

**Resolution
of the International NGOs Forum "Protection of World Heritage Properties"**

24 June, 2012

Saint-Petersburg (Russia)

Due to the preamble to the Convention Concerning the Protection of the World Cultural and Natural Heritage (further on – Convention) **cultural and natural heritage is more and more endangered by destruction which is caused not only by traditional causes of damages but also by the evolution of the social and economic life that aggravates them with even more dangerous harmful and destructive happenings.**

World Heritage properties due to their exclusive value, safety and other outstanding qualities become more and more attractive for commercial mastering.

Participants of the International NGOs Forum "Protection of UNESCO World Heritage Properties", having hearing and discussing the reports and messages of the representatives of (WHC, IUCN, ICOMOS, experts...) are forced to state the next:

- During last years more and more World Heritage properties (as cultural as natural) are under the threat of destruction or loss of their Outstanding Universal Value which was a base for their inscription to the World Heritage List.
- If in a majority of countries the main threat to the condition of the properties represent the natural or other factors that are not directly connected with their usage (climate change, fires, destruction due to the aging of materials), the main reason for degradation of World Heritage properties in Russian Federation, Democratic Republic of the Congo and some other developing countries and countries of the "Third World" is the policy of the State authorities and commercial structures affiliated with them;

It is promoted heavily by the:

- lack in the above-mentioned countries the developed special national legislation that provides the sufficient protection of the World Heritage properties on the National level;
- lack of the authorized representatives in a sphere of protection and management of the World Heritage properties;
- lack of special bodies that fully respond to the fulfillment of the obligations of the States Parties;
- the corruption of the officials that response for the decision making process connected with the usage of World Heritage properties as well as legal nihilism of the commercial structures closed to the power; the plans of legislation reprocessing that lower legal protection of the World Heritage properties in Russia (prepared for the second hearing changes to the Federal Law "On Specially Protected Natural Territories" and "On Environment Protection").
- lack of plans of reformation of the legislation lowering the existing legal protection of the World Heritage properties (in Russia – prepared for the second hearings in the State Duma amendments to the Federal Law "On specially protected natural areas" and "On environment protection");
- lack of integrated state policy regarding protection of the World Heritage properties in the Russian Federation;
- lack in some cases of the legible borders of the World Heritage properties and their buffer zones.
- lack of the public information (including cartographical) about the properties, their buffer zones and about restrictions on economic activity on the corresponding territories that are imposed in connection with that.

State bodies or organizations of some States Parties to the Convention in defiance of article 6 of the Convention are making actions that could directly or indirectly cause damage to the cultural or natural heritage mentioned in the articles 1 and 2, which are located on the territory of the States parties to the existing Convention

President of France had signed the Memorandum in accordance with which the French State Bank CDC will finance the construction of the mountain ski resort on the territory of the Western Caucasus World Heritage property (Russian Federation) in defiance of the decision of the 35th Session of the World Heritage Committee;

Government of the Chinese Peoples Republic had signed the preliminary agreements with the Government of the Russian Federation about the construction of the "Altai" gas pipeline through the territory of the "Golden Mountains of Altai" World Heritage property in defiance of the decision of the 35th Session of the World Heritage Committee;

Russian State Company "Gazprom" participates via its affiliated companies in realization of the plans of oil extraction in the "Virunga" National Park in the Democratic Republic of the Congo (it is better to have the examples of the cultural objects if they exist).

- Mechanisms of the Convention also not always can really provide the protection of the World Heritage properties due to the insufficiently clear formulations of the Convention by itself and its working documents (in particular the Operational Guidelines to the Convention) as well to the imperfection of the procedure of the decision making by the World Heritage Committee that set up them considerably to the dependence of the political conjuncture as a result of that the World Heritage Committee decisions depend considerably from the political conjuncture.

On the 35th Session of the World Heritage Committee the World Heritage Center using the results of the reactive monitoring mission of the WHC and IUCN to the "Virgin Komi Forests" property prepared the draft decision about inscription of this property to the "World Heritage in Danger" List, but this decision was not supported by the necessary majority of the Committee members (that decide not to go against the Russia's position), that leaded to the beginning of the geological prospecting works on the territory of the property.

- International credit-financial institutions make decision about financing of the commercial structures that are directly or indirectly connected with the activity that may lead to the destruction or degradation of the World Heritage properties or to the lowering of their outstanding universal value.

European Bank of Reconstruction and Development gave the credit to the GV Gold, in spite of the fact that its affiliate company planned to mine the gold on the territory of the "Virgin Komi Forests" World Heritage property violating the decisions of the 34th and 35th Sessions of the World Heritage Committee. They received from the company the formal decision about the sale of the affiliate company (that is likelihood does not correspond to the reality). World Bank plans to invest money in construction of the hydropower stations in the Selenga River basin in Mongolia that can bring damage to the "Lake Baikal" World Heritage property.

- In several countries the properties with the outstanding universal value and corresponding to the criteria of the Convention are not offered by the State Party for inscription to the World Heritage List because of the existing plans of economic use of these objects.

At the same time the Forum participants mark that in those countries where there exist the active NGOs that provide public control over the condition of the World Heritage properties, the officials or business structures have less possibilities to influence on the decision making process that could lead to the destruction or degradation of the World Heritage properties.

In connection with the stated above the Forum participants are faced to:

I. UNESCO World Heritage Committee members during their 36th Session with the proposal:

1. To change the paragraph 186 of the Operational Guidelines in a part of obligatoriness of the reception by the World Heritage Committee the decision about inscription of the World Heritage property to the "World Heritage in Danger" List in cases when it became evident that condition of this property correspond at least to the one of criteria that are described in the paragraphs 179, 180 of the Operational Guidelines and these facts are confirmed by the Convention Secretariat and corresponding advisory bodies (IUCN, ICOMOC, ICROM).

2. In connection with the big number of the "problem objects" in Russia to make a decision about discussion regarding condition of the Russian World Heritage properties on a special meeting giving the possibility to take the floor to the representatives of the Russian NGOs that participate in the protection of the corresponding properties.

3. To make using the forces of the advisory bodies with NGOs participation in those countries where the regular violations of the Convention take place, the analysis of the representativeness of the World Heritage properties with the aim to expose the properties that possess the outstanding universal outstanding value and correspond to the Convention criteria, but not proposed by the State party for inscription to the World Heritage List because of the existing plans of the economic usage of these properties. On results of this analysis to suggest to the State parties during next 2 years after the Committee Session to prepare documents for inscription to the World Heritage List.

4. To inform the UN Secretary General about non-fulfilment by the Russian Federation its obligations escaping from the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage.

5. To suggest to the State party of the Russian Federation:

- to refuse from submission of changes into the Russian Federation legislation which could weaken the regime of protection of valuable natural and cultural objects and in the first place the Federal laws "On specially protected natural areas" and "On environment protection".

- to refuse from plans of the legislation reprocessing that provide the real legal protection of the World Heritage properties (in particular the Federal Law "On Specially Protected Natural Territories" and "On Environment Protection");

.- until the next session with participation of the advisory bodies and NGOs to work out and to adopt the National legislation which provides the status of the World Heritage properties and their protection from any activities that could lead to their destruction or degradation or to the lowering of their outstanding universal value;

- to create inside the structure of the Federal authorities the interdepartmental coordinating structure for protection of the World Heritage properties with the NGOs participation that will have permissions for cancellation of decisions which could lead to the destruction and degradation of the World Heritage properties or to the lowering of their outstanding universal value in spite of the level of the authorities that made those decisions.

- to create inside the structure of the Federal authorities the interdepartmental coordinating structure for protection of the World Heritage properties which will have the privileges to give the obligatory orders to the authorities of different levels regarding abrogation of decisions which could lead to the destruction or degradation of the World Heritage properties or to the lowering of their Outstanding Universal Value. To create at this structure the Public Council from the representatives of the non-governmental organizations providing control over the condition of the World Heritage properties.

- to organize in Russia the high-level meeting regarding the condition of the Heritage properties with participation of experts, representatives of the Ministry of Culture, Ministry of Foreign Affairs and NGOs, discussing the problems of interaction of Russia and World Heritage Committee and to work out the recommendations on improvement of protection of the World Heritage properties on National level.

- to organize work on development and adoption of definitions of the Outstanding Universal Value of the World Heritage properties, borders of the World Heritage properties, borders of their buffer zones, complex plans of properties' management and others, as well as execution of passports for the World Heritage properties and their buffer zones in correspondence with the national legislation.

- to implement the publication in the public domain the complete fundamental documentation regarding World Heritage properties including the text of the Convention Concerning Protection of the World Cultural and Natural Heritage and Operational Guidelines on Convention implementation, graphic materials reflecting the installed borders of the Russian properties and their buffer zones, as well as official translation of the World Heritage Committee ICOMOS General Assemblies decisions connected with Russia as well as reports of the ICOMOS and IUCN monitoring missions concerning Russian World Heritage properties.

- To make more active the work of the Ministries of Culture and Foreign Affairs of the Russian Federation regarding popularization of the World Heritage properties inside Russia and abroad. To raise the awareness of the regional authorities and society as a whole about the value of the World Heritage properties and about International obligations of the Russian Federation regarding their conservation.

6. To appeal to the international and national credit-financial organizations with the demand to refuse from the financing of projects or structures that are directly or indirectly connected with the activity that could lead to the destruction, degradation or lowering of the outstanding universal value of the World Heritage properties (including structures connected earlier with the mentioned activity until the evidences of the stoppage of this activity will not be presented publicly).