

The Potential Roles of Civil Society Within UNESCO's World Heritage Regime – an Analysis from a Multi-level Perspective

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Anyone with some knowledge of how the UNESCO World Heritage system works will be able to recall episodes that show the (generally positive) role played by civil society in the preservation of UNESCO World Heritage properties. This paper offers a systematic overview of the potential roles of civil society stakeholders in the World Heritage system. The analysis is based on a multi-level approach, which is organised through the agencies of "global", "national" and "regional/local" social actors, stakeholders, institutions and organisations (Schmitt 2011; Schmitt 2015). The framework is sketched out in Fig. 1. Following an explanation of the approach, possible roles for civil society stakeholders are discussed.

through practices and discourses. The power relations between social actors and institutions within the World Heritage system, and therefore between different scales, may change over time. Ideally, there is constant communication between the different levels, with information flowing in both directions. In addition, each institution may exercise influence on the others. In many cases, however, different languages are spoken on the different levels, and the actors live in different socio-cultural milieus. There may also be different understandings and readings of the World Heritage Convention on the three levels. According to the world society approach developed by John Meyer (2005), global institutions prescribe not only the contents but also the forms of such communication.

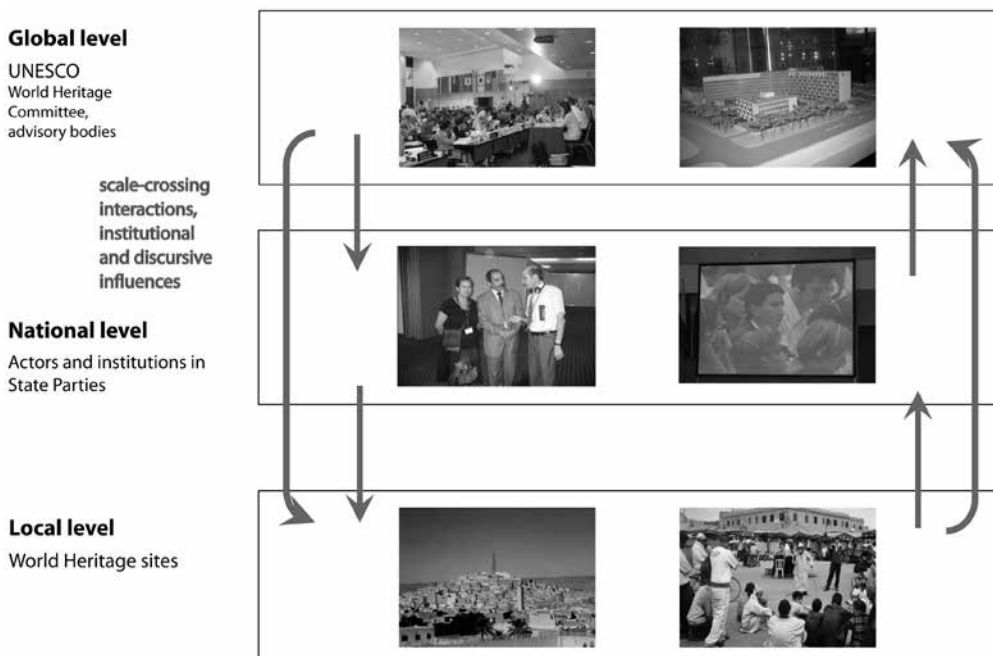


Fig. 1: A multilevel perspective on the World Heritage system (translated from Schmitt 2011, 423)

The main social actors within the global level of the World Heritage system are the UNESCO World Heritage Committee and the Advisory Bodies. On the local/regional level we think of the site manager, but also, for example, the mayor, investors or local NGOs. In terms of social constructionism, such levels of authority are not ontological entities, but are continually being reconstructed

should take into account the recommendations made by the advisory bodies in respect of nomination dossiers or the resolution of problems at World Heritage sites (Schmitt 2011). In recent years, however, many observers and actors have noted a silent departure from this unwritten rule by the States Parties delegates, who have become more and more uninhibited in asserting what they believe

For many decades, the global level of the World Heritage system was characterised by a soft system of "checks and balances" between the World Heritage Committee on the one side, and the UNESCO administration and scientific advisory bodies on the other. Unlike the separation of powers in a nation state, this system was based on a kind of voluntary self-restriction on the part of the World Heritage Committee as sovereign ruler over the World Heritage List. For instance, there was an unwritten rule that the Committee

to be their own interests, with a kind of self-serving mentality (see Brumann 2011).¹

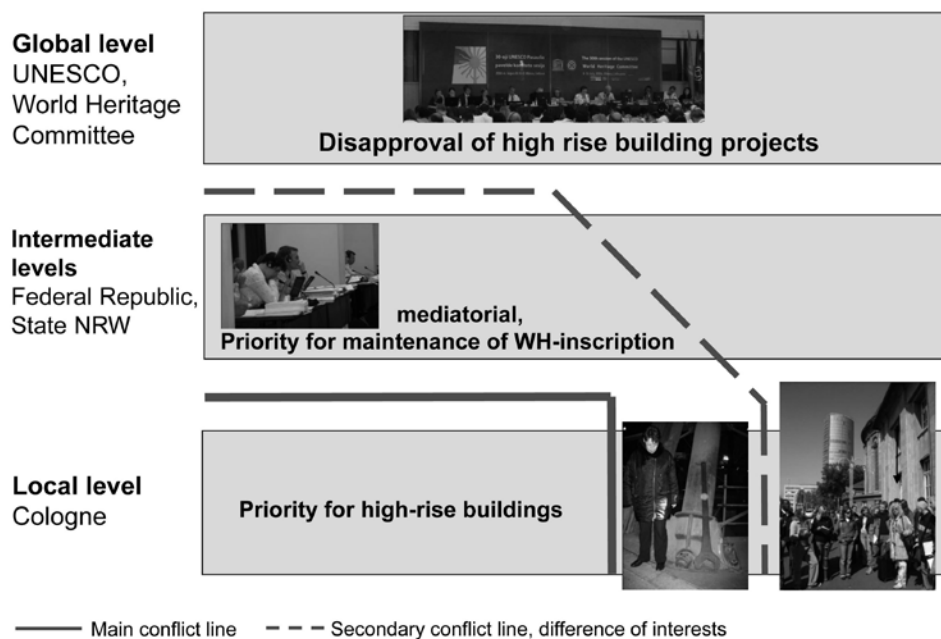
One task for civil society stakeholders on the global level of the World Heritage system would be to help to bring about a rebalancing of the relations between the Committee and the Advisory Bodies. In addition, civil society organisations could play a role in making concerns and voices heard on the global level which are not shared, or are not sufficiently shared, by the World Heritage Committee, the Advisory Bodies and the UNESCO administration. Former blind spots in the World Heritage system have been identified by important actors within the system, such as the insufficient inclusion of indigenous groups or minority groups at World Heritage sites. Such groups are now recognised in principle by the global institutions, but their interests are often disregarded in discussions on concrete sites, so that there is an urgent need here for corrective action by civil society.

In the multi-level World Heritage system, the intermediary national level has a pivotal function; actors at this level not only inform the global institutions of problems at World Heritage sites, but also let the local institutions know about the opinions and expectations of the World Heritage Committee. However, it can happen that the national level acts as a filter and a blockage; from a normative point of view, important information is not transported adequately through the bottleneck of the national level in both directions (top-down and bottom-up). Such malfunctioning on the part of the intermediary level may be due to (a) capacity problems in the national institutions, (b) their ignorance of local problems, or (c)

deliberate political decisions and external strategies on the part of national actors who do not want to see such problems discussed on an international level or who even encourage and support what the World Heritage regime must regard as negative developments at World Heritage sites for the sake of their own economic or political interests.

In such situations, civil society can at least attempt to play a corrective role by transporting information about the problems from the local level to the global level of the World Heritage system, by-passing the national institutions. Thus, civil society constitutes a third channel for the flow of information between scales, in addition to the national institutions and the communication paths and networks within the Advisory Bodies. The potential unreliability of reports by the Advisory Bodies on the basis of brief visits to World Heritage sites is vividly described by Stephan Dömpke's contribution in this volume (on the problem of presenting the local perspective at the global level; cf. Schmitt 2009 and Schmitt 2011).

In terms of the multi-level approach, civil society organisations must discursively transport problems at World Heritage sites to the global level of the World Heritage system. Albeit, in order to accomplish this, locally and globally acting NGOs need access to the global institutions, and in particular to the World Heritage Committee and the UNESCO World Heritage Centre. Ideally, (local and global) civil society organisations and the global institutions of World Heritage governance are natural collaborative partners for the protection of World Heritage sites as desired by the Convention.



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As a rule, lines of conflict within the World Heritage system do not occur along scalar lines of separation; rather, they often run across the global institutions, as can be shown by the example of the conflict over the Cologne Cathedral (Fig. 2). In 2004, the Cologne Cathedral was inscribed on the List of World Heritage in Danger because the Committee thought that the “visual integrity” of the cathedral was endangered by high-rise building projects in the city of Cologne. This danger was first

Fig. 2: The conflict of the World Heritage status of Cologne Cathedral in Germany (2004-2006) – conflict lines and scales
The bottom right photo shows the conservationist, Ms. Precht von Taboritzki, with some of the author's students; in the bottom centre image is Ms. Barbara Schock-Werner, who was master builder of the cathedral at that time. The centre left image shows the German delegation at the 2006 meeting of the UNESCO World Heritage Committee.

¹ It is possible that this trend was halted, at least for the time being, at the 39th session of the World Heritage Committee held in Bonn in 2015.

recognised not by the responsible local authorities, but by a conservationist (who was not the appointed representative in this case), Ms. B. Precht von Traboritzki, who succeeded in gaining the support of the German Commission for UNESCO, ICOMOS Germany, and finally the UNESCO administration and the World Heritage Committee. Her objections were initially dismissed as irrelevant by the Cologne urban community and local politicians. Only following an intervention by UNESCO – whose competence was initially denied by local politicians (see Schmitt/Schweitzer 2007) – did her objection gain weight which could no longer be ignored. National actors and the master builder of the Cologne Cathedral, who were anxious that the cathedral should not lose its World Heritage status, adopted a mediator position in the conflict.

This case shows that adequate protection of World Heritage sites requires collaboration between civil society actors and UNESCO. Civil society organisations can play an important role by drawing attention within local/regional societies to the goals of the World Heritage Committee, raising awareness in respect of problems, and fighting for adequate protection – for implementing protective measures always lies in the hands of the local and national actors.

Another weakness of the World Heritage system may be mentioned here: the mandate of the World Heritage Committee is limited to those sites which have been inscribed on the List with the consensus of (and which are normally nominated by) the State Party in which the site is located. Degradation and devastation at sites to which an outstanding universal value could easily be ascribed, but which have not been nominated for the List, fall outside the competence and powers of the Committee and of UNESCO in general.

This applies, for instance, to the old town of Kashgar, which is situated on the historic silk road, in the Xinjiang Uyghur Autonomous Region in northwestern China. The layout of the old town of Kashgar followed typical principles of Islamic urbanism. In 2009, the Chinese authorities, under the pretence of building earthquake-proof structures, started an urban development programme under which the greater part of the old town is currently being demolished (Gesellschaft für Bedrohte Völker 2009). Neither

the World Heritage Committee nor UNESCO as a whole have, until now, intervened to prevent the destruction of this cultural heritage of humanity. The case of Kashgar, and the general practice of non-intervention with regard to endangered sites which are not inscribed on the World Heritage List, may be seen as a weakness of the World Heritage regime (Schmitt 2015). A further, indispensable duty of civil society organisations would be to address such problems within the global arenas of World Heritage and to move UNESCO to condemn such developments by adopting adequate resolutions.

Civil society represents a potentially important corrective factor in the face of official political structures, whether in local urban communities or on the level of global institutions, such as UNESCO. Despite legitimate rejoicing that civil society has become stronger in the context of the World Heritage system, all those involved – including the members of civil society themselves – must not forget that the positions of civil society stakeholders are not, as a rule, democratically legitimated, and are not automatically “better” in either an ethical or a scientific sense, than the positions of established institutions. Rather, they are under a permanent obligation to demonstrate this through their everyday activities.

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