNESCO and the United Nations as a whole show a strong "constitutional" commitment to human rights. The World Heritage system, however, has long lacked a solid point of anchorage or a policy framework on human rights. For the Advisory Bodies, this gap served as a clear incentive to develop knowledge and raise awareness about the social implications of World Heritage status.

Kishankot Village, Gurdaspur, Punjab, India. Local community and guests celebrating the UNESCO's Asia-Pacific Heritage Award of Distinction 2001, for conservation of tangible and intangible heritage through community participation that empowered the local community to tackle heritage, development and rights issues. (© Amund Sinding-Larsen, 2003)

Through the *Our Common Dignity* initiative, the Advisory Bodies have adopted a *learning-by-doing* approach to identify lessons learned, stimulate international dialogue, and engage with World Heritage actors and stakeholders in developing responses.

The *Our Common Dignity* initiative has sought to identify experience, interests and capacities in order to address and deal with rights-practice in World Heritage.

The *Our Common Dignity* initiative has included expert workshops and meetings, and discussions and presentations to the Advisory Bodies and their General Assemblies. The initiative has resulted in independent research and a wide range of case study-based learning.

Advisory Body dialogue on this has been ongoing since 2011, with calls for further activity and research. IUCN has reviewed its evaluation standards and practice (Larsen 2012), including recommendations for an explicit and dedicated focus on 'community and rights issues' in connection with the 5th strategic C of UNESCO (Sinding-Larsen, 2012; Oviedo and Puschkarsky, 2012). The *Our Common Dignity* Expert Meeting in Oslo, 2014 suggested a three-pronged approach to address rights-based responses in World Heritage, namely to develop: i) clear policy standards, ii) well-tailored operational mechanisms, and iii) adequate enabling conditions. This led to a first set of preliminary recommendations (see 2014 statement).

A growing community of practitioners addressing rights concerns has emerged. The initiative has recognised that a number of important challenges are shared across many inscribed World Heritage properties, and the World Heritage system as such.

Rights claims, however, are often made through protests and critique, and are in need of an 'institutional home' in the World Heritage system. A core goal has been to acknowledge, and make more visible, the diverse State Party experiences and needs in this respect.

Informal case studies have indicated several social concerns resulting from current World Heritage practice, just as policy analysis underscores the need for continued reform.

Our Common Dignity efforts indicate that only selected rights concerns resulting from World Heritage processes are currently being addressed, and that rights concerns therefore are subject to inconsistent treatment. Such challenges have important implications for the joint efforts of the World Heritage Committee, the States Parties, and the Advisory Bodies.

Further considerations have also emerged from a collaborative research project to understand rights issues in the World Heritage system in Asia-Pacific, coordinated by the University of Lucerne, Switzerland (the *SNIS Project*) with partners in Australia, Nepal, Philippines and Vietnam (see the Caux Declaration).

Our Common Dignity material has been shared through workshop dialogues, publications[1], as well as side-events at the World Heritage Committee meetings in Doha 2014, Bonn in 2015 and Istanbul in 2016.

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1 Such as the Special Issue of the IJHS (International Journal of Heritage Studies) devoted to World Heritage and Human Rights, Vol 18, Nr 3, May 2012 (see Ekern et al., 2012, for its introduction), the volume in 2014 published in book form.

1.4 OUR COMMON DIGNITY INITIATIVE: RIGHTS IN HERITAGE, ACHIEVEMENTS & LESSONS LEARNED

This section reflects on; i) *why* human rights and rights issues are important in World Heritage work, ii) the *main achievements*, and iii) *key lessons learned* from the *Our Common Dignity initiative*.

1.4.1 WHY RIGHTS IN HERITAGE?

■ Heritage resources exist within the diversity of human realities in which stakeholders may respond differently to how issues of rights and entitlements associated with these resources are addressed.

■ Conflicts are sometimes known to arise when natural and cultural resources are selected for national and World Heritage status – with the state and local stakeholders potentially opposing each other.

■ Rights-based approaches are needed to address social vulnerabilities that are often at risk of being ignored.

■ Conservation of heritage resources should be a positive factor in processes affecting social change.

■ The UN system, and UNESCO as part of this, has focused on human rights since the creation of these global institutions.

■ References to human rights and sustainable development are today standard to a majority of international collaboration strategies, programmes and projects – equally raising their importance in heritage practice.

■ The 1972 World Heritage Convention is insufficiently equipped for dealing with conflicts arising from designation and management. The convention text was adopted before the inclusion of human rights concerns became standard in new international treaties.

■ Rights-based approaches in World Heritage work are needed to better align World Heritage management with wider sustainable development and social equity objectives.

■ The Advisory Bodies to the 1972 WH Convention are concerned that efforts of the World Heritage Convention to conserve the most precious creations of humankind and outstanding natural places are ethically compatible with the rights of people to live in dignity as individuals and communities.

1.4.2 KEY ACHIEVEMENTS

The Our Common Dignity initiative has contributed towards developing:

■ POLICY CHANGE: Supporting rights-based elements for the Sustainable Development Policy (*Policy Document for the integration of a sustainable development perspective into the processes of the World Heritage Convention*) adopted by the States Parties in 2015.

Wadi Rum World Heritage Area, Jordan (photo from Tarek Abulhawa)

■ A SYSTEMS PERSPECTIVE: Addressing rights in the heritage policy and management framework. Expanding the focus from a single case to a systems perspective. First steps were taken towards bridging single-issue action with an overall normative framework and legitimizing human rights actions.

■ DIALOGUE: Pioneering ICCROM-ICOMOS-IUCN (Advisory Body) collaboration on cross-cutting topics. In 2011 such collaboration was still rudimentary and incidental.

■ CAPACITY BUILDING: Facilitating an information platform on rights and World Heritage as a potential tool and vehicle for heritage practitioners across the entire WH and heritage system.

■ ADVISORY BODY COOPERATION: Facilitating Advisory Body practical collaboration. Within ICOMOS, the initiative has led to collaboration between Australia, India, South Africa and Norway, with more national committees now likely to join. Many IUCN commission members have also been involved.

1.4.3 LESSONS LEARNED

■ WORLD HERITAGE AND RIGHTS: World Heritage work and processes have significant rights implications, which are often not adequately solved by a 'single-issue' approach. Rights concerns currently often appear 'disjointed' and uncoordinated outside the single case and the institutions and individuals involved.

■ STATES PARTIES EXPERIENCE: States Parties possess significant experience with rights issues and all other components of World Heritage work. Such experience offers important resources to address the diversity of rights issues and responses in different cultural and political contexts.

■ HUMAN RIGHTS AND PEOPLE-CENTRED APPROACHES: World Heritage work can be sensitive to human rights issues, while framing it in language appropriate to specific cultural contexts, so 'we do deal with rights issues but call it something else'.

■ EVALUATIONS AND RBA: A rights-based approach is promoted in ICOMOS and IUCN evaluation work in accordance with the Operational Guidelines and Committee decisions. Such work in progress is leading to new ways of addressing rights interlinkages, which need to be strengthened.

■ PROFESSIONALS AND RIGHTS: A majority of heritage professionals consulted were keen to discuss and learn more about rights issues in World Heritage and heritage management.

■ DIVERSITY OF FRAMEWORKS: Diverse legal frameworks remain a reality in heritage conservation. There is a need for clear Operational Guidelines and implementation modalities to facilitate a shared World Heritage framework.

■ GLOBAL CONCERNS: Human rights concerns are not limited to any specific geo-cultural regions, but appear in various expressions all over the world.

■ LONG-TERM ACTION: A key message of the initiative is the importance of continued action as a long-term process to achieve equitable outcomes. As a stimulus to further debate, we examine below three possible scenarios for further action, and the likely consequences of these for human rights and World Heritage:

1. Status Quo: limited progress.
2. Adopting a common rights framework: clarifying commitments.
3. Enabling action and capacity building: securing outcomes.

Patan Durbar Square World Heritage Monument Zone, part of Kathmandu Valley World Heritage property, Nepal

■ HUMAN RIGHTS AND SOCIAL EQUITY: Conditions of human rights and social equity are clearly important, and need to be addressed together with the Outstanding Universal Value as an integral part of the third pillar of protection and management.

■ KEY AREAS: A key area that needs exploring involves developing clear performance indicators and consistent practice paralleling evolving investigations and reflections. "Practical" standard setting on human rights and social equity is likely to facilitate more systematic operational responses for World Heritage processes alongside clear performance indicators on human rights and social equity In order for a rights-based approach to be effectively mainstreamed, the Operational Guidelines and other key documents need to refer to human rights standards.

■ PEOPLE-CENTRED APPROACHES: World Heritage work can be sensitive to human rights issues, while framing it in language appropriate to specific cultural contexts: so 'we do deal with rights issues but call it something else'.

1.5 TOWARDS A RIGHTS-BASED APPROACH

For adequate rights-based approaches to be developed for the World Heritage system, a focus is needed on developing the three elements of policy, operational conditions and enabling conditions. The text presented here aims to serve as an introduction to further work needed by the Advisory Bodies on these important elements.

A number of standards-related questions repeatedly surfaced in *Our Common Dignity* discussions, including:

- How should standards frameworks be used in field assessments?
- How should *free prior and informed consent* be clarified and implemented?
- Which assessment of rights issues should be considered as a bare minimum to satisfy a process for World Heritage inscription?

1.5.1 POLICY STANDARDS AND GUIDANCE

■ The World Heritage system is built around overall policy statements and a system of diverse standards and mechanisms. Still, recent analysis suggests that politicization and disregarding of technical criteria are common in nomination and listing processes.

■ Rights-issues, when they are acknowledged, are often dealt with in a fire-fighting or reactive mode. Some rights-holders may be in a position to use national and international rights systems to gain a voice and raise concerns. Duty-bearers, notably a State Party and its management authorities, and international players in turn often respond far too late in the protection and management process. Moving towards an embracing approach with clear steps and procedures for the entire World Heritage cycle remains a challenge.

■ For a rights-based approach to be effective and equitable, policy emphasis is needed on human rights, gender equality, indigenous peoples and local community involvement (Sustainable Development policy, sections 17 to 23).

■ Stakeholders rights - embracing rights of local residents, authorities, businesses and visitors - constitute an integral component of any heritage property context. Management will involve dealing with competing rights and making hard decisions about which to prioritize, how to balance them, and which to put into practice. In an equitable rights-based approach, what matters is a policy emphasis on human rights, gender equality, indigenous peoples and local community involvement (Sustainable Development policy, sections 17 to 23). Clear standards on human rights are important safeguards in this respect.

■ Using human rights language in World Heritage management does not introduce new issues, but instead reflects and revisits existing World Heritage dynamics to encourage more equitable arrangements.

■ Human rights standards in World Heritage offer a normative framework for ensuring that rights deliberations are equitable. "Practical" standard-setting, with clear standards and indicators on human rights and social equity is likely to facilitate more systematic operational responses for World Heritage processes. At present, for example, the Operational Guidelines refer to '*free, prior and informed consent*'. Developing operational approaches to the newly adopted standards is urgently needed.

■ Emphasis on rights issues in World Heritage management does not turn heritage professionals and managers into activists, but aims to ensure that rights implications of their daily work are effectively and equitably addressed. Merely to promote a decent participatory process is often insufficient. An equitable rights-based approach entails addressing both procedural and substantive rights, with the latter including social, political and economic rights.

■ Rights-based approaches provide multiple opportunities for action for a wide range of actors. Such opportunities are available from the moment a property is proposed for tentative listing, through nomination, inscription and evaluation to management, protection and follow-up measures. They entail different forms of action for States Parties, Advisory Bodies, the World Heritage Centre and others.

The following matrix summarizes key advances made by the initiative, and indicates possible steps forward:

1.5.2 SUMMARY OF KEY ADVANCES AND POSSIBLE FUTURE STEPS

	PROGRESS MADE	POSSIBLE FURTHER AIMS TO BE CONSIDERED
TENTATIVE LISTING	Initiated awareness of the importance of addressing rights early in the World Heritage processes.	Information sharing in local languages and other means of communication. Mandatory rights-screening and early engagement with rights-holders.
NOMINATION PROCESSES	Discussions between and within individual States Parties; identification of diverse experiences. Identified need for further guidance Policy emphasis on mainstreaming rights.	Creating a common operational platform by supporting a horizontal approach in the nomination processes. Nomination guidance on rights and social equity. Incorporating upstream process. Engaging rights-holders in nomination process.
EVALUATION & LISTING	Mobilizing community and rights expertise in IUCN and ICOMOS evaluations. Refined evaluation practices.	Social equity and human rights as integral part of the assessment of nominations Strengthening engagement and consultation processes in evaluation processes. Committee action in the field of communicating principles of rights and justice.
MANAGEMENT AND GOVERNANCE	Preliminary identification of governance and management challenges. Specific States Party action.	Further guidance and support on alternative governance modalities.
MONITORING AND STATE OF CONSERVATION REPORTING	Some mentioning of rights-issues in specific cases.	Incorporate rights as part of integrating sustainable development policy into monitoring and conservation reporting.
CAPACITY BUILDING	RBA topic included in ICCROM-led training session. ICOMOS Norway and NCHR pilot training on heritage and rights.	Further development of capacity building at both global and regional levels. Targeted national level capacity building tailored to specific rights issues and concerns. Development of new capacity building materials on rights- based issues and concerns for use at all levels of the World Heritage system.

1.5.3 OPERATIONALIZING RIGHTS AND SOCIAL EQUITY: PROPOSALS FOR DISCUSSION

A pro-active response towards human rights and social equity in World Heritage work would need adequate operational mechanisms and approaches. *Our Common Dignity* discussions highlighted some emerging key operational areas, which are summarized below.

RIGHTS AND SOCIAL EQUITY: CLARIFYING LINKAGES

Given the centrality of social equity and rights in the UNESCO *Sustainable Development Policy* adopted 2015, -

■ A next important operational clarification could be to ensure that the pillar on management and protection in the nomination and assessment process includes a more explicit focus on rights and equity, as this would establish a clearer framework for States Parties about relevant World Heritage standards. The advantage of listing conditions of human rights and social equity as part of the management and protection pillar would reflect the priority and universality attached to these central components of the United Nations system for social development. Further, 'Community' - the 'UNESCO 5th strategic C' - would become more visible.

CLARIFYING LINKAGES IN HUMAN RIGHTS AND SOCIAL EQUITY			
Meeting one or more WH criteria	Conditions of integrity	Conditions of authenticity	Conditions of protection and management include human rights and social equity
√	√	√	√

ACCESS TO INFORMATION - TRANSPARENCY

■ Openness of information in World Heritage should be supported by: i) public access to draft nomination documents from Tentative Listing onwards, and ii) public access by pro-active outreach, translation and information sharing. Marginalised stakeholders, such as local communities and indigenous peoples, often become aware of World Heritage processes only once decisions have been made.

CONSULTATION AND PARTICIPATION

■ Use of rights-based approaches would strongly support and help qualify the growing trend of Consultation and Participation in World Heritage.

ACCOUNTABILITY

■ Accountability generally flows "upwards" to the WH Committee and the UNESCO supervisory system, and horizontally to States Parties, organizations and experts. Consolidating and promoting "downwards" mechanisms of accountability towards communities, achievable with rights-based approaches, is an important priority.

INNOVATIVE GOVERNANCE AND MANAGEMENT

■ The World Heritage system is open to new governance approaches, such as community-based management systems that include rights-holders in decision making in World Heritage management. More guidance is needed to facilitate further work in this respect.

REMEDIAL MECHANISMS

■ The right and duty to remedy is central in rights-based approaches for individuals or groups affected by World Heritage processes. Remedial mechanisms may include reconciliation, rehabilitation of lost rights, compensation and prevention of further harm, guarantees of non-repetition, and ensuring that legitimate, equitable and transparent means for securing remedy are in place. Given the global engagement that embraces the UNESCO World Heritage programme, States Parties should invest time and public policy attention to this.

DISPUTE RESOLUTION MECHANISMS

■ Transparent principles and procedures are needed for outlining how rights-holders can engage with States Parties to resolve grievances. Current mechanisms involve informal contacts through the World Heritage Centre with the Advisory Bodies, but there is a need to develop further procedures and mechanisms for formalizing dispute resolution in the World Heritage system.

1.5.4 ENABLING ACTION

SHARED RIGHTS AND SOCIAL EQUITY AGENDA

■ The *Our Common Dignity* initiative demonstrated the value of and potential for establishing joint platforms for reflection and action. In order to effectively translate the 'Sustainable Development Policy', rights principles and emerging operational mechanisms into action, there is the need to maintain open forums for debate and reflection. The Advisory Bodies initiative to move towards establishing a joint action plan illustrates the gathering momentum for providing a wider 'reflection-platform' on rights concerns in World Heritage.

CAPACITY BUILDING TO ENABLE THE DUTY-BEARERS

■ To respect, protect and meet human rights expectations in World Heritage, duty bearers' capacity should be increased. Engagement with World Heritage property managers and policy makers revealed this as an area of considerable interest, yet there was often a lack of knowledge to take action to the next level. The *Our Common Dignity* dialogue confirmed managers' recognition and uneasiness, but also increased problem-solving ability.

■ The recent Pilot Training Course arranged by the Norwegian Centre for Human Rights and ICOMOS Norway (Oslo, March 2016) confirmed how building capacity on rights-based approaches, as part of broader training on people-centred approaches (ICCROM), is well-received by heritage practitioners and managers.

CAPACITY BUILDING TO ENABLE THE RIGHTS-HOLDERS

■ World Heritage institutions and processes need to actively engage with and build the capacity of rights-holders. The *Our Common Dignity* initiative engaged with individual community representatives in case study development, at side-events during World Heritage Committee meetings, and in national level processes. There is a consistent call for activities targeting rights-holders to enable further grassroots level and international level action. Rights issues are often linked with social, political and economic barriers which prevent stakeholder voices from being heard or hindering their ability to influence policy and management decisions. Responding to and removing such barriers is a critical enabling factor.

1.6 CONCLUDING: SCENARIOS AND WAY FORWARD

Several decades of action by the United Nations system, states and civil society have demonstrated the complexity of translating international human rights standards into action. How the World Heritage system will deal successfully with rights commitments in the coming years shall depend on the types and levels of responses at both national and global levels. In this sense, the recently adopted Sustainable Development Policy offers an important starting point rather than a "done deal". The scenarios suggested here are put forward to stimulate further debate.

1.6.1 SCENARIOS

A key message of the *Our Common Dignity* initiative is the importance of continued action as a long-term process to achieve equitable outcomes. We propose the following scenarios to discuss possible action opportunities:

- Status Quo: limited progress.
- Adopting a common rights framework: clarifying commitments.
- Enabling action and capacity building: securing outcomes.

STATUS QUO: LIMITED PROGRESS

In the Status Quo scenario, no further specific action is taken in terms of strengthening rights-based approaches. Still, some awareness-raising around new operational guidance principles on *free prior informed consent* and the *Sustainable Development* policy framework are likely to take place. While the number of rights concerns identified in World Heritage processes will increase, the lack of a comprehensive response and strengthened mechanisms will likely leave many cases unresolved or dealt with in an ad-hoc manner.

Key risks include that:
- 'Free Prior Informed Consent' will be implemented in a narrow, "tick-off-the-box" manner,
- Only a limited set of rights issues already identified by active civil society action will be addressed,
- Recommendations on human rights and social equity may "drown" in general commitments to sustainability,
- Critical rights concerns resulting from World Heritage processes will remain unattended,
- States Parties will remain poorly informed about rights standards and benchmarks in World Heritage processes.

Within a 'status quo' scenario, responses to rights concerns are likely to receive uneven treatment driven by fire-fighting and isolated damage control rather than systematic treatment. Given the reluctance of some State Parties to address rights concerns, the gap is likely to deepen between countries with strong national frameworks and civil society activity, and other countries without. Consequently, the likelihood is high that rights of the most vulnerable will remain neglected in the Status Quo scenario.

ADOPTING A COMMON RIGHTS FRAMEWORK: CLARIFYING COMMITMENTS

In the Common Rights Framework Scenario, States Parties will acknowledge the need to complement policy standards on rights with a common operational framework. The World Heritage Centre and the Advisory Bodies would prepare building blocks for a common RBA operational framework, and consolidate practical guidance to States Parties through a consensus-building and awareness-raising process across the World Heritage system.

Such a framework could recognize and adopt rights and social equity as performance criteria when assessing nominations. It would relay a clear message to State Parties about the significance of human rights commitments in the Sustainable Development policy. Furthermore, there would be set standards, benchmarks and procedures as to how to identify rights challenges and resolve them equitably as part of a nomination process. Guidance on dealing with legacy issues would also be prepared.

A preparatory process would culminate with the next scheduled period for Operational Guidelines revision. Action to develop operational building blocks in terms of mechanisms, standards and overall guidance would likely stimulate State Party action. Rights would increasingly form part of World Heritage "core business". More consistent treatment of rights issues would appear, with clearer roles and responsibilities.

**ENABLING ACTION AND CAPACITY BUILDING:
SECURING OUTCOMES**

Effective rights-based approaches are not only about clear policy guidance, standards and well-tailored operational mechanisms. A range of support mechanisms are needed to enable RBA to work effectively in countries where resources, capacity or legislative frameworks remain weak. Additional resources would be required for raising awareness of standards including training for Committee members and States Parties, web-site information sharing and distribution of developed operational guidance.

The recently initiated program for Advisory Body capacity building includes a strong rights dimension, equally to be organized at regional and national levels. This program can provide crucial support to State Party action on rights issues. The capacity building would target both duty-bearers and rights-holders. Further work could be undertaken with key international and national agencies to establish programmatic support on a number of key issues, such as effective approaches to a 'Free, prior and informed consent' (FPIC), how to address legacy issues, and innovative governance measures. A particular focus could be developed to support indigenous and local community World Heritage initiatives and innovative governance arrangements.

With increased experience-sharing, a growing number of countries would have human, technical and other resources to address rights issues and to support rights-holders and duty-bearers to partner in rights-based World Heritage initiatives. Such a focus would offer heritage practitioners additional support when challenges are identified, creating benefits from the Secretariat and the Advisory Bodies and reinforcing a common platform where NGOs, foundations and others could join in.

1.6.2 WAY FORWARD

The collaboration of ICCROM, ICOMOS and IUCN since 2011 under the *Our Common Dignity* initiative is welcomed, as it jointly addresses more inclusive WH processes and approaches. The adoption of the Sustainable Development (SD) Policy by the 20th Convention General Assembly, and the 2015 changes to Operational Guidelines in regard to Indigenous Peoples, mark important steps in this dialogue. The *Our Common Dignity* workshops and the SNIS project activity have contributed important lessons.

With the recognized need to operationalize the topic of rights in World Heritage and heritage management, it is hoped that work by the Advisory Bodies will continue, and further contribute towards:

■ Ensuring that the full cycle of World Heritage processes is compatible with and supportive of the SD Policy – from nomination to management;

■ Recognizing inclusive approaches for dealing with heritage and rights issues concerning groups and communities living within or in the vicinity of WH properties
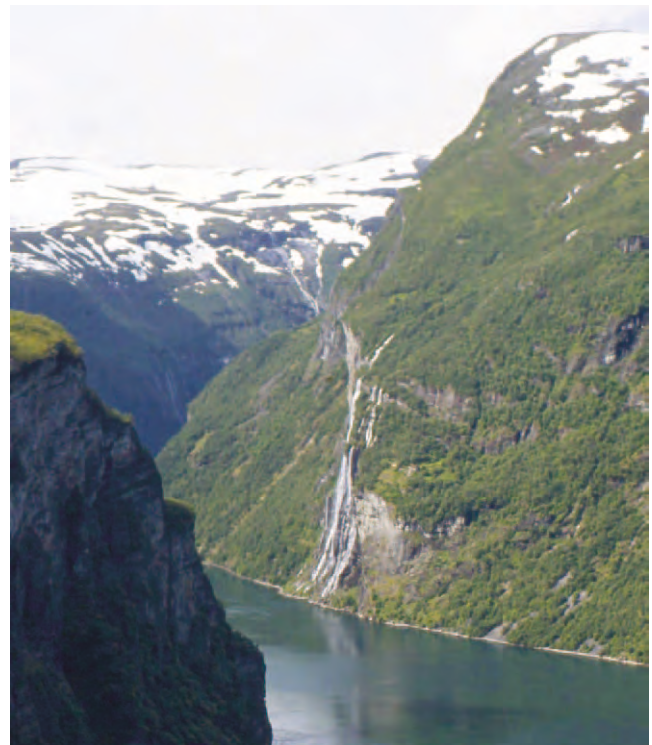
The Western Norway Fjords World Heritage Area (photo Riksantikvaren)

who depend on the resources within these designated areas;

■ Building a common language and conceptual framework across the World Heritage Committee, States Parties and Advisory Bodies for adopting legislation on human rights that recognize the needs and rights of communities and people, particularly addressing heritage management opportunities and challenges;

■ Involving World Heritage property managers and stakeholders as much as States Parties national agency representatives and technical or cultural experts;

■ Initiating efforts to support national level processes and policy development beyond what is in place today to promote enabling conditions for more inclusive and socially sensitive approaches in heritage management.

■ Guidelines and tools for raising awareness and knowledge of rights-based approaches (RBA) related to World Heritage;

■ Strengthening the text and content of the World Heritage practice in regards to issues of rights, communities' participation and ownership;

■ Developing RBA in World Heritage and heritage management in general within ICCROM, ICOMOS and IUCN;

■ Extending and promoting collaboration of World Heritage system partners with institutions and partners in other sectors of larger civil society;

■ Further cross-cultural collaboration, awareness raising and mutual knowledge-building on the topic of rights in heritage management, relevant to our shared global and geo-cultural diversity.

2 OUR COMMON DIGNITY INITIATIVE - BRIEF SUMMARY OF PROJECT ACTIVITIES 2011-2016

In addition to a summary of the main activities for the *Our Common Dignity* initiative for the period 2011-2016, basic information is also included on the main initiative workshops. Constructive workshops, and the substantial development of the *Our Common Dignity* initiative, were achieved only because of the participation of so many highly able and experienced individuals (please see the separate participants' lists).
Resolutions relating to the *Our Common Dignity* initiative adopted by the ICOMOS General Assemblies in 2011 and 2014 are also included towards the end of this section.

SUMMARY

'*Our Common Dignity: Towards Rights-Based World Heritage Management*' was started in 2007 by ICOMOS Norway (IN). From a national focus, the initiative was expanded into international collaboration between ICCROM, ICOMOS and IUCN (Advisory Bodies) in 2011, and in close contact and dialogue with the World Heritage Centre.

2011 - Advisory Bodies (AB) joined invited Expert Workshop '*Our Common Dignity: Towards Rights-Based World Heritage Management*' in Oslo, Norway (March). Presentations published May 2012 in the International Journal of Heritage Studies (IJHS).

2012 - Consultations among Advisory Bodies on key issues and challenges. IUCN analysis and work on strengthening evaluation processes.

2012 - IUCN Rights in Heritage Management Pilot Project for the Advisory Bodies, funded by IUCN and ICOMOS Norway.

2012 - NTNU Pilot Project on Rights of Local Communities in Xian, China, with local and national agencies in PRC China; funded by ICOMOS Norway and NTNU (Norwegian University of Science and Technology, Trondheim Norway).

2013 - Lessons learned approach adopted and case study research undertaken.

2014 - '*Building capacity to support rights-based approaches in the World Heritage Convention: Learning from practice*': Invited Expert Workshop (ABs and WH Centre), Oslo, Norway (April). Presentations included in reports by ICOMOS Norway.

2014 - Side-event at World Heritage Committee meeting in Doha, Qatar.

2015 - Advisory Body Working Group continued to develop selected projects on training, bibliography, policy, and case study updates.

2015 - Side-event at World Heritage Committee meeting in Bonn, Germany.
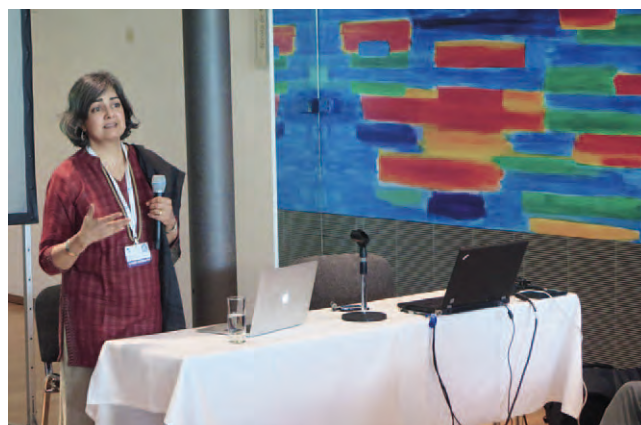
2015 - The Report of the Advisory Body Workshop in Oslo 2014 translated into Arabic.

2016 - Side-event at the World Heritage Committee meeting in Istanbul, Turkey.

2016 - The Report of the Advisory Body Workshop in Oslo 2014 translated into Vietnamese.

2016 - ICOMOS General Assembly adopted Resolution on Rights-Based Approaches in Heritage Management, following those of 2014 and 2011.

THE SUSTAINABLE DEVELOPMENT POLICY

The 20th General Assembly of the States Parties to the World Heritage Convention in 2015 adopted the 'Policy Document for the integration of a sustainable development perspective into the processes of the *World Heritage Convention'* (WH-SDP). This represents a major marker in support of rights in international heritage management, representing 'an innovation in the history of the *World Heritage Convention*, as it brings it into line with larger sustainable development policy frameworks of UNESCO and the United Nations'.

Central policy principles are contributing towards inclusive social development, environmental sustainability and inclusive economic development. WH-SDP adopts human rights as an overarching principle for the Convention, calling for respecting, protecting and promoting human rights as a prerequisite for achieving sustainable development in WH management.

In particular, States Parties are called to "Ensure that the full cycle of World Heritage processes from nomination to management is compatible with and supportive of human rights" by adopting a rights-based approach applying highest standards.

PILOT TRAINING COURSE ON HERITAGE AND RIGHTS

ICOMOS Norway (IN) and Norwegian Centre for Human Rights (NCHR) of the Law Faculty, University of Oslo in March 2016 arranged a pilot training course in human rights (HR) and rights-based approaches to project programming (HRBA) for mid-career heritage management practitioners.

The course introduced: i) the international human rights system, including institutions and mechanisms, ii) relevant cultural rights and heritage conventions and texts, iii) the UN and UNESCO institutional framework, and iv) HRBA planning tools for heritage management.

In addition to case presenters from South Africa and India, there were 21 participants from Estonia, Finland, Lithuania, Sweden, Iceland, Great Britain, Denmark and Norway.

The course involved the participants as active co-authors of the future course - through group work and interactive sessions - by inviting them to present cases from their own work involving HR dilemmas.

NCHR and IN intend to develop the course further as an education diploma course with an ECTS credit value of 10 at Master level, which would be offered to future AB and World Heritage meetings. The intention is to replicate training in other regions.

WHAT HAS THE *OUR COMMON DIGNITY* INITIATIVE ACHIEVED?

- An increase in attention to the rights dimension in World Heritage work in particular and heritage management in general,
- A considerable number of case studies have been investigated, from across most continents and in numerous geo-cultural contexts,
- The initiative has contributed towards increased and continuous Advisory Body collaboration,
- The first Training Course on the combined and complex topic of Human Rights and Heritage Management was arranged in Oslo, Norway in March 2016,
- Collaboration between the 'heritage world' and the 'human rights world' (the ABs and ICOMOS Norway with the NCHR, University of Oslo).

WHAT ARE POSSIBLE NEXT STEPS?

- Further capacity development for heritage experts, States Parties representatives and in particular representatives of practical World Heritage property management,
- Developing practical guidelines for integrating rights-based approaches with World Heritage processes,
- Contributing to strengthen the WH Operational Guidelines in the field of rights,
- Initiating plans to arrange next training courses in South Africa and India,
- Investigating feasible development scenarios presenting differing challenges, resource needs and potentials, such as:
  - Status quo: growing, but limited resolution of rights issues,
  - Adopting a common rights framework,
  - Enabling action and capacity building.

ICOMOS NORWAY

Amund Sinding-Larsen
Dr.; Chartered Architect
ICOMOS Focal Point 2011-2015

3 OUR COMMON DIGNITY INITIATIVE - PROJECT ACTIVITY 2015-2016

The *Our Common Dignity initiative* project activity 2015-2016 is summarized below:

- the Heritage Management and Human Rights Pilot Training Course
- the Advisory Bodies Bibliography Project on Human Rights
- preliminary notes on the Advisory Bodies Rights Policy
- the ICOMOS Rights Policy Review Project, with the brief
- *Our Common Dignity Initiative* Report on Activity 2011-2016

(photos from Peter Bille Larsen)

The Heritage Management and Human Rights Pilot Training Course, arranged by ICOMOS Norway with the Norwegian Centre for Human Rights (NCHR) of the University of Oslo as executive partner, is presented as short reports by the two partner institutions, together with a summary course programme. Further material will be posted on-line.

Through the Advisory Bodies Bibliography Project on Human Rights, a quite extensive bibliography on rights in heritage literature relevant to Advisory Body work has been assembled. Only a brief abstract is presented below, but the complete bibliography shall be posted on-line.

For the Advisory Body Project on Rights Policy, only a short outline is included here. More material will be added over time and referenced on the website.

The review project concerning the ICOMOS policy on rights in heritage is part of a larger document, although only a brief summary is presented here. Fuller project texts will be posted on our website.

Compiling *Our Common Dignity* initiative activity 2011-2016 into a final report has been a challenging task, in that it aims to contain only material and statements that are adequately discussed and agreed by the Advisory Bodies.
At the same time, the report should not omit potential actions and questions that are being, are likely to be, or should be, discussed in order to pro-actively develop the topic of rights in heritage management in the context of the Advisory Bodies' wide engagement with World Heritage.

ICOMOS NORWAY: REPORT ON TRAINING COURSE
Heritage Management And Human Rights Pilot Training Course, Oslo, March 2016

Participants of the RBS-HR Training Course in Oslo, March 2016 © ICOMOS Norway

Following a period of planning during the autumn of 2015 with the Norwegian Centre for Human Rights (NCHR) of the University of Oslo, ICOMOS Norway received funding from the Ministry of Climate and Environment, Norway (the Ministry), to develop and arrange a Pilot Training Course on Heritage and Rights (human rights, HR and rights-based approaches to project programming, HRBA) for heritage management practitioners.

The Pilot Course was held in Oslo from the 14-18 of March, 2016 at the NCHR, University of Oslo conference facility. ICOMOS Norway and the Norwegian Centre for Human Rights have collaborated since 2007 with the aim to build knowledge and understanding on human rights and heritage management.
The Pilot Course aimed to provide an introduction to the international human rights system related to UNESCO's work on World Heritage and the 1972 Convention. Twenty-two heritage professionals from the Nordic and Baltic region participated in the course, representing Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Sweden and Norway. Most participants represented or had a background as ICOMOS members, with some coming from IUCN and ICCROM. The majority of participants worked with cultural heritage, while others worked with cultural landscapes and protection of the natural environment.

All participants presented their own case studies as part of the wider discussion on concepts, terms, challenges and dilemmas that may be met in World Heritage work. The presentation of case studies from India and South Africa underscored how practice, methodology and dilemmas confronted in heritage management can be universal and are independent of geo-cultural regions.

Based on discussions during the ICOMOS General Assembly in Florence, Italy in November 2014, ICOMOS Norway collaborated on the topic of rights issues and heritage management with ICOMOS India, ICOMOS South Africa and ICOMOS Australia. Representatives from ICOMOS India and ICOMOS South Africa joined the course in Oslo presenting case studies from their own countries.

The participants' response to the course was highly favourable, according to a *Questback* evaluation carried out by the NCHR about one month after the course, confirming a very high degree of participant satisfaction. Details of the evaluation will be included on the website and available for reference.

Evaluations, however, also provide opportunities for improvement and a common reflection was that a training course such as this could benefit from being held geographically closer to the participants' professional or home environments. Lessons learned from the pilot course are that there is significant need for knowledge in the combined fields of human rights and heritage management, and that heritage professionals are very eager for more knowledge on this complex topic. As such, courses should be offered as a permanent study opportunity for the international heritage management environment.

Picking up on responses and comments, discussions concluded with the intention to arrange a second course, hopefully in early 2017, in South Africa, with support from ICOMOS Norway and the NCHR. It is also hoped that a course can be arranged in connection with the ICOMOS General Assembly in New Delhi, India in November 2017.

ICOMOS Norway, Oslo, 25 June 2016

DR. MARIE LOUISE ANKER
Executive Board Member
ICOMOS Norway

BENTE MATHISEN
Chartered Architect
ICOMOS Norway

NORWEGIAN CENTRE FOR HUMAN RIGHTS: REPORT ON TRAINING COURSE

Heritage Management And Human Rights Pilot Training Course, Oslo, March 2016

In response to a call by various UN agencies and UNESCO in particular to address the growing need for incorporating technical and practical knowledge about human rights in heritage work, a working group from ICOMOS Norway, the Norwegian Ministry of Climate and the Environment (the Ministry) and the Norwegian Centre for Human Rights (NCHR) was established. In August 2014, this group, together with external advisors[1], decided to develop a Pilot Training Course in human rights (HR) approaches to project programming (HRBA) for mid-career heritage management practitioners. With funding from the Ministry confirmed in November 2015, a pilot version of the course was developed, and the workshop itself was held in March, 2016 targeting Nordic and Baltic region professionals.

The Pilot Training Course had the following learning goals:
- General introduction to the international human rights system, including its institutions and mechanisms;
- Specific introduction to relevant conventions and texts (cultural rights and natural and cultural heritage), as well as the UN and UNESCO institutional framework;
- HRBA planning tools for heritage management.

Course lecturers from the NCHR gave an overview of the international HR system with particular emphasis on the elements that specifically relate to culture and heritage. The work of the key institutions in this regard - UNESCO and ICOMOS (as one of the three advisory bodies to the 1972 world Heritage Convention) - was presented by representatives of these institutions. Consultants with experience in rights-based approaches to development discussed the particularities of managing heritage projects not having HR-based approaches. A central feature of the course was to involve the participants as active co-authors of the future standard course by inviting them to bring cases from their own work that in one way or another involved HR dilemmas. The course programme reflected this through the inclusion of group work and interactive sessions every afternoon.

Moreover, the course included detailed discussions of two complex cases from India and South Africa, presented by ICOMOS leaders from the two countries in question.
Including representatives of ICOMOS Norway, South Africa and India, there were 21 participants from Denmark, Finland, Estonia, Lithuania, Sweden, Iceland, Great Britain and Norway. Data obtained through a questionnaire distributed after the course suggests that the participants were generally satisfied with the workshop. The criticism most commonly voiced was that the cases could have been more directly linked to specific heritage sites, which was also relevant for the cases presented by the participants themselves.

Considering the favourable participants' evaluation and the constructive and positive atmosphere at the course, ICOMOS Norway and NCHR concluded that the Pilot Training Course was successful and should be offered regular continuous education on this topic.
The NCHR suggests that a course worth 10 study credits (10 ECTS) for heritage management practitioners be established in collaboration with universities and ICOMOS National Committees in other countries and regions.

A 10 ECTS diploma course designed to fulfil the above-mentioned learning goals would involve hiring competent teaching staff to present the areas that were covered in Oslo in March 2016, namely:

- general knowledge about the International HR System
- general knowledge about the particularities of cultural rights and the relevant parts of the International HR system
- general and specific knowledge about the work of UNESCO and Advisory Bodies ICOMOS-IUCN-ICCROM
- general and specific knowledge about project planning and HR-based approaches to such planning and management
- specific practice-based knowledge in the form of case discussions, including cases presented by the course participants.

In addition to lectures, group work, case discussions and site excursions (if possible), awarding a 10 ECTS diploma would also require the active study of supporting reading material of around 800 pages, to include:

- fundamental international human rights treaties
- treaties and soft law documents relevant for understanding HR in the area of cultural rights and heritage
- UNESCO, ICOMOS, IUCN and ICCROM basic documents and policy documents
- a selection of academic work on the issue[2];
- a selection of guides or manuals in HRBA planning
- a selection of case material

Based on our experience with the Pilot Training Course of March 2016, the NCHR would be motivated to collaborate with ICOMOS Norway and other institutions to develop the course further, as outlined above.

STENER EKERN
Dr.; Associate Professor
NHCR Norwegian Centre for Human Rights
University of Oslo

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1 independent advisor to ICOMOS and IUCN Dr. Peter Bille Larsen of Lucerne University, Switzerland, Bénédicte Selfslagh, Vice President of ICOMOS Belgium, and Professor Emeritus Hans Christie Bjønness, NTNU Norway.

2 , such as Harrison, Rodney, Understanding the Politics of Heritage, Manchester University Press, 2010

**PILOT TRAINING COURSE PROGRAMME - NORWEGIAN CENTRE FOR HUMAN RIGHTS,
UNIVERSITY OF OSLO AND ICOMOS NORWAY**

Monday 14 March	Tuesday 15 March	Wednesday 16 March	Thursday 17 March	Friday 18 March
INTRODUCTION	HERITAGE, CULTURE	HUMAN RIGHTS-BASED APPROACHES	CASE STUDIES	IMPLEMENTATION
09.00-10.45:	09.00-10.45:	09.00-10.45:	09.00-10.30:	09.00-10.30:
Welcome • Presentation of participants ("autoscanning") • Hist/Phil/Pol Intro to HR / Stener Ekern • Juridical intro to HR / Gentian Zyberi	What is culture? Stener Ekern The Work of UNESCO Ingunn Kvisterøy	What is HRBAD? Bård Anders Andreassen	A Case from South Africa	Group work: Applying HRBAD to participant's cases
10.45-11.00: Short Break	10.45-11.00: Short Break	10.45-11.00: Short Break	10.30 - 10.45 Short Break	10.30-10.45: Short Break
11.00-12.30:	11.00-12.30:	11.00-12.30:	10.45-13:00:	10.45-12.45:
International Human Rights Law Gentian Zyberi	The heritage concept Peter Bille Larsen Statutes and work of ICOMOS Bénédicte Selfslagh	Working with HRBAD in heritage management Peter Bille Larsen	A Case from India	Group work continued: Applying HRBAD to participant's cases
12.30-13.30: Lunch	12.30-13.30: Lunch	12.30-13.30: Lunch	13.00-14.00: Lunch	12.45-13.30: Lunch
13.30-14.45:	13.30-15.00:	13.30-15.00:	14:00-15.00:	13.30-15.00:
Case presentations – What are the dilemmas?	Current ICOMOS challenges Bénédicte Selfslagh and Amund Sinding-Larsen	Summing up: What are the typical dilemmas in applying HR in heritage management Peter Larsen and Stener Ekern	A Case from Australia	Closing session
14.45-15.00: Short Break	15.00-15.15: Short Break	15.00-15.30: Short Break	15.00-15.15: Short Break	
15.00-16.00: Group work	15.15-16.30: Group work	15.30-16.45: Group work	15.15-16.15: Plenary: Human rights in WH work	

THE ADVISORY BODY BIBLIOGRAPHY PROJECT

Rights-Based Approaches Related To World Heritage And Heritage Management

In early to mid-2015, the *Our Common Dignity* project initiated a literature search relating to the rights dimension and heritage management in the field of World Heritage. The search was extended to involve the documentation centres of all three Advisory Bodies, whose staff members contributed with further references from their respective fields of specialization.

In 2011 the Workshop was held in the 'Christian Norberg-Schulz Library' of the National Museum–Architecture, Oslo, Norway © Norwegian Helsinki Committee

The categories of literature included in this initial search of relevant literature, were:

- Human rights-based approaches and heritage management
- Human Rights and World Heritage
- Taking local communities, ethnic minorities and indigenous peoples into account in the heritage conservation process
- Complementary titles from the ICOMOS Documentation Centre Paris open archives and collections
- Complementary titles added from the ICCROM Library catalogue
- Complementary titles checked with the IUCN Library Catalogue

The current list of literature will be posted on the website for the RBA topic (ref), which will be updated at regular intervals. This initial literature list will hopefully be developed and updated over the next few years and become a useful tool for heritage managers as well as professionals and researchers.
It is also essential that literature is included in as many languages, and from as many geo-cultural regions, as possible.

Links with specialist archives and documentation centres that can professionally contribute to this project will be pursued.

The web-posted bibliography will contain standard details on all items included so far.

Advisory Body members and specialists are encouraged to contribute to further expanding the bibliography.

PRELIMINARY NOTES ON ADVISORY BODY RIGHTS POLICY

Since 2011, the significance of Advisory Body policy matters has been central in discussions on rights-based approaches. On the one hand, case studies have raised questions about the most relevant responsive policy for the World Heritage system as a whole. On the other hand, the Advisory Bodies began to look 'inwards' to how their own contribution to the field could be strengthened in terms of operation and policy.

ICCROM, IUCN and ICOMOS differ significantly in mandate, operational responsibilities and culture.
For instance:

- ICCROM is an intergovernmental organisation (IGO)
- ICOMOS is a non-governmental international membership organisation (NGO).
- IUCN is a hybrid membership organisation composed of governments, individual experts and non-governmental organizations.

All three Advisory Bodies advise the World Heritage Committee and States Parties. IUCN advises on natural heritage, and ICOMOS and ICCROM on cultural heritage. IUCN and ICOMOS are responsible for the evaluation of new nominations, and they cooperate when there are natural elements in cultural heritage (such as for cultural landscapes) and work together on mixed properties. ICCROM, amongst other things, advises on capacity building and training.

Some material from the *Our Common Dignity* Expert Meetings and Workshops in Oslo in March 2011 and April 2014 has been published earlier (see webpage). Further material was presented during the *Human Rights and World Heritage Pilot Training Course* held in March 2016 in Oslo, arranged by the Norwegian Centre for Human Rights (University of Oslo) and ICOMOS Norway, with the Advisory Bodies.

CONCERNING POLICY ON RIGHTS

In their internal dialogue with their respective constituencies, the Advisory Bodies have on multiple occasions discussed human rights issues, both in terms of general policy language on human rights as well as more specific policy initiatives related to World Heritage. While the nature, role and policy realms of the three Advisory Bodies differ, the focus on internal policy matters has been a recurrent topic in the *Our Common Dignity* initiative. A shared conclusion has been that each Advisory Body needs to continue internal discussions in order to provide grounded advice and complement deliberations of the World Heritage Committee

IUCN has a general human rights policy for all its activities, as well as specific resolutions on World Heritage and the United Nations Declaration on the Rights of Indigenous Peoples.

At its 2012 Congress in Jeju, South Korea, IUCN adopted a *"Policy on Conservation and Human Rights for Sustainable Development"* to *"integrate human rights issues into its work, including but not limited to, the development and implementation of rights-based approaches (RBAs) within its projects and programmes."* A specific resolution likewise concerns the implementation of the UN Declaration on the rights of Indigenous Peoples in the context of the World Heritage Convention. There is clearly an overall commitment to RBA, yet linkages need be further articulated for the system as a whole.

ICCROM has a mandate to promote the conservation of all types of cultural heritage, with a focus on developing training and capacity building. ICCROM does not adopt policy documents as such, but reflects current policies of the World Heritage Committee in its projects and overall programme. ICCROM has included aspects of rights-based approaches in a number of its recent training activities.

ICOMOS is dedicated to the conservation of the world's monuments and sites (ICOMOS.org). Its work is based on the principles expressed in the 1964 International Charter on the Conservation and Restoration of Monuments and Sites (the Venice Charter) and a range of other doctrinal texts (see ICOMOS.org). As cultural heritage is integral to people's daily life environment, all these doctrinal texts include references to people and communities. Focused work on the topic started in 2011 at the ICOMOS General Assembly in Paris, where, in Nov 2011, a first Resolution on the rights dimension in heritage management was adopted. The 2014 ICOMOS General Assembly in Florence, Italy, adopted a second Resolution on this topic, and also decided to include the issue in the 2015-2017 ICOMOS Triennial Programme as a specific strategy in its role as an advocate for the conservation of cultural heritage in the world.

Further contributions to Rights-Based Approaches in World Heritage management is likely to remain an important focus for the Advisory Bodies.

ON THE ICOMOS RIGHTS POLICY REVIEW PROJECT

The following text outlines recent work (2015-2016) by the *Our Common Dignity* project to review ICOMOS policy on the rights dimension related to World Heritage and heritage management in general.

A pilot initiative by the *Our Common Dignity* initiative regarding policy on the rights dimension in heritage management has involved conducting a review of existing ICOMOS policy documents, and proposing suggestions for future work. The policy review analyses the range of ICOMOS doctrinal texts from the perspective of consolidating rights-based approaches for its World Heritage activities.

ICOMOS has developed various studies, reports and guidelines on World Heritage issues and practice. Even before the 'Fifth C' (Community) was adopted by the WH Committee, ICOMOS included *community participation* in its evaluation work. Although community participation is not an explicit criterion for nominations, it is widely recommended and adopted in Advisory Body and World Heritage Centre guidance.

An international ICOMOS working group for the *Our Common Dignity* initiative was formed in 2011. The ICOMOS National Committees of Australia, India, and South Africa have since established their own working groups for RBA in heritage management, in addition to a group set up in Norway in 2008. Progress reports on RBA work have been presented at all ICOMOS Advisory Committee Annual Meetings from 2011 onwards, and at the ICOMOS General Assemblies in 2011 and 2014. Activities and General Assembly Resolutions (see 2.7) took stock of the studies and meetings organised, set goals for future work, and consolidated opinion as to the importance of further policy guidance to secure an effective rights-based approach for ICOMOS.

Laura Kraak, PhD candidate at Deakin University, Melbourne, Australia was engaged in 2015 by the *Our Common Dignity* initiative to compile an initial overview of existing ICOMOS policy on rights. This has been developed further by Benedicte Selfslagh, vice president of ICOMOS Belgium.

The objective of the pilot policy activity has been to ascertain to what extent ICOMOS documents address human rights, to explore existing policy, and to identify opportunities for strengthening policy language to enhance effective rights-based approaches.

The ICOMOS review identifies that rights concepts are being used in many ICOMOS policy documents - albeit often in an uneven and inconsistent manner and certainly not using human rights language. Overarching human rights principles are not always clearly reflected, and the language used varies from one document to another. One reason for this is that ICOMOS is not a human rights organisation *per se,* but an NGO concerned with cultural heritage. However, with its primary focus on people and places, ICOMOS has increasingly focused on, and sought to integrate into its work, human rights and concepts used in rights-based approaches.

ICOMOS policy documents are characterised by a people-centred approach, which is not surprising given that ICOMOS regards cultural heritage as part of the environment in which people live their daily lives. The link between heritage conservation practice and fields of knowledge in such areas as territorial and urban planning, settlements and towns, and landscapes and settings is central to ICOMOS work, and increasingly raises rights issues.

While human rights and rights-based approaches have not - until now - been at the centre of ICOMOS policy development, the people-centred framework offers a basis for further work in this regard.

Key concepts, such as 'the right to access and enjoy' and 'the right to information, consultation and participation in decision-making', are nevertheless either indirectly present in ICOMOS policy documents, or overlap with general 'heritage' recommendations.

While the majority of ICOMOS documents refer to the involvement and participation of communities, they lack clear reference to rights-based approaches.

An important exception is the *ICOMOS Ethical Principles* (2014), which partially references rights in connection with cultural values, and which is binding on ICOMOS members and bodies.

In summary, ICOMOS documents tend to use their own "jargon" rather than referring to terms such as, 'cultural rights' or the 'right to cultural heritage'. Policy language nonetheless frequently refers to involvement and participation of people and communities.

Main principles are reflected in the ICOMOS Ethical Principles (Ethical Principles adopted by the 18th General Assembly in Florence, Italy on 12 November 2014; http://www.ICOMOS.org/en/about-ICOMOS/mission-and-vision/statutes-and-policies).

Based on the ICOMOS pilot policy review project, how can ICOMOS best consolidate a clear and balanced policy framework reflecting its commitment to human rights standards and implementing rights-based approaches in practice?
Further action is needed to explore how to specifically amend and complement the ICOMOS policy documents to strengthen references to human rights and Rights-Based approaches.

The policy review contains reflections on which documents and texts would or should be affected. Is there a need for a new policy and separate policy document?
Should and could there be more emphasis on operational

Participants of the Australia ICOMOS Workshop on Rights-Based Approaches in Heritage Management held at Deakin University,Melbourne in October 2015 © Australia ICOMOS

aspects and concrete mechanisms? Several scenarios are possible, from maintaining the status quo in regard to the development of practical guidelines on how to involve communities and ensure their participation, to developing a new and overarching policy document – or revising existing policy documents to ensure more consistency among them.

Further action is needed to clarify references to human rights and rights-based approaches. Therefore a 'status quo' does not seem to be an option any more. The policy review indicates several options.

To strengthen the human rights language and ensure consistency, a first option would be to amend individual ICOMOS policy documents.

A second option would be to strengthen the language in the ICOMOS Ethical Principles.

Developing a new and separate policy document or guidelines related to Rights-Based Approaches would be a third option, which would put more emphasis on the operational aspects and concrete mechanisms that heritage professionals need in order to implement RBA in their work.

A combination of the two first options is possible, and collaboration with IUCN is possible for the third option.

These discussions are not being pursued in the ICOMOS working group on the subject, but further reporting is expected at the next ICOMOS General Assembly, where the overall theme is closely aligned to the topic.

A WAY FORWARD?

The Pilot Experience with ICOMOS points to the importance of Advisory Body policy deliberations to reflect World Heritage Committee decisions. Advisory Bodies play an important technical role in the World Heritage context, not least of all in relation to nomination evaluations, State of Conservation Reporting, and capacity building.

Technical expertise and standard-setting advice are also key elements.

The ICOMOS policy review confirmed the importance of further work to develop specific guidance on rights-based approaches for its World Heritage-related activities. Dialogue among the Advisory Bodies is crucial in this respect.

The question now arises as to how to optimize and strengthen AB policy in this area, as well as how to implement RBA approaches in the work of the convention. IUCN policy is, in part, determined by IUCN Congress resolutions.

ICOMOS policy documents are adopted by its triennial General Assembly, based on the work conducted by an international committee, and following consultations of the membership.

Given the results achieved by the *Our Common Dignity* Working Group, it is hoped that this work is continued within the framework of the Advisory Body Capacity Building Initiative, under the same conditions, and with the same regular reporting, as in the past.

A full text of the ICOMOS Policy Review will be included in the material posted on the webpage.

SCIENCE POLICY DIALOGUE ON WORLD HERITAGE AND HUMAN RIGHTS
«Understanding Rights Practices in the World Heritage System: Lessons from the Asia-Pacific and the Global Arena»
Caux, Switzerland, January 2016

The international dialogue on «Understanding Rights Practices in the World Heritage System: Lessons from the Asia-Pacific and the Global Arena» took place in Caux, Switzerland on January 18-19, 2016.

The meeting was organized by the University of Lucerne in cooperation with ICOMOS and IUCN, with support from the Swiss Network for International Studies, ICOMOS Norway and the Swiss National Science Foundation. Held in the Swiss mountains, at a location famous as a site for international dialogue, the meeting brought together researchers, advisory body representatives, and members of the World Heritage and Human Rights communities, ranging from United Nations officials to ICOMOS representatives.

The participants of the Caux Seminar enjoying the Swiss snowy winter. (from Peter Bille Larsen)

Conceived as a science-policy interface, the first part of the meeting involved researchers presenting both case study and policy review findings to help nurture further debate on the human rights implications of World Heritage work.

The second part of the workshop involved specific discussions about the policy implications of the global and regional dynamics identified. Many participants stressed the importance of the recent World Heritage

"Policy for the integration of a sustainable development perspective into the processes of the World Heritage Convention" and its provisions on human rights.

The Caux meeting offered a critical opportunity to not only discuss country level findings, but equally explore locally relevant implementation modalities and appropriate recommendations for taking global policy objectives forward to implementation. The Caux policy statement and recommendations have since then informed World Heritage Committee deliberations.

THE CAUX CALL FOR ACTION ON RIGHTS-BASED APPROACHES IN WORLD HERITAGE

Caux, Switzerland, January 19, 2016

We, the participants of the international dialogue on "Understanding Rights Practices in the World Heritage System: Lessons from the Asia-Pacific and the Global Arena", met in Caux, Switzerland from January 18 to 19, 2016. The meeting was organized by the University of Lucerne in cooperation with ICOMOS and IUCN, with support from the Swiss Network for International Studies, ICOMOS Norway and the Swiss National Science Foundation.

We recall the outcome and statements of the two Oslo workshops, in 2011 and 2014, on rights-based approaches in the World Heritage system organized by the *Our Common Dignity* initiative.

We welcome the recent changes agreed to in the Operational Guidelines for the World Heritage Convention (Bonn, 2015) regarding the rights of indigenous peoples, free prior and informed consent, the recognition of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The adoption of the Sustainable Development policy[1] by the 20th General Assembly of States Parties to the World Heritage Convention (November 2015), requesting *inter alia* States Parties "to uphold, respect and contribute to the implementation of the full range of international human rights standards as a prerequisite for effectively achieving sustainable development", is likewise welcomed. We note that further specific changes to the Operational Guidelines are contemplated in light of the adoption of the policy to translate the principles of the policy into actual operational procedures.

We note that the Sustainable Development policy requests States Parties "to ensure that the full cycle of World Heritage processes from nomination to management is compatible with and supportive of human rights" and consider this new policy framework a turning point toward building more equitable and effective sustainable conservation and good governance approaches.

We further commend the Sustainable Development policy recommendation to "adopt a rights-based approach, which promotes World Heritage properties as exemplary places for the application of the highest standards for the respect and realization of human rights".

We acknowledge and welcome the growing interest from Special Procedures of the UN Human Rights Council, in particular the Special Rapporteurs on cultural rights, environment and human rights, and the rights of indigenous peoples, in addressing World Heritage issues.

We welcome the work of the Advisory Bodies (ICCROM, ICOMOS and IUCN) to the World Heritage Committee (hereafter 'the Committee') in the past years in jointly addressing the opportunities and challenges of developing more inclusive World Heritage approaches.

Being mindful of the new momentum represented by the above, we presented and discussed case study research, legislative reviews and the results of national dialogues on human rights and World Heritage conservation from selected countries in the Asia-Pacific region. This research is demonstrating the significance of considering local context, rights claims and local values as a starting point for bridging human rights and heritage protection, conservation and management.

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1 The full title is "Policy for the Integration of a Sustainable Development Perspective into the Processes of the World Heritage Convention" hereafter listed as the "Sustainable Development Policy".

[Caux Statement continued..]

We recognize, from the lessons learned at the workshop, that challenges in respecting and supporting the rights of indigenous peoples and local communities and other groups in the World Heritage context, at the national level include inadequate legal frameworks, under-resourced institutions, lack of awareness among government officials, communities and organizations, and lack of participation and monitoring mechanisms and processes:

Our meeting confirmed the need for, and feasibility of, strengthening the World Heritage system by ensuring its full compatibility and compliance with human rights obligations. In the interest of operationalizing the human rights aspects of the UNESCO Sustainable Development policy:

1. We encourage the Committee, the Advisory Bodies and States Parties to build a common language and conceptual framework aimed at fully implementing human rights, taking into consideration claims made in local contexts and in accordance with recognized international standards.

2. We recommend States Parties adopt systematic and comprehensive legislative frameworks, approaches and policies recognizing the needs and rights of people and groups on topics such as benefit-sharing, participation, livelihoods, and culture, taking into account their vulnerabilities and capacity for resilience.

3. We recommend the Committee and the World Heritage Advisory Bodies devise mechanisms to address these issues across the World Heritage cycle, including upstream processes providing early advice on nominations, periodic reporting by States Parties on implementation of the Convention and the monitoring and policy mechanisms of the Convention, learning from the best practices of the United Nations and regional human rights implementation mechanisms.

4. We recommend the Committee, the Advisory Bodies, UNESCO and the States Parties comply with international human rights standards when reviewing the processes of nomination and states of conservation. We further recommend they advance a heritage nomination and conservation approach that is fully supportive of the rights of people and relevant communities, that empowers them as legitimate stewards of heritage, and that supports their lives and cultures as part of excellence in heritage management.

5. We encourage the World Heritage Centre and the World Heritage Advisory Bodies to build capacity in the field of rights-based approaches to the nomination and conservation of World Heritage sites, including through the development of guidelines, training activities and educational awareness materials on key topics and

mechanisms, such as Free Prior and Informed Consent. It is also necessary to develop guidance on how to deal with local contexts where the legacy of past injustices may have created suspicion and reluctance with regard to World Heritage nomination and management processes.

6. We strongly encourage the use of a human rights-based framework in World Heritage processes involving third parties such as NGOs, the private sector and public-private partnerships.

7. We recommend engaging with rights-holders and local authorities in devising community-driven and holistic management approaches to World Heritage properties, bridging nature and culture as well as tangible and intangible heritage even in the absence of enabling legal frameworks.

8. We underline the importance of inclusive approaches, notably with regards to indigenous peoples, ethnic minorities, women, youth and disadvantaged groups living within, in the vicinity of, or with links to, World Heritage Sites.

9. We encourage civil society organizations to engage with the World Heritage system in order to strengthen the management of the properties in implementing the Convention.

10. We further encourage States Parties, Advisory Bodies, technical and research institutions, and other interested partners to continue the process of giving full effect to human rights and sustainability standards, inter alia, by actively fostering research, dialogue, cooperation, pilot projects and studies in order to further advance rights within the World Heritage processes.

ICOMOS AUSTRALIA

Round Table On Rights-Based Approaches To Heritage Management
Melbourne, Australia, October 2015

Australia ICOMOS established a working group to contribute to the international ICOMOS project *'Our Common Dignity: Rights-Based Approaches to Heritage Management'*, led by ICOMOS Norway. A Practitioner Round Table was organised in partnership with Deakin University in October 2015. The report of the Round Table is available from the websites of ICOMOS Norway (http://www.ICOMOS.no/) and Australia (http://australia.ICOMOS.org/).

The Round Table of 16 participants was convened to contribute Australian natural and cultural heritage practitioner perspectives to the emerging consideration of rights-based approaches to heritage conservation, including World Heritage. The Round Table model is compact, allowing robust and relatively open-ended discussion. While it cannot represent every experience, it can capture key issues and ideas in ways that can contribute to a continuing dialogue, both locally and globally.

TEN KEY MESSAGES:

1. A 'do no harm' orientation to human rights issues is a useful starting point for heritage practices – but further awareness and capacity building is needed.

2. In Australia, rights-based issues are not always characterised as such, but are more commonly considered through existing heritage practices for recognition of 'social value', or establishing processes for 'community involvement'. However, there are potential problems when consideration of 'community interests', rather than 'rights', results in treating all stakeholders in the same way. This is readily appreciated in Australia, in relation to the rights of Indigenous Traditional Owners.

3. There are different types of rights – considering cultural rights and collective rights raise further questions. There is a focus in Australia on the implications of the United Nations Declaration of the Rights of Indigenous Peoples; Free, Prior and Informed Consent (FPIC); and the arrangements for governance and management systems in relation to Indigenous peoples. However, there are other dimensions to human rights that make this picture more complex. Recognizing these complications is an essential part in advancing this dialogue.

4. Legal and Policy Frameworks for Human Rights are not within the training and professional development competencies of most heritage disciplines, and there is variable engagement with human rights discourses, terminologies and organizations by practitioners. These need to be better understood by practitioners.

5. There are specific issues for Heritage Consulting in Australia. It can be difficult to overhaul practice within this environment unless there are regulatory requirements or other incentives for proponents/clients. More specific and visible processes would facilitate better practice (and would be easier to 'sell' to clients).

6. Managing and minimising risk is a particularly strong focus for many actors, especially for government and the private sector organizations.

7. Mechanisms for measuring outcomes are needed.

8. Social science research is needed to advance community engagement approaches.

9. There is a need to identify and address barriers to applying rights-based approaches, there are issues of practice and perception that act as barriers to adopting rights-based approaches.

10. There is value for Australia in contributing to the development of an international consensus.

RECOMMENDATIONS:

One aspect of the Round Table was to experiment with it as a method that could be replicated further, and this was strongly confirmed by the participants.

Australia is well placed to set new standards and protocols for international best practices. If there are guidelines and policy documents that both IUCN and ICOMOS use, they would be powerful and readily recognised by governments. It is therefore beneficial for Australia ICOMOS and the Australian Committee for IUCN to work together.

Some further recommendations concerned capacity building and specific actions that could be initiated by Australia ICOMOS and the Australian Committee for IUCN, including:

1. ICOMOS and IUCN should continue to build awareness and capacity with practitioners and policy-makers.

2. Australia ICOMOS could develop a future 'Burra Charter Practice Note' on this topic, and IUCN could include commentaries on rights issues in the World Heritage Conservation Outlook and Green List.

3. Developing clear guidance about applying FPIC in Australian contexts could be an important next step, especially given the 2015 changes made to the World Heritage Operational Guidelines to explicitly require this. Guidance is needed for each of the processes – Tentative Listing, nominations, extensions, management systems, and so on. In order for guidelines to work, greater awareness and capacity must also be developed.

4. Overcoming the conceptual divide between nature/culture in heritage practices will be an important component of developing rights-based approaches in Australia. The 'Connecting Practice' initiative of IUCN and ICOMOS is therefore directly relevant. Issues of non-human rights also need attention within this dialogue.

5. Management Effectiveness Tools developed by IUCN could be expanded to apply to cultural heritage and also to strengthen the specific focus on rights in the social indicators.

6. To identify and take advantage of relevant national processes in Australia, such as Australian engagement with the Human Rights Council; Australian Panel of Experts on Environmental Law and the Places You Love Alliance's work on the next generation of environmental law; and engagement in the sustainable development agenda are all important steps.

7. IUCN and ICOMOS should continue to work together on rights-based approaches to World Heritage and Australian heritage.

8. There is a need to actively engage in the emerging work and share resources.

KRISTAL BUCKLEY

INVITATION TO AUSTRALIAN ROUND TABLE ON RIGHTS-BASED APPROACHES TO HERITAGE MANAGEMENT

Melbourne, Australia, Wednesday, 7 October 2015

What difference does it make to apply a rights-based approach to heritage management?
What are the barriers and enabling factors in implementing a rights-based approach to heritage conservation?

A one-day round-table was convened in Melbourne to explore these questions with sixteen natural and cultural heritage practitioners and researchers from many corners of Australia.

The report of the discussions will contribute to several inter-related international programs, including:

■ *Our Common Dignity* initiative – a joint international program between ICOMOS, IUCN and ICCROM with a focus on rights-based practices in the World Heritage system, funded by the Government of Norway (see: http://www.icomos.no/whrba/).

■ 'Understanding Rights Practices in the World Heritage System: Lessons from the Asia-Pacific' – applied research and policy development program led by Dr. Peter Larsen of the University of Lucerne, and funded by the Swiss Network for International Studies (SNIS) (see: http://www.snis.ch/project_understanding-rights-practices-world-heritage-system-lessons-asia-pacific).

The Round Table was supported by Australia ICOMOS and the Australian Committee for IUCN, and was hosted by Deakin University's Alfred Deakin Institute for Citizenship and Globalisation and Cultural Heritage Centre for Asia and the Pacific.

The Round Table method enabled a useful exploration of the various perspectives in the room and could be a model for further events in Australia and in other countries, since rights framing and pressures need to be understood in national contexts in order to develop international awareness and competence.

PROFESSOR TIM WINTER
Research Chair of Cultural Heritage,
Alfred Deakin Institute for Citizenship and Globalisation

LAURA KRAAK
PhD candidate,
Deakin University

KRISTAL BUCKLEY AM
Lecturer in Cultural Heritage,
Cultural Heritage Centre for Asia and the Pacific,
Deakin University

ICOMOS INDIA

Building Capacity To Support Rights-Based Approach In The World Heritage Convention
May-August 2015

This project is a short-term activity for the Rights-Based Approach (RBA) supported by the Ministry of Climate and Environment, Norway. The aim of the project is to undertake national consultations to identify and map experiences with issues related to rights in the field of heritage management, with a focus on World Heritage. ICOMOS Norway, as the project manager, has invited the National Committees of ICOMOS India and South Africa to collaborate on this important pilot project. Given the significance of the RBA to heritage, ICOMOS India supported the initiative of ICOMOS Norway in the General Assembly of ICOMOS held in Florence in 2014. Several World Heritage properties, both cultural and natural, have been selected for research as case studies for the purpose of this project.

## ABSTRACT AND UNDERLYING PHILOSOPHY: NEED FOR REDEFINING THE PROCESS OF IDENTIFYING HERITAGE:

People and communities are an inherent part of sites as the primary custodians, having survived through generations and connected with culture, traditions and knowledge systems which shape the natural and cultural environment in which they live. In the case of the Western Ghats, recognition of a site as 'natural heritage' alone is inadequate, for the site has elements of 'cultural landscapes,' owing to the combined works of man and nature. In the process of adhering to international conventions, at a local level the authenticity and the integrity of the site may be compromised due to procedural flaws. The 'micro' details may be overlooked in the course of addressing the 'macro' picture of heritage management. While the WHC does provide standards for regulatory and operational frameworks, the state party must develop a mechanism for operation, institutionalization and management at a local level which is responsive to the rights.

UNDERLYING PHILOSOPHY TO FORMULATE CULTURAL NARRATIVES FOR HERITAGE:

The philosophy on which this study is based reflects the framework for identifying World Heritage within the existing parameters specified by the UNESCO WH Convention, and the need to address heritage, and its value and significance, beyond these definitions and set criteria. This discourse should be defined not only in cultural, social, historical, scientific, and technical terms, but also on a spiritual and metaphysical level. In the existing framework of WH, categorizing nature and culture separately may violate the integrity of the site by generating human 'silos' or 'ghetto environments' and depriving communities of their livelihoods. This approach disconnects sites from the everyday concerns of citizens in general, and in many cases, the sites become exotic objects of consumerism. The underlying philosophy is to establish a relationship between heritage on the one hand, and democracy and rights on the other, with respect to Outstanding Universal Value (OUV), by reconstructing the historical narrative and redefining customary rights.

ARTICULATION OF VALUE AND DE-CONTEXTUALIZATION:

The existing stated enabling factors and operational guidelines define values from a global perspective, without adequately recognizing the substantive or local value. The local communities
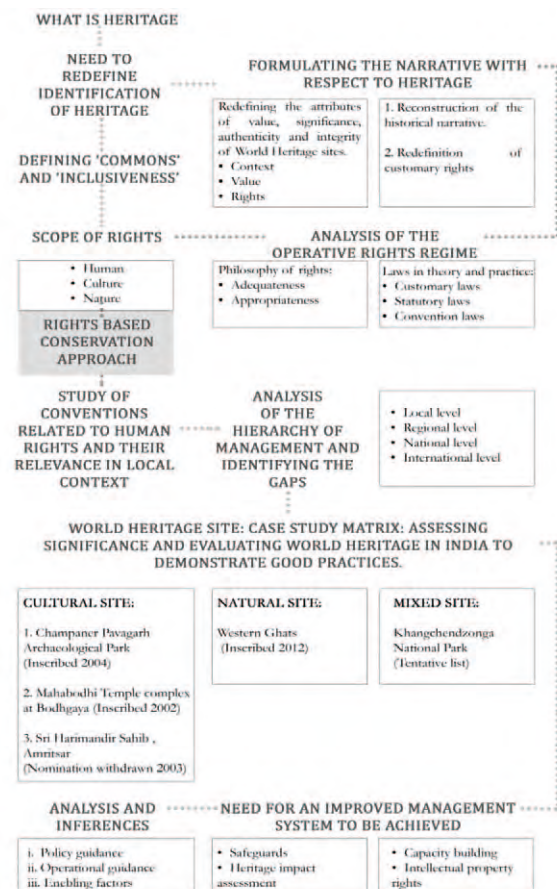
are the torchbearers of the heritage and its local significance. Therefore, they should be given primary identification and importance in 'recognition' of their heritage as a 'World Heritage'. An operational system needs to be functional to address the context, values and rights at a local as well as a global level, and feed into the management framework.

Here, the idea of a 'symbolic place', 'a cultural landscape', and adherence to a 'knowledge system approach' captures the essence of a 'place', which has significant heritage value. Heritage and tradition are two different aspects of the social context. 'Tradition' becomes 'heritage' when its value transcends the 'local boundaries' to a higher, universal level. It is only when these inherent values and meanings are identified in terms of nature, people and geography and an integrated approach is taken, that rights at various levels

can be addressed. The indigenous people have a sense of conservation of their environment and culture, as their livelihoods are largely dependent on it. However, in the light of modern conventions, this sense of responsibility tends to be downplayed or overlooked by authorities and/or the indigenous population groups.

This study hopes to contribute towards the conservation discourse through field-based research. Further, it aims to test and demonstrate how, under existing laws and conventions, aspects or findings on the study can be developed to reflect the consciousness and values of the people and management bodies in question.

METHODOLOGY: ANALYSIS OF OPERATIVE RIGHTS REGIME AND METHODS OF ANALYSIS OF INFORMATION:

UNESCO advises States Parties and Advisory Bodies on good practice in the realm of implementation of heritage conservation at site levels, as well as development of management practices. As heritage management is an area of operation which can become extremely politicized, owing to the various stakeholders and actors involved,, it is
necessary to analyse the existing management framework and rules and regulations which have an impact on heritage management. It is the need of the hour to analyse the legal regime in terms of the dynamics of the ever-evolving nature, culture and society. Analysis of conventional rights (human rights, cultural rights, etc.), substantive rights, and procedural rights is the first step in analysing the operative rights regime. Good case practices and identification of gaps in the execution of laws are part of the project methodology.

MATRIX FOR ASSESSMENT AND EVALUATION OF CASE STUDIES:

For the proposed case study analysis, it is necessary to consider the relationship between advisory bodies and individuals and institutions - the effectiveness, underlying functioning, and successes and gaps in the current regime - as well as the identification of roles, responsibilities and authority of monitoring bodies. Hence, a matrix was developed to evaluate and assess the sites selected as case studies by analysing the existing heritage management framework and examining its relationship with customary practices and interaction with local values. This matrix presented the current reality in the areas of operational legislation, customs and traditions, and conflicts arising following nomination for World Heritage status, as a result of varied perceptions in the areas of religion, politics and economics. Case study narratives were articulated incorporating this secondary information in order to analyse current practices and the impact on heritage management, and identify gaps in management and commonalities so as to better inform World Heritage nomination processes and management systems. Assessment of these sites has been undertaken, and data and information from secondary sources logged into a matrix. This analysis focuses on:

- Evaluating the current state of the legal framework, its shortcomings at the local, regional, national and international levels.

- Identifying important issues with respect to heritage management.
- Identification of issues related to formal legislation and customary practices.
- Developing links between addressing the rights of communities, the site, culture, and religion.
- Further conflicts arising due to consideration or nomination of the site for World Heritage status.

This matrix for assessment of case studies establishes a database of laws and regulations, as well as for conflicts arising due to multi-layered interventions of stakeholders at different levels. In most of the cases, the formal and informal management systems are at conflict, presenting challenges for conservation processes and interventions. Hence, each of the case studies is a unique situation, presenting a multitude of challenges faced on the ground.

WORKING GROUP MEETINGS, COLLABORATIONS AND CONSULTATIONS:

Collaboration with wildlife institute of India, Dehradun: Collaboration with the Wildlife Institute of India, a Category II Center of UNESCO, was done with the objective of constituting a multi-disciplinary group of advisors and experts to discuss World Heritage systems.

ICOMOS India RBA Working group members meeting at CRCI offices in New Delhi, India (from Gurmeet Rai)

Workshop at Wildlife Institute of India, Dehradun, India (from Gurmeet Rai).

THE NEED TO RECOGNIZE CUSTOMARY RIGHTS IN INDIA: RECOGNIZING CUSTOMARY RIGHTS OF STAKEHOLDERS:

Customary rights and the hierarchy of primary custodians of heritage sites need to not only be considered during and after inscription of a World Heritage Property, but these fundamental rights also need to be reflected in the management framework. Ownership is recognized through legislation that safeguards rights of recognised owners under fundamental principles. Much of the so-called 'associational ownership', including

Discussion with participants of ICOMOS and Wildlife Institute of India and members of the RBA working group (from Gurmeet Rai).

maintenance investment by a local community that might constitute ownership under customary rights, may be disregarded. Hence, rediscovery and redefinition of history, ownership, custodianship, metaphysical values, and customary rights is essential. Such a collectivist or holistic approach aids in defining heritage in a broader perspective.

Nature trail through the protected forest of Wildlife Institute of India campus with focus on nature conservation, biodiversity, and relations between forest, city, and people (from Gurmeet Rai).

- Context of the site
- Circumstances which shape the history
- Historical narrative
- Reconstruction and rediscovering of historical discourse
- Recognising ownership and customary rights

INFERENCES AND RECOMMENDATIONS:

An effective rights-based approach demands specific policy guidance, enabling factors, and well-formulated operational mechanisms. Inferences drawn from the case study analysis and theory are further articulated into recommendations. These recommendations apply
to various levels of management, providing policy guidance and determining enabling factors for adherence to a rights-based approach to building capacity for operationalization of the World Heritage Convention.

NEED OF ALTERNATIVE FRAMEWORKS TO INTERNALIZE HERITAGE MANAMGENT IN TRUE SENSE, IN REGARD TO THE THEORIES AND PHILOSOPHY ELABORATED IN THIS RESEARCH WITH RESPECT TO GLOBALIZATION:

Technology has come to accelerate our cultural heritage. Therefore, rejecting advanced information technology or globalization is not a solution for overcoming its disintegrating effects; rather, such 'rejection' may be viewed as a form of escape. The only remedy in ensuring cultural stability is for the agents of change (government) to repackage and re-inculcate absolute values through the use of libraries, mass media, and advanced information technologies to counter negative changes that are emerging today.

- There is a need for legal protection of the intangible cultural heritage.
- There is a need for governments to support revival of traditional and popular forms of peoples' cultural expression.
- The government should incorporate policy and programs relating to traditional cultures, heritage, and folklore in education curricula at all levels.
- The government should develop legislative protection for traditional culture, heritage museums, archives and libraries.
- There is a need to establish a "heritage library" where issues of cultural heritage would be discussed as a means of transmission of oral and intangible heritage. Conservation, preservation and dissemination of expressions of intangible cultural heritage should continue to be an important component of the library profession

GURMEET S RAI
INDIA ICOMOS Vice President
For the Working Group

ICOMOS SOUTH AFRICA

As part of the *Our Common Dignity* initiative, a pilot study on rights-based approach (RBA) was undertaken, involving collaboration between ICOMOS Norway (project manager), ICOMOS South Africa, ICOMOS India and ICOMOS Australia with a focus on "building capacity to support rights-based approaches in the World Heritage Convention and learning from the practice".

ICOMOS South Africa is very pleased to collaborate on this topic, and has carried out a case study on the World Heritage property of Richtersveld presented elsewhere.

Further, the current President of ICOMOS South Africa, Mr. Ntsizi November, has also taken part in recent Advisory Body 'Connecting Practice' meetings at the IUCN headquarters in Gland, Switzerland, and the IUCN, ICCROM, ICOMOS meetings on the island of Vilm, Germany - as well as the Pilot Training Course arranged in Oslo, Norway in March 2016.

The training course was arranged by ICOMOS Norway with the Norwegian Centre for Human Rights, University of Oslo, and shall hopefully be held again soon.

The next phase in the collaborative effort involves a course adapted and tailored to the context of South Africa and to be held in South Africa.

Ntsizi November, President of ICOMOS South Africa, and Deputy Director at the Department of Environmental Affairs (DEA) in South Africa, was one of the 22 participants who attended the pilot training course on human rights and cultural heritage.

"To me, it is an obligation to see the human rights aspects when we visit the local communities where the cultural heritage is present and take into account the rights of the member of this community.

Human rights-based approaches is a mind-set. It does not replace other approaches, but rather adds to the analysis, when looking at every case of cultural heritage and the rights claimed."

Ntsizi November (left), with Linda Lainvoo from Estonia and Vaidas Petrulis from Lithuania © NCHR, Oslo March 2016

At the Pilot Training Course, Ntsizi November presented a case from his work in South Africa, and discussed the role of the government as a duty-bearer in cultural heritage management.

"The government may give promises to the local communities when it comes to preservation. But in fact, these promises are contractual commitments that can be put forward in court. Governments can be held accountable for cultural conservation and this responsibility can actually be enforced in court. How much accountability is emphasized, is what impresses me most when having a human rights perspective on heritage."

NTSIZI NOVEMBER
ICOMOS South Africa President

ICOMOS NORWAY

Our Common Dignity – Rights-Based Approaches In Heritage Management

Exploring aspects of rights in World Heritage and heritage management generally has been a main focus of ICOMOS Norway since 2007. Continued efforts require ICOMOS and its sister Advisory Bodies to the 1972 Convention to build knowledge about the implications of international human rights law for World Heritage. ICOMOS Norway intends to contribute towards this through

All the participants of the Rights-Based Approaches and Human Rights Training Course in Oslo, March 2016 held at the Centre for Human Rights, University of Oslo © Centre for Human Rights

taking part in developing operational approaches that appear to be needed, and shall continue the cooperation with ICOMOS, IUCN and ICCROM that was started on this topic in 2011. Collaboration with external partner institutions shall also be continued, such as with the Norwegian Centre for Human Rights (NHCR) of University of Oslo – a collaboration that began in 2007.

At the conclusion of the 2011 and 2014 Expert Meetings, IUCN, ICCROM and ICOMOS signed joint statements on the topic, which were introduced and distributed at the Heritage and Rights Side-Events during World Heritage Committee Meetings in 2014, 2015 and 2016.

All the above activities have been possible due to the generous funding of the *Our Common Dignity* initiative by the Ministry of Climate and Environment, Norway.

The most recent initiative from ICOMOS Norway on the *Our Common Dignity* initiative has been to develop a training course on human rights and rights-based approaches for heritage managers and professionals.

Again, with funding from the Norwegian Ministry of Climate and Environment, an international pilot training course was arranged with the Norwegian Centre of Human Rights, University of Oslo, in Oslo on March 14 -18, 2016. Twenty-two professionals took part from the Nordic and Baltic countries - Iceland, Denmark,

Sweden, Finland, Estonia, Latvia and Lithuania and Norway - together with senior representatives from ICOMOS India, ICOMOS Belgium and ICOMOS South Africa.

Working with the goal of influencing the WH operational guidelines for the implementation of the World Heritage Convention, IN took the initiative to collaborate with both ICCROM and IUCN, and with the World Heritage Center in Paris, to develop a deeper understanding of the possible contradictions between simple human rights (UN declaration) and the processes leading to World Heritage Nominations and later management of these sites.

Our Common Dignity was initiated by ICOMOS Norway in 2007 by Amund Sinding-Larsen (Dr.; Chartered Architect), who until 2016 coordinated and developed the topic of rights in heritage management with a larger Advisory Body working group. In the period 2011-2015, he was ICOMOS Focal Point for Rights-Based Approaches in Heritage Management. From autumn 2015, Dr. Marie Louise Anker, also of ICOMOS Norway, has taken over these duties.

MARIANNE KNUTSEN
ICOMOS Norway President

PROJECT PARTICIPANTS 2015-2016
Our Common Dignity Initiative

The following individuals have taken part in the *Our Common Dignity* RBA project activities in 2015 and 2016.
Some of the individuals have also brought their own, or selected professional teams, into some part of the activities.
The team members are not individually named here. We are very grateful to all who have contributed.

Speakers at the OCDI-RBA Side-Event at the IUCN World Conservation Congress in Hawaii, USA, September 2016 (from Peter Bille Larsen)

- Haifaa ABDULHALIM – ARC-WH Programme Specialist, Natural Heritage IUCN, World Heritage Coordinator for Arab States & W. Asia, Manama, Bahrain.
- Marie Louise ANKER – Dr., Divisional Director, Nidaros Domkirkes Restaureringsarbeider, Norway.
- Tim BADMAN – Director, IUCN's World Heritage Programme, Gland, Switzerland.
- Hans Christie BJØNNESS – Professor Emeritus, NTNU Trondheim, Norway.
- Anne-Berit BREISJØBERGET – ICOMOS Norway Secretary (to end 2015), Oslo, Norway.
- Kristal BUCKLEY, AM – Lecturer in Cultural Heritage, School of Humanities and Social Sciences, Faculty of Arts & Education, Deakin University, Melbourne, Australia.
- Nigel CRAWHILL – Dr., CEESP Chair of ReSpECC, IUCN.
- Stener EKERN – Dr.; Associate Professor, NCHR, University of Oslo, Norway.
- Marta FORES – Graphic Designer, Digital Production, Barcelona, Spain.
- Erlend GJELSVIK – Røros WHA Manager, Røros, Norway.
- Chrissy GRANT – Director, CTG Services, Australia.
- Stian HAUGLI – Graphic Designer, Digital Production, Barcelona, Spain.
- Rohit JIGYASU – Professor, ICOMOS India President, Chandigar, India.
- Joseph KING – Director, ICCROM, Rome, Italy.

- Marianne KNUTSEN – ICOMOS Norway President, Bergen, Norway.
- Kirsti KOVANEN – ICOMOS Secretary General, Paris, France.
- Anne Laura KRAAK – PhD Candidate, Deakin University, Melbourne, Australia.
- Ingunn KVISTERØY – Senior Advisor, Ministry of Climate and Environment, Oslo, Norway.
- Peter Bille LARSEN – Dr., Senior Lecturer, University of Lucerne, Switzerland.
- Bente MATHISEN – Chartered Architect; ICOMOS Norway, Bergen, Norway.
- Ntsizi NOVEMBER – ICOMOS South Africa President, South Africa.
- Gonzalo OVIEDO – Senior Social Sector Advisor, IUCN, Gland, Switzerland.
- Gurmeet Sangha RAI – CRCI New Dehli, President; ICOMOS India Vice President, New Dehli, India.
- Susanne RAYMOND – MSc, Research Assistant, Oregon, USA.
- Hildegunn RODRICK – ICOMOS Norway Secretary (2016-), Oslo, Norway.
- William RODRICK – Authorized Translator, Oslo, Norway.
- Benedicte SELFSLAGH – Vice President ICOMOS Brussels, Belgium.

- Amund SINDING-LARSEN – Dr., ICOMOS Norway Project Manager, Oslo, Norway.

4 OUR COMMON DIGNITY - PILOT STUDIES AND DIALOGUE 2014
Building Capacity To Support Rights-Based Approaches In The World Heritage Convention: Learning From Practice

OVERALL GOAL

Promoting recognition and understanding of good practice to human rights and enabling conditions in World Heritage.

SPECIFIC OBJECTIVES

1. Document and analyse how rights issues have been addressed in selected initiatives making progress around community engagement in the World Heritage field

2. Identify enabling conditions and specific opportunities for strengthening rights-based approaches

3. Explore opportunities for Advisory Body action to support and facilitate RBA reflective of country specific needs and opportunities

CENTRAL QUESTIONS

1. What can be learned from existing WH site engagement with community and rights issues in terms of major challenges and advances?

2. What are the overall lessons learned which may inform the improved design of rights-based approaches and facilitate enabling conditions for their implementation?

3. What are the major needs and opportunities for Advisory Body action to catalyse strengthened rights-based approaches?

STUDY OVERVIEW/ NARRATIVE: 'GOOD PRACTICE'

Promoting "good practices" constitutes an important, if debated, modality for exchange in the conservation and development field, and in relation to human rights in the World Heritage field can appear challenging for a number of reasons. Important questions include: i) who may ultimately decide upon what is considered a best practice and based on which criteria, ii) how are regional and other contextual differences recognized, and iii) is the knowledge basis is sufficient about what constitutes "good practice".

Further, there is debate about the notion of replicability as well as the normative context of rights in the heritage field. As a combination of case studies and collective learning designed to prepare the ground for reflection and Advisory Body coordination, the pilot project seeks to trigger an experience-based exploration of "good practice" to solidify a better understanding of the diverse conditions, challenges and opportunities at stake. By creating an open space for structured experience sharing, the workshop seeks to bring together practitioners and scholars to take stock of specific World Heritage issues in order to identify ways of strengthening rights-based approaches.

WORLD HERITAGE PROGRESS AND COMMUNITY ISSUES

Considerable progress has been made in recent years to better align World Heritage management with wider sustainable development objectives. Showcasing of advances and success stories, however, rarely allows for explicit and in-depth analysis of the rights dimension. The pilot study seeks to foreground grounded learning and experience sharing from sites that are proactively addressing community issues in different regional and heritage contexts with a specific focus on different aspects of rights-based approaches.

CASE STUDIES

Case Authors for the selected cases will be asked not merely to "reproduce" language acknowledging their "community" engagement, but be asked specifically to analyse constructively how human rights have been approached and formed part of the specific approach. Each case study will employ a shared learning framework (see guidance note) with a set of common learning questions. A case study may be authored by different actors depending on the specific World Heritage Site, including: independent researchers, community representatives or government authorities. The main author of each case study will be invited to present their studies at the Oslo Workshop, April 1-3, 2014. In preparation for the Workshop, a brief "setting the scene" discussion document will also be prepared.

WORKSHOP OUTPUTS

The case studies and Workshop process will allow for a discussion on experiences with a panoply of rights issues and concerns – whether 'confirmed' or challenged – leading to an initial "typology" of rights issues and dimensions to consider in moving towards "good practice". Group work will collectively assess the variety of lessons learned and develop recommendations for further action to promote enabling conditions, good practices and strengthened rights-based approaches in the World Heritage system. This will also inform Advisory Body deliberations with results to be presented at a side event at the 38th session of the World Heritage Committee in Qatar in June 2014.

The Workshop Programme and further material will be posted on the website, to be referenced.

AMUND SINDING-LARSEN
Project Manager

PETER BILLE LARSEN
Project Consultant

STATEMENT OF INTENT 2014
Building Capacity To Support Rights-Based Approaches In The World Heritage Convention: Learning From Practice

ICOMOS, IUCN and ICCROM as Advisory Bodies to the UNESCO World Heritage Convention have, since March 2011, collaborated closely towards integrating rights considerations in their work on World Heritage.

Acknowledging valuable lessons and recommendations from the Workshop *'Building capacity to support rights-based approaches in the World Heritage Convention: Learning from practice'* held in Oslo, Norway April 1-3, 2014, ICOMOS, IUCN and ICCROM will continue their collaboration as World Heritage Advisory Bodies for implementing *inter alia* actions to:

1. Develop conceptual and policy frameworks that focus on relationships and synergies between World Heritage processes and the respect and fulfilment of human rights, building on existing frameworks and practices within and outside the WH Convention;

2. Support development of World Heritage Convention policies and guidance that identify human rights implications and requirements of the Convention in enhancing the role of communities and contributing to sustainable development;

3. Support World Heritage Operational Guidelines revision and updating in order to reflect needs and challenges of implementing the Convention, and specifically making actions and processes responsive to the contexts, rights and interests of peoples and communities living with World Heritage Sites;

4. Strengthen Advisory Body collaboration with States Parties to the Convention, and with UNESCO, to learn from experiences and challenges in implementing rights-sensitive and community-inclusive World Heritage processes;

5. Develop practical approaches and tools on rights and social inclusion to support planning, implementation and monitoring of World Heritage processes, in collaboration with concerned actors, including communities and indigenous peoples;

6. Identify further needs and opportunities to strengthen rights and social inclusion considerations in evaluation processes, State of Conservation reporting and Periodic Reporting;

7. Continue capacity building actions and processes for Advisory Body WH specialists, and, where feasible, for State Party agencies, indigenous peoples and local communities, and other stakeholders;

Dialogue and focus during the 2014 OCDI-RBA Workshop in April 2014, Oslo, Norway © ICOMOS Norway

8. Support national level processes to enable more inclusive and socially-sensitive approaches in heritage management;

9. Communicate to the World Heritage Convention, including at the meetings of the World Heritage Committee, and to relevant international processes and partners, the progress and results of the Advisory Body work;

10. Raise awareness and build support for a vision of World Heritage that models the highest international standards in benefitting people's rights, dignity and aspirations.

WORKSHOP PARTICIPANTS 2014

Oslo April 2014, 'Our Common Dignity: Building Capacity To Support Rights-Based Approaches In The World Heritage Convention: Learning From Practice'

Participants of the 2014 ODCI-RBA Workshop in Oslo, Norway © Kirsti Kovanen

PROJECT DEVELOPMENT AND MANAGEMENT

- Amund SINDING-LARSEN - Dr., Chartered Architect, Project Manager.
- Peter Bille LARSEN - Dr., Project Consultant, University of Lucerne, Switzerland.
- Gonzalo OVIEDO - IUCN Senior Social Advisor.
- Anne-Berit BREISJØBERGET – ICOMOS Norway Secretary, Oslo.

ICCROM-ICOMOS-IUCN ADVISORY BODY REPRESENTATIVES

- Joseph KING – ICCROM Director Projects Unit, Rome, Italy.
- Gonzalo OVIEDO - IUCN Head of Social Policy, Gland, Switzerland.
- Kirsti KOVANEN - ICOMOS International Secretary General, Paris, France.
- Carolina CASTELLANOS - ICOMOS WH Panel Member, Mexico.
- Rohit JIGYASU – ICOMOS, UNESCO Chair Professor, Japan; Chandigarh India.

WORKSHOP PRESENTERS WITH CASE STUDY AS RELEVANT

- Marie Louise ANKER - Past President ICOMOS Norway - Dr. Chartered Architect, Trondheim, Norway.
- Tarek ABULHAWA – IUCN, Amman Jordan - JORDAN: The Wadi Rum WH Protected Area.

- Stefan DISKO - International Work Group for Indigenous Affairs, Member, Germany.
- Stener EKERN - Assoc. Professor NCHR, University of Oslo.
- Johanne GILLOW - IN Executive Board, Director of Heritage Management, City of Bergen, Norway.
- Anthony GITHITHO – National Museum Kenya - KENYA: Sacred Mijikenda Kaya Forests: Approaches to Human Rights.
- Chrissy GRANT – Principal Director, CTG Services, Australia - AUSTRALIA: Tasmanian Wilderness and Wet Tropics WHAs.
- Amran HAMZAH – Professor, IUCN TILCEPA, Malaysia - MALAYSIA: Kinabalu Park WHA relationship with communities.
- Mustapha KHANOUSSI – President ICOMOS Tunesia:
- Ingunn KVISTERØY - Senior Advisor, Ministry of Climate and Environment, Oslo, Norway.
- Kjersti LARSEN - Professor, Cultural History Museum, University of Oslo, Norway.
- Alberto MARTORELL – Professor, President ICOMOS Peru - PERU: Lima Historic Centre.
- Bente MATHISEN - Chartered Architect, ICOMOS Norway.
- Julio MOURE – Independent consultant (COMPACT) - MEXICO: Sian Ka'an and Rights-Based Approaches.

- Antoine E RAFFOUL – Chartered Architect - ICOMOS UK & CIAV - ISRAEL/PALESTINE.
- Shireen SAID - Chief Policy Advisor - UNDP New York.
- Hans SKOTTE – Professor, NTNU Norwegian University of Science and Technology, Trondheim, Norway.
- Charlotte SOMMERSCHIELD - Progr. Officer NWHF, Oslo – repr UNESCO World Heritage Centre, Paris France.
- Inger-Lise SYVERSEN – Dr. Assoc. Professor, Chalmers University, Gothenburg, Sweden.
- Sudarshan Raj TIWARI – Professor - NEPAL: Rights issues in WH, Patan Monuments Zone of
- Kathmandu Valley World Heritage Site.
- Reidun VEA - Section Chief, Directorate for Cultural Heritage, Oslo, Norway.
- Bas VERSCHUUREN - IUCN Specialist Group on Cultural and Spiritual Values of Protected Areas,
- The Netherlands – CASE STUDY: Recognition of Sacred Natural Sites in WORLD HERITAGE (regional study).
- Yu WANG – Doctoral Candidate, NTNU Norway.
- Gro Birgit WEEN – Dr., Assoc. Professor UiO, Norway - NORWAY: Alta World Heritage sites: Saminess, Representativity and Narratives of Colonization and Decolonization.
- Marion WOYNAR – Member ICOMOS France - Dr. at Law, Paris France - MEXICO.

5 OUR COMMON DIGNITY 'FOUNDING' WORKSHOP 2011

'Towards Rights-Based World Heritage Management', Arranged by ICOMOS Norway with Norwegian
Centre for Human Rights (NCHR) and Norwegian Helsinki Committee (NHC)

Participants of the 'founding' OCDI-RBA Workshop in Oslo, Norway in March 2011 © Norwegian Helsinki Committee

2011 PILOT PROJECT WORKSHOP, OSLO, NORWAY

An Expert Workshop for the Advisory Bodies to the 1972
Convention was undertaken from the 9-11 March 2011 in Oslo
on human rights in World Heritage management.
Workshop participants were invited from ICOMOS international,
ICCROM, IUCN and ICOM (Norway).

The Workshop was a pilot activity supported by Norway's
Ministry of Environment (later known as Ministry of Climate
and Environment).

UNESCO and ICOMOS regard human rights and local
community issues as high priority concerns in international
conservation.
Selected cases from different geographical-cultural regions
were presented and discussed at the Workshop, and were
related to the broad issues of human rights and heritage.
Cases were selected based on the criteria that they a) satisfied
HR and WH intentions, illustrating positive processes and
experiences from different regions and b) violated human
rights and World Heritage intentions. The Workshop and
project aimed to contribute towards an emerging paradigm
of conservation – Conservation with Development and Social
Change – all within the tangible and intangible challenges of
sustainable development.

The objective of the Workshop and the project has been to raise
awareness of Human Rights dimensions in World Heritage work.

Local and regional conflicts on rights and entitlements
sometimes arise when natural areas and cultural property
are selected for national or World Heritage status, and often

The National Museum-Architecture where the 2011 OCDI-RBA Workshop was held © National Museum-Architecture

involve the state and local stakeholders as actors being at
odds with each other.
References to human rights and sustainable development have
become standard to all international cooperation strategies,
programmes and projects, and are increasingly in the form of
rights-based planning and implementation.

A similar integration of rights issues should be addressed in
international activities for World Heritage management.

The WH Convention (1972) is considered insufficiently equipped
for dealing with conflicts on rights, as it was formulated and
ratified before the inclusion of human rights concerns became
mandatory for all international treaties.

WORKSHOP PARTICIPANTS STATEMENT 2011

'Our Common Dignity: Towards Rights-Based World Heritage Management'
Oslo 9-11.3 2011

We, participants at the international workshop 'Our Common Dignity: Towards Rights-Based World Heritage Management' held in Oslo, Norway, on 9-11 March 2011, co-organized by ICOMOS Norway, the Norwegian Centre for Human Rights (NCHR) and the Norwegian Helsinki Committee (NHC), with support from Norway's Ministry of Environment:

Commend the organizers of the Workshop for taking the initiative to convene the meeting, and thank the Ministry of Environment of Norway for its support of the event;

Appreciate that the objective of the Workshop was to raise awareness of the human rights dimensions within World Heritage in a framework of sustainable development;

Recall that the UNESCO Constitution states "The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations" (Article 1.1);

Recall the Declaration on Cultural Heritage and Human Rights of the ICOMOS Advisory Committee in Stockholm in 1998, and having learned as well of valuable efforts from organizations such as IUCN to develop concepts, approaches and tools that support conservation paradigms that are inclusive of human rights, livelihood security, justice and equity.

Recognise the positive contributions World Heritage makes to Human Rights but acknowledge, that cases exist where the rights and interests of people associated with World Heritage Sites have been negatively impacted, and that such impacts contradict national and international commitments on human rights, poverty reduction, equity and sustainable development;

Express concern that the efforts of the World Heritage Convention to conserve the most precious creations of humankind and outstanding natural places are ethically compatible with the rights of people to live in dignity as individuals and communities.

1. We recommend that internationally proclaimed human rights should be upheld, respected and included in the implementation of the World Heritage Convention, and in particular through education and training initiatives, consistent with the commitment of States Parties to internationally proclaimed human rights;

2. We invite the President of ICOMOS to establish a working group with IUCN and ICCROM to develop and enhance good practice including in relation to World heritage evaluation and monitoring. We recommend that this working group develops appropriate guidance and tools to support States Parties to adequately integrate human rights considerations in their actions to implement the World Heritage Convention. We recommend that this working group collaborate with interested States Parties and Human Rights Organizations to further strengthen an open, informed and inclusive process;

3. We recommend that the organizers of this workshop present its results at the World Heritage Convention Anniversary events in 2012, contributing to its theme "World Heritage and Sustainable Development: The Role of Local Communities in the Management of World Heritage", and to coordinate with the Advisory Bodies to also bring to such events relevant outputs of any further work undertaken by them;

4. We invite States Parties to the World Heritage Convention to bring the outcome and report of the workshop to the attention of UNESCO and the World Heritage Centre for further discussion and follow-up in relevant fora, highlighting therein the importance of integrating human rights considerations in the implementation of the Convention, so that the objectives of conserving WH Sites go hand in hand with the national and international efforts to secure human rights.

Oslo, 11 March 2011

Invited Advisory Body Experts

ICOMOS Norway with
The National Centre for Human Rights, Norway and
The Norwegian Helsinki Committee

WORKSHOP PARTICIPANTS 2011

'Our Common Dignity: Towards Rights-Based World Heritage Management', Oslo 9-11 March 2011

PRESENTERS:

- Marco ACRI – Dr.; Nova Gorica University, Slovenia.
- Clara AROKIASAMY – MSc. Director, KALAI, Organisation Development International Consultancy +44(0)7789485576.
- Eman ASSI – Dr.; Cultural Heritage Expert, Architectural Heritage Department, Dubai Municipality, United Arab Emirates.
- Hans Christie BJØNNESS – Professor, NTNU Norway.
- Donald HANKEY (Lord Hankey) – President ICOMOS UK.
- Jukka JOKILEHTO - Professor, ICCROM, Rome, Italy.
- Roksolana IVANCHENKO – Secretary General, National Commission of Ukraine for UNESCO, Kyiv, Ukraine.
- William LOGAN – Professor, Deakin University, Melbourne, Australia.
- Bente MATHISEN – ICOMOS Norway.
- Ali OULD SIDI – WH Property Manager, Timbuktu, Mali.
- Gonzalo OVIEDO – IUCN Head of Social Policy, Gland, Switzerland.
- Tatjana PUSCHKARSKY – IUCN WH Programme, Intl Youth Forum, Geneva.
- Neil SILBERMAN – President, ICOMOS ISC Interpretation, US. Professor, University of Massachusetts at Amherst, USA.
- Peter G STONE – Professor, Newcastle University, UK.
- Nato TSINSABADZE - Secr.Gen ICOMOS Georgia, Tbilisi Historic Town, Georgia.
- Gro WEEN – Dept of Social Anthropology, University of Oslo, Norway.
- Kerstin WESTERLUND – President ICOMOS Sweden.
- Katarzyna ZALASINSKA – Directorate for Cultural Heritage, Warsaw, Poland.

DISCUSSANTS:

- Tim BADMAN – IUCN Director of World Heritage, Gland, Switzerland.
- Christian BORHAVEN – Forsvarsbygg, Oslo.
- Inger HELDAL – Senior Advisor, Directorate for Cultural Heritage, Oslo.
- Tone KARLGÅRD - ICOM Norway.
- Joseph KING – ICCROM, Rome, Italy.
- Thor KROGH – Forsvarsbygg, Oslo.
- Ingunn KVISTERØY– Senior Advisor, Ministry of Environment, Oslo.
- Axel MYKLEBY – Blue Shield.
- Gaute SØNSTEBØ – Senior Advisor, Directorate for Nature and Environment, Trondheim, Norway.
- Reidun VEA – Board Member, Norwegian National Commission for UNESCO, Norway.

Excursions during the 2011 OCDI-RBA Workshop in Oslo: Akershus Medieval Castle precinct (above), and to the Oslo Opera (Architects: Snøhetta, Oslo) © ICOMOS Oslo

REPRESENTING ICOMOS NORWAY:

- Marie Louise ANKER – President ICOMOS Norway.
- Birgitte SAUGE – ICOMOS Norway.

WORKHOP ORGANISING COMMITTEE:

- Gunnar EKELØVE-SLYDAL – Deputy Secr.Gen, Norwegian Helsinki Committee, Oslo.
- Stener EKERN – Associate Professor, National Centre for Human Rights (UiO), Oslo.
- Ingunn KVISTERØY – Senior Advisor, Ministry of Environment, Oslo.
- Bente MATHISEN – ICOMOS Norway.
- Amund SINDING-LARSEN – ICOMOS Norway, Project Manager.

6 ICOMOS RESOLUTIONS ON RIGHTS-BASED APPROACHES

Resolution texts from 2011, 2014 and 2016 are included here.
Versions in French and other languages are to be added as possible.

ICOMOS RESOLUTION 17 GENERAL ASSEMBLY 2011/30 -

Our Common Dignity: Rights-Based Approaches To Heritage Management

The 17th General Assembly of ICOMOS,

Recalling that human rights have already been expressed as a vital dimension in all UNESCO activities (UNESCO Constitution) and also by ICOMOS in the 1998 Stockholm Declaration celebrating the fiftieth anniversary of the Universal Declaration of Human Rights;

Noting the strong cooperation between ICOMOS and organisations such as the International Coalition of Sites of Conscience, and reaffirming ICOMOS members' common commitment to the cause of human rights;

Reflecting that neglect of human rights might negatively affect national and international commitments to universally accepted goals of human development, and believing that increased knowledge about and use of rights-based approaches to heritage management may contribute to a calmer and more constructive resolution of potential disputes;

Acknowledging the positive contributions of the World Heritage Convention in building international understanding of cultural and natural diversity, ICOMOS is aware of cases where the human rights of individuals and communities associated with or living within World Heritage properties have been overlooked;

Recognizes that an integration of human rights concerns is essential to heritage identification and conservation, and considers that the implementation of heritage conservation initiatives needs to be supported by human rights based approaches introduced as a 'sustainability check' to all phases of these activities; and

Requests the Executive Committee to develop an 'Our Common Dignity' initiative as a key activity in the ICOMOS 2012-14 Triennial Action Plan.

La XVIIème Assemblée générale de l'ICOMOS,

Rappelant que les droits de l'homme ont déjà été reconnus comme une dimension essentielle dans toutes les activités de l'UNESCO (Acte constitutif de l'UNESCO) ainsi que par l'ICOMOS dans la Déclaration de Stockholm de 1998 à l'occasion du cinquantième anniversaire de la Déclaration universelle des droits de l'homme;

Notant la forte coopération entre l'ICOMOS et des organisations telles que la Coalition Internationale des Sites de Conscience, et réaffirmant l'engagement commun des membres de l'ICOMOS en faveur des droits de l'homme;

Constatant que la négligence des droits de l'homme peut affecter négativement les engagements nationaux et internationaux en faveur des objectifs universellement adoptés pour le développement humain, étant convaincue que la connaissance accrue et l'utilisation des approches de la gestion du patrimoine fondée sur les droits de l'homme peut contribuer à la résolution plus calme et plus constructive des conflits potentiels;

Reconnaissant les contributions positives de la Convention du patrimoine mondial dans la construction de la compréhension internationale de la diversité culturelle et naturelle, l'ICOMOS est conscient de cas où les droits des individus et des communautés associés à/ou vivant au sein de biens du patrimoine mondial ont été négligés;

Reconnaît que l'intégration des préoccupations des droits de l'homme est essentielle au processus d'identification et de conservation du patrimoine, et considère que la mise en œuvre d'initiatives de conservation du patrimoine doit être soutenue par des approches fondées sur les droits de l'homme comme un «label de durabilité» pour toutes les phases de ces activités;

Prie le Comité exécutif de l'ICOMOS de développer l'initiative «Notre dignité commune» comme une activité clé dans le Plan d'action triennal de l'ICOMOS 2012-14.

ICOMOS RESOLUTION 18 GENERAL ASSEMBLY 2014/36

Our Common Dignity: Advancing Rights-Based Approaches To Heritage Conservation
[Submitted By ICOMOS Norway, ICOMOS Australia, ICOMOS India, ICOMOS South Africa]

Gustavo Araoz, President, at ICOMOS 18GA Opening in Florence, Italy, November 2014. © Amund Sinding-Larsen

The 18th General Assembly,

Recalling 17GA 2011/30 'Our Common Dignity: Rights-based approaches to Heritage Management', and the substantial progress made by the Working Group established by ICOMOS International Executive Committee in relation to this program since 2011.

Acknowledging that rights issues, including the involvement of communities, are a growing aspect of the work of international organisations for culture and heritage, and that this is a complex field of work that involves many activities.

Reflecting that while these issues are applicable to heritage conservation processes in many local contexts, the work in this program has focused on the World Heritage system, due to the potential for positive contributions of the World Heritage Convention in building international understanding of cultural and natural diversity, and the ability to work collaboratively with other organisations to develop robust approaches, including IUCN, ICCROM and the UNESCO World Heritage Centre.

Recognizing the importance of integrating rights concerns into processes and practices for heritage identification and conservation;

Noting that potentially adverse outcomes can occur when heritage processes do not adequately take account of rights concerns;

Supporting the approach taken by the program to date which has focused on improving awareness and practices within ICOMOS, building relationships, sharing and analysis of case studies and the identification of enabling factors for rights-based approaches to heritage management that can act as a 'sustainability check' to all phases of these activities.

Noting with thanks the financial support of the Norwegian Government and the leadership provided by ICOMOS Norway in this work.

Requests that the Executive Committee continue to work on these issues within ICOMOS through the 'Our Common Dignity' component of the ICOMOS International Work Plan for 2014-2017, including:

- Reflection on the work completed 2011-2014 and development of work plans that identify next steps and strategies;
- Continued consideration of rights-based approaches in the work of ICOMOS in relation to its role as an Advisory Body to the World Heritage Convention.
- Facilitating continued dialogue within ICOMOS networks to enhance understanding of these matters.

Notre dignité commune : mettre en avant les approches fondées sur les droits de l'homme dans la conservation du patrimoine [proposé par ICOMOS Norvège, ICOMOS Australie, ICOMOS Inde, ICOMOS Afrique du sud]

La 18e Assemblée générale de l'ICOMOS,

Demande au Comité exécutif de poursuivre son travail sur ces questions au sein de l'ICOMOS à travers le programme "Notre Dignité commune » du Plan de travail International de l'ICOMOS pour 2014-2017, en y incluant :

- Une réflexion sur le travail accompli en 2011-2014 et un développement de plans de travail à même d'identifier les prochaines étapes et les stratégies à conduire ;
- La poursuite de l'examen des approches fondées sur les droits au sein du travail de l'ICOMOS, dans le cadre de son rôle en tant qu'organe consultatif de la Convention du patrimoine mondial ;
- Les moyens de faciliter le dialogue au sein des réseaux de l'ICOMOS pour une meilleure compréhension de ces questions.

ICOMOS RESOLUTION 18 GENERAL ASSEMBLY 2014/17, 8-3-1

Proposed ICOMOS Triennial Programme 2015-2017

The 18th General Assembly :
Recalling that proposals for activities and ideas for the new ICOMOS triennial program 2015-2017 were announced to Presidents of the National Committees and the Scientific Council, and Executive Committee members on 14.9.2014,
Noting that replies were received prior to and during the session of the Advisory Committee on 7.11.2014 from various representatives of National and Scientific Committee and the Executive Committee,
Considering that the Advisory committee having examined the document and replies recommend its adoption, as amended,
Adopts the following as the ICOMOS work plan objectives and strategies for 2015 – 2017:

1 ICOMOS: ACTIVE AND WIDER MEMBERSHIP LINKS AND CONNECTIONS

Objective:
- Develop our membership base and link public authorities, institutions and individuals to ICOMOS programs and activities.

Strategies:
- Expand the membership to include greater number of young professionals;
- Develop awareness-raising programmes for heritage conservation among the universities;
- Develop and promote ICOMOS's advisory role in government programmes at all levels (national, state, provincial, local and NGOs);
- Actively recruit a broader membership, both geographically and in subject specialization;
- Explore possibilities to enlarge institutional membership to governments;
- Develop mentoring programs to share and build on expertise.

2 ICOMOS: SHARE RESEARCH AND KNOWLEDGE OF ICOMOS MEMBERS THROUGH FACILITATING OPPORTUNITIES FOR ACTIVE PARTICIPATION IN EXCITING AND SOLID PARTNERSHIPS.

Objective:
- Using the knowledge of our membership and partner institutions, develop cultural heritage-related knowledge and expertise through research and projects, and the creation of participatory structures that allow all members to contribute and use through publications, information systems and training.

Strategies:
- Establish and maintain Memoranda of Understanding with other leading organizations in conservation of cultural heritage e.g. ICCROM, ICOM, IUCN, ICA, Blue Shield, IFLA, UIA, Universities etc. to develop and implement on-going research and other programmes;
- Provide platforms for sharing knowledge through the ICOMOS website eg Heritage Toolkit and members website pages,

- Actively promote the ICOMOS Open Archive in a multilingual context and provide support for an active ICOMOS Publishing programme to support the scientific program and to include, inter alia, a broad methodology and funding, and anonymous peer-review;
- Enlarge existing translation groups (English, French, German, Spanish) and encourage the establishment of new ones to disseminate information to the widest possible readership;
- Utilize social media to communication amongst ICOMOS members and increase knowledge sharing;
- Seek publishing partnerships and sponsorships to support the publications programmes;
- Continue creation of joint programs for improved tools and capacity building in the frame work of World Heritage.

3 ICOMOS: LEADERS IN CULTURAL HERITAGE CONSERVATION

Objective:
- Reaffirm the role of ICOMOS as the paramount advocate for the conservation of cultural heritage in the world.

Strategies:
- Continue to strengthen our role in providing impartial and objective advice in a timely manner to the World Heritage Committee;
- Be "at the right time at the right place in the intellectual debate", be pro-active rather than reactive in the provision of expert advice;
- Strengthen ICOMOS's capacity to provide advice in relation to all cultural heritage sites affected by disasters, development proposals and the like;
- Continue support to programmes of improved tools and global approaches to increased awareness and capacity building in heritage conservation, such as rights-based approaches in heritage management and links between nature and culture;
- Streamline ICOMOS evaluation methods and processes for the provision of advice related to World Heritage matters and ensure greater transparency;
- Continue creation of an Upstream Assistance Unit in ICOMOS.

4 ICOMOS: A STRONG NETWORK OF TECHNICAL EXPERTISE TO BENEFIT SOCIETY

Objective:

- Enhance the ability of the full network of ICOMOS to provide assessments and technical assistance - identify heritage trends and provide technical assessments and cooperation - use cultural heritage knowledge and expertise for the benefit of society – share the awareness on heritage issues throughout the world.

Strategies:

- Encourage the development of National Scientific Committees corresponding to International Scientific Committees to utilize and develop the full expertise of the ICOMOS membership in accordance with the Dubrovnik-Valletta Principles;
- Encourage the widest possible participation of the ICOMOS membership in all current ICOMOS work plans and programmes;
- Identify actively current areas of professional discussion, research and actions, and maintain intellectual debate on heritage;
- Develop cross-disciplinary programs, events and activities by the ISCs;
- Drawing on the membership database (GND), develop an active programme for technical assessments and missions, which draws upon ICOMOS's specialist expertise in the widest sense.

5 ICOMOS: REALIZING FULL ORGANISATIONAL POTENTIAL

Objective:

- Develop and ensure a greater organisational and institutional capacity for ICOMOS.

Strategies:

- Implement effective governance;
- Encourage a culture of leadership development within ICOMOS
- Reinforce the Secretariat with improved management systems;
- Engage the membership to a much greater capacity to support ICOMOS's mission;
- Promote the Ethical Principles including through the National and International Committees;
- Investigate and take action on dormant, restrictive or non-functional National and International Committees;
- Strengthen regional groups by fostering their internal development programs;
- Explore the possibilities offered by the 'Affiliate' membership category and the recognition of 'benefactor members' and find mechanism on world-wide membership campaign;
- Provide assistance and interventions, when necessary, to continue to raise the credibility of all National and International Committees.

Authorizes the incoming Executive Committee of ICOMOS for 2015 – 2017A to further elaborate the program and determine a strategy for its implementation.

ICOMOS ADCOM RECOMMENDATION 2016

Resolution 2016 Advisory Committee meeting
Our Common Dignity: advancing rights-based approaches to heritage conservation,
[submitted ICOMOS Norway, ICOMOS Australia, ICOMOS India, ICOMOS South Africa]

The 2016 Advisory Committee meeting in Istanbul:

Recalling 17GA 2011/30 'Our Common Dignity: Rights-based approaches to Heritage Management', Resolution 18GA 2014/36 Our Common Dignity: advancing rights-based approaches to heritage conservation, and the substantial progress made by the Working Group established by ICOMOS International Executive Committee in relation to this program since 2011.

Acknowledging that rights issues, including the involvement of communities, are a growing aspect of the work of international organisations for culture and heritage, and that this is a complex field of work that involves many activities.

Acknowledging the adoption by the World Heritage Convention GA of the Sustainable Development.

Acknowledging the continues collaboration between the Advisory Bodies to the WH Convention, ICCROM, ICOMOS and IUCN,

Reflecting that while these issues are applicable to heritage conservation processes in many local contexts, the work in this program has focused on the World Heritage system, due to the potential for positive contributions of the World Heritage Convention in building international understanding of cultural and natural diversity, and the ability to work collaboratively with other organisations to develop robust approaches, including IUCN, ICCROM and the UNESCO World Heritage Centre.

Recognizing the importance of integrating rights concerns into processes and practices for heritage identification and conservation;

Recognizing that the ICOMOS Board at its meeting in Nov 2015 established a new Working Group for the topic, to be coordinated by Dr. Marie Louise Anker of ICOMOS Norway. The current Working Group members are Kristal Buckley, ICOMOS Australia; Gurmeet Sangha Rai, ICOMOS India; Ntsozi November, ICOMOS South Africa, and Marie Louise Anker. Peter Phillips, ICOMOS Vice President oversees/coordinates topic activities vis-à-vis the ICOMOS Board (appointed August 2016).

Noting that potentially adverse outcomes can occur when heritage processes do not adequately take account of rights concerns;

Noting the considerable and diverse work carried out by the Our Common Dignity Initiative, as well as the expanded/new/

ICOMOS Working Group on the topic established in 2015, including the participation in the SNIS-funded project investigating rights issues in World Heritage in Asia.

Noting that the topic shall provide constructive challenges and opportunities not only for ICOMOS and ICOMOS National Committees, but also for participation from the ICOMOS membership – and importantly investigating how diverse geo-cultural contexts can contribute to developing the topic for ICOMOS advisory role.

Supporting the approach taken by the initiative to date which has focused on improving awareness and practices within ICOMOS, building relationships, sharing and analysis of case studies and the identification of enabling factors for rights-based approaches to heritage management that can contribute towards a relevant 'sustainability check' of all aspects of World Heritage work.

Noting with thanks financial support of the Norwegian Government for this now completed project, and the leadership provided by ICOMOS Norway to develop the work.

Requests that the ICOMOS Board continue to work on these issues within ICOMOS through the 'Our Common Dignity' component of the ICOMOS International Work Plan for 2014-2017, including:

- Reflection on the work completed and development of work plans that identify next steps and strategies;
- Continued consideration of rights-based approaches in the work of ICOMOS in relation to its role as an Advisory Body to the World Heritage Convention.
- Facilitating continued dialogue within ICOMOS networks to enhance understanding of these matters.
- ICOMOS undertake to initiate policy work in order to enhance understanding and explore relevant policy responses.
- ICOMOS recognizes potentials and opportunities also for ICOMOS as Advisory Body through the AB Capacity Building program funded by the Norwegian Government and agreement signed in Hawaii in August 2016 between Norway and IUCN and ICCROM.
- incorporate the topic of advancing rights-based approaches to heritage conservation in the agenda for the scientific seminar at the forthcoming ICOMOS GA in New Delhi in 2017.

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