

## Article

# Roadmap for the Nomination of Reconstructed Cultural Properties for Inscription on the UNESCO World Heritage List

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**Abstract:** Guidance on reconstruction is being prepared to implement recent decisions of the World Heritage (WH) Committee. Special attention is given to reconstruction post-inscription within the framework of the Outstanding Universal Value (OUV) of destroyed cultural WH properties. However, guidance must also cover reconstruction pre-inscription because destroyed properties on the Tentative Lists of States Parties may be reconstructed and nominated for inscription on the WH List in the future. This article shifts the attention towards the latter. It revisits the pillars of OUV and elucidates the relation between key concepts to develop a roadmap for new nominations in line with the WH Convention and the growing understanding of heritage as dynamic process in scholarly literature. It explains that States Parties must provide a statement of cultural significance (SCS) to meet the qualifying condition of continuity, and a heritage impact report (HIR) to meet the qualifying conditions of compatibility and distinction. Cultural criteria (i)–(vi) form a reminder list rather than a selection list in the roadmap. The SCS and HIR are, instead, the criteria on the basis of which reconstructed cultural properties may be inscribed. Moreover, authenticity and integrity are rendered redundant by the three qualifying conditions. As a result, this article makes a timely, original, academic and operational contribution to the ongoing preparation of guidance at the international level.

**Keywords:** World Heritage List; cultural heritage; nomination; reconstructed cultural property; reconstruction; pillars of Outstanding Universal Value; pre-inscription

## 1. Introduction

Reconstructed cultural properties may possess Outstanding Universal Value (OUV) and become part of the shared heritage of humanity once they are inscribed on the UNESCO World Heritage (WH) List. This value “is the touchstone for all inscribed properties” [1] (p. 8) as expressed in the *Convention Concerning the Protection of the World Cultural and Natural Heritage*, also known as the WH Convention [2]. The latter was established to recognize properties that “deserve protection and transmission to future generations, and which are important for the whole of humanity” [1] (p. 30). Although the Convention is immutable, the Operational Guidelines (OG) for its implementation [3] are mutable provisions that “allow for the integration and evolution of new concepts and processes” in the WH system over time [1] (p. 2). Only the States Parties (countries) that have signed the Convention “can submit nominations of properties to be considered for inclusion on the World Heritage List” [1] (p. 17).

The OG, however, discourage and barely address the nomination of reconstructed cultural properties [3] (paragraph 86) because the Venice Charter [4], which is the cornerstone of the OG and the foundational doctrinal text of the International Council on Monuments and Sites (ICOMOS), upholds a “highly restrictive position” [5] (p. 9). The authors of that charter were indeed “very skeptical of

reconstruction work” [5] (p. 19). This explains why very few reconstructed cultural properties are included in the WH List, such as the Historic Centre of Warsaw (Poland), Rila Monastery (Bulgaria), and the Old Bridge Area of the Old City of Mostar (Bosnia and Herzegovina) [6]. The charter’s highly restrictive position, however, has not prevented the WH Committee from explicitly recommending, at its 39th session in 2015, “to extend support for reconstruction of damaged World Heritage properties” in zones of conflict in the Arab States Region [7] (points 3, 7). These damaged properties have already been inscribed on the WH List. Thus, the issue of concern is reconstruction *post-inscription*; yet, the Committee also commented on “sites included in the Tentative List” of States Parties [7] (point 4), which raises another issue of concern: reconstruction *pre-inscription*.

This article argues for an alternative nomination process for reconstructed cultural properties—a roadmap that is still in line with the WH Convention. To understand why the roadmap is a relevant alternative, the reader must first learn about the nomination process in its current form in the OG [3] and the supplementary resource manual [1].

### 1.1. Current Nomination Process

Each nominated cultural property must first be included in the Tentative List (national inventory) of the respective State Party, comprising its name, geographic location, a brief description and, most importantly, a justification of potential OUV [3] (paragraphs 63, 66, 122, annex 2A). To be eligible for inscription on the WH List, the cultural property must (1) meet at least one relevant criterion from the selection criteria (i)–(vi), (2) satisfy conditions of authenticity and integrity, and (3) have an adequate long-term protection and management system [1] (p. 58), [3] (paragraphs 77, 78). These are the three pillars of OUV, which must be verified by means of a comparative analysis. The property, therefore, must be compared to similar ones [1] (pp. 67–71), [3] (paragraph 132.3). Its present state of conservation and the factors (threats, pressures) affecting it must be specified as well [1] (pp. 87–91), [3] (paragraph 132.4). Moreover, “the participation of local people in the nomination process is essential” and encouraged [1] (p. 52), [3] (paragraphs 12, 123).

It is noteworthy that (1) the selection criteria (i)–(vi) are not mentioned in the text of the WH Convention. The latter simply states, “The Committee shall define the criteria on the basis of which a property belonging to the cultural [ . . . ] heritage may be included” in the WH List [2] (article 11.5, see also article 11.2). The criteria were explicitly defined in the October 1977 version of the OG [4] (paragraph 7). The Committee subsequently revised the criteria. This explains why their wording in the OG has changed throughout the years. In general, they refer to (i) masterpiece, (ii) influences/interchange, (iii) testimony, (iv) typology, (v) land-use, and (vi) associations [3] (paragraph 77); [8] (p. 6). Likewise, (2) authenticity and integrity are not mentioned in the text of the Convention. They became requirements for the nomination of cultural properties in the 1977 and 2005 versions of the OG respectively [9,10]. Moreover, (3) protection and management, which may or may not be an existing traditional system, were “not considered as part of OUV” in initial versions of the OG [8] (p. 14), because they rather serve to demonstrate the States Parties’ long-term commitment to sustaining OUV post-inscription [3] (paragraphs 51, 53, 97, 155). In view of these three pillars, it can indeed be said that “OUV has become an administrative requirement” [8] (p. 14) in an overly complex WH system.

The preparation of a nomination dossier “requires a good understanding of the various requirements”, sound arguments, and strong evidence, which is why it “usually involves at least two years’ work—sometimes many years” [1] (pp. 10, 101). The State Party must follow a specific format and submit the dossier to the UNESCO WH Centre, which is the Secretariat [3] (paragraph 128, annex 5). If deemed complete, the Secretariat forwards the dossier to the relevant Advisory Body for evaluation, which, in this case, is ICOMOS [1] (pp. 127–129), [3] (paragraph 140, annex 6). The other two Advisory Bodies to the WH Committee are the International Union for Conservation of Nature (IUCN), which evaluates nominations of natural properties, and the International Centre

for the Study of the Preservation and Restoration of Cultural Property (ICCROM), which does not evaluate nominations. Nominations of mixed properties are evaluated by ICOMOS and IUCN.

After evaluation, ICOMOS makes a recommendation to the WH Committee who decides whether to approve, refer, defer or reject the nomination “based on objective and scientific considerations” [3] (paragraphs 23, 153). If approved, the Committee adopts an official statement of OUV upon inscription of the property on the WH List [3] (paragraphs 51, 155, annex 10). The statement of OUV is expected “to inform future protection, conservation, management and monitoring” [1] (p. 74) including “evaluation of the impacts and risk to the property” [11] (p. 11).

### 1.2. Statement of the Problem

The WH system, including the current nomination process, is facing a significant challenge, and one that has been brought sharply into focus. At its 40th session in 2016, the WH Committee noted in Decision 40 COM 7.11 with regard to “the issue of reconstruction” that “guidance within the *Operational Guidelines* is currently inadequate” [12]. This note refers to the only guideline on reconstruction in the 172 pages of the OG, which states, “In relation to authenticity, the reconstruction of archaeological remains or historic buildings or districts is justifiable only in exceptional circumstances. Reconstruction is acceptable only on the basis of complete and detailed documentation and to no extent on conjecture” [3] (paragraph 86). This guideline is “inadequate” for many reasons:

- First, it is written exclusively “in relation to authenticity.” The relations of reconstruction to (1) criteria, (2) integrity, and (3) protection and management are overlooked;
- Secondly, it links the justification for inscription to “exceptional circumstances” rather than merit (qualification, eligibility), which is highly problematic because the WH Convention must be implemented in accordance with “modern scientific methods” [2] (preamble). Indeed, reconstructed properties, like all properties nominated for inscription on the WH List, require “a sound scientific basis” [5] (p. 20). The guideline, moreover, neither specifies the “circumstances” nor explains why they are “exceptional”. In light of these observations, one may argue that this guideline undermines the first strategic objective of the Convention, which is to “strengthen the Credibility of the World Heritage List” [3] (paragraph 26);
- Thirdly, documentary evidence requires interpretation, which may vary from one individual to another (e.g., historian, architect, archaeologist, community member), even if it is deemed “complete and detailed”. Also, the condition “to no extent on conjecture” is not technically feasible, because “subjective hypothesis” (i.e., guesswork) is integral to design whether the project in question is new construction or reconstruction [13] (p. 167).

In UNESCO’s issue n°86 on *World Heritage and Reconstruction*, published in March 2018, experts agree, “conservation charters need to make room for new ideas and World Heritage guidelines need to be updated” [14] (p. 64). The inadequacy of current guidance in the OG is reaffirmed. The preparation of new guidance is in progress, but it still needs further reflection [12] (point 12); [15] (points 14, 15); [16] (point 27). The WH Committee has yet to adopt “guidance for reconstruction and recovery at World Heritage Sites, including Resource Manuals” [17] (p. 5).

While much attention is being given to reconstruction post-inscription “within the framework” of the OUV of destroyed cultural WH properties inscribed on the List of WH in Danger [15] (point 15), one may argue that new guidance must also cover reconstruction pre-inscription because other destroyed cultural properties, such as the ones on the Tentative Lists of States Parties, may be reconstructed and nominated for inscription on the WH List in the future.

### 1.3. Purpose of the Study and Contributions

The purpose of this article is to develop a roadmap for new nominations, which applies to cultural properties that were destroyed, either recently or long ago, but have not yet been reconstructed, namely destroyed “monuments”, “groups of buildings” and “sites” as per the definition of cultural heritage

in the WH Convention [2]. Evidently, the nomination of natural properties, as per the definition of natural heritage [2], is not addressed.

This article is a timely and original research paper that contributes to advancing knowledge, discussions and studies (some of which are reviewed in Section 2). Most importantly, it contributes to solving an actual problem facing the WH system (i.e., inadequate guidance in the OG). The roadmap is a better way forward than the current nomination process because it provides an adequate scientific basis for nomination, evaluation and decision-making in line with the WH Convention and the growing understanding of heritage as dynamic process in scholarly literature (as it will be shown later). In other words, it can strengthen the credibility of the WH List while recognizing the dynamic nature of heritage. The roadmap, therefore, is operational: it can be embedded in the OG if the WH Committee decides to adopt it.

The article speaks to a broad international audience, mainly actors, policy-makers, and decision-makers in the WH system, as well as external consultants, experts, and researchers who may be called upon to assist States Parties in preparing nominations or to assist ICOMOS in its evaluations.

#### 1.4. Structure

The second section of this article, following the introduction, briefly reviews studies conducted by ICOMOS and the International Coalition of Sites of Conscience (ICSC) to place the roadmap in the context of existing work at the international level and to highlight its originality and relevance. The third section on methodology revisits the pillars of OUV and elucidates the relation between key concepts to develop the roadmap. Special attention is given to (1) criteria and (2) authenticity and integrity rather than (3) protection and management, which, it can be argued, relate more to sustaining OUV post-inscription than to justifying OUV pre-inscription. The roadmap is illustrated, and its implications are highlighted, in the fourth section on results and discussion. Future research directions are recommended in the conclusion to maintain dialogue.

## 2. Overview of Studies

To understand contemporary professional attitudes towards reconstruction, ICOMOS launched a debate on its permissibility. The ICOMOS Scientific Committee on Interpretation and Presentation (ICIP) “was tasked with the responsibility of carrying out this debate” and “an online survey [ . . . ] was chosen as the most effective tool” to do so [18] (p. 3). The survey was conducted between December 2013 and February 2014. It resulted in 399 completed questionnaires. The results show that 44% of the respondents considered physical reconstruction “a problem” for heritage sites, but 38%, which is an almost equivalent proportion, considered it “a benefit”; moreover, “(60%) agreed to varying extents [ . . . ] that the view of the Venice Charter in its opposition to reconstruction was still viable and relevant”, but the conclusion of the report stresses that “a significant proportion of the respondents (39%)” disagreed [13] (pp. 3–10). Therefore, it can be said that this charter needs to make room for new ideas and guidance in light of changing contemporary professional attitudes, and expert opinions [14].

ICOMOS has continued discussion on reconstruction since that survey. In fact, its “interdisciplinary work theme, as adopted by the Scientific Council end 2015, was ‘Reconstructions’—around which several activities and events were centred” [19] (p. 18). An international colloquium and different workshops took place accordingly, some of which were specifically organized in response to the explicit request for guidance in Decision 40 COM 7.12 of the WH Committee in 2016 [19–22]. The roadmap developed in this article is a positive addition to the outputs of ICOMOS, notably its working document *Guidance on Post Trauma Recovery and Reconstruction for World Heritage Cultural Properties* published in March 2017 [23] and its *Discussion Paper: Evaluations of World Heritage Nominations Related to Sites Associated with Memories of Recent Conflicts* published in April 2018 [24], neither of which addresses the nomination of reconstructed cultural properties for inscription on the WH List in the future.

“Sites associated with memories”, whether memories of conflicts or other events, can indeed be nominated, and some have already been inscribed. Examples include the Island of Gorée (Senegal)

and the Hiroshima Peace Memorial (Genbaku Dome) (Japan), which were inscribed in 1978 and 1996, respectively, on the basis of criterion (vi) alone [25,26]. However, the WH Committee meeting held in 2015 [27] and the International Conference on World Heritage Interpretation held in 2016 [28] exposed the need for a more comprehensive thematic study to guide future deliberations and inscriptions. For this reason, the WH Centre commissioned the ICSC to prepare this study with focus on “interpretation” of sites of memory, which include sites of conscience [29] (paragraphs 47, 62). These sites are typically “characterized by strong intangible values and [ ... ] bear witness to human rights abuses including genocide, slavery and other violations of freedom”; some have been destroyed then “reconstructed wholly or partly, often within a process of reconciliation and reaffirmation” after armed conflicts, such as the Old Bridge Area of the Old City of Mostar that “belongs to the category of sites of conscience” where “the question was less about fabric and more about associative value”, which is why it was inscribed on the WH List “under criterion (vi) alone” given that it “is the most relevant in these cases” among the selection criteria [30] (pp. 112–116). The State Party (Bosnia and Herzegovina) chose to reconstruct this cultural property, which stands as “a symbol of reconciliation, international co-operation and of the coexistence of diverse cultural, ethnic and religious communities” [31]. Reconstruction, however, is not always a desirable choice or a beneficial outcome. Indeed, responses to destruction “vary greatly” [32] (p. 64). Japan, for example, chose to preserve the Hiroshima Peace Memorial (Genbaku Dome) as a ruin to symbolize humankind’s “destructive force” and to express “hope for world peace and the ultimate elimination of all nuclear weapons” [26]—a hope that reconstruction may not express as effectively as preservation.

Some experts believe, “the strength of the World Heritage List is that it is composed of both celebratory places and sites with negative associations” [33] (p. 50), because this composition may enhance the inclusive, diverse and universal nature of the WH Convention [34]. “Sites with negative associations” are also known as “dissonant heritage”, “difficult heritage”, “heritage that hurts”, “places of pain and shame”, “uncomfortable heritage” and “dark heritage” in scholarly literature [35] (p. 509). Such sites constitute an undeniable part of humanity’s legacy [36], which is why, one may argue, they should be included in the WH List. However, the report of the ICSC, published in January 2018, shows that the WH Committee “remains cautious in its use of criterion (vi) and its recognition of Sites of Memory as World Heritage properties [ ... ] since 1979 when it decided to inscribe Auschwitz [ ... ] and restricting the inscription of other sites of a similar nature” [29] (paragraph 90). This may explain why, to this day, “The Committee considers that this criterion should preferably be used in conjunction with other criteria” [3] (paragraph 77). At its 42nd session in June–July 2018, the Committee recalled its “reservations” with regard to “the inscription of sites related to negative memories”; moreover, it took note of the thematic study conducted by the ICSC and recognized the need for further “philosophical and practical reflections” [37] (pp. 5, 6, 219).

The issue of reconstruction, in relation to sites of memory, must not be overlooked because States Parties whose cultural properties were destroyed may, like Bosnia and Herzegovina, choose the path of reconstruction. For example, the Old City of Mosul, which was devastated by conflict, may belong to the category of sites of memory. The State Party (Iraq) included this site in its Tentative List in July 2018 to potentially nominate it for inscription on the WH List following its reconstruction and recovery [38,39]. An International Conference on the Reconstruction of Iraq took place in Kuwait City in February 2018, and an International Meeting on the “Revive the Spirit of Mosul Initiative” took place at UNESCO Headquarters in Paris in September 2018 to mobilize international support [40]. The report of the ICSC; however, focuses on “interpretation” in accordance with the Terms of Reference for the study set by the WH Centre [29] (p. 3), which is why it does not draw attention to the issue of reconstruction. This article, on the other hand, draws attention to, and develops a roadmap tailored for, reconstruction. As a consequence, it can enable broader reflection and discussion on future inscriptions, complement the efforts of both the ICSC and ICOMOS, and allow for a more in-depth thematic study.



### 3. Methodology

To develop the roadmap, this article revisits the pillars of OUV and elucidates the relation between key concepts by means of document analysis, which is a qualitative method of inquiry. The research process is inductive, which means that the author constructs meaning from the collected data as it emerges from the analysis [41]. The consulted documents are credible primary sources in WH, heritage studies, and conservation policy (see References). Special attention is given to (1) criteria and (2) authenticity and integrity rather than (3) protection and management, which, as argued at the outset, relate more to sustaining OUV post-inscription than to justifying it pre-inscription. The key concepts, which were selected due to their importance in the field of cultural heritage conservation, are: criteria, values, cultural significance, authenticity, continuity, change, heritage impact assessment, integrity, distinction and compatibility. The relation between these concepts within the framework of WH is gradually established in the following subsections. The Old Bridge Area of the Old City of Mostar is consistently used as an example to make it easier for the reader to follow the argumentation.

#### 3.1. Criteria, Values and Cultural Significance

Criteria were devised to aid in the “assessment” of OUV [42] (p. 237). In an attempt “‘to define more precisely the criteria’ for the choosing of properties to be included on the World Heritage List”, it has been pointed out that the choice of cultural properties should be made “by reference, at once, to Art, History, and Science” in keeping with the WH Convention [43] (p. 62). The latter “sets the requirement of outstanding universal value [ . . . ] Firstly, there is the value ‘from the point of view of history’ (=historical value, ‘old age value’, commemorative value); secondly, there is the value ‘from the point of view of art’ (=artistic value, aesthetic value); thirdly, one finds the value ‘from the point of view of science’ (=scientific value), and finally [ . . . ] values ‘from the ethnological and anthropological point of view’” [44] (p. 7). The first three points of view are explicit for the first two categories of cultural heritage in the Convention (i.e., monuments and groups of buildings); for the third category (i.e., sites), “the effect is similar if we consider that the ‘ethnological and anthropological’ points of view belong to the scientific field (in this case ‘human sciences’), alongside the ‘historical and artistic’ (History and Art)” [43] (p. 62).

The values of monuments, groups of buildings and sites were initially understood to be intrinsic/inherent. Scholarly literature later explained that values are rather extrinsic, “contingent, not objectively given”, “not simply ‘found’ and fixed and unchanging” because they are “produced out of the interaction of an artifact and its contexts; they don’t emanate from the artifact itself” [45] (p. 8). This understanding of values had implications on the understanding of OUV in the WH system. At the Special Expert Meeting held in Kazan, in 2005, it was acknowledged that OUV “like all values is attributed by people and through human appreciation” [8] (p. 69).

Since values can change over time, for example from one generation to the next, OUV (which is a value) can also change. It must be understood, however, that once a property is inscribed on the WH List, its OUV becomes “a snapshot taken at a given moment” [46] (p. 58) and “the wording of the justification would reflect the format proposed in the criterion at the time of inscription” [8] (p. 38). The OG clarify that if a State Party wishes to have its “property inscribed under additional, fewer or different criteria other than those used for the original inscription”, the State Party must “submit this request as if it were a new nomination” [3] (paragraph 166).

While the WH Convention is explicit in its “articulation of the level and types of value”, the criteria in the OG are not explicit [42] (p. 237), which is why it can be frustrating to assess OUV. Furthermore, the WH Committee “regularly” revises the criteria “to reflect the evolution of the World Heritage concept itself” [1] (p. 18). For instance, “between 1977 and 2008, there were 12 different versions of the criteria of OUV” [47] (p. 64), which is why, one may argue, the criteria are rather in flux than fixed. It is likely difficult to build consensus among the different actors in the WH system when the criteria are being revised and re-worded. One may also argue that it is difficult, and perhaps

impossible, to capture and squeeze the diversity and complexity of evolving meanings, understandings and values of heritage in few words.

The application of the criteria, moreover, is rather inconsistent. Those proposed by the States Parties are not always the ones recommended by ICOMOS or the ones adopted by the WH Committee for the inscription of properties on the WH List. For example, in the case of the Old Bridge Area of the Old City of Mostar, “the State Party had proposed criteria (iv), (v) and (vi); ICOMOS recommended criteria (iv) and (vi). After a long debate, the Committee considered that criterion (iv) was not applicable, because it should be referred to the original Old Bridge and the surrounding buildings, now reconstructed. [ . . . ] finally the Committee decided to apply the sole criterion (vi)” [8] (p. 40), which was deemed “the most relevant” [30] (p. 113).

Criterion (vi) has been discussed and revised many times by the WH Committee, resulting in 7 versions of its wording and associations [8] (p. 32). The change has sometimes been “only one word, but this has changed the meaning” and has “become increasingly critical for the general policy” [8] (p. 32). Few properties are inscribed on the WH List on the basis of this criterion alone. At the time of writing, there are only 12 such sites, including Valongo Wharf Archaeological Site (Brazil) inscribed in 2017 (which is a site of memory and conscience) among a total of 845 cultural WH properties, and an overall total of 1092 WH properties [6]. Inscription on the basis of this criterion means that the property is recognized for its associations [8] (pp. 32–35). The cultural significance that underpins its OUV, therefore, necessarily encapsulates values associated primarily with intangible attributes.

Cultural significance is a key concept that captures “the multiple values ascribed to objects, buildings, or landscapes” or properties [48] (pp. 7–8). In simple words, it is the “synthesis” of values [49] (p. 200). In accordance with the “Eurocentric” “curatorial” materials-based approach to heritage endorsed by the Venice Charter, the OG initially “dictated that authenticity and significance of cultural properties resided exclusively on the four physical attributes of design, materials, workmanship, and setting” [50] (p. 151). These were the acceptable attributes in the OG until the 2005 version in which intangible attributes, such as use and function, were added in keeping with the spirit of the Nara Document on Authenticity [51].

It must be observed that although cultural significance is a key concept, literally embedded in the definition of OUV in the OG [3] (paragraph 49), the provision of an official written statement of cultural significance is not a requirement in the current nomination process.

Because cultural significance is the synthesis of values, which “are in our minds and not inherent to objects” and properties [52] (p. 15), it is fundamentally extrinsic and changeable. Its assessment, therefore, “must be recognized as time—and context—specific” and the resulting statement must be recognized as “one interpretation made at a specific time” [53] (pp. 470, 475). The determination of cultural significance should ideally be documented, notably in terms of time, location, people involved, and methods for collecting and analyzing data to identify values and attributes [49] (pp. 177–179). There is indeed growing recognition in scholarly literature that values, cultural significance and heritage are not “things” that are fixed and frozen in time. They are rather processes of engagement, communication, remembrance, commemoration, negotiation, and meaning-making “in and for the present”, not the past [54] (pp. 1–3). Within this anthropological perspective, heritage, whether tangible or intangible, cultural or natural, is understood as “a continuously evolving process, not a legacy that was in any way complete”—it is a process that is “about people, not about monuments” or things [55] (pp. 3–6). Criterion (vi) is the closest to this anthropological understanding of heritage among the selection criteria. This understanding, however, is not exactly in line with the WH Convention, which is a property-based Convention. Similar to the Venice Charter, it was written on the “assumption that heritage is a special class of object” or thing or property “that is defined and studied by ‘experts’” [56] (p. 63). This explains why the Convention is shy in recognizing the role and needs of people. The fact that the WH Committee prefers applying criterion (vi) “in conjunction with other criteria” [3] (paragraph 77) also shows that the anthropological approach to heritage, unlike the materials-based approach to heritage, is not fully embraced.

On the other hand, the Burra Charter, which is an Australian adaptation of the Venice Charter, embraces this approach. It provides greater insight into cultural significance, which is defined as “aesthetic, historic, scientific, social or spiritual value for past, present or future generations” [57] (article 1.2). The Burra Charter, therefore, extends the values recognized in the Venice Charter and the WH Convention, which refer to art, history and science. One of its practice notes clarifies, “A place can be culturally significant regardless of its age [ . . . ] A place does not have to be ‘old’ to be [ . . . ] significant” [58] (p. 7). Accordingly, a new/contemporary place, such as a reconstructed property, can be significant. In fact, unlike the Venice Charter, the Burra Charter does not rule out reconstruction, although it urges a cautious approach [57] (article 20.1). The practice note adds that assessments of significance “often require a comparison with other places of a similar type, values, history or associations. Care is needed in selecting the comparable places” [58] (pp. 5–6).

In the WH system, a nomination dossier must include a comparative analysis section. The OG explain that it “should outline similarities with other properties on the World Heritage List or not, and the reasons that make the property stand out” [3] (annex 2A). More specifically, its purpose is “to verify if the new nomination is adding some new aspects that are not yet represented on the List” [8] (p. 46). This section, however, is problematic. Scholarly research shows that “States Parties have, in their majority, misappropriated the need to undertake a comparison [ . . . ]. They have used this request to claim that their property is unique and superior” [52] (p. 73). Furthermore, it is difficult to “identify the cultural region that is relevant for comparison” and to find “reliable scientific literature” or “a sufficiently broad research base to allow a thorough comparative analysis” [8] (pp. 15, 46). It can be particularly difficult and unsettling to carry out a comparative analysis among sites of memory or conscience that have negative (painful) rather than positive (celebrated) associations to verify OUV, which is why, one may argue, the requirement for comparison in future nominations should be reconsidered.

### 3.2. Authenticity and Continuity

The notion of authenticity appears in the preamble of the Venice Charter [4], which was “birthed by states that traditionally built in stone or brick” [59] (p. 7). This charter endorses a materials-based approach to heritage, which explains why the versions of the OG from 1977 to 2002 “dictated that authenticity and significance of cultural properties resided exclusively on the four physical attributes of design, materials, workmanship, and setting” [50] (p. 151). The Nara Document on Authenticity “encouraged a shift” in the OG towards “other aspects of cultural continuity” [50] (p. 144), which were embedded in the 2005 version [10]. The Nara Document was birthed in view of a cultural practice in Ise, Japan, where shrines are dismantled and replicated every 20 years in conformity with Shinto beliefs. Although replaced with new timber, the replicated shrines “still adhered to proportions, techniques, and craftsmanship [ . . . ]. Authenticity inhered in continuity of form and process, not in the survival of original material”, which is “mutable and evanescent” [59] (pp. 7, 12).

The OG explain that authenticity should be examined within the relevant cultural context [3] (paragraph 81); however, authenticity is not only “culture-bound”, but also “time-bound” [59] (p. 9). Indeed, there is growing recognition among scholars that authenticity is “contingent upon” both “context and time” [32] (p. 67) because “the criteria of authenticity we choose reflect current views”, which may not “be valid for all times” [59] (pp. 7, 9). On the other hand, continuity is valid for all times because it implies “a sense of timelessness” [60] (p. 114). It is noteworthy that the Venice Charter acknowledges the concept of continuity in the very first sentence of its preamble, which links a living past to the present day [4].

Recent studies argue that what makes reconstructed properties “authentic” is less what they are (materially) and more what they continue to do (functionally) and what they signify (culturally) to users [61,62]. To better understand this argument, we can revisit the case of the Old Bridge Area of the Old City of Mostar. ICOMOS noted, in its evaluation of authenticity, that “reconstruction of fabric should be seen as being in the background compared with *restoration* of the intangible dimensions of



this property, which are certainly the main issue concerning the Outstanding Universal Value" [63] (p. 181). The distinction between "reconstruction" and "restoration" is unclear because ICOMOS does not define these keywords in its evaluation, but what is clear is that "the importance of the living connection with the property is stressed as central" [52] (p. 122). Therefore, it can be said that the authenticity of this property is an "authenticity of connection" [32] (p. 77). The property was inscribed on the WH List on the basis of criterion (vi) alone. This criterion addresses associations. The definition in the Burra Charter is noteworthy in this regard: "*Associations* mean the connections that exist between people and a *place*" [57] (article 1.15). Also, this charter tolerates reconstruction if it continues "*a use or practice that retains the cultural significance of the place*" [57] (article 20.1). It must be observed, moreover, that the notion of authenticity does not appear at all in this charter. Thus, if what is meaningful and culturally significant is in the intangible dimensions and the continuity of the living connections between people and a place than in the physical place itself, "then the question for authenticity—however defined—is not of any relevance", which is why it seems "redundant" [64] (online essay). In other words, the concept of continuity would have better supported the justification for inscription of the Old Bridge Area of the Old City of Mostar than the concept of authenticity.

Admittedly, "the vocabulary of authenticity in cultural policies dies hard", especially since it is a founding concept in cultural heritage conservation programs [65] (pp. 43–44) and a "buzzword" in the heritage field [59] (p. 6). However, this "Ruskinian emphasis on authenticity" should be reduced [66] (p. 2); [67]. The heritage field and the WH system should make room for more relevant concepts, notably continuity, which is in keeping with the growing understanding of heritage as dynamic process, not simply static fabric [48,54–56,59,61,68]. Because heritage is a dynamic process, it has a capacity not only for continuity, but also for change.

### 3.3. Change and Heritage Impact Assessment

A proposal to "reconstruct" a destroyed cultural property is a proposal for change. It proposes changing the state of destruction by re-creating the property. A proposal to "restore" a destroyed cultural property is also a proposal for change. Both reconstruction and restoration are new work—even if the work adheres to traditional techniques and materials. The distinction between the two, however, is not clear-cut. They are neither defined in the OG [3] nor in the resource manual [1].

Some definitions can be found elsewhere. The Burra Charter, for example, explains, "*Restoration* means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material" whereas "*Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material" [57] (articles 1.7, 1.8). The distinction, therefore, is drawn at the introduction or not of new material. The *Secretary of the Interior's Standards for the Treatment of Historic Properties* propose other definitions, which, one may argue, are more clear and technically sound. This national policy document defines restoration as "the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period" whereas reconstruction is "the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location", which is why it is essentially "a contemporary re-creation" [69] (pp. 163, 225, 226). The distinction, therefore, is drawn at the physical and visible existence or not of a property.

The fact that reconstruction and restoration are "new" or "contemporary" does not inhibit the nomination of reconstructed and restored properties for inscription on the WH List because the definition of OUV in the OG is not limited to ancient or old heritage [3] (paragraph 49). This explains why "recent heritage" can be included in the WH List [33] (p. 49), whether it is original, such as the Sydney Opera House (Australia), or not. In other words, properties can be deemed authentic

and culturally significant at an international level whether they are ancient or recent, original or recreated/restored.

A heritage impact assessment (HIA) study can guide reconstruction and restoration work. Its aim is to reconcile change with cultural significance. HIA developed from Environmental Impact Assessment (EIA), which is a study that helps determine whether proposals for change should proceed with or without modifications, or should be abandoned altogether. Its main objectives are to identify, predict, evaluate and mitigate impacts while following a series of chronological steps [70] (pp. 68–142). Simply put, it enables informed decision-making with regard to design and construction. EIA is both objective (proven cause effect relationship) and subjective (based on professional judgment). Unlike EIA, however, HIA is a study that “focuses specifically on proposals for change to a particular asset or area of cultural significance” [71] (p. 105) and it should, ideally, “show a balance between the need to conserve and the need to allow development that benefits” communities and users [72] (p. x). In some cases, “the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use” [72] (p. 20). Following this logic, the loss of the physical evidence of destruction, which is a concern in international heritage doctrine [62], can be outweighed by the “benefits” of bringing a cultural property back into use, which are “positive” impacts. The property, which was culturally significant before its destruction, may, as a result of its reconstruction, acquire an “updated cultural significance” [32] (p. 71).

Guidance is available to help conduct HIA studies in the WH context, namely ICOMOS’ *Guidance on Heritage Impact Assessments for Cultural World Heritage Properties* [11]. This document, however, specifically addresses the assessment of the impacts of proposals for change on attributes that convey OUV (post-inscription), which is why it goes hand in hand with the third pillar of OUV—i.e., (3) protection and management [3] (paragraphs 110, 172). This document was finalized in 2011, but it seems that it will be further developed in light of recent decisions of the WH Committee [12] (point 22); [73–75].

### 3.4. Integrity, Distinction and Compatibility

Integrity became a requirement for the nomination of cultural properties in the 2005 version of the OG. It is still defined as a measure of “wholeness and intactness” in the current version [3] (paragraph 88). Although the OG address reconstruction exclusively “in relation to authenticity” [3] (paragraph 86), reconstructed cultural properties must meet the requirement of integrity as well to be considered for inscription on the WH List. A concern is that “reconstruction achieves an appearance of integrity while replacing the integrity of an original that is neither whole nor intact” [68] (p. 269). In the case of the Old Bridge Area of the Old City of Mostar, for example, ICOMOS did not specifically comment on the property’s wholeness and intactness in its evaluation; rather, it simply noted “the major point is not to introduce more alteration to the landscape/townscape in the form of new, or inappropriately renewed constructions” [63] (p. 181). It is unclear what would be considered “inappropriate”. The relation between this note and the “symbolic power and meaning of the City of Mostar”, which is the justification for inscription on the basis of criterion (vi), is also unclear [31]. These observations suggest that integrity is a mutable requirement.

Because a reconstructed cultural property is essentially “a re-creation”, as explained earlier, it “must be clearly identified” as such “so that it is not confused as historic or original” [69] (pp. 79, 227). This explains why integrity, in relation to reconstruction, should refer to honesty, which is a more intangible interpretation than wholeness and intactness. It would have better supported the justification for inscription of the Old Bridge Area of the Old City of Mostar—i.e., why and how reconstruction honestly conveys its symbolic power and meaning.

It is the distinction between the re-creation and the original creation that can prevent deception to maintain honesty. For example, the Burra Charter explains that distinction can be detected “on close inspection” [57] (article 20.2). However, not only must the re-creation be distinguishable from the original, but it also must be compatible (harmoniously integrated). Distinction and compatibility

are key concepts in conservation policy and practice that can be traced back to the Venice Charter [4] (articles 9, 12). Together with sufficient documentation, they can ensure that reconstruction is “*acceptable change*—i.e., sympathetic yet identifiable change” as opposed to unacceptable (conjectural) change [61] (p. 9). They are more scientific concepts than wholeness and intactness. They can help provide an adequate scientific basis for the nomination and evaluation of reconstructed cultural properties in line with the WH Convention, which must be implemented in accordance with “modern scientific methods” [2] (preamble). Not only are they applicable to reconstruction work, but also to restoration work, which should be “physically and visually compatible, identifiable upon close inspection”, thus distinguishable [69] (p. 164).

#### 4. Results and Discussion

The relation between key concepts, established in this article, shows that a statement of cultural significance (SCS) and a heritage impact report (HIR) ought to become the two criteria on the basis of which a reconstructed cultural property may be inscribed on the WH List if it qualifies, i.e., if it meets the conditions of continuity, compatibility and distinction rather than the conditions of authenticity and integrity. Here, it is worth reiterating that authenticity and integrity are not mentioned in the text of the WH Convention. The latter, moreover, does not specify the criteria. It is up to the WH Committee to “define the criteria on the basis of which a property belonging to the cultural [ . . . ] heritage may be included” in the WH List [2] (article 11.5). This explains why the criteria can be re-defined.

##### 4.1. Statement of Cultural Significance (SCS)

The purpose of a SCS is to clarify why a place is important. It comprises three sections: the description of the place, the identification of values, and the identification of attributes that “must be conserved in order for the place to continue to have value” [76] (p. 4). If the place does not continue to have value, it ceases to be heritage. This statement, therefore, supports continuity rather than authenticity.

It is noteworthy that experts have already suggested, in discussion on reconstruction held at ICOMOS Headquarters in 2016, that ICOMOS “should recommend to the World Heritage Committee that World Heritage nomination files should have a Statement of Significance to describe all the values of a property and not just the Outstanding Universal Value. (This should be in addition to the Statement of Outstanding Universal Value that is already required)” [20] (p. 37 in Volume 2).

Thus, the WH Committee should consider adding the provision of a SCS as a requirement in the OG. States Parties, therefore, would have to provide this statement when nominating reconstructed monuments, groups of buildings, or sites for inscription on the WH List in the future.

##### 4.2. Heritage Impact Report (HIR)

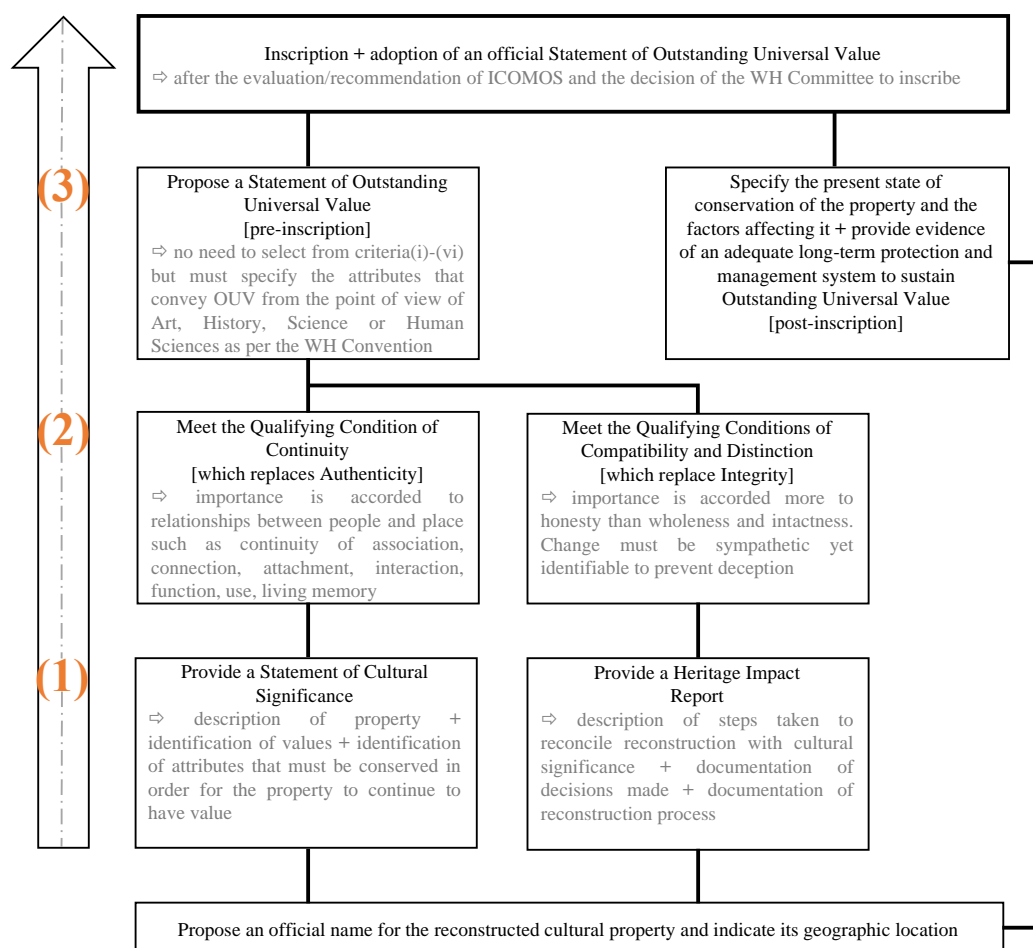
The assessment of impacts, the decisions made and the reconstruction process itself should be documented to clarify why a nominated reconstructed cultural property is compatible, and why it is appropriately distinguishable as a re-creation to maintain honesty rather than wholeness and intactness. Because this information can inform the writing of an updated SCS that includes contemporary values (as a result of the property’s reconstruction), the WH Committee should consider adding the provision of a HIR as a requirement in the OG. States Parties, therefore, would have to provide this report when nominating reconstructed monuments, groups of buildings, or sites for inscription on the WH List in the future.

##### 4.3. The Roadmap

The results of this qualitative research paper may assist the WH Committee in re-defining the criteria on the basis of which reconstructed cultural properties may be nominated and included in the WH List. Unlike the selection criteria (i)–(vi), which are in flux, the SCS and the HIR are fixed criteria. Their application and wording need not change. However, their contents—i.e., the nature and

extent of the information required in nomination dossiers—can be refined over time (change) in the OG (and resource manuals) to better assist States Parties in meeting these two criteria. Together, they can underpin the proposed statement of OUV. Cultural criteria (i)–(vi) would rather serve as a reminder list for the States Parties than a selection list. In other words, they would not be used to designate properties but rather to assist States Parties in specifying the attributes that convey OUV from the point of view of art, history, science or human sciences in conformity with the WH Convention [2] (article 1). Moreover, authenticity and integrity would be rendered redundant by continuity, compatibility and distinction.

Accordingly, the nomination dossier of a reconstructed cultural property would have to contain (1) a SCS and a HIR to meet (2) the qualifying conditions of continuity, compatibility and distinction, and contain (3) evidence of an adequate long-term protection and management system to ensure that the State Party is committed to sustaining OUV post-inscription. The four possible outcomes of ICOMOS' evaluation would remain unchanged. The WH Committee would decide, in light of ICOMOS' recommendation, either to approve, refer, defer or reject the nomination. If the nomination satisfies (1), (2) and (3), the reconstructed cultural property would be inscribed on the WH List. This roadmap is illustrated in Figure 1.



**Figure 1.** Roadmap for the nomination of reconstructed cultural properties for inscription on the UNESCO World Heritage List (© 2018 Roha W. Khalaf).

#### 4.4. Implications

The roadmap has positive implications for WH policy and practice:

- (a) It enables broader reflection on sites of memory and allows for a more in-depth thematic study because it draws attention to the issue of reconstruction and links memory to continuity (hence, living memory), which is a more relevant connection than that to authenticity;
- (b) Unlike the OG, which place the spotlight on the “exceptional circumstances” of destruction [3] (paragraph 86), whether armed conflicts or natural disasters or other circumstances, the roadmap places the spotlight on the qualification of reconstruction. It provides an adequate scientific basis for future nominations and evaluations, which is why it can help achieve the goal of transparent, professional and consistent decision-making. In other words, it can preserve and “strengthen the Credibility of the World Heritage List” in accordance with the first strategic objective of the WH Convention [3] (paragraph 26);
- (c) The roadmap applies not only to reconstructed monuments, groups of buildings and sites, but also to restored ones given that both reconstruction and restoration are new work, which should, logically, be nominated and evaluated as such. It can help unify and simplify the nomination and evaluation of these properties;
- (d) The roadmap draws attention to relationships (between people and properties), not just to things (properties). It balances the expert-driven Eurocentric understanding of heritage as static “thing” with the growing anthropological understanding of heritage as dynamic “process” that involves “people”. If the WH Committee decides to adopt it, States Parties would be able to nominate their reconstructed and restored cultural properties provided that they are compatible, distinguishable and continue to have value and a role in the life of people. States Parties who accord greater importance to intangible dimensions and associations than to tangible fabric may feel not only encouraged to nominate their properties, but also empowered. As a result, the roadmap allows for the valorization of places other than those that espouse the brick and mortar ideals of the West, thereby contributing to the “Global Strategy for a Representative, Balanced and Credible WH List” [3];
- (e) The roadmap also contributes to the “integration of a sustainable development perspective into the processes of the WH Convention” [77] because continuity and compatibility in particular go hand in hand with sustainability. If a property is compatible and continues to have value and a role in the life of its users, it can endure longer;
- (f) Continuity, unlike authenticity, can apply to both cultural and natural heritage, thereby potentially strengthening culture-nature interlinkages in the processes of the WH Convention as well.

The requirement of authenticity in the OG has indeed made it difficult for reconstructed properties to be included in the WH List since 1978, when the Historic Centre of Warsaw (Poland) was first nominated then inscribed in 1980 after much debate over its authenticity [78] (p. 20). A more contemporary example is Khor Dubai—A Traditional Merchant’s Harbour (United Arab Emirates), which contains reconstructed elements and neighborhoods. This property was unfortunately denied inscription twice. ICOMOS recommended not to inscribe the property on the WH List in 2014 and 2017. The first time, the WH Committee decided to defer the nomination; the second time, it decided to refer it back to the State Party. The nomination was presented again in 2018 on the basis of criteria (ii), (iii) and (vi). At least one criterion must be met in order for the property to be considered for inscription, but ICOMOS noted, in its evaluation, that not a single criterion has been met, and the conditions of authenticity and integrity have not been met either [79] (pp. 27–28). ICOMOS recommended, again, not to inscribe the property on the WH List [79] (p. 33). This recommendation may explain why the nomination was “withdrawn at the request of the State Party” before a decision could be rendered by the WH Committee at its 42nd session in 2018 [16] (p. 210). The roadmap developed in this article is of little service to the State Party because the provision of a HIR would be technically infeasible in this case.

On the other hand, the Old City of Mosul can be nominated for inscription on the WH List in accordance with the roadmap in the future. The State Party (Iraq) wants to “Revive the Spirit of Mosul” [38,40] and rebuild this damaged property, which was included in its Tentative List in July



2018 on the basis of criteria (iii), (v) and (vi) [39]. These criteria, however, are not set in stone. The State Party can update its Tentative List at any time. If the WH Committee decides to adopt the roadmap, the proposed criteria would not be used to designate the property but rather to assist the State Party in specifying the attributes that convey OUV from the point of view of art, history, science or human sciences as per the WH Convention [2] (article 1). Accordingly, to be considered for inscription on the WH List in the future, the State Party would need to prepare a nomination dossier that contains (1) a SCS and a HIR to meet (2) the qualifying conditions of continuity, compatibility and distinction (instead of authenticity and integrity), and contains (3) evidence of an adequate long-term protection and management system. These requirements are technically feasible in this case.

## 5. Conclusions

This article drew attention to reconstruction pre-inscription and argued for an alternative nomination process—a roadmap that addresses the inadequacy of current guidance in the OG. It revisited the pillars of OUV and elucidated the relation between key concepts in the heritage field to develop the roadmap. The selected concepts were: criteria, values, cultural significance, authenticity, continuity, change, heritage impact assessment, integrity, distinction and compatibility. A statement of cultural significance (SCS) and a heritage impact report (HIR) in concert with the conditions of continuity, compatibility and distinction were found to be more relevant requirements than the selection criteria and the conditions of authenticity and integrity.

Although the key international doctrinal text in the heritage field—i.e., the Venice Charter—adopts a materials-based approach, gives precedence to aesthetic and historical values, and rules out reconstruction, this article has shown that it does endorse continuity, compatibility and distinction [4] (preamble, articles 9, 12). These three concepts pinpoint what is relevant about the guidance of this outdated charter. At the same time, they coincide with the growing anthropological understanding of heritage as dynamic process, which has a capacity for continuity and change (hence, compatibility and distinction). Their recognition is an opportunity for the international heritage community to re-interpret this charter and to re-consider its highly restrictive position on reconstruction. These three concepts should find their way into the OG because they can better equip UNESCO and ICOMOS in dealing with the issue of reconstruction, and in establishing an adequate scientific basis for future inscriptions, than the concepts of authenticity and integrity. The roadmap, therefore, is a better way forward and merits consideration.

With 193 States Parties to the WH Convention, some objections to this consideration are expected in a future scenario, but States Parties may eventually come to understand that cultural heritage discourses and policies established in the past, such as the Venice Charter and the OG, can, and should, make room for re-interpretation, further reflection, and contemporary practices. As Ruskin rightfully remarks, “There is no law, no principle, based on past practice, which may not be overthrown in a moment, by the arising of a new condition, or the invention of a new material” [80] (p. 5) or, one may add, the evolution of professional attitudes in the heritage field.

Many questions come to mind in concluding this article. Will new guidance on reconstruction in the WH context shift the deep-rooted understanding of cultural heritage from non-renewable and irreplaceable to renewable and replaceable resource? Will reconstruction become a valid means of conservation? Is a new doctrinal text and/or resource manual necessary to supplement the OG? Who are the relevant communities and stakeholders to consult and involve in reconstruction and nomination processes? How will the increasing number of properties on the WH List be managed? On a broader note, how can reconstruction of cultural heritage become integral to the global goals associated with the 2030 Agenda for Sustainable Development? These critical avenues of inquiry set the stage for future discussions and studies.

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