



International Council on Monuments and Sites

Conseil International des Monuments et des Sites

International Scientific Committee on Legal, Administrative and Financial Issues

Meeting , 6 April 2002

Minutes

A meeting of the ICOMOS International Legal Committee was held on April 6th at the Dean Rusk Center of the University of Georgia in Athens, Georgia, U.S.A. with President Werner von Trützscher presiding. The meeting followed an international symposium, Conservation – Heritage – Law 2002, co-sponsored by the Rusk Center and the Committee and hosted by different institutions and organisations. A report on the symposium drawn up by Secretary General, James Reap, annexed to these minutes.

Members present:

Australia, Graeme Wiffen; Belgium, Arlette Verkruyssen; Benin, Aimé Goncalves; Bulgaria, Hristina Staneva; Canada, Marc Denhez; Croatia, Jadran Antolović; France, Pierre-Laurent Frier; Germany, Werner von Trützscher; Israel, Gideon Koren; Japan, Toshiyuki Kono; Mexico, Robert Nuñez Arratia; The Philippines, Rose Beatrix Cruz-Angeles; Peru, Alberto Martorel Carreño; Poland, Wojciech Kowalski; South Africa, Andrew Hall; Sri Lanka, P.B. Mandawala; Sweden, Thomas Adlercreutz; Togo, Gaël Kpotogbé Amoussou; and the United States of America, James Reap.

US/ICOMOS Preservation Law Committee members attended as observers and participants in the discussions. US/ICOMOS Archaeological Heritage Management Committee member, Tom Wheaton, was also a guest of the Committee and participated in the discussion. The International ICOMOS Legal Committee approved the minutes of its previous meeting in Ein Bokek, Israel. The Committee welcomed the new voting members Graeme Wiffen/Australia, Aime Goncalves/Benin, Rose Beatrix Cruz-Angeles/The Philippines, Andrew Hall/South Africa, and Gael Kpotogbe Amoussou/Togo. It elected unanimously as new associate members Autumn Rierson and Daniel Eck of the United States, Luis Anguita of Spain, Hannah Taylor of Ghana, and Edmond Fokker of The Netherlands.

An update on publications included a report by Alberto Martorell that ICOMOS España had published the proceedings of the seminar in Toledo and would send copies to all committee members. Gideon Koren reported that the proceedings from the Ein Bokek meeting were in publication and would be distributed soon. Werner von Trützscher reported that copies of the proceedings of the first symposium in Weimar were still available. The high cost of international distribution was discussed and it was suggested

that copies could be made available to law libraries for the cost of postage. It was the consensus of the committee that the host country decide on the methods of publication (i.e. print, electronic) with the goal of having the widest possible distribution. There was a discussion of the Committee's listserv, and it was suggested that members forward the webmaster, James Reap, any links or materials relating to the Committee's areas of interest that might be appropriate for the site, particularly national legislation. President von Trützschler suggested the addition of a counter to determine the number of persons accessing the site.

Andrew Hall of South Africa provided information on the postponement of the ICOMOS General Assembly scheduled to be held in 2002 in Zimbabwe, because of concerns about conditions in that country. He announced that the General Assembly would be held in Madrid in early December 2002. Plans call for a symposium to be held in 2003 in Zimbabwe or elsewhere in Africa on the topic of intangible heritage. The Committee decided to hold an informal meeting in conjunction with the General Assembly in Madrid based on a poll of members present that indicated an insufficient number planned to attend to warrant a regular meeting.

President von Trützschler reported on proposals considered by the ICOMOS Executive Committee for changes in the international election process. A working group recommended that a proposal for a postal vote not be accepted because of the difficulty of ensuring the integrity of the vote. The working group did recommend a change in procedures to allow candidates to nominate observers to be present during the counting of votes.

Pierre-Laurent Frier provided a brief update on activities at the Council of Europe and their program of technical assistance to other countries. Edmond Fokker shared information on civil/military cooperation in the areas of cultural resources protection. Gideon Koren suggested that the Committee ask ICOMOS Paris for support to assist active committees with the cost of their meetings. The members asked Gideon Koren to explore the issue further with the ICOMOS Treasurer General and, should it seem feasible, to write a letter to the Executive Committee. Andrew Hall suggested that the Committee consider other ways to generate money and include this topic on the agenda of the next meeting.

The Committee updated their work program to include focus on intangible cultural heritage, integrated conservation, implementation of the new underwater convention, strategies for balancing private property and public heritage, and an analysis of levels of resource protection.

The Committee welcomed the Rusk Center's initiative on international cultural resources law, noting that they are unaware of any academic center focusing on this issue. They recognized the Center and Dean Rusk Center Fellow James Reap for organizing the conference and for establishing and maintaining a listserv and the International Legal Committee's official website to facilitate information exchange.

It was the consensus of the participants that the Rusk Center could provide an international focal point through a continuing and expanded program in international conservation law to fill a void that exists in the field. They discussed the role the Center could have in a number of areas including outreach, information, research, collaboration/networking, and technical assistance. While praising the collection of international legal materials at the Rusk Center, the participants committed to assist in increasing the materials focusing on cultural resources law. Mr. Jan Hladik of UNESCO offered to help develop a comprehensive collection of his organization's materials and other members made initial donations of legal documents, publications, and electronic resources to the Rusk Center. Participants agreed to provide further input for formal proposals to establish such a program.

Invitations were received to host future meetings in Bulgaria, Japan, France and Belgium. No date or location was set, and a final decision was delegated to the Bureau. There being no further business, the meeting was adjourned.

Respectfully submitted,

Werner von Truetzschler
President

JamesK.Reap
Secretary General