

# World Heritage: Defining and Protecting Important Views

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## Do the international charters protect important views?

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This paper is presented within the framework of the roundtable organized from March 18-20, 2008 in Montreal by Christina Cameron, Chair of the Canada Research Chair on Built Heritage. The roundtable focused on the subject of defining and protecting important views. I was asked to comment on the question "Do the international charters protect important views?"

Paragraph 104 of the Operational Guidelines for the Implementation of the World Heritage Convention states:

***104.** For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, **important views** and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone should be provided in the nomination.*

This is the only time that the word "views" is used in the document with this meaning. It is not defined any further. But what exactly is an "important view"? Do the international charters and other international cultural heritage preservation instruments give guidance on the definition and protection of "important views"?

To answer the above question, I went to the ICOMOS website, to the section on Charters and other doctrinal texts and examined 45 documents (charters, declarations, conventions, and recommendations) ranging from 1931 to 2005. Of all these documents (see annex) only two use the

word “views” in the context of views to and from historic monuments and sites. And they both use it only once. They are:

**2005 Xi’an Declaration on the conservation of setting of heritage structures, sites and areas.** Article 4. *Understanding the setting in an inclusive way requires a multi-disciplinary approach and the use of diverse information sources. Sources include formal records and archives, artistic and scientific descriptions, oral history and traditional knowledge, the perspectives of local and associated communities as well as the analysis of **views** and vistas.*

And

**1976 UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas.** Article 5. *In the conditions of modern urbanization, which leads to a considerable increase in the scale and density of buildings, apart from the danger of direct destruction of historic areas, there is a real danger that newly developed areas can ruin the environment and character of adjoining historic areas. Architects and town-planners should be careful to ensure that **views** from and to monuments and historic areas are not spoilt and that historic areas are integrated harmoniously into contemporary life.*

Therefore, the answer to the question “Do the international charters protect important views?” is NO, at least, not specifically.

But most of the international documents that I reviewed contain plenty of suggestions, recommendations and guidance for the purpose of defining and protecting important views. Furthermore, many national capitals such as Washington, London, Paris and Ottawa have adopted regulations that define and protect important views in their core areas. Such a document entitled *Canada’s Capital Views Protection* can be consulted at:

[http://www.capcan.ca/bins/ncc\\_web\\_content\\_page.asp?cid=16300-20443-29362-29363&lang=1](http://www.capcan.ca/bins/ncc_web_content_page.asp?cid=16300-20443-29362-29363&lang=1)

This document for instance offers the following six basic steps for view protection:

1. Define the subjects (national symbols) which should be visually protected and enhanced, and assign relative visual and symbolic values to the component parts.
2. Define the vantage zones and viewing positions from which visual assessments can be made most effectively. Isolate key viewpoints within these zones and analyze the important visual, compositional characteristics of the views from these viewpoints. Summarize the compositional attributes, which should be maintained and/or improved.
3. Define the areas in which building heights should be controlled in the background and the foreground of the views from the key viewpoints.

4. Define appropriate measures or "standards" for protecting the visual integrity of the subjects in each of the views from the key viewpoints.
5. Isolate a minimum number of key viewpoints from which the projected height control planes will provide comprehensive view-protection for all of the other identified key viewpoints.
6. Assess the impact of height controls on the development capacity of affected sites to ensure that as-of-right redevelopment densities are protected.

The authors explain that this is not a linear process and that it necessitates the application of a consensus building process.

Meanwhile, the various charters and international instruments reviewed infer the following points for consideration in the definition and protection of important views:

1. It requires the multi-disciplinary input of many professionals such as planners, architects, lawyers, surveyors, historians, economists, building developers, landscape architects, computer modellers and geographers.
2. It implies value judgements on visual qualities and visual relationships and compositions; these judgements are achieved through consultative processes that involves the public and their conclusions must be transformed into specific measurements of regulation which quantify the term visual integrity.
3. It needs to consider the whole environment, natural, built and urban
4. It requires long-term visions
5. It needs to be managed on the basis of values
6. All developers must be subject to the same rules (private as well as government)
7. All controlling agencies must use the same rules
8. It is best achieved through education programs for young children as well as mature citizens; it should be promoted through an enhancement and public awareness program.
9. It should be fair
10. It requires special methods for underwater cultural heritage

Furthermore, through their guidance for the protection of historic monuments, these documents infer that:

1. The protection of views contributes to creating and maintaining a "sense of place"

2. Countries signatory to the UNESCO 2005 Convention on the Protection and promotion of the diversity of cultural expressions have a duty in this regard (Canada is a signatory)
3. That countries that intentionally destruct cultural heritage could be subject to Article 8(2)(b)(ix) of the 2005 Rome Statute of the International Criminal Court that states:  
“Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, **historic monuments**, hospitals and places where the sick and wounded are collected, provided they are not military objectives;”
4. That as signatories to international conventions, countries have obligations to protect heritage, diversity and enjoyment of cultural heritage
5. That beyond the material evidence, heritage sites can carry a deep spiritual message that must be protected

## **Conclusion**

From the review of all the international instruments for the protection of cultural heritage in the Annex that follows, it appears that there is a need for the international community of experts in conservation to elaborate principles, definitions and methodologies for identifying and protecting important views to and from world heritage sites as well as other historic places of national or local significance.

# Annex

## International instruments

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### For the preservation of natural and cultural heritage

#### In chronological order

- 1931 Athens Charter for the Restoration of Historic Monuments (Athens Conference, 21-30 October 1931) *(Views = No; Guidance = Article III on perspective treatment and removing unsightly elements)*
- 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention The Hague, 14 May 1954 *(Views = No; Guidance = general for protection of monuments in event of armed conflict)*
- 1962 Recommendation concerning the Safeguarding of Beauty and Character of Landscapes and Sites 11 December 1962 More *(Views = No; Guidance = Lots of guidance on principles, protective measures and education of the public)*
- 1964 International Charter for the Conservation and Restoration of Monuments and Sites (The Venice Charter) *(Views = No; Guidance = Article 1 and 6 on settings)*
- 1967 Normas de Quito, 1967 (Informe final de la reunión sobre la conservación y utilización de monumentos y lugares de interés histórico y artístico) *(Views = No; Guidance = General preservation guidance in the context of the Americas and recommendations especially concerning tourism)*
- 1968 Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private works 19 November 1968 More *(Views = No; Guidance = On how public works can impact historic monuments preservation)*
- 1972 Convention concerning the Protection of the World Cultural and Natural Heritage Paris, 16 November 1972 *(Views = No; Guidance = Covers built and nature; general guidance on identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage; more specific guidance in the Operational Guidelines)*
- 1972 Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage 16 November 1972 *(Views = No; Guidance = On general principles, policies, financial resources, public participation, creation of specialized public services, protective, legal and administrative measures, educational and cultural action and international co-operation)*

- 1972 Resolutions of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings (*Views = No; Guidance = Importance of built heritage and very general principles for introduction of contemporary architecture*)
- 1975 Declaration of Amsterdam (Congress on the European Architectural Heritage, 21-25 October 1975) (*Views = No; Guidance = On importance of built heritage, local responsibilities, education, holistic approaches, integrated approaches, buffer zones, public support and consultation, youth, legal and administrative measures, specialized techniques and traditional crafts*)
- 1975 European Charter of the Architectural Heritage (Council of Europe, October 1975) (*Views = No; Guidance = On importance for the whole of Europe, integrated conservation, setting, towns and villages, social balance, importance of education, modern threats, legal, administrative, financial and technical requirements,*
- 1975 Resolutions on the Conservation of Smaller Historic Towns (ICOMOS General Assembly) (*Views = Yes* "Article 5. In the conditions of modern urbanization, which leads to a considerable increase in the scale and density of buildings, apart from the danger of direct destruction of historic areas, there is a real danger that newly developed areas can ruin the environment and character of adjoining historic areas. Architects and town-planners should be careful to ensure that **views** from and to monuments and historic areas are not spoilt and that historic areas are integrated harmoniously into contemporary life.; *Guidance = Lots of guidance on all aspects of conservation of smaller towns*)
- 1976 Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas 26 November 1976 (*Views = No; Guidance = Lots of guidance on all aspects of conservation of historic areas... importance, urbanization, social role, policies, legal, administrative, technical, economic, and social measures, research, education and information, international cooperation*)
- 1982 The Florence Charter (Historic gardens and landscapes) (*Views = No; Guidance = Not for protection of views*)
- 1982 Charter for the Preservation of Quebec's Heritage (Deschambault Declaration) (ICOMOS Canada) (*Views = No; Guidance = On preservation of geographic and human environments, landscapes, individual's responsibilities, public participation*)
- 1982 Declaration of Dresden (*Views = No; Guidance = Not for protection of views*)
- 1982 Tlaxcala Declaration on the Revitalization of Small Settlements (*Views = No; Guidance = General on scale, traditional environment of rural settlements and small towns, policies, use of traditional materials, and training of professionals*)
- 1983 Appleton Charter for the Protection and Enhancement of the Built Environment (ICOMOS Canada) (*Views = No; Guidance = On setting*)

- 1983 Declaration of Rome (*Views = No; Guidance = Not for protection of views*)
- 1987 Charter on the Conservation of Historic Towns and Urban Areas (*Views = No; Guidance = On preservation of historic character of historic towns, methods and instruments*)
- 1987 First Brazilian Seminar About the preservation and Revitalization of Historic Centers (ICOMOS Brazil) (*Views = No; Guidance = On very broad and general principles*)
- 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore 15 November 1989 (*Views = No; Guidance = Not for protection of views*)
- 1990 Charter for the Protection and Management of the Archaeological Heritage (*Views = No; Guidance = On threats by development projects*)
- 1992 A Preservation Charter for the Historic Towns and areas of the United States of America (US/ICOMOS)
- 1992 Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand) (*Views = No; Guidance = General guidance on setting and risk management*)
- 1993 Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites (*Views = No; Guidance = Not for protection of views*)
- 1994 The Nara Document on Authenticity (Nara Conference on Authenticity in Relation to the World Heritage Convention, held at Nara, Japan, from 1-6 November 1994) (*Views = No; Guidance = On values, authenticity, respect of cultural diversity*)
- 1996 Principles for the Recording of Monuments, Groups of Buildings and Sites (ICOMOS 1996) (*Views = No; Guidance = On importance of recording for better understanding of values and evolution of cultural heritage*)
- 1996 Charter for the Protection and Management of the Underwater Cultural Heritage (*Views = No; Guidance = On threats to underwater cultural heritage by construction work*)
- 1996 Declaration of San Antonio at the InterAmerican Symposium on Authenticity in the Conservation and Management of the Cultural Heritage (*Views = No; Guidance = On the authenticity of cultures and heritage of the Americas, values, mitigation, conservation of overall character and traditions, spiritual meaning, evolution, complexity on deciding what to protect, stewardship, economics, reflection of the true value, integrity, context, identity, use and function, recommendations for architecture and urbanism, archaeological sites, cultural landscapes, and concerning the Nara Document*)
- 1998 The Stockholm Declaration : Declaration of ICOMOS marking the 50th anniversary of the Universal Declaration of Human Rights (adopted by the ICOMOS Executive and Advisory Committees at

- their meetings in Stockholm, 11 September 1998) (*Views = No; Guidance = On the right of everyone to partake freely in the cultural life of the community*)
- 1999 Charter on the Built Vernacular heritage (*Views = No; Guidance = General guidance on importance and issues related to the conservation of vernacular heritage*)
- 1999 International Charter on Cultural Tourism (*Views = No; Guidance = On communication of significance of heritage to tourists, challenges, formulation of plans and policies to develop detailed, measurable goals and strategies relating to the presentation and interpretation of heritage places*)
- 1999 Principles for the Preservation of Historic Timber Structures (*Views = No; Guidance = Not for protection of views*)
- 1999 The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter) (Australia ICOMOS) (*Views = Yes "Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views"; Guidance = On many aspects of heritage conservation, management, approach, knowledge and skills, values, significance, use, visual setting, location, contents, related places and objects, participation, change, maintenance etc.*)
- 2000 Principles for the conservation of heritage in China (Chinese Principles) (*Views = No; Guidance = On many aspects of heritage conservation and especially on the treatment of the setting*)
- 2001 Convention on the Protection of the Underwater Cultural Heritage Paris, 2 November 2001 (*Views = No; Guidance = On the necessity of developing special protection methods, threats and complexity for management and protection*)
- 2003 Indonesia Charter for Heritage Conservation / Piagam Pelestarian Pusaka Indonesia (ICOMOS Indonesia) (*Views = No; Guidance = Not for protection of views*)
- 2003 Convention for the Safeguarding of the Intangible Cultural Heritage Paris, 17 October 2003 (*Views = No; Guidance = On inclusion and importance of spaces associated with intangible heritage*)
- 2003 ICOMOS Charter – principles for the analysis, conservation and structural restoration of architectural heritage (*Views = No; Guidance = Not for protection of views*)
- 2003 UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage 17 October 2003 (*Views = No; Guidance = On "The international community recognizes the importance of the protection of cultural heritage and reaffirms its commitment to fight against its intentional destruction in any form so that such cultural heritage may be transmitted to the succeeding generations". Also, intentional destruction of cultural heritage is covered by the Rome Statute of the International Criminal Court "Article 8(2)(b)(ix) states: Intentionally directing attacks against*

*buildings dedicated to religion, education, art, science or charitable purposes, **historic monuments**, hospitals and places where the sick and wounded are collected, provided they are not military objectives )*

2003 The Hoi An Declaration on Conservation of Historic Districts of Asia (*Views = No; Guidance = On importance of public participation*)

2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions Paris, 20 October 2005 (*Views = No; Guidance = On protection and promotion of cultural expressions, cultural policies, interculturality*)

2005 Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas, adopted in Xi'an, China by the 15th General Assembly of ICOMOS (2005) (*Views = Yes "Article 4. Understanding the setting in an inclusive way requires a multi-disciplinary approach and the use of diverse information sources. Sources include formal records and archives, artistic and scientific descriptions, oral history and traditional knowledge, the perspectives of local and associated communities as well as the analysis of **views** and vistas. ; Guidance = This is all about setting, its contribution, documentation, interpretation, conservation, management and public participation*)