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CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL
AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Twenty-fourth session

Cairns, Australia
27 November – 2 December 2000

**Item 10.2 of the Provisional Agenda: Report of the High Level Mission to
Kathmandu Valley World Heritage site, Nepal, 25-29 September 2000**

High Level Mission to the Kathmandu Valley World Heritage site 25-29 October 2000

Report

Background of the Mission: Kathmandu Valley site in Nepal was inscribed on UNESCO's World Heritage List in 1979 as a single site composed of seven Monument Zones. These seven Monument Zones are located in different geographic areas within the greater Kathmandu Valley at considerable distances from each other, and differ significantly in character, function, and state of conservation. The heritage values of the seven Monument Zones, (Bauddhanath, Bhaktapur Darbar Square, Changu Narayan, Hanuman Dhoka Darbar Square, Pashupatinath, Patan Darbar Square, Swayambhunath), collectively justified the site's designation as World Heritage on the basis of cultural heritage criteria (iii), (iv) and (vi).

The Kathmandu Valley World Heritage site has been the subject of continuing concern by the World Heritage Committee and its Bureau. Since 1992, the Committee and its Bureau have regularly examined the state of conservation of the site at every single session in light of the persistent and continued deterioration of the materials, structures, ornamental features, and overall architectural coherence in most Monument Zones. The Committee has repeatedly deferred inscription of Kathmandu Valley on the List of World Heritage in Danger, since 1993, taking into consideration the assurances of His Majesty's Government of Nepal to ensure adequate protection of the site, and to allow sufficient time for the authorities to implement the 16-point Recommendation (1993) and 55 Recommendations and Time-Bound Action Plan (1998) adopted by the Government.

After consecutively deferring inscription of the site on the List of World Heritage in Danger in 1998 and 1999, the Committee requested a High Level Mission to be organized in 2000 to hold consultations with representatives of His Majesty's Government of Nepal to transmit the Committee's concern for the site. The Committee, stressing that the gravity of the situation should not be underestimated, underlined that while it deferred inscription of the site on the List of World Heritage in Danger until its 24th session in 2000, it was obliged to recognise the serious loss of the authentic urban fabrics detected within the site over the past years. (All previous Committee and Bureau decisions are found in Annex A of this Report.)

Goals: The goals of the High Level Mission were to:

- (a) *hold discussions with representatives of His Majesty's Government of Nepal and local authorities responsible for safeguarding the Kathmandu Valley World Heritage site to*
 - *transmit the concerns of the World Heritage Committee and UNESCO regarding the continued deterioration of the materials, structure, ornamental features, and architectural coherence constituting the essential settings of the Monument Zones as well as in their authentic characters;*
 - *underline that, while the Committee has deferred inscription of the site on the List of World Heritage in Danger until its 24th session in Cairns, Australia, it recognised the serious loss of the authentic urban fabrics detected within the site over the past years, and to stress that the gravity of the situation should not be underestimated;*
 - *underscore that inscription of a site on the List of World Heritage in Danger should not be considered as an exercise of "black-listing" sites, but understood to serve as a conservation*

tool and as part of a process to draw international technical assistance and to rally the necessary political will and public support at the national level in favour of conservation;

➤ *examine the state of conservation of the seven Monument Zones.*

(b) *facilitate the discussions and decision to be taken by the World Heritage Committee at its 24th session concerning whether or not to finally inscribe the Kathmandu Valley World Heritage on the List of World Heritage in Danger.*

Composition of the High Level Mission:

The High Level Mission was comprised of the following individuals and expertise:

- (a) The Chairperson of the World Heritage Committee, Mr Abdelaziz Touri, Secretary-General of the Ministry of Cultural Affairs, Government of Morocco.
- (b) Mr Henrik Lilius, Representative of International Council of Monuments and Sites (ICOMOS) during the High Level Mission, Vice-Chairperson of the World Heritage Committee, Director-General, National Board of Antiquities, Government of Finland.
- (c) Mr Francesco Bandarin, Director, UNESCO World Heritage Centre, Representative of the Director-General of UNESCO during the High Level Mission.
- (d) Mr Pierre-André Périssol, Mayor of Moulins (France), Vice-President of the Regional Council of Auvergne, Former Minister of Housing, Government of France.
- (e) Professor Eduard Sekler, Professor of Architecture, Emeritus, Harvard University, U.S.A., Member of the Historic Conservation Advisory Council (Denkmalbeirat), Austria.

The UNESCO World Heritage Centre undertook the work of the secretariat of the High Level Mission. The UNESCO Kathmandu and New Delhi Offices provided logistical and protocol support.

Date and schedule of the High Level Mission:

The High Level Mission was undertaken between 25-29 September 2000. During that time, the High Level Mission undertook site-visits to all seven Monument Zones and held meetings with the following representatives of His Majesty's Government of Nepal and of the local authorities responsible for the conservation and development of the Kathmandu Valley site.

- ◆ The Right Honourable Prime Minister
- ◆ The Honourable Minister of Culture, Tourism, and Civil Aviation
- ◆ The Honourable Minister of Education
- ◆ Chief Secretary, His Majesty's Government of Nepal
- ◆ Acting Secretary of the Ministry of Culture, Tourism, and Civil Aviation
- ◆ Joint Secretary of the Ministry of Culture, Tourism, and Civil Aviation
- ◆ Director-General, Department of Archaeology, Ministry of Culture, Tourism, and Civil Aviation
- ◆ Vice Mayor, Kathmandu Metropolitan City

- ◆ Mayor, Lalitpur Sub-Metropolitan City (Patan)
- ◆ Mayor, Bhaktapur Municipality
- ◆ President, Federation of Swayambhunath Management and Conservation
- ◆ Member Secretary, Pashupati Area Development Trust
- ◆ Chairperson, Changu Narayan Village Development Committee
- ◆ UNDP Resident Representative

Finally, the Chairperson of the World Heritage Committee, the Director of the World Heritage Centre, Professor Eduard Sekler, and the Chief of UNESCO Kathmandu Office, Mr Yoshiaki Kitamura, were honoured with an audience with His Majesty the King on 29 September 2000. (The discourse of the Chairperson to His Majesty the King is found in Annex B of this Report.)

Conclusive findings of the High Level Mission: After reviewing the situation of the seven Monument Zones which together compose the Kathmandu Valley World Heritage site, the Mission made the following observations:

1. Condition and conservation of public and religious historic monuments:

- In general and only with some exceptions, palace buildings, temples, and public monuments are in good condition and well maintained.
- Recent restoration works, demonstrating a high level of conservation standards, have been carried out by the responsible authorities.
- In some cases, the necessary co-ordination process between the various agencies or experts involved has been lacking, and this hampered the implementation of the international conservation policies adopted by His Majesty's Government of Nepal.

2. Condition and conservation of private buildings representing the historic evolution of Nepalese architecture and comprised within the perimeter of the protected areas under the World Heritage Convention:

A serious deterioration process of the traditional urban fabric has been going on for an extended period of time within the Kathmandu Valley site as a whole, both immediately surrounding the public monuments and buildings as well as within the limited vernacular architectural areas. As the seven Monument Zones differ significantly in character, function and state of conservation, it is difficult to define exactly the degree of deterioration of the World Heritage site as a whole. It is, however, possible to distinguish the degree of conservation of each Monument Zone. The mission observed that in some Monument Zones, and in particular in the Zone of Changu Narayan, the degree of deterioration is limited. By contrast, other Monument Zones have suffered from encroachment by disturbing buildings and remodelling that endanger their integrity.

In spite of these differences in the rate of deterioration of the urban fabric among the Monument Zones, the threat to the site's integrity persists in all Zones, due to the following factors:

- Many authentic private historic buildings are already destroyed, and some of the remaining authentic historic buildings are in extremely fragile condition and under

serious threat unless urgent and large-scale conservation measures are undertaken soon.

- The local authorities have not been able to adequately establish regulatory and financial measures to support conservation and restoration *in-situ* of historic buildings, which are more expensive than their demolition and the construction of modern buildings replacing historic buildings.
- Many modern buildings have been constructed illegally defying existing urban regulations and building control codes, and are of disruptive or invasive architectural design.
- Due to the illegal or inappropriate additions or new constructions, there is a threat of alteration to the public spaces and to the setting of palatial and religious buildings.
- There is a lack of an integrated approach of conservation and development processes of the Monument Zones. Projects for the improvement of essential utilities, transportation, sanitation and public security do not take into due consideration the world heritage values of the site and its conservation needs sufficiently.

3. Efforts and commitments of the Nepalese authorities:

Examples of tourist entrance fees benefiting the conservation and rehabilitation of public monuments were noted with appreciation. Efforts in actively involving public participation in tourism development were also noted. However, while public monuments are highly appreciated, the awareness that urban fabric deterioration is an irreparable loss undermining the world heritage values, and therefore decreasing tourism potential, is still only recognised by a minority.

The authorities underscored that a substantial number of the 55 Recommendations adopted during the 1998 Mission had been or are about to be implemented. However, the positive impact of the implementation of these recommendations is limited, until additional financial means are mobilised to allow the conservation and rehabilitation of the privately owned vernacular architecture still intact within the Monument Zones.

The committed will of His Majesty's Government of Nepal to protect the Monument Zones was reiterated during the course of the High Level Mission, both at the central and local government levels. However, the difficulty in imposing upon private historic building owners international conservation standards without substantial subsidy and technical support was both evident and underscored by the authorities. The difficulties faced by the authorities are aggravated by the continuing rapid increase of population and housing needs within the Kathmandu Valley. In spite of significant international aid¹ and specific urban development and management programmes supported by various international agencies, the conservation of the urban heritage of Kathmandu Valley within the capital city has not ceased to pose serious problems.

¹ Nepal is listed 33rd on the List of Least Developed Countries established by the United Nations Committee for Development Planning. *Nepal Development Cooperation Report 1998 – Part II : Analysis of Development Cooperation* (compiled by UNDP Nepal) states that « the total Official Development Assistance (ODA) provided to Nepal in 1998 was US\$ 469.3 million, representing an increase by 8.3 percent compared to the ODA in 1997 ».

4. Actions needed to protect the site:

The urban fabric that forms an essential part of most Monument Zones needs a great deal of restoration, correction, and upgrading, which presents an enormous legal, technical, and financial challenge. The Mission indicated the need for an extraordinary effort by His Majesty's Government of Nepal and the local authorities in order to define new planning and financial tools to cope with the situation. Unless effective land-use controls are enforced and additional and reasonable financial assistance is mobilised on a significant scale, it will be difficult to conserve and rehabilitate the authentic, yet fragile historic buildings, and also undertake corrective measures to remove buildings which are illegal and damaging to the site.

Final considerations: Fearing that the inscription of the Kathmandu Valley site on the List of World Heritage in Danger would be interpreted as “black-listing” and “shameful”, the representatives of His Majesty's Government of Nepal reiterated to the Mission that they did not wish for the Kathmandu Valley site to be inscribed on the List of World Heritage in Danger. (A letter from the Honourable Minister of Culture, Tourism and Civil Aviation addressed to the Director-General of UNESCO is found in Annex C of this Report.)

However, if no new dispositions are urgently taken, the deterioration of the historic urban fabric will persist and continue, irreversibly damaging the vernacular architecture surrounding the public monuments, and consequently permanently damaging the world heritage values of this unique and universally significant site.

The inscription of the Kathmandu Valley site on the List of World Heritage in Danger could be beneficial if it leads to the mobilization of the attention of the international community and allocation of significant funds in favour of the conservation and development of the site.

ANNEX A
World Heritage Committee and Bureau Decisions on the Kathmandu Valley site (1992-2000)

PAGE NO.	YEAR	TITLE	AUTHORITY	REFERENCE
7	1992	Report on the sixteenth session (Santa Fe), paragraph VIII.9.	World Heritage Committee	WHC-92/CONF.002/12
7	1993	Report of the Rapporteur, seventeenth session (UNESCO Paris), paragraph VIII.3.	Bureau of the World Heritage Committee	WHC-93/CONF.002/2
9	1993	Report on the seventeenth session (Cartagena), paragraph X.8	World Heritage Committee	WHC-93/CONF.002/14
10	1994	Report of the Rapporteur, eighteenth session (UNESCO Paris), paragraph VI.21.	Bureau of the World Heritage Committee	WHC-94/CONF.001/10
11	1994	Report on the eighteenth session (Phuket), paragraph IX.22.	World Heritage Committee	WHC-94/CONF.003/16
12	1995	Report of the Rapporteur, nineteenth session (UNESCO Paris), paragraph VI.20.	Bureau of the World Heritage Committee	WHC-95/CONF.201/12
13	1995	Report on the nineteenth session (Berlin), paragraph VII.46.	World Heritage Committee	WHC-95/CONF.203/16
13	1996	Report of the Rapporteur, twentieth extraordinary session (Merida), paragraph III.B.	Bureau of the World Heritage Committee	WHC-96/CONF.201/5
14	1996	Report on the twentieth session (Merida), paragraph VII.52.	World Heritage Committee	WHC-96/CONF.201/21
15	1997	Report of the Rapporteur, twenty-first session (UNESCO Paris), paragraph IV.50.	Bureau of the World Heritage Committee	WHC-97/CONF.204/11
15	1997	Report of the Rapporteur, twenty-first extraordinary session (Naples)	Bureau of the World Heritage Committee	WHC-97/CONF.208/4B
16	1997	Report on the twenty-first session (Naples), paragraph VII.52.	World Heritage Committee	WHC-97/CONF.208/17
18	1998	Report of the Rapporteur, twenty-second session (UNESCO Paris), paragraph V.55.	Bureau of the World Heritage Committee	WHC-98/CONF.201/9
18	1998	Report of the Rapporteur, twenty-second extraordinary session (Kyoto), paragraph III.C.b.	Bureau of the World Heritage Committee	WHC-98/CONF.203/5
20	1998	Report on the twenty-second session (Kyoto), paragraph VII.37.	World Heritage Committee	WHC-98/CONF.203/18
21	1999	Report of the Rapporteur, twenty-third session (UNESCO Paris), paragraph IV.69.	Bureau of the World Heritage Committee	WHC-99/CONF.204/15
22	1999	Report of the Rapporteur, twenty-third extraordinary session (Marrakech), paragraph III	Bureau of the World Heritage Committee	WHC-99/CONF.208/8
23	1999	Report on the twenty-third session (Marrakech), paragraph X.42	World Heritage Committee	WHC-99/CONF.209/22
27	2000	Report of the Rapporteur, twenty-fourth session (UNESCO Paris), paragraph IV.70.	Bureau of the World Heritage Committee	WHC-2000/CONF.202/17

**Report of the WORLD HERITAGE COMMITTEE - Sixteenth session
(Santa Fe, United States of America, 7-14 December 1992)**

Paragraph VIII.9

Kathmandu Valley (Nepal)

Upon the initiative of ICOMOS, the report pertaining to the Valley of Kathmandu was submitted to the attention of the Committee. This site is the subject of a UNESCO international safeguard campaign and, as the ICOMOS Representative pointed out, numerous reports have been written about it for the past twenty years. Moreover, following an ICOMOS seminar held recently in Nepal on wood conservation, the ICOMOS Representative was able to confirm previously identified obstacles posed by the protection of sites in the Kathmandu Valley. He expressed his concern for the future safeguarding of these sites, due especially to the absence of technical personnel and skilled labour, and to the quality of some restorations of wooden monuments with true architectural value, in and outside in the protected area.

The conclusions drawn by ICOMOS addressed different levels of intervention (site boundaries, legislation, and human resources) and propose involving UNESCO and ICOMOS in a global evaluation process of everything which has been done from the standpoint of safeguarding the cultural heritage of Kathmandu.

The Delegate of Germany, who expressed his concern at this alarming report, asked the Committee to consider extending the seven protected areas so as to include all the historic and artistic elements of exceptional value, and to create a buffer zone which would comprise the greatest part of the Valley. Furthermore, he suggested to recommend to the Nepalese Government to substantially increase the staff at the Antiquities Department and the funds at their disposal so that they may act effectively with regard to urban development threatening the Valley.

The Delegate of Tunisia reported on his contacts with two teams of experts (Germany and the United States of America) who only confirmed the conclusions drawn by ICOMOS, which he commended. He expressed the hope that the Committee approve the recommendations made by ICOMOS and that ICCROM reinforce this action in this field with the support of the Committee. The Delegate from Pakistan and the ICCROM Observer each discussed in turn the importance of acting in order to preserve the heritage of the Kathmandu Valley.

The Delegate of Pakistan recalled that the use of wood in architecture was a very old tradition since protohistoric times. Hence, in India the Palaces of Pathipulsa are wooden structures in spite of the fragility of this material. It is for this reason that particular attention should be paid to the preservation of wooden structures in historic areas in tropical countries, as is the case for Kathmandu.

Following this discussion, the Committee adopted the recommendations made by ICOMOS and asked the World Heritage Centre to contact the Nepalese authorities to study all the recommendations of ICOMOS and the Committee.

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE - Seventeenth session
(UNESCO Headquarters, Paris, 21-26 June 1993)**

Paragraph VIII.3

Kathmandu Valley (Nepal)

The World Heritage Committee, at its sixteenth session, was informed of the alarming state of conservation of historic buildings and monuments in the Kathmandu Valley. UNESCO and ICOMOS were requested to undertake a global review of the Kathmandu Valley and of the activities undertaken over the past 20 years from the standpoint of safeguarding the cultural heritage of Kathmandu. The

objectives of the review were: to draw up broad guidelines for the preservation of the whole valley and to re-examine the boundaries of the protected zone under the Convention.

The UNESCO Division of Physical Heritage is presently executing a Japanese Trust Fund project for Patan Durbar Square, one of the seven sites in the Valley which is included in the ensemble inscribed on the World Heritage List, aimed at establishing scientific documentation of the historical building. For a three-year period, the funds allocated for this project amount to approximately US\$ 375,000. Additional assistance is being sought from UNDP to strengthen the institutional capacity of the national and municipal agencies responsible for safeguarding monuments and historical urban quarters in the Valley.

As a result of a UNESCO mission, fielded at the beginning of June, it was reported that the Government of Nepal expressed its concern about the rapid deterioration of the World Heritage site in the Valley. As a remedial measure, the Government intends to reinforce the existing Monuments Protection Act No. 2013, in order to strengthen the protection of cultural heritage. As of 9 June, the Mayors of Kathmandu, Patan and Bhaktapur decided that the construction work, as a result of the demolition of historical buildings, be banned for six months. Furthermore, the World Heritage Centre was informed that the local news agency recently reported that fast-growing construction is being carried out, not only by locals but also by foreigners. At present, the unauthorised demolition of ancient wooden buildings and the reconstruction of new concrete fabrics is becoming the norm. The World Heritage Centre recently received a report stating that on 12 April 1993, two 14th century wooden buildings in Patan (Tyagah Chapa and its adjoining Pati) were torn down by their owner, the "Guthi", and replaced with a concrete structure housing shops, assuring them of a steady income. The World Heritage Centre promptly requested the Nepalese authorities to urgently look into this matter and to provide further information. In addition, it was also stressed that urgent action to prevent such practices be sought immediately.

At the present session, ICOMOS envisaged the need to contact the Nepalese authorities to express concern and deplore the ongoing destruction of significant cultural heritage within the inscribed Kathmandu Valley sites, and to undertake, along with the Centre and the Physical Heritage Division, the planned 20-year review. Furthermore, it was proposed that efforts be made to change and improve existing legislation.

The Delegate of the United States of America, expressed deep concern for the ongoing degradation and demolition of monuments and historic buildings in the Kathmandu Valley due to weak legislation and lack of adequate protective measures, as required in the Convention, and suggested the inclusion of this site in the List of World Heritage in Danger.

The Delegate of Germany supported the suggestion of the United States Delegate and also stressed the need for substantive improvement in legislation for the protection of all historic monuments.

The Rapporteur also stressed the need for the Nepalese authorities to act in accordance with the Convention and its guidelines. Furthermore, he requested that the UNESCO Division of Physical Heritage play an active role in the protection and safeguard of the Kathmandu Valley.

Following the request of the Chairperson, the Delegations of Germany, the United States of America and representatives of ICOMOS met during the Bureau meeting and agreed on the following recommendations concerning the Valley of Kathmandu:

1. It is recommended that the Secretariat, on behalf of the Bureau, write a letter to the Government of Nepal, expressing its deep concern on the destruction of monuments in Patan, as well as in the other sectors of the Kathmandu Valley, which are inscribed on the World Heritage List.
2. Furthermore, an expert mission, organized by WHC/ICOMOS, should be announced to the Government of Nepal. This mission is expected to take place during the second half of 1993. The expert mission will investigate the technical problems of restoration, according to the order of the Committee given in Santa Fe. Beyond this, the mission will tackle new problems which turned out to be urgent in monitoring reports presented during the current Bureau meeting. These are:

a) The revision of the Ancient Monument Preservation Act of 1956. At present, this Act cannot prevent the destruction of monuments and it is therefore inadequate to avert the extensive threats that the monuments are increasingly exposed to.

b) The expert mission of WHC/ICOMOS intends to inspect and evaluate the boundaries of the seven sectors of the valley belonging to the World Heritage site and will, when necessary, propose an extension of the boundaries to enclose further important monuments within the site.

c) The expert mission intends to make an on-the-spot check the inventory of monuments which were listed together with the inscription of the site in 1979, and which seem to contain a large number of monuments which have been destroyed in the meantime.

d) The expert group would review the staffing of the Nepal Department of Archaeology and of the administration of the three important towns which are responsible for the protection of monuments, to assess the number of additional expert staff necessary to prevent further destruction of monuments.

WHC/ICOMOS will report on the results of their actions during the seventeenth session of the Committee in Cartagena to enable the Committee to make substantive proposals to the Government of Nepal.

EXTRACT – WHC-93/CONF.002/14

**Report of the WORLD HERITAGE COMMITTEE - Seventeenth session
Cartagena, Colombia (6-11 December 1993)**

Paragraph X.8

Kathmandu Valley, Nepal

A joint UNESCO/ICOMOS mission was undertaken in November 1993 to evaluate current and past conservation activities to examine boundaries and to study the possibility of setting-up buffer zones, to verify the state of the listed monuments, to assess the support capacities of the national and municipal authorities and to evaluate proposed amendments to the Ancient Monuments Preservation Act. The mission's conclusions stressed the continuing urgency of the situation and defined sixteen areas in which significant improvements should be made in order to maintain the integrity of the original inscription. The mission also suggested increased international support and a permanent UNESCO presence at the site. ICOMOS suggested that the Government of Nepal consider recommending to the Committee to place the Kathmandu Valley on the List of World Heritage in Danger, in order to increase international support, and that a follow-up mission be undertaken in a year's time in order to assess, in co-operation of the Nepalese authorities, the progress made in the sixteen areas of concern.

The Observer from Nepal stated that his Government would seriously consider the recommendations made by the mission. In his opinion, threats to the site were not so severe that listing on the World Heritage in Danger List would be appropriate. Nepal was actively taking measures, notably for improved conservation, management and legal protection of the site, among others, and the state of conservation would improve in the near future. Nepal would appreciate receiving technical assistance from the Fund and ICOMOS to support its conservation efforts.

The Committee concluded that the mission report should be studied in-depth and that the recommendations should be reviewed with the Nepalese authorities. The Committee requested the Centre to report on this matter to the Bureau at its next session.

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE- Eighteenth session
UNESCO Headquarters, Paris (4-9 July 1994)**

Paragraph VI.21 Kathmandu Valley (Nepal)

The current state of the Kathmandu Valley World Heritage site had been the cause of apprehension since 1992 and had already appeared on the agenda of a number of meetings of the Bureau and of the World Heritage Committee. The Bureau was informed of the conclusions of the joint UNESCO/ICOMOS Review Mission of 14-30 November 1993, which had recommended that the site be placed on the List of World Heritage in Danger and returned to the World Heritage List within a period of one to three years, after sixteen specific matters of concern had been met. It was explained that the World Heritage site consists of seven distinct monument zones, three of them urban, centred round the palaces of the cities of Kathmandu, Patan and Bhaktapur, and the remainder, two Buddhist and two Hindu shrines, which had formerly been in rural surroundings. The mission report had recommended the effective desisting of parts of the Kathmandu Darbar Square and Baudhanath monument zones, following a general failure to control development, but an extension of the monument zones of Swayambhunath, Patan and particularly Bhaktapur, which was now the only Newari city to retain its overall traditional character. It was pointed out that the Hindu shrine of Pashupati, although part of the World Heritage site, had never been afforded the protection of being gazetted as a protected monument area in Nepalese law.

The mission report illustrated examples of demolition, encroachment, traffic pressure, the unsympathetic introduction of modern services and conservation practices which did not conform to accepted international standards. UNESCO had undertaken a number of initiatives, including plans for technical training and an advisory mission on amendments to the Nepalese Ancient Monuments Preservation Act. ICOMOS had plans for a professional seminar in October 1994.

The Representative of Thailand stated that it was important to judge the degree to which the site had deteriorated and whether it was now worthy of being included in the World Heritage List. The Nepalese State Party should be made aware of the Bureau's concerns and informed that, if the situation was not remedied, steps to delist the site would be initiated. He suggested that, rather than desisting part of the monument zones, that the State Party should be asked to redefine the areas which constitute the World Heritage site. The Representative of the United States concurred in these sentiments. The German Observer highlighted the importance of concentrating efforts on the core areas, where the best results could be achieved, rather than on peripheral areas which might still be part of the monument zones but in which traditional buildings had since been demolished and replaced with concrete-framed structures.

ICOMOS argued that the matter was an extremely delicate one, which could be approached from a number of standpoints. It would be possible to suggest that in the spirit of the World Heritage Convention, the site should be placed on the List of World Heritage in Danger, but Nepalese opposition to such a move might make it self-defeating. He emphasised that it was important to do what was best for the site, which should be in co-operation with the Nepalese authorities to try and resolve outstanding difficulties. The Representative of Senegal also proposed a new approach which would enable the Nepalese to be more protective towards the World Heritage Site and argued that the State Party should be made fully aware of the Bureau's concerns with regard to violations of the articles of the World Heritage Convention.

The Director of the Centre endorsed the idea of redefinition of the monument zones but proposed that, rather than the site being placed on the List of World Heritage in Danger, it would be more constructive if a package of assistance to the Nepalese could be developed which would enable them to act as more effective guardians of the World Heritage site in co-operation with UNESCO and other relevant agencies. He would be contacting his colleagues in the Division of Physical Heritage to develop more concrete proposals.

The Chairperson summarized the discussion, to the effect that a letter should be sent to the State Party expressing the Bureau's deep concern about the state of the Kathmandu Valley World Heritage site. The Bureau recommends to the Committee to envisage partial desisting and redefinition of the part still intact and qualifying as World Heritage, which should be placed on the List of World in Danger to bring particular attention to the need to avoid further deterioration. At the same time, UNESCO is asked to work out an international assistance project.

EXTRACT - WHC-94/CONF.003/16

**Report of the WORLD HERITAGE COMMITTEE - Eighteenth session
Phuket, Thailand (12-17 December 1994)**

Paragraph IX.22 Kathmandu Valley (Nepal)

The Secretariat recalled the concern raised over the state of conservation of the Kathmandu Valley World Heritage site and the debate during the seventeenth session of the Committee in December 1993 and the Bureau at its eighteenth session in July 1994 on the possible inscription of the site on the List of World Heritage in Danger and the delisting of certain parts of the site damaged by uncontrolled development. The 16-point recommendation of the UNESCO/ICOMOS Review Mission of November 1993 and the pledge made by the Representative of His Majesty's Government at the seventeenth session of the Committee to follow-up on these recommendations were also recalled.

The Committee was presented with a monitoring report prepared by the Department of Archaeology on progress made in the follow-up activities. In the absence of the Nepali Representative, the Secretariat summarized the main points of this report.

Actions reported include:

- ★ adoption of revised bylaws which came into effect in February 1994 requiring prior permit for any demolition within the core area of the city;
- ★ submission to Parliament of the proposed Fifth Amendment of the Ancient Monuments Preservation Act strengthening the enforcement mechanism of design and development control within the World Heritage protected zones which could not be passed due to the dissolution of the Parliament;
- ★ approval by the Government of the redefined boundary of Swayambhunath and publication of this in the Nepal Gazette;
- ★ completion of a map of the revised boundary of Patan Darbar Square checked on the ground, house-by-house, and agreed upon with the Municipality and other relevant bodies which is to be gazetted in the near future;
- ★ completion of maps of the revised boundaries of the five other monument zones as recommended by the UNESCO/ICOMOS mission which will soon be verified through ground survey;
- ★ completion of the inventories of public and religious monuments in Patan Darbar Square, Pashupati and Bauddhanath;
- ★ publication of information pamphlets on the seven World Heritage monument zones containing general information on conservation norms, particularly the ban since July 1994 of the use of cement mortar in the repair of monuments;
- ★ initiation of computerised documentation and manual recording of monuments zones;
- ★ removal of commercial advertisement panels from the monument zones and the museum building of Swayambhunath.

The Secretariat also reported on the Nepal/UNESCO/ICOMOS strategy meeting held in mid-November 1994 immediately following the Kathmandu Valley International Campaign Review Meeting and drew the attention of the Committee to the action plan to be co-ordinated by an inter-ministerial task force which the representatives of the various ministries to the strategy meeting agreed to establish. This action plan contained in the monitoring report includes, inter alia, the development and publication of guidelines on building and conservation practice with graphic illustrations and establishment of a development control unit in the Department of Archaeology to work closely with the municipalities and town development committees.

The Committee, having noted the efforts being made by the Nepali authorities to rectify the damage caused to the Kathmandu Valley, requests UNESCO to support the Government of Nepal in strengthening the mechanism of co-ordination of all international conservation activities, whether bilateral or multilateral, especially with regard to the method of conservation to be applied. The Committee also calls upon the Government of Nepal to take into consideration, the recommendations made by the joint UNESCO/ICOMOS mission of November 1993 in ensuring the protection of the World Heritage Site from uncontrolled development, especially by adopting a more stringent policy in the granting of demolition and construction permits and other land-use authorisation in both the core area and the buffer zone. Recognizing the limited national resources in carrying out the variety of required activities, the Committee requests UNESCO to assist the Nepali authorities in preparing a package of projects to seek international donor support including the documentation of the World Heritage Site, to be undertaken as a priority. In this connection, the Committee discussed the advantages of the Kathmandu Valley being put on the List of World Heritage in Danger to draw the priority attention of the international community and urged the Government of Nepal to reconsider this option.

EXTRACT - WHC-95/CONF.201/12

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE - Nineteenth session
UNESCO Headquarters, Paris (3-8 July 1995)**

Paragraph VI.20

Kathmandu Valley (Nepal)

The Centre recalled that the World Heritage Committee at its eighteenth session expressed its appreciation for the monitoring report prepared by the Department of Archaeology on the progress made in implementing the recommendations of the Committee at its seventeenth session. The Committee approved in December 1994, a technical co-operation request under the World Heritage Fund to finance a six-month mission of an international technical adviser to Kathmandu to assist the authorities in the preparation of a package of projects for international funding and to establish a development control unit within the Department of Archaeology to prevent further encroachment of the protected monument zones of this World Heritage site, and to implement the other recommendations made by the UNESCO/ICOMOS mission of November 1993. The international expert has been identified and deployment is scheduled for August 1995.

The Bureau was informed that on 23 February 1995, the Centre officially transmitted its concern to the Government of Nepal on reports concerning the demolition of Joshi Agamchen in Kathmandu Darbar Square Monument Zone. By letter of 14 March 1995, the Director-General of the Department of Archaeology informed the Centre of its intervention with the private trust which is the owner of this historic building to ensure that the conservation works in progress meet the international standards of conservation practice.

The Centre indicated that it had been informed of other cases of demolition of historic buildings located on the fringe of the existing boundaries of Patan Darbar Square Monument Zone. This area is part of the suggested expansion zone to be included in the revised boundary which was accepted by the Government following the UNESCO/ICOMOS mission recommendation. The new gazette of the revised boundary has not yet been issued.

Noting with concern, reports on the continued demolition of and alterations to historic buildings within the World Heritage protected zones and in areas pending official inclusion, the Bureau suggested that the Chairman of the Committee write to the Government authorities urging the urgent publication of the Government gazette indicating the new boundaries of the protected areas and the early establishment of the Inter-ministerial Task Force to implement the actions agreed upon by the Government to strengthen the protection of the World Heritage site of Kathmandu Valley. The Bureau recommended that the Inter-ministerial Task Force and the international technical adviser, report on the latest developments through the official Government channels, to the nineteenth session of the Committee.

EXTRACT - WHC-95/CONF.203/16

**Report of the WORLD HERITAGE COMMITTEE - Nineteenth session
Berlin, Germany (4-9 December 1995)**

Paragraph VII.46

Kathmandu Valley (Nepal)

The Secretariat reported that the technical co-operation grant approved by the Committee at its eighteenth session in December 1994, enabled the deployment in October 1995 of an International Technical Adviser (ITA) to Kathmandu for a period of five months to assist the authorities in the preparation of project proposals for international funding and to establish a development control unit within the Department of Archaeology. In addition to the three national professionals who will be trained as development control officers by the ITA, three persons are also being trained as documentalists.

The Committee noted that the official gazette of the revised boundaries of the monuments zones has not yet been issued despite repeated indication by the Department of Archaeology of its imminent publication and expressed its concern over the continued demolition of and inappropriate alterations to historic buildings within the World Heritage protected zones.

The Committee reiterated the Bureau's request to His Majesty's Government of Nepal to provide a report on the progress in the implementation of the November 1993 UNESCO/ICOMOS recommendations.

EXTRACT - WHC-96/CONF.201/5

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twentieth extraordinary session
Merida, Mexico (29-30 November 1996)**

Paragraph III.B

Kathmandu Valley (Nepal)

The World Heritage Committee at its seventeenth session (1993), expressed deep concern over the state of conservation of the Kathmandu Valley and considered the possibility of placing this site on the List of World Heritage in Danger following discussions on the findings of the November 1993 Joint UNESCO/ICOMOS Review Mission to the Kathmandu Valley.

Since then, the Government has given priority to responding to the sixteen points of concern raised by the UNESCO/ICOMOS mission.

To emphasise the increased importance being placed on the preservation of the World Heritage Site as a whole, rather than on individual monuments, an information meeting was held in October 1996 on the safeguarding and development needs of the site. During this meeting some nineteen-project proposals were presented for national and international funding support.

The Secretariat informed the Bureau that the State of Conservation Report prepared by the Department of Archaeology of His Majesty's Government of Nepal, with the assistance of the UNESCO World Heritage Centre, was received that very morning and will be distributed at the Committee session.

The Bureau took note of the Secretariat's report and decided to transmit the state of conservation report to the Committee and recommended the following text for adoption by the Committee:

"The Committee congratulates His Majesty's Government of Nepal for the tangible proof of its commitment to the World Heritage Convention. It expresses hope that efforts will be continued to strengthen the institutional capacities of the Department of Archaeology and the concerned municipal authorities to protect and develop the Kathmandu Valley World Heritage Site by officially adopting and publicising regulations on building control and conservation practice. The Committee appeals to the national and international donors to finance the projects developed by the local authorities for the safeguarding of the site which are contained in the compendium of project proposals prepared with the support of the UNESCO Cultural Heritage Division and the World Heritage Centre."

EXTRACT - WHC-96/CONF.201/21

**Report of the WORLD HERITAGE COMMITTEE - Twentieth session
Merida, Mexico (2-7 December 1996)**

Paragraph VII.52

Kathmandu Valley (Nepal)

The World Heritage Committee at its seventeenth session in 1993, expressed deep concern over the state of conservation of the Kathmandu Valley and considered the possibility of placing his site on the List of World Heritage in Danger following discussions on the findings of the November 1993 Joint UNESCO/ICOMOS Review Mission.

Since then, the Government has given priority to responding to the sixteen points of concern raised by the UNESCO/ICOMOS mission.

To emphasise the increased importance being placed on the preservation of the World Heritage site as a whole, rather than on individual monuments, an information meeting was held in October 1996 on the safeguarding and development needs of the site. During this meeting some nineteen-project proposals were presented for national and international funding support.

The Secretariat informed the Committee that the State of Conservation Report prepared by the Department of Archaeology of His Majesty's Government of Nepal, with the assistance of the UNESCO World Heritage Centre, was received and would be made available to the Committee members.

The Committee took note of the Secretariat's report and expressed its appreciation for the progress made by His Majesty's Government of Nepal towards the fulfilment of the sixteen-point recommendations of the UNESCO/ICOMOS mission of November 1993, which was endorsed by the Committee at its eighteenth session. It expressed hope that efforts will be continued to strengthen the institutional capacities of the Department of Archaeology and the concerned municipal authorities to protect and develop the Kathmandu Valley World Heritage site by officially adopting and publicising regulations on building control and conservation practice. The Committee noted the efforts made by the Government in convening the information meeting held in Kathmandu in October 1996 to solicit donors to finance the projects developed by the local authorities with the support of the UNESCO Cultural Heritage Division and the World Heritage Centre.

**REPORT OF THE RAPPORTEUR
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-first session
UNESCO Headquarters, Paris (23 - 28 June 1997)**

Paragraph IV.50 Kathmandu Valley (Nepal)

The Bureau took note of the state of conservation report provided by His Majesty's Government of Nepal and expressed its appreciation for the progress made towards fulfilling the sixteen-point recommendation of the UNESCO-ICOMOS mission of 1993. In expressing its regret over the further delay in the integration of the Development Control Unit (DCU) as a permanent unit of the Department of Archaeology (DOA), the Bureau recalled that international assistance under the World Heritage Fund for the establishment of the DCU was not to provide salary support but for the training of the DCU staff. It therefore reiterated its hope that His Majesty's Government will honour its commitment to make available the necessary resources to enable the DOA to maintain the DCU in function.

While having noted improvements in the enforcement of building regulations in the Monument Zones of Bhaktapur, and Patan, the Bureau expressed deep concern over the continued demolition of historic buildings located along the circular street surrounding the Bauddha Stupa and the construction of new structures, including the new Buddhist temple, which do not conform to the building codes. In view of the alarming situation in the Monument Zone of Bauddhanath, and the persisting problems in the Monument Zone of Kathmandu, the Bureau wished to consider at its twenty-first extraordinary session to be held in November 1997, the placement of the Kathmandu Valley World Heritage Site on the List of World Heritage in Danger. To enable it to make a sound recommendation to the Committee in this regard, the Bureau requested His Majesty's Government of Nepal to provide a full report on the progress made in each of the sixteen points of the 1993 UNESCO-ICOMOS recommendation.

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE – Twenty-first extraordinary session
Naples, Italy (28-29 November 1997)**

Kathmandu Valley (Nepal)

The World Heritage Committee at its seventeenth session in 1993 expressed deep concern over the state of conservation of the Kathmandu Valley site and considered the possibility of placing it on the List of World Heritage in Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review Mission (hereafter referred to as the 1993 Mission).

Since then, HMG of Nepal has given priority to responding to the sixteen points of concern raised by the 1993 Mission. However, the Bureau, at its twenty-first session (June 1997), decided to consider recommending the inscription of the site on the List of World Heritage in Danger at its twenty-first extraordinary session (November 1997), in view of the continued deterioration of the monument zones of Bauddhanath and of Kathmandu (two of the seven monument zones protected under the Convention).

In order to make a sound recommendation to the Committee in this regard, the Bureau examined the state of conservation report submitted by HMG of Nepal, summarized together with comments from the UNESCO International Technical Advisor in Working Document WHC-97/CONF.207/INF.2. This report provides full information on the progress made on each of the sixteen points of the 1993 Mission recommendations.

The Observer of Nepal thanked the Bureau, the Committee and the Secretariat for their consistent support since 1993. He expressed appreciation for the Bureau's recognition of the great efforts made by the Government, particularly the Department of Archaeology and the municipalities of Bhaktapur and

Patan (Latipur) and stated that his Government will increase efforts to address the outstanding problems in the Kathmandu and Bauddhanath monument zones. He supported the Secretariat's recommendation for a joint UNESCO-ICOMOS-Nepali Government mission for a thorough review of the situation before the Committee's decision for the inscription of the site on the List of World Heritage in Danger.

The Bureau recommended the Committee to adopt the following:

"The Committee takes note of the information provided by HMG of Nepal and the Secretariat concerning the implementation of the sixteen-point recommendation of the 1993 UNESCO-ICOMOS Review Mission.

The Committee expresses appreciation to HMG of Nepal in establishing the Development Control Unit and in its efforts to ensure enhanced management of the Kathmandu Valley site as well as in mobilizing international assistance from the World Heritage Fund and other sources. The Committee takes note of the special efforts made by the Municipalities of Bhaktapur and Patan in safeguarding the monument zones under their authority.

However, in view of the continued deterioration of the World Heritage values in the Bauddhanath and Kathmandu monument zones, effecting the integrity and inherent characteristics of the site, the Committee requests the Secretariat, in collaboration with ICOMOS and HMG of Nepal, to study the possibility of deleting selected areas within some monument zones, without jeopardizing the universal significance and value of the site as a whole. This review should take into consideration the intention of HMG to nominate Kokhana as an additional monument zone.

The Committee authorises up to US \$ 35,000, from the World Heritage Fund technical co-operation budget for a joint UNESCO-ICOMOS-HMG of Nepal team to conduct a thorough study and to elaborate a programme for corrective measures in accordance with paragraphs 82-89 of the Operational Guidelines. The detailed budget for this activity is to be submitted to the Chairperson for approval.

Furthermore, the Committee requests HMG of Nepal to submit a report to the Secretariat for presentation to the Bureau, at its twenty-second session in June/July 1998, on the progress made with the on-going or new international assistance projects funded by the World Heritage Fund and other sources, and on further progress in implementing the sixteen-point recommendation.

Based upon the information from the study and the report from HMG of Nepal, and recommendations from the Bureau, the Committee could consider whether or not to inscribe this site on the List of World Heritage in Danger at its twenty-second session.

EXTRACT – WHC-97/CONF.208/17

**Report of the WORLD HERITAGE COMMITTEE – Twenty-first session
Naples, Italy (1-6 December 1997)**

Paragraph VII.52 Kathmandu Valley (Nepal)

The World Heritage Committee at its seventeenth session in 1993 expressed deep concern over the state of conservation of the Kathmandu Valley site and considered the possibility of placing this site on the List of World Heritage in Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review Mission (hereafter referred to as the 1993 Mission).

Since then, HMG of Nepal has given priority to responding to the sixteen points of concern raised by the 1993 Mission. However, the Bureau, at its twenty-first session (June 1997), decided to consider recommending the inscription of the site on the List of World Heritage in Danger at its twenty-first extraordinary session (November 1997), in view of the continued deterioration of the monument zones of Bauddhanath and of Kathmandu (two of the seven monument zones protected under the Convention).

The Committee examined the state of conservation report submitted by HMG of Nepal, summarized together with comments from the UNESCO International Technical Advisor in WHC-97/CONF.208/INF.14. This report provides full information on the progress made on each of the sixteen points of the 1993 Mission recommendations. The Committee emphasised the need for addressing the problems faced in the preservation of urban historic fabric, such as those of Kathmandu Valley, in the context of rapid urban development in Asia and urged the World Heritage Centre to take initiatives in conducting a research in this field, in co-operation with ICOMOS and ICCROM.

The Observer of Nepal, the Honourable Minister of Youth, Sports and Culture, thanked the Committee and the Secretariat for their consistent support since 1993. He expressed appreciation for the Committee's recognition of the great efforts made by the Government, particularly the Department of Archaeology and the municipalities of Bhaktapur and Patan (Latipur), and stated that his Government is taking strong actions to address the outstanding problems in the Kathmandu and Bauddhanath monument zones. He welcomed the recommendation for a joint UNESCO-ICOMOS-Nepali Government mission to conduct a thorough study and to elaborate a programme of corrective measures for safeguarding Kathmandu Valley. He also shared the view concerning the need to address the problems of preserving historic cities in rapidly developing Asian cities.

The Committee took note of the information provided by HMG of Nepal and the Secretariat concerning the implementation of the sixteen-point recommendation of the 1993 UNESCO-ICOMOS Review Mission. The Committee expressed appreciation to HMG of Nepal in establishing the Development Control Unit and in its efforts to ensure enhanced management of the Kathmandu Valley site as well as in mobilizing international assistance from the World Heritage Fund and other sources. The Committee took note of the special efforts made by the Municipalities of Bhaktapur and Patan in safeguarding the monument zones under their authority.

However, in view of the continued deterioration of the World Heritage values in the Bauddhanath and Kathmandu monument zones, affecting the integrity and inherent characteristics of the site, the Committee requested the Secretariat, in collaboration with ICOMOS and HMG of Nepal, to study the possibility of deleting selected areas within some monument zones, without jeopardizing the universal significance and value of the site as a whole. This review should take into consideration the intention of HMG of Nepal to nominate Kokhana as an additional monument zone.

The Committee authorized up to US \$ 35,000, from the World Heritage Fund technical co-operation budget for a joint UNESCO-ICOMOS-HMG of Nepal team to conduct a thorough study and to elaborate a programme for corrective measures in accordance with paragraphs 82-89 of the Operational Guidelines. The detailed budget for this activity is to be submitted to the Chairperson for approval.

Furthermore, the Committee requested HMG of Nepal to submit a report to the Secretariat for presentation to the Bureau at its twenty-second session in June/July 1998, on the progress made with the on-going or new international assistance projects funded by the World Heritage Fund and other sources, and on further progress in implementing the sixteen-point recommendation. Based upon the information from the study and the report from HMG of Nepal, and recommendations from the Bureau, the Committee could consider whether or not to inscribe this site on the List of World Heritage in Danger at its twenty-second session.

**REPORT OF THE RAPPORTEUR
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-second session
UNESCO Headquarters, Paris (22-27 June 1998)**

Paragraph V.55 Kathmandu Valley (Nepal)

The Bureau expressed concern over the continued demolition of traditional buildings of architectural value and illegal new development within the Kathmandu Valley World Heritage site, despite the building control efforts made by His Majesty's Government of Nepal and the concerned local authorities. It requested that the Report of the Joint UNESCO/ICOMOS/Government of Nepal Mission be submitted to its members well in advance of the twenty-second extraordinary session of the Bureau to enable a careful examination of the progress made in building control and the programme of corrective measures. On the basis of this examination, the Bureau will then formulate a conclusive recommendation to enable the Committee to decide whether or not to inscribe this site on the List of World Heritage in Danger. It will also consider actions it may wish to take in regard to the programme of corrective measures, as well as on the pending nomination submitted by the State Party to inscribe Kokhana as an additional Monument Zone of the site.

**Report of the Rapporteur
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-second extraordinary
session
Kyoto, Japan, (27-28 November 1998)**

Paragraph III.C.b Kathmandu Valley (Nepal)

The Committee, at its seventeenth session, expressed deep concern over the state of conservation of the Kathmandu Valley site and considered the possibility of placing this site on the List of World Heritage in Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review Mission (hereafter referred to as the 1993 Mission).

At its twenty-first session, the Committee examined the state of conservation report of this site, and in view of the continued deterioration of the World Heritage values in the Baudhanath and Kathmandu Monument Zones, affecting the integrity and inherent characteristics of the site, the Committee requested the Secretariat, in collaboration with ICOMOS and His Majesty's Government (HMG) of Nepal, to study the possibility of deleting selected areas within some Monument Zones, without jeopardizing the universal significance and value of the site as a whole. This review was to take into consideration the intention of HMG of Nepal to nominate Kokhana as an additional Monument Zone.

The Committee authorized up to US\$ 35,000 from the World Heritage Fund technical co-operation budget for a Joint UNESCO-ICOMOS-HMG of Nepal team to conduct a thorough study and to elaborate a programme for corrective measures in accordance with paragraphs 82-89 of the Operational Guidelines. Based upon the information of this study and recommendations of the Bureau, the Committee, at its twenty-first session, decided that it could consider whether or not to inscribe this site on the List of World Heritage in Danger at its twenty-second session. Following this decision, a Joint UNESCO-ICOMOS-HMG of Nepal Mission (hereafter referred to as Joint Mission) was organized in March-April 1998.

The Bureau examined the findings of the Joint Mission, the 55 recommendations of the Joint Mission and the Time-Bound Action Plan of Corrective Measures adopted by HMG of Nepal, presented in Information Document WHC-98/CONF.202/INF.6.

The Bureau, while noting concern over the gravity of the situation, recognised that HMG of Nepal had made considerable efforts in implementing ten out of twelve actions within the Action Plan, with deadlines of 30 November 1998. Furthermore, the Bureau members and observer States Parties remarked on the positive actions taken by HMG of Nepal in the past five months to enhance management at the Kathmandu Valley site. It was noted that the results of the Joint Mission and the possibility of the site's inscription on the List of World Heritage in Danger had encouraged the authorities concerned to take concrete actions to implement the 16-point recommendations of the 1993 Mission. Therefore, the Bureau concluded that the positive momentum achieved should not be undermined by immediate inscription on the List of World Heritage in Danger.

ICOMOS stated that it had strongly recommended inscription of this site on the List of World Heritage in Danger in 1992 and 1993, in view of the urgency to redress the situation endangering the integrity of the site. However, ICOMOS supported the Bureau's positive view to allow more time for the current momentum to lead to tangible results in the preservation of the site.

The Observer of HMG of Nepal, representing the Honourable Minister of Youth, Sports and Culture, thanked the Committee, Bureau, and the Secretariat for their continued support since 1993 for preserving the Kathmandu Valley site. He expressed appreciation to the Bureau for its understanding of the difficulties being encountered by HMG of Nepal in the context of the rapid urban development since the site's inscription in 1979. He underlined the very positive developments which had taken place since July 1998, especially the creation of the inter-ministerial *Heritage Conservation Unit* within the Ministry of Youth, Sports and Culture, and the participation of the local municipalities and communities concerned, as well as NGOs in the conservation process. The Observer assured the Bureau, that within the next six months, the threats on the Kathmandu Valley site would be seriously addressed and mitigated.

The Chairperson referred to a letter addressed to the Director-General of UNESCO from the Honourable Minister of Youth, Sports and Culture reporting on recent measures taken to safeguard the Kathmandu Valley site, which had all been mentioned in the Information Document WHC-98/CONF.202/INF.6.

The Bureau decided to defer consideration of inscription of the Kathmandu Valley site on the List of World Heritage in Danger until its twenty-third session in June 1999. It decided to transmit the Joint Mission report presented in WHC-98/CONF.202/INF.6 to the Committee for examination, and to recommend the following for adoption:

«The Committee examines the findings and results of the Joint UNESCO-ICOMOS-HMG of Nepal Mission, the 55 recommendations and Time-Bound Action Plan adopted by HMG of Nepal. The Committee commends HMG of Nepal for its efforts in strengthening the management of the Kathmandu Valley site with the creation of the *Heritage Conservation Unit*. The Committee takes note of the special efforts made by the local authorities to raise awareness amongst the private homeowners to prevent further illegal demolition and inappropriate new constructions, which destroys the essential historical urban fabric of the Kathmandu Valley site.

The Committee decides to defer consideration of inscription of the Kathmandu Valley site on the List of World Heritage in Danger until its twenty-third session. However, the Committee requests HMG of Nepal to continue implementing the 55 recommendations of the Joint Mission and to respect the deadlines of the Time-Bound Action Plan. In addition, the Committee recommends that HMG of Nepal adopt the three additional ICOMOS recommendations presented in Annex 1 of Chapter 12 of the Joint Mission report. Moreover, the Committee requests HMG of Nepal to submit a report on the progress made in implementing the 55 recommendations before 15 April 1999 for examination by the twenty-third session of the Bureau in June 1999.

Finally, the Committee requests HMG of Nepal to take measures to ensure that adequate protection and management are put into place at Kokhana, prior to its nomination as an additional Monument Zone to the Kathmandu Valley site.»

**Report of the WORLD HERITAGE COMMITTEE – Twenty-second session
Kyoto, Japan (30 November - 5 December 1998)**

Paragraph VII.37

Kathmandu Valley (Nepal)

The Committee, at its seventeenth session, expressed deep concern over the state of conservation of the Kathmandu Valley site and considered the possibility of placing this site on the List of World Heritage in Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review Mission.

At its twenty-first session, the Committee examined the state of conservation report of this site, and in view of the continued deterioration of the World Heritage values in the Baudhanath and Kathmandu Monument Zones, affecting the integrity and inherent characteristics of the site, the Committee requested the Secretariat, in collaboration with ICOMOS and His Majesty's Government (HMG) of Nepal, to study the possibility of deleting selected areas within some Monument Zones, without jeopardizing the universal significance and value of the site as a whole. This review was to take into consideration the intention of HMG of Nepal to nominate Kokhana as an additional Monument Zone.

The Committee authorized up to US\$ 35,000 from the World Heritage Fund Technical Co-operation budget for a Joint UNESCO-ICOMOS-HMG of Nepal team to conduct a thorough study and to elaborate a programme for corrective measures in accordance with paragraphs 82-89 of the Operational Guidelines. Based upon the information of this study and recommendations of the Bureau, the Committee, at its twenty-first session, decided that it could consider whether or not to inscribe this site on the List of World Heritage in Danger at its twenty-second session. Following this decision, a Joint UNESCO-ICOMOS-HMG of Nepal Mission was organized in March-April 1998.

The Committee examined the findings and results of the Joint UNESCO-ICOMOS-HMG of Nepal Mission, and the 55 recommendations and Time-Bound Action Plan adopted by HMG of Nepal. The Committee commended HMG of Nepal for its efforts in strengthening the management of the Kathmandu Valley site with the creation of the Heritage Conservation Unit. The Committee took note of the special efforts made by the local authorities to raise awareness amongst the private homeowners to prevent further illegal demolition and inappropriate new constructions, which destroys the essential historical urban fabric of the Kathmandu Valley site.

The Committee decided to defer consideration of the inscription of the Kathmandu Valley site on the List of World Heritage in Danger until its twenty-third session. However, the Committee requested HMG of Nepal to continue implementing the 55 recommendations of the Joint Mission and to respect the deadlines of the Time-Bound Action Plan adopted by HMG of Nepal. In addition, the Committee recommended that HMG of Nepal adopt the three additional ICOMOS recommendations annexed to the 55 recommendations adopted by HMG of Nepal. Moreover, the Committee requested HMG of Nepal to submit a report on the progress made in implementing the 55 recommendations before 15 April 1999 for examination by the twenty-third session of the Bureau in June 1999.

Finally, the Committee requested HMG of Nepal to take measures to ensure that adequate protection and management are put into place at Kokhana, prior to its nomination as an additional Monument Zone to the Kathmandu Valley site.

**REPORT OF THE RAPPORTEUR
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-third session
UNESCO Headquarters, Paris (5 - 10 July 1999)**

Paragraph IV.69 Kathmandu Valley (Nepal)

The Committee, at its seventeenth session, expressed deep concern over the state of conservation of the Kathmandu Valley site and considered the possibility of placing it on the List of World Heritage in Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review Mission.

At its twenty-first session, the Committee examined the state of conservation report of this site, and in view of the continued deterioration of the World Heritage values in the Baudhanath and Kathmandu Monument Zones, affecting the site's integrity and inherent characteristics, the Committee requested the Secretariat, in collaboration with ICOMOS and His Majesty's Government (HMG) of Nepal, to study the possibility of deleting selected areas within some Monument Zones, without jeopardizing the universal significance and value of the site as a whole. This review was to take into consideration the intention of HMG of Nepal to nominate Kokhna as an additional Monument Zone.

The Committee authorized a Joint UNESCO-ICOMOS-HMG of Nepal team to conduct a thorough study and to elaborate a programme for corrective measures in accordance with paragraphs 82-89 of the *Operational Guidelines*. Based upon the information of this study and recommendations of the Bureau, the Committee, at its twenty-first session, decided that it could consider whether or not to inscribe this site on the List of World Heritage in Danger at its twenty-second session. Following this decision, a Joint UNESCO-ICOMOS-HMG of Nepal Mission was organized in March-April 1998.

The Committee examined the findings and results of the Joint UNESCO-ICOMOS-HMG of Nepal Mission, and the 55 recommendations and Time-Bound Action Plan adopted by HMG of Nepal. The Committee commended HMG of Nepal for its efforts in strengthening the management of the Kathmandu Valley site with the creation of the *Heritage Conservation Unit*. The Committee took note of the special efforts made by the local authorities to raise awareness amongst the private homeowners to prevent further illegal demolition and inappropriate new constructions.

The Committee decided to defer consideration of the inscription of the Kathmandu Valley site on the List of World Heritage in Danger until its twenty-third session. However, the Committee requested HMG of Nepal to continue implementing the 55 recommendations of the Joint Mission, to respect the deadlines of the Time-Bound Action Plan adopted by HMG of Nepal and in addition, recommended that HMG of Nepal adopts the three additional ICOMOS recommendations annexed to the 55 recommendations. HMG of Nepal was requested to submit a progress report before 15 April 1999 for examination by the twenty-third session of the Bureau in June 1999.

The Committee at the time also requested HMG of Nepal to take measures to ensure that adequate protection and management are put into place at Kokhna, prior to its nomination as an additional Monument Zone to the Kathmandu Valley site.

The Bureau examined the reports of the Secretariat and HMG of Nepal in implementing the 55 recommendations of the Joint UNESCO-ICOMOS-HMG of Nepal Mission, presented in WHC-99/CONF.204/INF.6 and WHC-99/CONF.204/INF.19. ICOMOS congratulated HMG of Nepal for its efforts to implement the Time-Bound Action Plan, and stated that the effectiveness of the Heritage Conservation Unit would be crucial for adequately safeguarding the seven Monument Zones composing the site. The Observer of Nepal reassured the Bureau that HMG of Nepal was doing its utmost to safeguard the Kathmandu Valley site, to respect the deadlines for the implementation of the Time-Bound Action Plan of Corrective Measures, and that this was a priority of the recently elected Prime Minister. He stated that the Ancient Monument Preservation Rules have been amended and would be approved shortly, and assured that the Heritage Conservation Unit would soon become fully active in regular monitoring and controlling development.

The Bureau requested HMG of Nepal to continue implementing the 55 recommendations of the Joint Mission and urges HMG of Nepal to respect the deadlines for the implementation of the Time-Bound Action Plan of Corrective Measures, especially in relation to the establishment of the essential Ancient Monuments Preservation Rules which should increase the capacity of the relevant authorities in implementing the Ancient Monuments Preservation Act and in establishing a Monuments Conservation Fund for safeguarding the Kathmandu Valley site.

The Bureau requested HMG of Nepal to report on the progress made in enforcing existing building regulations at Bauddhanath Monument Zone, and on the technical and financial plan for correcting the illegal buildings immediately surrounding the stupa, following the detailed recommendations of ICOMOS during the Joint Mission, before 15 September 1999.

Finally, the Bureau requested HMG of Nepal to submit a report on the further progress made in implementing the 55 recommendations before 15 September 1999 for examination by the twenty-third extraordinary session of the Bureau in November 1999.

EXTRACT – WHC-99/CONF.208/8

**REPORT OF THE RAPPORTEUR
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-third extraordinary session
Marrakesh, Morocco (26-27 November 1999)**

Paragraph III

Kathmandu Valley (Nepal)

The Secretariat presented the findings and recommendations of the October 1999 mission undertaken by an independent international expert, who represented ICOMOS at the time of the March 1998 UNESCO-ICOMOS-HMG of Nepal Joint Mission. The report confirmed that Kathmandu Valley remained in danger. The Bureau examined this report, together with the reports of the Secretariat and His Majesty's Government of Nepal, presented as Documents WHC-99/CONF.208/INF.8A,B,C. The Observer of Nepal stated that his Government was making all efforts to implement the 55 Recommendations of the 1998 Joint Mission and the Time-Bound Action Plan of Corrective Measures for Enhanced Management, adopted by his Government.

The Bureau, although appreciating the efforts made by HMG of Nepal, expressed serious concern over the persisting problems of demolition or alteration of historic buildings within the Kathmandu Valley World Heritage site. The Bureau acknowledged that although continuous and large sums of international assistance and technical support had been provided to the Government from the World Heritage Fund, UNESCO Funds-in-Trust projects and numerous international donors over the years, the very serious degree of uncontrolled change and gradual deterioration of the historic fabric continued to threaten the authenticity and integrity of the site.

The Bureau, referring to discussions at every session of the Bureau and Committee since 1992, noted that the Committee had deferred inscription of the site on the List of World Heritage in Danger many times since the Committee's attention was drawn to the alarming situation in 1992. The Bureau underlined the importance of inscribing sites on the List of World Heritage in Danger at an early stage to mitigate the threats endangering a World Heritage site. Bureau members and observers stressed that the inscription of sites on the List of World Heritage in Danger should be utilised in a more constructive and positive manner, to mobilise the support of policy makers at the highest level and international donors.

Four Bureau members and some observers recommended that it was now the time for Kathmandu Valley to be inscribed on the List of World Heritage in Danger, especially as the important integrity of the site has gradually been undermined over a long period of time. The Delegate of Australia stated his Government was of the view that that the concerned State Party should agree before a decision is taken for inscribing a site on the List of World Heritage in Danger. ICOMOS stated that as the Committee did not inscribe the site on the List of World Heritage in Danger in 1993,

ICOMOS was reluctant to recommend inscription of the site on the List of World Heritage Danger at this time, as improvements had been made since 1993 as a result of efforts made by the State Party.

After further consideration, the Bureau recommended the following for adoption by the Committee:

«The Committee examines the state of conservation reports presented in WHC-99/CONF.209/INF.17A,B,C and expresses deep concern over the serious degree of uncontrolled change and deterioration of the authenticity and integrity of the Monument Zones placed under the protection of the World Heritage Convention. It notes with appreciation that the State Party has made every effort to implement the 16 Recommendations of the 1993 UNESCO-ICOMOS Joint Mission, as well as the 55 Recommendations of the 1998 UNESCO-ICOMOS-HMG of Nepal Joint Mission and the Time-Bound Action Plan.

The Committee requests HMG of Nepal to continue making all possible efforts to protect the remaining authentic historic urban fabric within the Kathmandu Valley site. The Committee requests the Secretariat and the advisory bodies to continue to assist the State Party as appropriate and to the extent possible: in strengthening its capacity in controlling development, retaining historic buildings *in-situ*, and in correcting illegal construction and alteration of historic buildings within the Kathmandu Valley site.

The Committee decides to defer inscription of the Kathmandu Valley site on the List of World Heritage in Danger again, until the next session of the Committee.

Moreover, in view of the fact that the demolition and new construction or alterations of historic buildings within the Kathmandu Valley have persisted in spite of the concerted international and national efforts, resulting in the loss or continuous and gradual deterioration of materials, structure, ornamental features, and architectural coherence making the essential settings of the Monument Zones as well as in their authentic characters, the Committee requests a High Level Mission to be undertaken to hold discussions with representatives of HMG of Nepal in early 2000. This High Level Mission would be composed of the Chairperson of the World Heritage Committee or a representative of the Committee members, a senior staff of the World Heritage Centre, and two eminent international experts. The findings of the mission would be reported the next sessions of the Bureau and Committee, in 2000.»

EXTRACT – WHC-99/CONF.209/22

Report of the WORLD HERITAGE COMMITTEE – Twenty-third session Marrakesh, Morocco (29 November – 4 December 1999)

Paragraph X.42 Kathmandu Valley (Nepal)

Background

At its sixteenth session in 1992, the Committee, at the initiative of ICOMOS, examined the state of conservation of Kathmandu Valley, which was the subject of a UNESCO International Safeguarding Campaign, and of numerous reports written since the 1970s. ICOMOS expressed concern for the future safeguarding of this site, especially due to the absence of technical personnel and skilled labour, and to the quality of some restorations of wooden monuments with true architectural value. The Delegate of Germany, who expressed his concern at the alarming report, suggested recommending to the Nepalese Government to substantially increase the staff of at the Department of Archaeology and the funds at their disposal so that they may act effectively with regard to urban development threatening the Valley. The Delegate of Pakistan and ICCROM stressed the importance of acting in order to preserve the heritage of the Kathmandu Valley. The Committee adopted the recommendations made by ICOMOS and asked the Secretariat to contact the Nepalese authorities to study all the recommendations of ICOMOS and the Committee.

In 1993, a Joint UNESCO-ICOMOS Mission was undertaken, whose conclusions stressed the continuing urgency of the situation and defined sixteen areas in which significant improvements should be made in order to maintain the integrity of the original inscription. The Joint Mission **recommended that the site be placed on the List of World Heritage in Danger and returned to the World Heritage List within a period of one to three years, after sixteen specific matters of concern had been met.** The mission further recommended the effective delisting of parts of the Hanuman Dhoka Darbar Square and Bauddhanath Monument Zones, following a general failure to control development, but an extension of the monument zones of Swayambhunath, Patan and particularly Bhaktapur, which was considered at the time to be the only Newari city to retain its overall traditional character. At the seventeenth session of the Committee, the Observer of Nepal pledged to follow-up on the recommendations of the Joint Mission.

At its eighteenth session, the Bureau examined the 1993 Joint Mission report, and the Representative of Thailand stated that it was important to judge the degree to which the site had deteriorated and whether it was now worthy of being included in the World Heritage List. The Bureau recommended to the Committee to envisage partial delisting and redefinition of the part still intact and qualifying as World Heritage, which should be placed on the List of World Heritage in Danger, to bring particular attention to the site to avoid further deterioration. The Nepalese State Party was informed of the Bureau's concerns and UNESCO was asked to work out an international assistance project.

At its eighteenth session, the Committee took note of the Secretariat's report on the Nepal/UNESCO/ICOMOS strategy meeting held in 1994 immediately following the Kathmandu Valley International Safeguarding Campaign Review Meeting. The Committee also **took note of the action plan: to be co-ordinated by an inter-ministerial task force which the representatives of various ministries agreed to establish and which included the establishment of a Development Control Unit in the Department of Archaeology to work closely with the municipalities and town development committees.** The Committee called upon the State Party to take into consideration the recommendation for ensuring the protection of the site from uncontrolled development, especially by adopting a more stringent policy in the granting of demolition and construction permits and other land use authorisation. Recognizing the limited national resources in carrying out the variety of required activities, the Committee requested UNESCO to assist the authorities in seeking international donor support, including the documentation of the site to be undertaken as a priority. In this connection, **the Committee discussed the advantages of the Kathmandu Valley being put on the List of World Heritage in Danger to draw the priority attention of the international community, and urged the Government to reconsider this option.**

In 1995 at its nineteenth session, the Committee noted that the official gazettes of the revised boundaries of the Monument Zones had not yet been issued despite repeated indication by the Department of Archaeology of its imminent publication, and expressed its concern over the continued demolition of and inappropriate alterations to historic buildings within the World Heritage protected zones.

At its twentieth session in 1996, the Committee while expressing appreciation for the progress made by the Government towards the fulfilment of the 16 Recommendations of the 1993 Joint Mission, it expressed its hope that efforts would be continued to strengthen the institutional capacities of the Department of Archaeology and the concerned municipalities by officially adopting and publicising regulations on building control and conservation practice.

In view of the continued deterioration of the World Heritage values in the Bauddhanath and Kathmandu Monument Zones affecting the integrity and inherent characteristics of the site, the Committee at its twenty-first session in 1997, requested the Secretariat again, in collaboration with ICOMOS and the State Party, to study the possibility of deleting selected areas within some Monument Zones without jeopardizing the universal significance and value of the site as a whole. This review was to take into consideration the intention of the State Party to nominate Khokana as an additional Monument Zone. **The Committee, at its twenty-first session, decided that it could consider whether or not to inscribe the site on the List of World Heritage in Danger at its twenty-second session.**

Financed with US\$ 35,000 authorized by the Committee, a UNESCO-ICOMOS-HMG of Nepal Joint

Mission was undertaken in March 1998, resulting in 55 Recommendations and a Time-Bound Action Plan of Corrective Measures for Enhanced Management, adopted by the State Party. Recommendations to delete selected areas were not made by the Joint Mission in view of the clearly evident necessity to protect the essential setting of the monuments, and as the Hanuman Dhoka Darbar Square and Bauddhanath Monument Zones were already limited to the areas immediately surrounding the main monuments and historic buildings.

At its twenty-second session in 1998, the Committee decided to defer consideration of the inscription of the Kathmandu Valley site on the List of World Heritage in Danger until its twenty-third session. However, the Committee requested the State Party to continue implementing the 55 Recommendations, and in addition, recommended that the State Party adopt the three additional ICOMOS recommendations annexed to the 55 Recommendations. Finally, the Committee requested the State Party to take measures to ensure that adequate protection and management are put into place at Khokana, prior to its nomination as an additional Monument Zone.

Deliberations during the twenty-third extraordinary session of the Bureau

The Secretariat presented the findings and recommendations of the October 1999 mission undertaken by an independent international expert, who represented ICOMOS at the time of the March 1998 UNESCO-ICOMOS-HMG of Nepal Joint Mission. The report confirmed that Kathmandu Valley remained in danger. The Bureau examined this report, together with the reports of the Secretariat and His Majesty's Government of Nepal, presented as Documents WHC-99/CONF.208/INF.8A,B,C. The Observer of Nepal stated that his Government was making all efforts to implement the 55 Recommendations of the 1998 Joint Mission and the Time-Bound Action Plan of Corrective Measures for Enhanced Management, adopted by his Government.

The Bureau, although appreciating the efforts made by HMG of Nepal, expressed serious concern over the persisting problems of demolition or alteration of historic buildings within the Kathmandu Valley World Heritage site. The Bureau acknowledged that although continuous and large sums of international assistance and technical support had been provided to the Government from the World Heritage Fund, UNESCO Funds-in-Trust projects and numerous international donors over the years, the very serious degree of uncontrolled change and gradual deterioration of the historic fabric continued to threaten the authenticity and integrity of the site.

The Bureau, referring to discussions at every session of the Bureau and Committee since 1992, noted that the Committee had deferred inscription of the site on the List of World Heritage in Danger many times since the Committee's attention was drawn to the alarming situation in 1992. The Bureau underlined the importance of inscribing sites on the List of World Heritage in Danger at an early stage to mitigate the threats endangering a World Heritage site. Bureau members and observers stressed that the inscription of sites on the List of World Heritage in Danger should be utilised in a more constructive and positive manner, to mobilise the support of policy makers at the highest level and international donors.

Four Bureau members and some observers recommended that it was now the time for Kathmandu Valley to be inscribed on the List of World Heritage in Danger, especially as the important integrity of the site has gradually been undermined over a long period of time. The Delegate of Australia stated his Government was of the view that that the concerned State Party should agree before a decision is taken for inscribing a site on the List of World Heritage in Danger. ICOMOS stated that as the Committee did not inscribe the site on the List of World Heritage in Danger in 1993, ICOMOS was reluctant to recommend inscription of the site on the List of World Heritage Danger at this time, as improvements had been made since 1993 as a result of efforts made by the State Party.

Deliberations during the twenty-third session of the Committee:

The Secretariat, in reporting on the discussions during the twenty-third extraordinary session of the Bureau and its recommendations, reminded the Committee that the Kathmandu Valley, inscribed on the World Heritage List in 1979, is composed of seven Monument Zones. While these zones also contain built-up areas composed of traditional buildings, the boundaries of the protected areas were defined on

the basis of a monumental vision, rather than with the objective of protecting a larger urban heritage. Thus, given the relatively limited number of traditional buildings in the World Heritage area, their protection is even more important in forming the essential setting within each Monument Zone. The Committee noted that in the case of Baudhanath Monument Zone, there were approximately 88 historic buildings surrounding the stupa in 1979 that provided the setting, both physical and spiritual, of this important site of pilgrimage. In 1993 at the time of the UNESCO-ICOMOS Joint Mission, there remained 27, and despite concerted efforts in conserving the site with substantive support from the international community, only 15 remained in 1998.

During the discussions, the Committee noted that inscription of the site on the List of World Heritage in Danger had been deferred many times, in order to provide more time to apply conservation measures in accordance with the 16 Recommendations of 1993, the 55 Recommendations and a Time-Bound Action Plan of Corrective Measures of 1998, officially adopted by HMG of Nepal. **The Committee, although noting that periodic reports, submitted either by the State party or the World Heritage Centre, examined by each session of the Bureau and Committee since 1993, demonstrated the efforts made by the State Party, it was obliged to note the deterioration of the site in its ensemble.**

ICCROM congratulated the State Party for its continuing efforts to strengthen protection of the site over the last six years, but stated that it remained deeply concerned over the apparent and increasing loss of the authentic historic fabrics of the site, which it recalled, was the reason that prompted the 1993 UNESCO-ICOMOS Joint Mission to recommend inscription of the site on the List of World Heritage in Danger. The Representative of ICCROM stated that if the Committee is to support the recommendation of the Bureau to send a High Level Mission, the mandate of the mission should focus on:

- clarifying to the authorities at the highest level, the purpose of inscribing a site on the List of World Heritage in Danger;
- defining more precisely the conditions to be met to warrant eventual inscription on the List of World Heritage in Danger in the Committee's deliberations in year 2000;
- giving further attention to measures which can address the root causes of the demolitions of the vernacular fabrics of the Monument Zones;
- giving attention to establishing base-line data for continuing documentation of the historic buildings.

The advice given by ICCROM was supported by the Delegate of Thailand. To mitigate the real danger threatening this site, the Delegate of Hungary underlined the importance of co-operation between States Parties for enhanced urban heritage management, and in this regard, invited Nepal to participate at the *Integrated Urban Conservation Training Workshop and Seminar for Central European Historic City Managers* which Hungary planned to organize in 2000.

The Committee underlined that, while it had deferred inscription of the site on the List of World Heritage in Danger until its next session, it recognised the serious loss of the authentic urban fabrics detected within the site over the past years. Several members of the Bureau had been willing to inscribe the site on the List of World Heritage in Danger right away, and it was only after a working group that the Bureau had deferred the inscription. **It stressed that the gravity of the situation should not be underestimated. Moreover, the Committee underscored that inscription of a site on the List of World Heritage in Danger should not be considered as an exercise of black-listing sites, but understood to serve as a conservation tool and as part of a process to draw international technical assistance and to rally the necessary political will and public support at the national level in favour of conservation.**

The Observer of HMG of Nepal expressed his Government's gratitude for the Committee's keen interest in the protection of the site, as well as for the professional assistance provided over the years by the advisory bodies and the World Heritage Centre. He reported on the Government's efforts made in implementing the 55 Recommendations and the Time-Bound Action Plan for Corrective Measures adopted by HMG of Nepal, but stressed the difficulties faced by his Government in controlling damage in the Monument Zones. He therefore requested the Committee to consider prolonging the deadlines for the implementation of the Time-Bound Action Plan of Corrective Measures. The Observer informed the Committee that the Prime Minister, aware of the need for concerted national efforts beyond those being

made by the Department of Archaeology, had instructed the relevant Ministries to take necessary action for enhancing the management of the site. The Observer stated that although Kathmandu Valley is a Nepalese World Heritage site, the responsibility to ensure its integrity and authenticity is also that of the international community at large and the Committee. Finally, he assured the Committee that HMG of Nepal would welcome the High Level Mission, composed of the Chairperson of the Committee, the Director of the World Heritage Centre, and international experts selected by ICOMOS.

The Committee, in conclusion, recalled the reports of the twenty-third ordinary and extraordinary sessions of the Bureau, and adopted the following;

The Committee examined the state of conservation reports presented in WHC-99/CONF.209/INF.17A,B,C,D and **expressed deep concern over the serious degree of uncontrolled change and deterioration of the authenticity and integrity of the Monument Zones placed under the protection of the World Heritage Convention.** It noted with appreciation that the State Party has made every effort to implement the 16 Recommendations of the 1993 UNESCO-ICOMOS Joint Mission, as well as the 55 Recommendations of the 1998 UNESCO-ICOMOS-HMG of Nepal Joint Mission and the Time-Bound Action Plan.

The Committee requested HMG of Nepal to continue making all possible efforts to protect the remaining authentic historic urban fabric within the Kathmandu Valley site. The Committee requested the Secretariat and the advisory bodies to continue to assist the State Party as appropriate and to the extent possible: in strengthening its capacity in controlling development, retaining historic buildings *in-situ*, and in correcting illegal construction and alteration of historic buildings within the Kathmandu Valley site.

The Committee decided to defer inscription of the Kathmandu Valley site on the List of World Heritage in Danger again, until the next session of the Committee.

Moreover, in view of the fact that the demolition and new construction or alterations of historic buildings within the Kathmandu Valley have persisted in spite of the concerted international and national efforts, resulting in the loss or continuous and gradual deterioration of materials, structure, ornamental features, and architectural coherence making the essential settings of the Monument Zones as well as in their authentic characters, the Committee requested a High Level Mission to be undertaken to hold discussions with representatives of HMG of Nepal in early 2000. This High Level Mission would be composed of the Chairperson of the World Heritage Committee or a representative of the Committee members, a senior staff of the World Heritage Centre, and two eminent international experts. The findings of the mission would be reported the next sessions of the Bureau and Committee, in 2000.

EXTRACT – WHC-2000/CONF.202/17

**REPORT OF THE RAPPORTEUR
BUREAU OF THE WORLD HERITAGE COMMITTEE - Twenty-fourth session
UNESCO Headquarters, Paris (26 June – 1 July 2000)**

Paragraph IV.70 Kathmandu Valley (Nepal)

The demolition and new construction or alterations of historic buildings within Kathmandu Valley have persisted in spite of concerted international and national conservation efforts. This has resulted in the loss or continuous and gradual deterioration of materials, structure, ornamental features, and architectural coherence making the essential settings of the Monument Zones as well as in their authentic characters. In view of the above, the Committee, at its twenty-third session, requested a High Level Mission to be undertaken to hold discussions with representatives of HMG of Nepal in early 2000. The Bureau was informed that the tentative dates for the High Level Mission, 23-30 September 2000, had been proposed to HMG of Nepal. The participants of the Mission would be the Chairperson of the Committee, an eminent international expert on Kathmandu Valley, a former Minister of Housing of the Government of France, the Director of the World Heritage Centre, and Centre staff. The Chairperson informed the

Bureau that the High Level Mission could not be undertaken earlier, as the dates proposed in September were the only dates convenient to the participants and the Government.

The Centre informed the Bureau that the public rest house in Patan Darbar Square Monument Zone, which had been illegally dismantled without approval of the Department of Archaeology, in September 1999 despite conditions which permitted *in-situ* repair, had been reconstructed using new building material.

The Delegate of Zimbabwe noted with disappointment that the High Level Mission had not been undertaken earlier in the year as specified by the Committee, especially in light of further information on continued illegal demolition of historic buildings within the World Heritage protected areas. He was concerned about the delay with regard to the application of the extension of the site. Recalling the extended discussions during the twenty-third session of the Committee concerning the serious loss of the authentic urban fabrics within the site over the past years, the Delegate reiterated the Committee's recognition of the gravity of the situation, which should not be underestimated. Although the Committee had decided to again defer the inscription of the Kathmandu Valley site on the List of World Heritage in Danger at its twenty-third session, the Delegate underscored that continued illegal demolition of historic buildings was unacceptable and the commitment and capacity of the State Party in implementing existing regulations were seriously questioned.

The Bureau recalled that at the twenty-first session of the Committee, in view of the continued deterioration of the World Heritage values in the Baudhdhanath and Kathmandu Monument Zones, affecting the integrity and inherent characteristics of the site, the Committee had requested the Secretariat, in collaboration with ICOMOS and the State Party, to study the possibility of deleting selected areas within some Monument Zones, without jeopardizing the universal significance and value of the site as a whole. This review was to take into consideration the intention of HMG of Nepal to nominate Khokana as an additional Monument Zone. The Bureau also recalled that this study, undertaken during the UNESCO-ICOMOS-HMG of Nepal Joint Mission in 1998, found that although Khokana's characteristics could add to the recognised World Heritage values of Kathmandu Valley, it was not possible for the vernacular architectural characteristics of Khokana to replace the lost characteristics within the existing Monument Zones. It was recalled that the Committee requested in 1998, HMG of Nepal to take the necessary measures to ensure adequate protection and management of Khokana prior to its nomination as an additional Monument Zone to the Kathmandu Valley site. The Bureau was informed that the nomination file for the inscription of Khokana Mustard Seed Village as an Additional Monument Zone to the Kathmandu Valley site, had been received in early 2000, but the requested protective measures were not included amongst the documents submitted.

The Representative of ICOMOS informed the Bureau that they had not received a demand for extension of this site, as requested by the Bureau and the Committee on previous occasions.

The Delegate of Hungary expressed his concern, pointing out that the High Level Mission and the extension of the site were two separate issues that should be dealt with separately.

The Bureau requested HMG of Nepal to continue making all possible efforts to protect the remaining authentic historic urban fabric within the Kathmandu Valley site, and in implementing the 55 Recommendations and Time-Bound Action Plan of the UNESCO-ICOMOS-HMG of Nepal Joint Mission. The Bureau requested the Secretariat and the advisory bodies to continue to assist the State Party as appropriate in order to strengthen its capacity to control development, retain historic buildings *in-situ*, to address the problem of illegal demolition and new construction, and redress illegal alteration of historic buildings. The Bureau requested the Centre to ensure adequate preparation of the High Level Mission scheduled for September 2000 and to report on the results to the twenty-fourth extraordinary session of the Bureau and the twenty-fourth session of the Committee.

Finally, the Bureau expressed appreciation for the Government's effort to nominate Khokana Mustard Seed Village as an additional Monument Zone to Kathmandu Valley. However, in view of the absence of legislative protection of the core and buffer zones of the sites, the Bureau reiterated the Committee's request to HMG of Nepal to take the necessary measures to ensure that adequate protection and management are put into place at Khokana.

ANNEX B

Annexe B

**Address to His Majesty the King of Nepal
by the Chairperson of the World Heritage Committee, Mr Abdelaziz Touri.
Kathmandu, 29 September 2000**

Your Majesty, Being received by you today is a greatest honour for us, and for this I would like to address to you, on behalf of the World Heritage Committee and of the UNESCO Director General, our most deferent thanks. I consider this Audience a strong indication of the interest Your Majesty attaches to the Nepalese Heritage, a heritage of the greatest importance to the World Heritage Committee, which I am privileged to preside this year. Your interest is the highest assurance that the World Heritage sites existing in Nepal will be preserved in the future.

Your Majesty, The High Level Mission I have the honour of presiding has been called upon by the World Heritage Committee at its 23rd session held in Marrakech in November-December of 1999. The Mission was given the task to come here to express to the Government of Your Majesty the great interest for the heritage of Nepal and of the Kathmandu Valley World Heritage site in particular, of all 160 other States Parties of the World Heritage Convention, and to confirm their intention to provide all the support that will be needed to ensure the preservation of the World Heritage sites existing in Nepal.

Your Majesty, We have been able, during the days the Mission has spent in Nepal, to meet all the authorities concerned with the protection of the Kathmandu Valley World Heritage site, and to observe the great effort that has been done by the Nepalese authorities to develop technical and administrative tools to preserve your heritage. I would like to express my great satisfaction for the quality of the programs that have been defined, and for the significant results already achieved. Nevertheless, we also have been able to observe that many serious problems of conservation of parts of the areas protected under the World Heritage Convention still remain unsolved and are even becoming greater day after day. These problems are already related to the pressure of the important and rapid urban development process that is taking place in Kathmandu Valley, but are also linked to the lack of appropriate urban regulations and plans, and to the insufficient control of the development process. It is clear to us that these problems are also linked to the lack of sufficient funding, which could prevent and remove many of the conditions responsible for the situation, especially in areas where the concerned administrations must deal with problems of land speculation, of property expropriation and/or of housing subsidy to the owners of the historical buildings.

Your Majesty, The World Heritage Committee has the great honour to ask you to make use of your authority to support the concerned administrations to develop a new and greater effort to define protective measures, and to restore and preserve the World Heritage sites existing in your country. The example of Pashupatinath, a Monument Zone Your Majesty and Her Majesty the Queen have chosen to place under Her direct protection, confirms your vision and shows the way to follow. The World Heritage Committee would like to use this occasion to address to Your Majesty and to Her Majesty the Queen its full admiration and gratitude for the concern you have demonstrated for the preservation of this particular Monument Zone. The World Heritage Committee has, on its side, the obligation to provide help to your country. For this, the Committee needs the understanding of the Government of Your Majesty, should the decision to inscribe the Kathmandu Valley in the List of World Heritage in Danger be adopted at its 24th session to be held in Australia in November-December 2000, in order to be able to develop an international rescue campaign and to gather all the financial and technical resources necessary to respond to the immense task that is in front of us.

Your Majesty, May the Heavens concede you a long life so that Nepal advances under Your guidance, in the direction of peace and social, economic and human progress. I thank you again for the great honour you have granted us in receiving us today.



ANNEX C

His Majesty's Government

MINISTRY OF CULTURE, TOURISM & CIVIL AVIATION

e-mail: motca@mos.com.np

Fax No. 227758

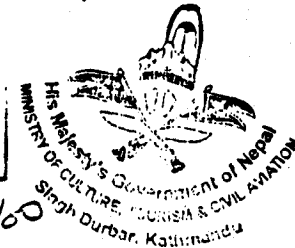
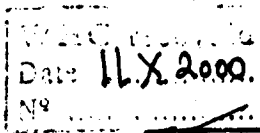
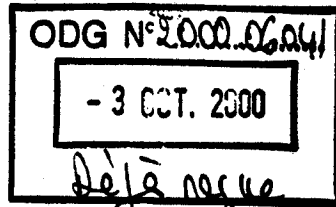
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Singhadurbar,
Kathmandu, Nepal

Ref No. 338/057

Mr. Koichiro Matsuura
Director-General
UNESCO
Paris.Le 3.10.2000
A: AOG/CLT
pour avis à l'ODG
projet de réponse
pour le 16.10.2000cc: SC
ERC
AOG/ODG

Dear Mr. Director-General,

On behalf of His Majesty's Government (HMG) Nepal, I would Like to thank you for sending a High Level Mission of World Heritage Committee to consult with our Government authorities as well as local Mayors of different Metropolitan cities and sub-metropolitan city and Municipality of Kathmandu Valley to assess the progress on the 55 recommendations agreed between UNESCO, ICOMOS and His Majesty's Government in 1998.

During the course of one-week long visit from 23rd to 29th September, 2000., the High Level delegation called on Rt. Hon'ble Prime Minister, Mr. G.P. Koirala, Education Minister Amod Prasad Upadhaya and myself.

In the light of the high level mission, His Majesty King Birendra Bir Bikram Shah Dev has graciously granted audience to the leader of the delegation and Chairman of the World Heritage Committee, Mr. Abdelziz Touri, Dr. Eduard Sekler, Professor of Art History and Architecture at Harvard University and your representative Mr. Francisco Bandarini, Director of the UNESCO World Heritage. Besides, they have visited the sites of Monuments Zones in all three cities of Kathmandu, Bhaktapur and Lalitpur and held talks with Mayors and local authorities. They had extensive talks with top officials of both Pashupati Development Trust and Swayambhunath and obtained valuable information. They had also held official talks with our Government senior authorities. These talks have resulted in the common understanding of pursuing our common aim-the continued preservation of the Kathmandu Valley World Heritage Site.

We share with the concern of UNESCO and World Heritage Committee to ensure the conservation of the authenticity and integrity of Kathmandu Valley, a single World Heritage site composed of seven Monument Zones together representing a unique heritage of humankind unparalleled in the world. The meetings, talks and on the sight inspection of the monument zones have clearly demonstrated to the members of the delegation that Nepalese top Government leaders, officials and local authorities are determined to preserve their heritage at any cost. The firm and solid commitment from top to bottom to implement the Time-bound Action Plan for implementing the 55 Recommendations is most encouraging. I would like to reiterate strong commitment of

ZHC.



His Majesty's Government

e-mail: motca@mos.com.np

Fax No. 227758

MINISTRY OF CULTURE, TOURISM & CIVIL AVIATION

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225269

Singhadurbar,
Kathmandu, Nepal

Ref No. 338/057



His Majesty's Government to implement all the Recommendations in both letter and spirit within the time limit of 2004.

As a developing country Nepal needs local awareness, international support and a huge amount of money to preserve its heritage. The local awareness to protect our heritage is on the increase. We have now a stable Government which has secured absolute majority in Parliament following general election in 1999. In view of this fact, it would be most unfortunate if Kathmandu valley is inscribed in the World Heritage List in danger. Both the people and the Government do not subscribe to the contention of some members of the delegation and ^{do not} share their views that inscription on the list of World Heritage in Danger should be considered as a part of a pro-active process to draw special attention from the international and local communities at large, and to address the root causes of the deterioration of the authentic and integrity of World Heritage sites. I, therefore, urge to take appropriate action to prevent the World Heritage Committee from inscribing Kathmandu Valley in the World Heritage List in Danger without prior approval from State party i.e. Nepal

Nepal is determined to implement the 55- points recommendation at an early time within the time limit. Culture is a way of daily life to the people of Nepal. They react every day culture. They are determined to preserve it. Nepal do not like to join other 27 countries which were already enlisted in Danger list. I would appreciate if you could kindly convey the desire of the both Government and people not to list Kathmandu Valley in the in Danger list. There is tremendous people support for preservation works and the Government is committed to implement the recommendation. Please convey this to the World Heritage Committee on our Government behalf so that it will facilitate them to extend period of implementation of joint recommendations within time limit.

Please accept, Mr. Director-General, the assurances of my high consideration.

(Tarinee Dutt Chataut)
Minister for Culture, Tourism and
Civil Aviation.

Date : 02 October, 2000