

**AGREEMENT BETWEEN THE STATE OF WESTERN AUSTRALIA
AND THE COMMONWEALTH OF AUSTRALIA
ON ADMINISTRATIVE ARRANGEMENTS FOR THE
SHARK BAY WORLD HERITAGE PROPERTY IN WESTERN AUSTRALIA**

12 SEPTEMBER 1997



**DEPARTMENT OF CONSERVATION
AND LAND MANAGEMENT**

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1. PREAMBLE

- 1.1 The Shark Bay World Heritage Property ('the Property') was inscribed on the World Heritage List, established under the Convention for the Protection of the World Cultural and Natural Heritage ('World Heritage Convention') on 13 December 1991.
- 1.2 This Agreement explains the administrative arrangements for protection and management of the Property, which:
- (a) recognise Australia's interests and obligations as a party to the World Heritage Convention and Governments' roles and responsibilities under the 1992 Intergovernmental Agreement on the Environment, or subsequent revisions thereof;
 - (b) reflect a co-operative approach between the Commonwealth and Western Australia; and
 - (c) provide for protection and management of the Property, primarily by the Western Australian Government, in accordance with Australia's obligations under the World Heritage Convention.
- 1.3 Implementation of this Agreement on behalf of Western Australia shall be the responsibility of the Minister responsible for the Conservation and Land Management Act 1984 (WA) ('Western Australian Minister').
- 1.4 Implementation of this Agreement on behalf of the Commonwealth shall be the responsibility of the Minister responsible for the World Heritage Properties Conservation Act 1983 ('Commonwealth Minister').

2. PARTIES TO THE AGREEMENT

- 2.1 The parties to this Agreement are the State of Western Australia and the Commonwealth of Australia.

3. NATURE OF THE AGREEMENT

- 3.1 The parties acknowledge that this Agreement is not intended to give rise to any legally enforceable rights or obligations, and places no limitations on the legal or constitutional rights or obligations of the parties, including in relation to Australia's obligations under international law.

4. THE WORLD HERITAGE CONVENTION

- 4.1 The World Heritage Convention was adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation in 1972 and was ratified by Australia in 1974. The World Heritage Convention is included as Appendix 1 to this Agreement.
- 4.2 The World Heritage Convention provides for the protection and management of cultural and natural heritage of 'outstanding universal value'. As a party to the World Heritage Convention, Australia is obliged to ensure the identification, protection, conservation, presentation and transmission to future generations of Australia's heritage of outstanding universal value, particularly that which has been included on, or nominated for inclusion on, the World Heritage List established in accordance with Article 11 of the World Heritage Convention.
- 4.3 It is recognised in Articles 4 and 5 of the World Heritage Convention that determination of the appropriate measures for implementing Australia's obligations under the World Heritage Convention is a matter for Australia, and Article 6 provides that Australia's sovereignty is fully respected. Western Australia and the Commonwealth, through the consultative processes outlined in this Agreement, will determine how best to protect and manage the 'outstanding universal values' of the Property.

5. VALUES OF THE PROPERTY

- 5.1 Shark Bay was inscribed on the World Heritage List on the basis of its 'natural heritage' values. The definition of 'natural heritage' is in Article 2 of the World Heritage Convention. A natural heritage site consistent with Article 2 is considered to be of outstanding universal value for the purposes of the World Heritage Convention, when the World Heritage Committee finds that it meets one or more of the criteria defined in the Operational Guidelines for the Implementation of the World Heritage Convention. At the time of inscription, Shark Bay was found to meet each of the following criteria (UNESCO, Operational Guidelines for the Implementation of the World Heritage Convention, December 1988, Appendix 2), namely that sites should:
- (i) be outstanding examples representing the major stages of the earth's evolutionary history; or

- (ii) be outstanding examples representing significant ongoing geological processes, biological evolution and man's interaction with his natural environment; as distinct from the periods of the earth's development, this focuses upon ongoing processes in the development of communities of plants and animals, landforms and marine areas and fresh water bodies; or
- (iii) contain superlative natural phenomena, formations or features, for instance, outstanding examples of the most important ecosystems, areas of exceptional natural beauty or exceptional combinations of natural and cultural elements; or
- (iv) contain the most important and significant natural habitats where threatened species of animals or plants of outstanding universal value from the point of view of science or conservation still survive.

5.2 The Property must also fulfil conditions of integrity as described at paragraph 36(b) of the Operational Guidelines for the Implementation of the World Heritage Convention (1988).

5.3 The outstanding universal values (natural) for which Shark Bay is listed are described in the nomination document, in particular Part 5 of that document (Appendix 3). The key evidence of these values, as defined by the criteria in clause 5.1, includes:

Criterion (i)

Stromatolites and microbial mats of Hamelin Pool.

Criterion (ii)

Marine: Evolution of Shark Bay's hydrologic system; the distinct zonation of salinities and biotic communities; the hypersaline environment of Hamelin Pool; the largest seagrass meadows in the world; the role of seagrass in modifying the physical, chemical and biological environment as well as the geology of the Bay; carbonate sedimentation; and the biological processes of ongoing speciation, succession and the creation of refugia.

Terrestrial: Transition zone between two major botanical provinces; habitat of many plant and animal species at the end of their range; five threatened mammal species on Bernier and Dorre Islands; and a rich reptile and avian fauna.

Criterion (iii)

Hamelin Pool stromatolites; the hypersaline environments; the Faure Sill; Wooramel Seagrass Bank; the great diversity of landscapes with some exceptional coastal scenery; and the abundant marine fauna.

Criterion (iv)

The occurrence of many species of plants and animals that are rare, vulnerable or threatened, including five species of terrestrial mammals on Bernier and Dorre Islands, a number of terrestrial reptiles and birds, the dugong, the humpback whale, the green and loggerhead turtles, and fifteen species of terrestrial plants.

- 5.4 The Commonwealth may renominate the Property to reflect new knowledge about the area's outstanding universal values, following consultation with and the agreement of Western Australia, in accordance with the procedures in this Agreement.
- 5.5 In this Agreement, 'outstanding universal values' means the characteristics of the Property that determined its inclusion on the World Heritage List, and comprise both the essence and integrity of the values for which the Property is inscribed on the World Heritage List.

6. BOUNDARY OF THE PROPERTY

- 6.1 A technical description of the Property boundary is included as Appendix 4 to this Agreement. As detailed in Appendix 4, the following areas are excluded from the Property:
- (a) Denham town site (with the exception of Reserve No.30899) and adjacent land and waters;
 - (b) Shark Bay Salt Joint Venture, including the area proposed for expansion in accordance with the Shark Bay Solar Salt Industry Agreement Act 1983 (WA) together with an area around the Slope Island loading facility and around Heirisson Prong; and
 - (c) the area of former Mining Leases M09/6 and M09/21-24 near Useless Loop.

7. ADMINISTRATION, PROTECTION AND MANAGEMENT OF THE PROPERTY

Management Plans

- 7.1 For the purposes of this Agreement, a reference to the term 'management plan/s' is to include a reference to management plans and other relevant and appropriate plans for the Property.
- 7.2 Western Australia and the Commonwealth will develop a Shark Bay World Heritage Property Strategic Plan ('the Strategic Plan'). The Strategic Plan will provide a management framework designed to ensure the protection, conservation and presentation of the outstanding universal values of the Property. The Strategic Plan is subject to approval by the Ministerial Council.

- 7.3 Western Australia will, given it has primary management responsibility under this Agreement, ensure that management plans for the Property are prepared under applicable Western Australian legislation. Such management plans must be consistent with the Strategic Plan.
- 7.4 Management plans must be consistent with Australia's obligations under the World Heritage Convention and, in particular, must ensure the protection, conservation and presentation of the Property's outstanding universal values. Management plans should provide for appropriate monitoring and reporting mechanisms for the Property.
- 7.5 Western Australia will, in discharging its primary management responsibility under this Agreement, ensure that actions which are inconsistent with the protection, conservation and presentation of the Property's outstanding universal values are not permitted. In particular, the parties agree that management plans will be implemented in accordance with the World Heritage Convention. For example, any decisions made, or approvals given, under management plans will be consistent with the protection, conservation and presentation of the Property's outstanding universal values.
- 7.6 Management plans will be prepared by Western Australia and revised with public consultation. The Commonwealth is to be consulted throughout the preparation of each management plan. The parties will agree on their respective involvement in the development of management plans affecting the Property.
- 7.7 Management of the Property will provide for both the continuation of commercial activities and new developments, provided they comply with State legislation and Local Government by-laws and do not threaten the outstanding universal values for which the Property is included on the World Heritage List.
- 7.8 Each management plan will be reviewed 10 years after it comes into force. However, the Ministerial Council may request the review of a management plan at any time within 10 years of it coming into force.

Accreditation

- 7.9 Western Australia may request, in writing, that a management plan be accredited by the Commonwealth. (For the purposes of section 7 of this Agreement, a reference to a management plan includes a reference to a section of a management plan.)
- 7.10 The Commonwealth may accredit a management plan if the Commonwealth is satisfied that it is consistent with the World Heritage Convention. If the Commonwealth decides to accredit a management plan, it will give written notice to Western Australia identifying the management plan and confirming that the management plan has been accredited.

- 7.11 If the Commonwealth decides not to accredit a management plan, it will give written notice to Western Australia identifying the reasons why it has decided not to accredit the management plan.
- 7.12 Western Australia may request that amendments to an accredited management plan be accredited by the Commonwealth. The process outlined in clauses 7.10 and 7.11 will apply to such a request.
- 7.13 The Commonwealth may revoke the accreditation of a management plan where the Commonwealth no longer believes that the management plan is consistent with the World Heritage Convention. Before revoking the accreditation of a management plan, the Commonwealth must consult with Western Australia. In particular, the Commonwealth must advise Western Australia why it no longer believes the management plan is consistent with the World Heritage Convention.

Consequences of Accreditation

- 7.14 For activities that are carried out in accordance with an accredited management plan, the relevant processes agreed in the management plan will be followed. The parties agree that management plans will primarily rely upon WA processes. Schedule 1 identifies the applicable Western Australian processes.
- 7.15 The Commonwealth acknowledges that (to the extent consistent with Commonwealth legislation) it does not intend to regulate, under Commonwealth legislation, action that is carried out in accordance with an accredited management plan.
- 7.16 If the Commonwealth considers that action taken under an accredited management plan may, contrary to clause 7.4 or 7.5 of this Agreement, be inconsistent with the protection, conservation and presentation of the Property, then the Commonwealth may request that Western Australia demonstrate that the proposed action is consistent with the protection, conservation and presentation of the Property. If, after considering the views of Western Australia, the Commonwealth believes the action is not consistent with the protection, conservation and presentation of the Property then the Commonwealth may revoke the accreditation of all or part of the management plan.

Proposed activities not consistent with an accredited management plan

- 7.17 In relation to activities which are proposed to be carried out other than in accordance with an accredited management plan, the parties will, consistent with the provisions of Commonwealth and Western Australian legislation, agree on a single process for ensuring environmental protection, including environmental impact assessment.

- 7.18 To the extent necessary to ensure management of the Property is consistent with the World Heritage Convention, the Commonwealth may regulate under Commonwealth legislation activities which are proposed to be carried out other than in accordance with an accredited management plan. For example, Commonwealth legislation may require that such activities be subject to environmental impact assessment and may prohibit, or impose conditions on, the carrying out of such activities.
- 7.19 Before the Commonwealth takes action under Commonwealth legislation, the Commonwealth Minister will, so far as is practicable and consistent with the provisions of Commonwealth legislation and the World Heritage Convention:
- (a) consult the Western Australian Minister; and
 - (b) give full faith and credit, as that term is defined in clause 1.5 of the Intergovernmental Agreement on the Environment (1992), or in subsequent revisions thereof, to the outcome of any assessment of a proposal undertaken under Western Australian legislation.

8. SHARK BAY MINISTERIAL COUNCIL

Terms of Reference

- 8.1 The Shark Bay Ministerial Council will:
- (a) coordinate policy between Western Australia and the Commonwealth on all matters concerning the Property;
 - (b) approve the Shark Bay World Heritage Property Strategic Plan and any revisions of it;
 - (c) provide advice to both Governments on:
 - (i) management requirements;
 - (ii) management plans;
 - (iii) research and education;
 - (iv) presentation and promotion;
 - (v) boundary modifications;
 - (vi) community consultation and liaison; and
 - (vii) financial matters;
 - (d) refer matters to the Community Consultative Committee and Scientific Advisory Committee and consider reports from these bodies; and
 - (e) resolve any dispute that might arise between the two Governments.

Membership

8.2 Membership of the Council will comprise equal representation of Western Australia and the Commonwealth, with up to two members from each.

Operation

8.3 The Council will operate according to the following procedures:

- (a) it will be chaired by the Western Australian Minister responsible for the Conservation and Land Management Act 1984 (WA);
- (b) a quorum shall be one Minister from each Government;
- (c) it will meet on an as required basis, provided that at least one meeting is held per calendar year;
- (d) decisions are to be made on a consensus basis; and
- (e) secretariat support for the Council will be provided by Western Australia.

9. SHARK BAY COMMUNITY CONSULTATIVE COMMITTEE

Terms of Reference

9.1 The Shark Bay Community Consultative Committee will provide advice, either at the request of the Ministerial Council or at its own volition, to the Ministerial Council on matters relating to the protection, conservation, presentation and management of the Property from the view point of the community.

Membership

9.2 The Committee will comprise:

- (a) a majority of members who are residents of the Property or live in the vicinity of the Property; and
- (b) members with knowledge or background in fields such as conservation, heritage, local government, fishing, tourism, Aboriginal matters, park management and/or agriculture; and
- (c) the Chair of the Scientific Advisory Committee, or nominated representative.

Appointments

9.3 Members will be appointed by the Chair of the Ministerial Council. Members will be appointed in their own right and not as representatives of particular

organisations, for a period of up to three years, with members eligible for re-appointment.

- 9.4 The Chair of the Shark Bay Community Consultative Committee is to be agreed by both Governments.
- 9.5 Other than the Chair of the Shark Bay Community Consultative Committee, up to four members will be appointed on the nomination of the Western Australian Minister and up to four on the nomination of the Commonwealth Minister.
- 9.6 Employees of the Western Australian and Commonwealth Governments may attend meetings of the Committee as observers.

Termination

- 9.7 Other than by resignation, terminations of membership of the Shark Bay Community Consultative Committee will be by the Chair of the Ministerial Council with the written agreement of the Commonwealth Minister, at their discretion.

Operation

- 9.8 The Consultative Committee will operate according to the following procedures:
- (a) a quorum will be a simple majority of members;
 - (b) the Committee will meet as necessary, or at the request of the Ministerial Council, or if a majority of members request a meeting, provided that at least one meeting is held each calendar year;
 - (c) secretariat support for the Committee will be provided by Western Australia;
 - (d) business will be conducted by consensus. Where consensus is not possible, the Committee will indicate in its report of meetings the number of members supporting a particular view and note the alternative views of members not supporting a recommendation.
 - (e) a report of each meeting will be forwarded to the Chair of the Ministerial Council and the Chair of the Scientific Advisory Committee within 21 days of each meeting;
 - (f) in the absence of the Chair, members present will elect a temporary Chair; and
 - (g) members will be paid sitting fees and allowances as prescribed in the Remuneration Tribunal determinations or a Western Australian equivalent.

10. SHARK BAY SCIENTIFIC ADVISORY COMMITTEE

Terms of Reference

- 10.1 The Shark Bay Scientific Advisory Committee is to provide advice either at the request of the Ministerial Council or at its own volition, to the Ministerial Council on:
- (a) scientific research priorities which will contribute to the protection and conservation of the Property and understanding of its natural history;
 - (b) new information or developments in science relevant to protection, conservation or presentation of the Property;
 - (c) the scientific basis of management principles and practices;
 - (d) appropriateness of research funded by agencies in terms of scope, quality and relevance to management of the Property; and
 - (e) maintenance of outstanding universal values and integrity of the Property.

Membership

- 10.2 The Committee will comprise persons with qualifications relevant to, and/or special interest in, the protection and conservation of the Property (eg. botany, zoology, ecology, marine science, geomorphology), and the Chair of the Community Consultative Committee, or nominated representative.

Appointments

- 10.3 Members will be appointed by the Chair of the Ministerial Council. Members will be appointed in their own right and not as representatives of particular organisations, for a period of up to three years, with members eligible for re-appointment.
- 10.4 The Chair of the Shark Bay Scientific Advisory Committee is to be agreed by both Governments.
- 10.5 Other than the Chair of the Shark Bay Scientific Advisory Committee, up to three members will be appointed on the nomination of the Western Australian Minister and up to three on the nomination of the Commonwealth Minister.
- 10.6 Employees of the Western Australian and Commonwealth Governments may attend meetings of the Committee as observers.

Termination

- 10.7 Other than by resignation, terminations of membership of the Shark Bay Scientific Advisory Committee will be by the Chair of the Ministerial Council with the written agreement of the Commonwealth Minister, at their discretion.

Operation

- 10.8 The Scientific Advisory Committee will operate according to the following procedures:
- (a) a quorum will be a simple majority of members;
 - (b) the Committee will meet as necessary, or at the request of the Ministerial Council, or if a majority of members request a meeting, provided that at least one meeting is held each calendar year;
 - (c) secretariat support for the Committee will be provided by Western Australia;
 - (d) business will be conducted by consensus. Where consensus is not possible, the Committee will indicate in its report of meetings the number of members supporting a particular view and note the alternative views of members not supporting a recommendation.
 - (e) a report of each meeting will be forwarded to the Chair of the Ministerial Council and the Chair of the Community Consultative Committee within 21 days of each meeting;
 - (f) in the absence of the Chair, members present will elect a temporary Chair; and
 - (g) members will be paid sitting fees and allowances as prescribed in the Remuneration Tribunal determinations or a Western Australian equivalent.

11. ADDRESSING IMPACTS

- 11.1 Social and economic impacts having a detrimental effect on third parties and arising out of decisions, made in accordance with the management plans referred to in clause 7, to protect the outstanding universal values of the Property will be jointly considered by the Commonwealth and Western Australia. Where appropriate, the Commonwealth and Western Australia will consider the taking of measures by both parties (including in special circumstances the making of act of grace payments) to address the detrimental effect of any such impact.

11.2 If the Commonwealth takes action under the World Heritage Properties Conservation Act 1983 (Cth) to protect the outstanding universal values of the Property, the Commonwealth will consider, in consultation with Western Australia, the taking of measures (including in special circumstances the making of act of grace payments) to address any resulting social and economic impacts having a detrimental effect on third parties. The parties note that s.17 of the World Heritage Properties Conservation Act 1983 (Cth) provides for the payment of compensation where, but for that section, the operation of the Act would result in the acquisition of property otherwise than on just terms.

11.3 The consideration of the taking of measures to address the social and economic impacts referred to in clauses 11.1 and 11.2 will be solely a matter for Western Australia and/or the Commonwealth. It will not be a matter within the purview of the Shark Bay Ministerial Council or the committees referred to in this Agreement.

12. FINANCIAL ARRANGEMENTS

12.1 Both Governments will allocate appropriate resources to ensure the effective administration of this Agreement.

12.2 Article 5 of the World Heritage Convention requires, inter alia, that there be 'effective and active measures taken for the protection, conservation and presentation' of the Property. Both Governments will allocate appropriate resources to satisfy this obligation, subject to appropriation by the respective Parliaments and in accordance with such written arrangements as are agreed from time to time by the respective Ministers and endorsed by Ministerial Council.

12.3 Subject to appropriation by the Parliament of Western Australia, the Western Australian Government, through the Department of Conservation and Land Management and its other relevant agencies, will provide funds for the management of the Shark Bay World Heritage Property to ensure its outstanding universal values are maintained.

12.4 Subject to appropriation by the Parliament of the Commonwealth, and to compliance by Western Australia with the provisions of this Agreement, the Commonwealth will provide financial assistance to Western Australia to ensure appropriate protection and management of the outstanding universal values of the Property.

12.5 Expenditure reports by each Government will be provided annually to the Ministerial Council.

13. REVIEW OF MANAGEMENT AND ADMINISTRATIVE ARRANGEMENTS

13.1 The Ministerial Council may review the effectiveness of the management and administrative regime and this Agreement. The Ministers, as identified in

clauses 1.3 and 1.4, may agree on changes to the regime or this Agreement, to improve effectiveness or to keep the Agreement up to date.

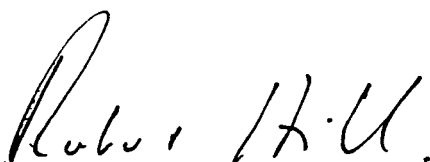
14. ENTRY INTO EFFECT


14.1 This Agreement enters into effect upon signature by both parties, and remains in effect until terminated by either party, or by agreement between the parties.

APPENDICES

1. 'Convention for the Protection of the World Cultural and Natural Heritage' (UNESCO)
2. 'Operational Guidelines for the Implementation of the World Heritage Convention' (Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage; UNESCO; December 1988)
3. Extract from 'Nomination of Shark Bay, Western Australia by the Government of Australia for inclusion in the World Heritage List' (Department of the Arts, Sport, the Environment, Tourism and Territories, 1990)
4. Technical description of the Shark Bay World Heritage Property Boundary
5. List of Conservation Reserves in the Shark Bay World Heritage Property

SIGNED:


.....
**SENATOR THE HON ROBERT HILL
COMMONWEALTH MINISTER FOR THE
ENVIRONMENT, SPORT AND TERRITORIES**


.....
**HON CHERYL EDWARDES, MLA
WESTERN AUSTRALIAN MINISTER
FOR THE ENVIRONMENT,
EMPLOYMENT AND TRAINING**

Dated this *12th* day of *September* 1997.

Schedule 1 (clause 7.14)

Western Australian Administrative Arrangements

Department of Conservation and Land Management

- 1.1 CALM is the lead management agency for the Property. In this respect, CALM is responsible for:
- (a) overseeing development of management plans;
 - (b) liaising with agencies and other parties to ensure that development and management activities do not threaten the Property's outstanding universal values;
 - (c) conducting or arranging for the conduct of research;
 - (d) compiling and maintaining a comprehensive database for management purposes; and
 - (e) implementing promotional activities.
- 1.2 CALM is responsible for the management of conservation reserves, including preparation and implementation of management plans, in accordance with the Conservation and Land Management Act 1984 (WA). Conservation reserves in the Property are listed at Appendix 5.
- 1.3 CALM is also responsible for the conservation of wildlife (flora and fauna) in the Property in accordance with the Wildlife Conservation Act 1950 (WA) and for the regulation of the quantity of sandalwood that may be pulled or removed from Crown or other land in accordance with the Sandalwood Act 1929 (WA) and the Conservation and Land Management Act 1984 (WA). Sandalwood harvesting will continue in the Property as provided for in the Shark Bay Regional Strategy.
- 1.4 CALM will compile annual reports on protection, conservation, presentation, rehabilitation and transmission to future generations of the Property, and provide them to the Ministerial Council in order to help satisfy the requirements of Article 29 of the World Heritage Convention.

Environmental Protection

- 2.1 Proposals that appear likely, if implemented, to have a significant effect on the environment of the Shark Bay World Heritage Property will be referred to the Western Australian Environmental Protection Authority (EPA) under s.38 of the Environmental Protection Act 1986 (WA). The EPA will determine whether or not a proposal should be assessed and if so at what level under s.40 of the Act, and keep a public record of each proposal as required under s.39 of the Act.

- 2.2 Consistent with the Agreement between the State and the Commonwealth concerning arrangements for cooperation in the environmental assessment of proposals the party first notified of such a proposal will advise the other party at the earliest practicable stage, and the parties will exchange information relevant to the proposal as soon as practical after notification. When the current Review of Commonwealth-State Roles and Responsibilities for the Environment is concluded, the relevant processes set out in that Review will apply, as appropriate, in relation to this clause.
- 2.3 The EPA will advise the Commonwealth (Environment Australia) of its decisions whether or not to assess a proposal and if so, the level of assessment, as soon as practicable after its determination. The parties note that there is a fourteen (14) day appeal period to the WA Minister for the Environment on the EPA's decision. The Minister can either dismiss or remit the decision for further assessment or reassessment more fully or publicly or both.
- 2.4 The Commonwealth may exercise its right of appeal under s.100 of the Environmental Protection Act 1986 (WA) on the EPA's decision and the WA Minister for the Environment shall have full regard for the views of the Commonwealth in determining any appeal made by the Commonwealth.
- 2.5 The EPA will ensure that the Commonwealth's advice regarding any proposal subject to environmental impact assessment under the Environmental Protection Act 1986 (WA) is taken into account. In particular, for proposals subject to formal assessment, provision for Commonwealth involvement will be made at the following stages in the assessment process:
- (a) comment on the preparation of guidelines shaping the assessment;
 - (b) comment on the draft environmental impact assessment review document prepared by the proponent regarding its suitability for public review;
 - (c) comment on the environmental impact assessment review document during the public comment period; and
 - (d) liaison with the WA EPA during the preparation of the assessment report.
- 2.6 Prior to setting conditions on a proposal for it to proceed or not under s.45 of the Environmental Protection Act 1986 (WA), the WA Minister for the Environment will consult with the Commonwealth Minister regarding the environmental factors relevant to that proposal.
- 2.7 Where actions are being considered under the Environmental Protection Act 1986 (WA), full account will be taken of the potential environmental impacts of proposals on the outstanding universal values of the Property.

Urban and Regional Planning

- 3.1 The Western Australian Planning Commission and the Ministry for Planning will be responsible for subdivision control, regional and strategic land use planning and evaluation of local town planning schemes. The planning process as it affects the Shark Bay World Heritage Property is determined by the Town Planning and Development Act 1928 (WA) and the Western Australian Planning Commission Act 1985 (WA). The Shark Bay Regional Strategy provides the planning framework for land use in the World Heritage Property. Where relevant, town planning schemes, scheme amendments and statutory regional planning schemes affecting the Shark Bay World Heritage Property will be referred to the WA Environmental Protection Authority for environmental assessment as required under s.48A-48J of the Environmental Protection Act 1986 (WA) and the WA EPA will notify the Commonwealth of all known activities or proposals that may have a significant impact on the Property or its World Heritage values, or be at variance with agreed management plans or arrangements, at the earliest possible opportunity, or as otherwise agreed under the current Review of Commonwealth-State Roles and Responsibilities for the Environment.

Fisheries

- 4.1 The Fisheries Department of Western Australia will manage recreational and commercial fishing, including aquaculture, and fish resources in accordance with the Fish Resources Management Act 1994 (WA) in conjunction with the Conservation and Land Management Act 1984 (WA) in marine conservation reserves. The Fisheries Department will manage pearling under the Pearling Act 1990 (WA).
- 4.2 Fishing, aquaculture and pearling will be managed in accordance with the Shark Bay World Heritage Property Management Paper for Fish Resources (1996) prepared by the Fisheries Department with public consultation, and in accordance with the relevant portions of the Shark Bay Marine Reserves Management Plan (1996-2006).

Agriculture and Pastoralism

- 5.1 The Pastoral Board constituted under the Land Act 1933 (WA) will administer the pastoral lands within the Property. Management oversight for pastoral activities will be through Agriculture Western Australia, in accordance with relevant legislation including the Soil and Land Conservation Act 1945 (WA) and the Agriculture and Related Resources Protection Act 1976 (WA).
- 5.2 Agricultural and pastoral activities will continue in the Property as provided for in the Shark Bay Regional Strategy.

Mining and Petroleum

- 5.3 The Department of Minerals and Energy will manage mineral exploration, mining and, subject to clause 5.4 of this Schedule, any petroleum exploration and development in accordance with the Mining Act 1978 (WA), the Petroleum Act 1967 (WA), the Petroleum Pipelines Act 1969 (WA) and the Petroleum (Submerged Lands) Act 1982 (WA). Mineral exploration, mining and, subject to clause 5.4 of this Schedule, petroleum exploration and development may proceed in the Property, subject to the Environmental Protection Act 1986 (WA) procedures and so long as these activities do not threaten the Property's outstanding universal values.
- 5.4 The Western Australian Minister will seek advice from the EPA under s.16(e) of the Environmental Protection Act 1986 (WA) regarding environmental aspects of petroleum exploration and development activities within the Shark Bay World Heritage Property. Having received advice from the EPA, the Western Australian Minister will refer this advice to the Commonwealth Minister. The Ministerial Council will then decide whether petroleum exploration and development activities are compatible with the protection, conservation and presentation of the Property and, if so, will agree on a framework for the administration and regulation of these activities.
- 5.5 The Shark Bay Salt Joint Venture and associated loading facilities, and some former gypsum mining leases near Useless Loop, are excluded from the Property. Because the State has specific obligations under the Shark Bay Solar Salt Industry Agreement Act 1983 (WA) to ensure Shark Bay Salt Joint Venture operations are maintained, the passage of ships will continue through the Property and any marine activities necessary to maintain the adequacy and safety of the shipping channels will continue in the Property.

Local Government

- 6.1 The Shires of Shark Bay and Carnarvon, in regard to their respective portions of the Property, are responsible for decision making and management in respect to those activities prescribed in the Local Government Act 1995 (WA) or delegated under other State legislation, in consultation with the State.

United Nations Educational, Scientific and Cultural Organization
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura
Organisation des Nations Unies pour l'éducation, la science et la culture
Организация объединенных наций по вопросам образования, науки и культуры
منظمة الامم المتحدة للتربية والعلم والثقافة

Convention concerning the protection of the world cultural and natural heritage

adopted by the General Conference at its seventeenth session
Paris, 16 November 1972

Convención sobre la protección del patrimonio mundial, cultural y natural

aprobada por la Conferencia General en su decimoséptima reunión
París, 16 de noviembre de 1972

Convention concernant la protection du patrimoine mondial, culturel et naturel

adoptée par la Conférence générale à sa dix-septième session
Paris, 16 novembre 1972

Конвенция об охране всемирного культурного и природного наследия

принятая Генеральной конференцией на семнадцатой сессии,
Париж, 16 ноября 1972 г.

اتفاقية لحماية التراث العالمي الثقافي والطبيعي

أقرها المؤتمر العام في دورته السابعة عشرة
باريس، ١٦ نوفمبر/تشرين الثاني ١٩٧٢



CONVENTION FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris from 17 October to 21 November 1972, at its seventeenth session,

Noting that the cultural heritage and the natural heritage are increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction,

Considering that deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that protection of this heritage at the national level often remains incomplete because of the scale of the resources which it requires and of the insufficient economic, scientific and technical resources of the country where the property to be protected is situated,

Recalling that the Constitution of the Organization provides that it will maintain, increase and diffuse knowledge, by assuring the conservation and protection of the world's heritage, and recommending to the nations concerned the necessary international conventions,

Considering that the existing international conventions, recommendations and resolutions concerning cultural and natural property demonstrate the importance, for all the peoples of the world, of safeguarding this unique and irreplaceable property, to whatever people it may belong,

Considering that parts of the cultural or natural heritage are of outstanding interest and therefore need to be preserved as part of the world heritage of mankind as a whole,

Considering that, in view of the magnitude and gravity of the new dangers threatening them, it is incumbent on the international community as a whole to participate in the protection of the cultural and natural heritage of outstanding universal value, by the granting of collective assistance which, although not taking the place of action by the State concerned, will serve as an effective complement thereto,

Considering that it is essential for this purpose to adopt new provisions in the form of a convention establishing an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this sixteenth day of November 1972 this Convention.

I. DEFINITIONS OF THE CULTURAL AND THE NATURAL HERITAGE

Article 1

For the purposes of this Convention, the following shall be considered as "cultural heritage":

monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.

Article 2

For the purposes of this Convention, the following shall be considered as "natural heritage";
natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation,

natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.

Article 3

It is for each State Party to this Convention to identify and delineate the different properties situated on its territory mentioned in Articles 1 and 2 above.

II. NATIONAL PROTECTION AND INTERNATIONAL PROTECTION OF THE CULTURAL AND NATURAL HERITAGE

Article 4

Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Article 5

To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each State Party to this Convention shall endeavour, in so far as possible, and as appropriate for each country:

- (a) to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;
- (b) to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;
- (c) to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;
- (d) to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and
- (e) to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

Article 6

1. Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is situated, and without prejudice to property rights provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.
2. The States Parties undertake, in accordance with the provisions of this Convention, to give their help in the identification, protection, conservation and preservation of the cultural and natural heritage referred to in paragraphs 2 and 4 of Article 11 if the States on whose territory it is situated so request.
3. Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention.

Article 7

For the purpose of this Convention, international protection of the world cultural and natural heritage shall be understood to mean the establishment of a system of international co-operation and assistance designed to support States Parties to the Convention in their efforts to conserve and identify that heritage.

III. INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

Article 8

1. An Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Committee", is hereby established within the United Nations Educational, Scientific and Cultural Organization. It shall be composed of 15 States Parties to the Convention, elected by States Parties to the Convention meeting in general assembly during the ordinary session of the General Conference of the United Nations Educational, Scientific and Cultural Organization. The number of States members of the Committee shall be increased to 21 as from the date of the ordinary session of the General Conference following the entry into force of this Convention for at least 40 States.
2. Election of members of the Committee shall ensure an equitable representation of the different regions and cultures of the world.
3. A representative of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre), a representative of the International Council of Monuments and Sites (ICOMOS) and a representative of the International Union for Conservation of Nature and Natural Resources (IUCN), to whom may be added, at the request of States Parties to the Convention meeting in general assembly during the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization, representatives of other intergovernmental or non-governmental organizations, with similar objectives, may attend the meetings of the Committee in an advisory capacity.

Article 9

1. The term of office of States members of the World Heritage Committee shall extend from the end of the ordinary session of the General Conference during which they are elected until the end of its third subsequent ordinary session.
2. The term of office of one-third of the members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the General Conference following that at which they were elected; and the term of office of a further third of the members designated at the same time shall cease at the end of the second ordinary session of the General Conference following that at which they were elected. The names of these members shall be chosen by lot by the President of the General Conference of the United Nations Educational, Scientific and Cultural Organization after the first election.

3. States members of the Committee shall choose as their representatives persons qualified in the field of the cultural or natural heritage.

Article 10

1. The World Heritage Committee shall adopt its Rules of Procedure.
2. The Committee may at any time invite public or private organizations or individuals to participate in its meetings for consultation on particular problems.
3. The Committee may create such consultative bodies as it deems necessary for the performance of its functions.

Article 11

1. Every State Party to this Convention shall, in so far as possible, submit to the World Heritage Committee an inventory of property forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion in the list provided for in paragraph 2 of this Article. This inventory, which shall not be considered exhaustive, shall include documentation about the location of the property in question and its significance.
2. On the basis of the inventories submitted by States in accordance with paragraph 1, the Committee shall establish, keep up to date and publish, under the title of "World Heritage List, a list of properties forming part of the cultural heritage and natural heritage, as defined in Articles 1 and 2 of this Convention, which it considers as having outstanding universal value in terms of such criteria as it shall have established. An updated list shall be distributed at least every two years.
3. The inclusion of a property in the World Heritage List requires the consent of the State concerned. The inclusion of a property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State shall in no way prejudice the rights of the parties to the dispute.
4. The Committee shall establish, keep up to date and publish, whenever circumstances shall so require, under the title of "List of World Heritage in Danger", a list of the property appearing in the World Heritage List for the conservation of which major operations are necessary and for which assistance has been requested under this Convention. This list shall contain an estimate of the cost of such operations. The list may include only such property forming part of the cultural and natural heritage as is threatened by serious and specific dangers, such as the threat of disappearance caused by accelerated deterioration, large-scale public or private projects or rapid urban or tourist development projects; destruction caused by changes in the use or ownership of the land; major alterations due to unknown causes; abandonment for any reason whatsoever; the outbreak or the threat of an armed conflict; calamities and cataclysms; serious fires, earthquakes, landslides; volcanic eruptions; changes in water level, floods, and tidal waves. The Committee may at any time, in case of urgent need, make a new entry in the List of World Heritage in Danger and publicize such entry immediately.
5. The Committee shall define the criteria on the basis of which a property belonging to the cultural or natural heritage may be included in either of the lists mentioned in paragraphs 2 and 4 of this article.
6. Before refusing a request for inclusion in one of the two lists mentioned in paragraphs 2 and 4 of this article, the Committee shall consult the State Party in whose territory the cultural or natural property in question is situated.
7. The Committee shall, with the agreement of the States concerned, co-ordinate and encourage the studies and research needed for the drawing up of the lists referred to in paragraphs 2 and 4 of this article.

Article 12

The fact that a property belonging to the cultural or natural heritage has not been included in either of the two lists mentioned in paragraphs 2 and 4 of Article 11 shall in no way be construed to mean that it does not have an outstanding universal value for purposes other than those resulting from inclusion in these lists.

Article 13

1. The World Heritage Committee shall receive and study requests for international assistance formulated by States Parties to this Convention with respect to property forming part of the cultural or natural heritage, situated in their territories, and included or potentially suitable for inclusion in the lists referred to in paragraphs 2 and 4 of Article 11. The purpose of such requests may be to secure the protection, conservation, presentation or rehabilitation of such property.
2. Requests for international assistance under paragraph 1 of this article may also be concerned with identification of cultural or natural property defined in Articles 1 and 2, when preliminary investigations have shown that further inquiries would be justified.
3. The Committee shall decide on the action to be taken with regard to these requests, determine where appropriate, the nature and extent of its assistance, and authorize the conclusion, on its behalf, of the necessary arrangements with the government concerned.
4. The Committee shall determine an order of priorities for its operations. It shall in so doing bear in mind the respective importance for the world cultural and natural heritage of the property requiring protection, the need to give international assistance to the property most representative of a natural environment or of the genius and the history of the peoples of the world, the urgency of the work to be done, the resources available to the States on whose territory the threatened property is situated and in particular the extent to which they are able to safeguard such property by their own means.
5. The Committee shall draw up, keep up to date and publicize a list of property for which international assistance has been granted.
6. The Committee shall decide on the use of the resources of the Fund established under Article 15 of this Convention. It shall seek ways of increasing these resources and shall take all useful steps to this end.
7. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of this Convention. For the implementation of its programmes and projects, the Committee may call on such organizations, particularly the International Centre for the Study of the Preservation and Restoration of Cultural Property (the Rome Centre), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN), as well as on public and private bodies and individuals.
8. Decisions of the Committee shall be taken by a majority of two-thirds of its members present and voting. A majority of the members of the Committee shall constitute a quorum.

Article 14

1. The World Heritage Committee shall be assisted by a Secretariat appointed by the Director-General of the United Nations Educational, Scientific and Cultural Organization.
2. The Director-General of the United Nations Educational, Scientific and Cultural Organization, utilizing to the fullest extent possible the services of the International Centre for the Study of the Preservation and the Restoration of Cultural Property (the Rome Centre), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN) in their respective areas of competence and capability, shall prepare the Committee's documentation and the agenda of its meetings and shall have the responsibility for the implementation of its decisions.

IV. FUND FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

Article 15

1. A Fund for the Protection of the World Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Fund", is hereby established.
2. The Fund shall constitute a trust fund, in conformity with the provisions of the Financial Regulations of the United Nations Educational, Scientific and Cultural Organization.
3. The resources of the Fund shall consist of:
 - (a) compulsory and voluntary contributions made by the States Parties to this Convention,
 - (b) contributions, gifts or bequests which may be made by:
 - (i) other States;
 - (ii) the United Nations Educational, Scientific and Cultural Organization, other organizations of the United Nations system, particularly the United Nations Development Programme or other intergovernmental organizations;
 - (iii) public or private bodies or individuals;
 - (c) any interest due on the resources of the Fund,
 - (d) funds raised by collections and receipts from events organized for the benefit of the Fund; and
 - (e) all other resources authorized by the Fund's regulations, as drawn up by the World Heritage Committee.
4. Contributions to the Fund and other forms of assistance made available to the Committee may be used only for such purposes as the Committee shall define. The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project. No political conditions may be attached to contributions made to the Fund.

Article 16

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay regularly, every two years, to the World Heritage Fund, contributions the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly of States Parties to the Convention, meeting during the sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization. This decision of the General Assembly requires the majority of the States Parties present and voting, which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the compulsory contribution of States Parties to the Convention exceed 1% of the contribution to the Regular Budget of the United Nations Educational, Scientific and Cultural Organization.
2. However, each State referred to in Article 31 or in Article 32 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.
3. A State Party to the Convention which has made the declaration referred to in paragraph 2 of this Article may at any time withdraw the said declaration by notifying the Director-General of the United Nations Educational, Scientific and Cultural Organization. However, the withdrawal of the declaration shall not take effect in regard to the compulsory contribution due by the State until the date of the subsequent General Assembly of States Parties to the Convention.

4. In order that the Committee may be able to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article, shall be paid on a regular basis, at least every two years, and should not be less than the contributions which they should have paid if they had been bound by the provisions of paragraph 1 of this Article.
5. Any State Party to the Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the World Heritage Committee, although this provision shall not apply to the first election.

The terms of office of any such State which is already a member of the Committee shall terminate at the time of the elections provided for in Article 8, paragraph 1 of this Convention.

Article 17

The States Parties to this Convention shall consider or encourage the establishment of national, public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of this Convention.

Article 18

The States Parties to this Convention shall give their assistance to international fund-raising campaigns organized for the World Heritage Fund under the auspices of the United Nations Educational, Scientific and Cultural Organization. They shall facilitate collections made by the bodies mentioned in paragraph 3 of Article 15 for this purpose.

V. CONDITIONS AND ARRANGEMENTS FOR INTERNATIONAL ASSISTANCE

Article 19

Any State Party to this Convention may request international assistance for property forming part of the cultural or natural heritage of outstanding universal value situated within its territory. It shall submit with its request such information and documentation provided for in Article 21 as it has in its possession and as will enable the Committee to come to a decision.

Article 20

Subject to the provisions of paragraph 2 of Article 13, sub-paragraph (c) of Article 22 and Article 23, international assistance provided for by this Convention may be granted only to property forming part of the cultural and natural heritage which the World Heritage Committee has decided, or may decide, to enter in one of the lists mentioned in paragraphs 2 and 4 of Article 11.

Article 21

1. The World Heritage Committee shall define the procedure by which requests to it for international assistance shall be considered and shall specify the content of the request, which should define the operation contemplated, the work that is necessary, the expected cost thereof, the degree of urgency and the reasons why the resources of the State requesting assistance do not allow it to meet all the expenses. Such requests must be supported by experts' reports whenever possible.
2. Requests based upon disasters or natural calamities should, by reasons of the urgent work which they may involve, be given immediate, priority consideration by the Committee, which should have a reserve fund at its disposal against such contingencies.
3. Before coming to a decision, the Committee shall carry out such studies and consultations as it deems necessary.

Article 22

Assistance granted by the World Heritage Committee may take the following forms:

- (a) studies concerning the artistic, scientific and technical problems raised by the protection, conservation, presentation and rehabilitation of the cultural and natural heritage, as defined in paragraphs 2 and 4 of Article 11 of this Convention;
- (b) provision of experts, technicians and skilled labour to ensure that the approved work is correctly carried out;
- (c) training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage;
- (d) supply of equipment which the State concerned does not possess or is not in a position to acquire;
- (e) low-interest or interest-free loans which might be repayable on a long-term basis;
- (f) the granting, in exceptional cases and for special reasons, of non-repayable subsidies.

Article 23

The World Heritage Committee may also provide international assistance to national or regional centres for the training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage.

Article 24

International assistance on a large scale shall be preceded by detailed scientific, economic and technical studies. These studies shall draw upon the most advanced techniques for the protection, conservation, presentation and rehabilitation of the natural and cultural heritage and shall be consistent with the objectives of this Convention. The studies shall also seek means of making rational use of the resources available in the State concerned.

Article 25

As a general rule, only part of the cost of work necessary shall be borne by the international community. The contribution of the State benefiting from international assistance shall constitute a substantial share of the resources devoted to each programme or project, unless its resources do not permit this.

Article 26

The World Heritage Committee and the recipient State shall define in the agreement they conclude the conditions in which a programme or project for which international assistance under the terms of this Convention is provided, shall be carried out. It shall be the responsibility of the State receiving such international assistance to continue to protect, conserve and present the property so safeguarded, in observance of the conditions laid down by the agreement.

VI. EDUCATIONAL PROGRAMMES

Article 27

1. The States Parties to this Convention shall endeavour by all appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect by their peoples of the cultural and natural heritage defined in Articles 1 and 2 of the Convention.

2. They shall undertake to keep the public broadly informed of the dangers threatening this heritage and of activities carried on in pursuance of this Convention.

Article 28

States Parties to this Convention which receive international assistance under the Convention shall take appropriate measures to make known the importance of the property for which assistance has been received and the rôle played by such assistance.

VII. REPORTS

Article 29

1. The States Parties to this Convention shall, in the reports which they submit to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.
2. These reports shall be brought to the attention of the World Heritage Committee.
3. The Committee shall submit a report on its activities at each of the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization.

VIII. FINAL CLAUSES

Article 30

This Convention is drawn up in Arabic, English, French, Russian and Spanish, the five texts being equally authoritative.

Article 31

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.
2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited by the General Conference of the Organization to accede to it.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33

This Convention shall enter into force three months after the date of the deposit of the twentieth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments of ratification, acceptance or accession on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 34

The following provisions shall apply to those States Parties to this Convention which have a federal or non-unitary constitutional system:

- (a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;
- (b) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces or cantons that are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 35

1. Each State Party to this Convention may denounce the Convention.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall not affect the financial obligations of the denouncing State until the date on which the withdrawal takes effect.

Article 36

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 32, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, or accession provided for in Articles 31 and 32, and of the denunciations provided for in Article 35.

Article 37

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.
2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 38

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this twenty-third day of November 1972, in two authentic copies bearing the signature of the President of the seventeenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 31 and 32 as well as to the United Nations.

WHC/2/Revised
December 1988

UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION

INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION
OF THE WORLD CULTURAL AND NATURAL HERITAGE

Operational Guidelines for the Implementation
of the World Heritage Convention

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INTRODUCTION

1. The cultural heritage and the natural heritage are among the priceless and irreplaceable possessions, not only of each nation, but of mankind as a whole. The loss, through deterioration or disappearance, of any of these most prized possessions constitutes an impoverishment of the heritage of all the peoples in the world. Parts of that heritage, because of their exceptional qualities, can be considered to be of outstanding universal value and as such worthy of special protection against the dangers which increasingly threaten them.

2. In an attempt to remedy this perilous situation and to ensure, as far as possible, the proper identification, protection, conservation and presentation of the world's irreplaceable heritage, the Member States of Unesco adopted in 1972 the Convention concerning the Protection of the World Cultural and Natural Heritage, hereinafter referred to as "the Convention". The Convention complements heritage conservation programmes at the national level and provides for the establishment of a "World Heritage Committee" and a "World Heritage Fund". Both the Committee and the Fund have been in operation since 1976.

3. The World Heritage Committee, hereinafter referred to as "the Committee", has three essential functions:

- (i) to identify, on the basis of nominations submitted by States Parties, cultural and natural properties of outstanding universal value which are to be protected under the Convention and to list those properties on the "World Heritage List";
- (ii) to decide which properties included in the World Heritage List are to be inscribed on the "List of World Heritage in Danger" (only properties which require for their conservation major operations and for which assistance has been requested under the Convention can be considered);
- (iii) to determine in what way and under what conditions the resources in the World Heritage Fund can most advantageously be used to assist States Parties, as far as possible, in the Protection of their properties of outstanding universal value.

4. The operational guidelines which are set out below have been prepared for the purpose of informing States Parties to the Convention of the principles which guide the work of the Committee in establishing the World Heritage List and the List of World Heritage in Danger and in granting international assistance under the World Heritage Fund. These guidelines also provide details on other questions, mainly of a procedural nature, which relate to the implementation of the Convention.

5. The Committee is fully aware that its decisions must be based on considerations which are as objective and scientific as possible, and that any appraisal made on its behalf must be thoroughly and responsibly carried out. It recognizes that objective and well considered decisions depend upon:

- carefully prepared criteria,
- thorough procedures,
- evaluation by qualified experts and the use of expert referees.

The operational guidelines have been prepared with these objectives in mind.

I. ESTABLISHMENT OF THE WORLD HERITAGE LIST

A. General Principles

6. The Committee agreed that the following general principles would guide its work in establishing the World Heritage List:

- (i) The Convention provides for the protection of those cultural and natural properties (1) deemed to be of outstanding universal value. It is not intended to provide for the protection of all properties of great interest, importance or value, but only for a select list of the most outstanding of these from an international viewpoint. The outstanding universal value of cultural and natural properties is defined by Articles 1 and 2 of the Convention. These definitions are interpreted by the Committee by using two sets of criteria: one set for cultural property and another set for natural property. The criteria and the conditions of authenticity or integrity adopted by the Committee for this purpose are set out in paragraphs 24 and 36 below.
- (ii) The criteria for the inclusion of properties in the World Heritage List have been elaborated to enable the Committee to act with full independence in evaluating the intrinsic merit of property, without regard to any other consideration (including the need for technical co-operation support).
- (iii) Efforts will be made to maintain a reasonable balance between the numbers of cultural heritage and the natural heritage properties entered on the List.
- (iv) Cultural and natural properties are included in the World Heritage List according to a gradual process and no formal limit is imposed either on the total number of properties included in the List or on the number of properties any individual State can submit at successive stages for inclusion therein. In view of the difficulty in handling the large numbers of cultural nominations now being received, however, the Committee invites States Parties to consider whether their cultural heritage is already well represented on the List and if so to slow down voluntarily their rate of submission of further nominations. This would help in making it possible for the List to become more universally representative. By the same token, the Committee calls on States Parties whose cultural heritage is not yet adequately represented on the List and who might need assistance in preparing nominations of cultural properties to seek such assistance from the Committee.
- (v) When a property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the World Heritage List, the procedure concerning the possible deletion from the List will be applied. This procedure is set out in paragraphs 37 to 45 below.

B. Indications to States Parties concerning nominations to the List

7. The Committee requests each State Party to submit to it a tentative list of properties which it intends to nominate for inscription to the World Heritage List during the following five to ten years. This tentative list will constitute the "inventory" (provided for in Article 11

(1) cf. definitions of "cultural heritage" and "natural heritage" in articles 1 and 2 of the Convention set out in paragraphs 23 and 35 below.

of the Convention) of the cultural and natural properties situated within the territory of each State Party and which it considers suitable for inclusion in the World Heritage List. The purpose of these tentative lists is to enable the Committee to evaluate within the widest possible context the "outstanding universal value" of each property nominated to the List. The Committee hopes that States Parties that have not yet submitted a tentative list will do so as early as possible. States Parties are reminded of the Committee's earlier decision not to consider cultural nominations unless such a list of cultural properties has been submitted. As concerns natural nominations, priority will be given to the consideration of nominations from States Parties which have submitted a tentative list, unless the State party has given a specific explanation why it cannot be provided.

8. In order to facilitate the work of all concerned, the Committee requests States Parties to submit their tentative lists in a standard format (see Annex I) which provides for information under the following headings:

- the name of the property;
- the geographical location of the property;
- a brief description of the property;
- a justification of the "outstanding universal value" of the property in accordance with the criteria and conditions of authenticity or integrity set out in paragraphs 24 and 36 below, taking account of similar properties both inside and outside the boundaries of the State concerned.

Natural properties should be grouped according to biogeographical provinces and cultural properties should be grouped according to cultural periods or areas. The order in which the properties listed would be presented for inscription should also be indicated, if possible.

9. The fundamental principle stipulated in the Convention is that properties nominated must be of outstanding universal value and the properties nominated therefore should be carefully selected. The criteria and conditions of authenticity or integrity against which the Committee will evaluate properties are set out in paragraphs 24 and 36 below. Within a given geo-cultural region, it may be desirable for States Parties to make comparative assessments for the harmonization of tentative lists and nominations of cultural properties. Support for the organization of meetings for this purpose may be requested under the World Heritage Fund.

10. Each nomination should be presented in the form of a well-argued case. It should be submitted on the appropriate form (see paragraph 52 below) and should provide all the information to demonstrate that the property nominated is truly of "outstanding universal value". Each nomination should be supported by all the necessary documentation, including suitable slides and maps and other material. With regard to cultural properties, States Parties are invited to attach to the nomination forms a brief analysis of references in world literature (e.g. reference works such as general or specialized encyclopaedias, histories of art or architecture, records of voyages and explorations, scientific reports, guidebooks, etc.) along with a comprehensive bibliography. With regard to newly-discovered properties, evidence of the attention which the discovery has received internationally would be equally helpful.

11. Under the "Juridical data" section of the nomination form States Parties should provide, in addition to the legal texts protecting the property being nominated, an explanation of the way in which these laws actually operate. Such an analysis is preferable to a mere enumeration or compilation of the legal texts themselves.

12. When nominating properties belonging to certain well-represented categories of cultural property the nominating State Party should provide a comparative evaluation of the

property in relation to other properties of a similar type, as already required in paragraph 7 with regard to the tentative lists.

13. In certain cases it may be necessary for States Parties to consult the Secretariat and the specialized NGO concerned informally before submitting nomination forms. The Committee reminds States Parties that assistance for the purpose of preparing comprehensive and sound nominations is available to them at their request under the World Heritage Fund.

14. In all cases, so as to maintain the objectivity of the evaluation process and to avoid possible embarrassment to those concerned, States Parties should refrain from giving undue publicity to the fact that a property has been nominated for inscription pending the final decision of the Committee on the nomination in question.

15. In nominating properties to the List, States Parties are invited to keep in mind the desirability of achieving a reasonable balance between the numbers of cultural heritage and natural heritage properties included in the World Heritage List.

16. In cases where a cultural and/or natural property which fulfils the criteria adopted by the Committee extends beyond national borders the States Parties concerned are encouraged to submit a joint nomination.

17. Whenever necessary for the proper conservation of a cultural or natural property nominated, an adequate "buffer zone" around a property should be provided and should be afforded the necessary protection. A buffer zone can be defined as an area surrounding the property which has restrictions placed on its use to give an added layer of protection; the area constituting the buffer zone should be determined in each case through technical studies. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating its precise boundaries, should be provided in the nomination file relating to the property in question.

18. In keeping with the spirit of the Convention, States Parties should as far as possible endeavour to include in their submissions properties which derive their outstanding universal value from a particularly significant combination of cultural and natural features.

19. States Parties may propose in a single nomination a series of cultural or natural properties in different geographical locations, provided that they are related because they belong to:

- (i) the same historico-cultural group or
- (ii) the same type of property which is characteristic of the geographical zone
- (iii) the same physiographic formation, the same biogeographic province, or the same ecosystem type

and provided that it is the series as such, and not its components taken individually, which is of outstanding universal value.

20. When a series of cultural or natural properties, as defined in paragraph 19 above, consists of properties situated in the territory of more than one State Party to the Convention, the States Parties concerned are encouraged to jointly submit a single nomination.

21. States Parties are encouraged to prepare plans for the management of each natural site nominated and for the safeguarding of each cultural property nominated. All information concerning these plans should be made available when technical co-operation is requested.

22. Where the intrinsic qualities of a property nominated are threatened by action of man and yet meet the criteria and the conditions of authenticity or integrity set out in paragraphs 24 and 36, an action plan outlining the corrective measures required should be submitted with the nomination file. Should the corrective measures submitted by the nominating State not be taken within the time proposed by the State, the property will be considered by the Committee for delisting in accordance with the procedure adopted by the Committee.

C. Criteria for the inclusion of cultural properties in the World Heritage List

23. The criteria for the inclusion of cultural properties in the World Heritage List should always be seen in relation to one another and should be considered in the context of the definition set out in Article 1 of the Convention which is reproduced below:

monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view."

24. A monument, group of buildings or site - as defined above - which is nominated for inclusion in the World Heritage List will be considered to be of outstanding universal value for the purposes of the Convention when the Committee finds that it meets one or more of the following criteria and the test of authenticity. Each property nominated should therefore:

- (a) (i) represent a unique artistic achievement, a masterpiece of the creative genius; or
- (ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping; or
- (iii) bear a unique or at least exceptional testimony to a civilization which has disappeared; or
- (iv) be an outstanding example of a type of building or architectural ensemble which illustrates a significant stage in history; or
- (v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change; or
- (vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria);

and

- (b) (i) meet the test of authenticity in design, materials, workmanship or setting (the Committee stressed that reconstruction is only acceptable if it is carried out on the basis of complete and detailed documentation on the original and to no extent on conjecture).
- (ii) have adequate legal protection and management mechanisms to ensure the conservation of the nominated cultural property. The existence of protective legislation at the national, provincial or municipal level is therefore essential and must be stated clearly on the nomination form. Assurances of the effective implementation of these laws are also expected. Furthermore, in order to preserve the integrity of cultural sites, particularly those open to large numbers of visitors, the State Party concerned should be able to provide evidence of suitable administrative arrangements to cover the management of the property, its conservation and its accessibility to the public.

25. Nominations of immovable property which are likely to become movable will not be considered.

26. With respect to groups of urban buildings, the Committee has furthermore adopted the following guidelines concerning their inclusion in the World Heritage List.

27. Groups of urban buildings eligible for inclusion in the World Heritage List fall into three main categories, namely:

- (i) towns which are no longer inhabited but which provide unchanged archaeological evidence of the past; these generally satisfy the criterion of authenticity and their state of conservation can be relatively easily controlled;
- (ii) historic towns which are still inhabited and which, by their very nature, have developed and will continue to develop under the influence of socio-economic and cultural change, a situation that renders the assessment of their authenticity more difficult and any conservation policy more problematical;
- (iii) new towns of the twentieth century which paradoxically have something in common with both the aforementioned categories: while their original urban organization is clearly recognizable and their authenticity is undeniable, their future is unclear because their development is largely uncontrollable.

28. The evaluation of towns that are no longer inhabited does not raise any special difficulties other than those related to archaeological sites in general: the criteria which call for uniqueness or exemplary character have led to the choice of groups of buildings noteworthy for their purity of style, for the concentrations of monuments they contain and sometimes for their important historical associations. It is important for urban archaeological sites to be listed as integral units. A cluster of monuments or a small group of buildings is not adequate to suggest the multiple and complex functions of a city which has disappeared; remains of such a city should be preserved in their entirety together with their natural surroundings whenever possible.

29. In the case of inhabited historic towns the difficulties are numerous, largely owing to the fragility of their urban fabric (which has in many cases been seriously disrupted since the advent of the industrial era) and the runaway speed with which their surroundings have been urbanized. To qualify for inclusion, towns should compel recognition because of their architectural interest and should not be considered only on the intellectual grounds of the role they may have played in the past or their value as historical symbols under criterion (vi) for the inclusion of cultural properties in the World Heritage List (see paragraph 24 above). To be eligible for inclusion in the List, the spatial organization, structure, materials,

forms and, where possible, functions of a group of buildings should essentially reflect the civilization or succession of civilizations which have prompted the nomination of the property. Four categories can be distinguished:

- (i) Towns which are typical of a specific period or culture, which have been almost wholly preserved and which have remained largely unaffected by subsequent developments. Here the property to be listed is the entire town together with its surroundings, which must also be protected;
- (ii) Towns that have evolved along characteristic lines and have preserved, sometimes in the midst of exceptional natural surroundings, spatial arrangements and structures that are typical of the successive stages in their history. Here the clearly defined historic part takes precedence over the contemporary environment;
- (iii) "Historic centres" that cover exactly the same area as ancient towns and are now enclosed within modern cities. Here it is necessary to determine the precise limits of the property in its widest historical dimensions and to make appropriate provision for its immediate surroundings;
- (iv) Sectors, areas or isolated units which, even in the residual state in which they have survived, provide coherent evidence of the character of a historic town which has disappeared. In such cases surviving areas and buildings should bear sufficient testimony to the former whole.

30. Historic centres and historic areas should be listed only where they contain a large number of ancient buildings of monumental importance which provide a direct indication of the characteristic features of a town of exceptional interest. Nominations of several isolated and unrelated buildings which allegedly represent, in themselves, a town whose urban fabric has ceased to be discernible, should not be encouraged.

31. However, nominations could be made regarding properties that occupy a limited space but have had a major influence on the history of town planning. In such cases, the nomination should make it clear that it is the monumental group that is to be listed and that the town is mentioned only incidentally as the place where the property is located. Similarly, if a building of clearly universal significance is located in severely degraded or insufficiently representative urban surroundings, it should, of course, be listed without any special reference to the town.

32. It is difficult to assess the quality of new towns of the twentieth century. History alone will tell which of them will best serve as examples of contemporary town planning. The examination of the files on these towns should be deferred, save under exceptional circumstances.

33. Under present conditions, preference should be given to the inclusion in the World Heritage List of small or medium-sized urban areas which are in a position to manage any potential growth, rather than the great metropolises, on which sufficiently complete information and documentation cannot readily be provided that would serve as a satisfactory basis for their inclusion in their entirety. In view of the effects which the entry of a town in the World Heritage List could have on its future, such entries should be exceptional. Inclusion in the List implies that legislative and administrative measures have already been taken to ensure the protection of the group of buildings and its environment. Informed awareness on the part of the population concerned, without whose active participation any conservation scheme would be impractical, is also essential.

34. With respect to rural landscapes, traditional villages and contemporary architecture, the Committee has recommended further study so as to help develop guidelines for

determining which properties in these categories may be considered of "outstanding universal value".

D. Criteria for the inclusion of natural properties in the World Heritage List

35. In accordance with Article 2 of the Convention, the following is considered as "natural heritage":

"natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;

natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty."

36. A natural heritage property - as defined above - which is submitted for inclusion in the World Heritage List will be considered to be of outstanding universal value for the purposes of the Convention when the Committee finds that it meets one or more of the following criteria and fulfils the conditions of integrity set out below. Sites nominated should therefore:

- (a) (i) be outstanding examples representing the major stages of the earth's evolutionary history; or
- (ii) be outstanding examples representing significant ongoing geological processes, biological evolution and man's interaction with his natural environment; as distinct from the periods of the earth's development, this focuses upon ongoing processes in the development of communities of plants and animals, landforms and marine areas and fresh water bodies; or
- (iii) contain superlative natural phenomena, formations or features, for instance, outstanding examples of the most important ecosystems, areas of exceptional natural beauty or exceptional combinations of natural and cultural elements; or
- (iv) contain the most important and significant natural habitats where threatened species of animals or plants of outstanding universal value from the point of view of science or conservation still survive;

and

(b) also fulfil the following conditions of integrity:

- (i) the sites described in 36 (a) (i) should contain all or most of the key interrelated and interdependent elements in their natural relationships; for example, an "ice age" area would be expected to include the snow field, the glacier itself and samples of cutting patterns, deposition and colonization (striations, moraines, pioneer stages of plant succession, etc.).
- (ii) The sites described in 36 (a) (ii) should have sufficient size and contain the necessary elements to demonstrate the key aspects of the

process and to be self-perpetuating. For example, an area of tropical rain forest may be expected to include some variation in elevation above sea level, changes in topography and soil types, river banks or oxbow lakes, to demonstrate the diversity and complexity of the system.

- (iii) The sites described in 36 (a) (iii) should contain those ecosystem components required for the continuity of the species or of the other natural elements or processes to be conserved. This will vary according to individual cases; for example, the protected area of a waterfall would include all, or as much as possible, of the supporting catchment area; or a coral reef area would include the zone necessary to control siltation or pollution through the stream flow or ocean currents which provide its nutrients.
- (iv) The area containing threatened species as described in 36 (a) (iv) should be of sufficient size and contain necessary habitat requirements for the survival of the species.
- (v) In the case of migratory species, reasonable sites necessary for their survival, wherever they are located, should be adequately protected. Agreements made in this connection, either through adherence to international conventions or in the form of other multilateral or bilateral arrangements would provide this assurance.
- (vi) The sites described in paragraph 36 (a) should have adequate long-term legislative, regulatory or institutional protection. They may coincide with or constitute part of existing or proposed protected areas such as national parks. If not already available, a management plan should be prepared and implemented to ensure the integrity of the natural values of the site in accordance with the Convention.

E. Procedure for the eventual deletion of properties from the World Heritage List

37. The Committee adopted the following procedure for the deletion of properties from the World Heritage List in cases:

- (a) where the property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the World Heritage List; and
- (b) where the intrinsic qualities of a world heritage site were already threatened at the time of its nomination by action of man and where the necessary corrective measures as outlined by the State Party at the time, have not been taken within the time proposed.

38. When a property inscribed on the World Heritage List has seriously deteriorated, or when the necessary corrective measures have not been taken within the time proposed, the State Party on whose territory the property is situated should so inform the Secretariat of the Committee.

39. When the Secretariat receives such information from a source other than the State Party concerned, it will, as far as possible, verify the source and the contents of the information in consultation with the State Party concerned and request its comments. The Secretariat will inform the Bureau of the results of its investigations and the Bureau will decide whether the information is to be acted upon. If the Bureau decides that the information is not to be acted upon, no action will be taken.

40. In all cases except those on which the Chairman decided that no further action should be taken, the Secretariat will request the competent advisory organization(s) (ICOMOS, IUCN or ICCROM) to forward comments on the information received.

41. The information received, together with the comments of the State Party and the advisory organization(s), will be brought to the attention of the Bureau of the Committee. The Bureau may take one of the following steps:

- (a) it may decide that the property has not seriously deteriorated and that no further action should be taken;
- (b) when the Bureau considers that the property has seriously deteriorated, but not to the extent that its restoration is impossible, it may recommend to the Committee that the property be maintained on the List, provided that the State Party takes the necessary measures to restore the property within a reasonable period of time. The Bureau may also recommend that technical co-operation be provided under the World Heritage Fund for work connected with the restoration of the property, if the State Party so requests;
- (c) when there is evidence that the property has deteriorated to the point where it has irretrievably lost those characteristics which determined its inclusion in the List, the Bureau may recommend that the Committee delete the property from the List; before any such recommendation is submitted to the Committee, the Secretariat will inform the State Party concerned of the Bureau's recommendation; any comments which the State Party may make with respect to the recommendation of the Bureau will be brought to the attention of the Committee, together with the Bureau's recommendation;
- (d) when the information available is not sufficient to enable the Bureau to take one of the measures described in (a), (b) or (c) above, the Bureau may recommend to the Committee that the Secretariat be authorized to take the necessary action to ascertain, in consultation with the State Party concerned, the present condition of the property, the dangers to the property and the feasibility of adequately restoring the property, and to report to the Bureau on the results of its action; such measures may include the sending of a fact-finding mission or the consultation of specialists. In cases where emergency action is required, the Bureau may itself authorize the financing from the World Heritage Fund of the emergency assistance that is required.

42. The Committee will examine the recommendation of the Bureau and all the information available and will take a decision. Any such decision shall, in accordance with Article 13 (8) of the Convention, be taken by a majority of two-thirds of its members present and voting. The Committee shall not decide to delete any property unless the State Party has been consulted on the question.

43. The State Party will be informed of the Committee's decision.

44. If the Committee's decision entails any modification to the World Heritage List, this modification will be reflected in the next updated list that is published.

45. In adopting the above procedure, the Committee was particularly concerned that all possible measures should be taken to prevent the deletion of any property from the List and was ready to offer technical co-operation as far as possible to States Parties in this connection. Furthermore, the Committee wishes to draw the attention of States Parties to the stipulations of Article 4 of the Convention which reads as follows:

"Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State..."

In this connection, the Committee recommends that States Parties co-operate with IUCN which has been asked by the Committee to continue monitoring on its behalf the progress of work undertaken for the preservation of natural heritage properties inscribed on the World Heritage List. With regard to cultural properties, the Committee has adopted, on a trial basis, a system by which each year the Secretariat sends out questionnaires to the States Parties concerned for fifty World Heritage properties, starting with the properties first inscribed on the List. States Parties are requested to complete the questionnaires with the utmost care and to return them to the Secretariat by the date indicated. Copies of the questionnaire can be obtained for consultation by States Parties from the Secretariat.

F. Guidelines for the evaluation and examination of nominations

46. The World Heritage List should be as representative as possible of all cultural and natural properties which meet the Convention's requirement of outstanding universal value and the cultural and natural criteria and the conditions of authenticity or integrity adopted by the Committee (see paragraphs 24 to 36 above).

47. Each cultural property, including its state of preservation, should be evaluated relatively, that is, it should be compared with that of other property of the same type dating from the same period, both inside and outside the State Party's borders.

48. Each natural site should be evaluated relatively, that is, it should be compared with other sites of the same type, both inside and outside the State Party's borders, within a biogeographic province or migratory pattern.

49. Furthermore ICOMOS and IUCN should pay particular attention to the following points which relate to the evaluation and examination of nominations :

- (a) both NGOs are encouraged to be as strict as possible in their evaluations;
- (b) the manner of the professional evaluation carried out by ICOMOS and IUCN should be fully described when each nomination is presented;
- (c) ICOMOS is requested to make comparative evaluations of properties belonging to the same type of cultural property;
- (d) IUCN is requested to make comments and recommendations on the integrity and future management of each property recommended by the Bureau, during its presentation to the Committee;
- (e) the NGO concerned is encouraged to present slides on the properties recommended for the World Heritage List during the preliminary discussions which take place prior to the examination of individual proposals for inscription on the List.

50. Representatives of a State Party, whether or not a member of the Committee, should not speak to advocate the inclusion in the List of a property nominated by that State, but only to deal with a point of information in answer to a question.

51. The criteria for which a specific property is included in the World Heritage List will be set out by the Committee in its reports.

G. Format and content of nominations

52. The same printed form approved by the Committee is used for the submission of nominations of cultural and natural properties. The following information and documentation is to be provided: (For the nominations of groups of buildings or sites the specific documentation to be provided is listed in sub-paragraph (f) below.)

(a) Specific location

Country
State, province or region
Name of property
Maps and plans with indications of location of property and of geographical co-ordinates

(b) Juridical data

Owner
Legal status:
· category of ownership (public or private)
· details of legal and administrative provisions for the protection of the property. The nature of the legal texts as well as their conditions of implementation should be clearly specified
· state of occupancy and accessibility to the general public

Responsible administration
· details should be given of the mechanism or body already set up or intended to be established in order to ensure the proper management of the property

(c) Identification

Description and inventory
Photographic and cinematographic documentation
History
Bibliography

(d) State of preservation/conservation

Diagnosis
Agent responsible for preservation/conservation
History of preservation/conservation
Measures for preservation/conservation (including management plans or proposals for such plans)
Development plans for the region

(e) Justification for inclusion in the World Heritage List

Information should be provided under three separate headings as follows:
i) the reasons for which the property is considered to meet one or more of the criteria set out under paragraphs 24 and 36 above; ii) an evaluation of the property's present state of preservation as compared with similar properties elsewhere; iii) indications as to the authenticity of the property.

(f) Specific documentation to be provided with nominations of groups of buildings or sites

If the nomination concerns a group of buildings or site as described in paragraph 23 above (1) specific documentation and juridical data are to be provided:

(i) Maps and plans

Three maps are to be provided:

- one map which shows the exact location of the property and its immediate natural and built environment (with, if necessary in annex, a series of topographical plans).

Scale: between 1/50.000 and 1/100.000

Date of publication: not more than one year prior to presentation of the nomination

- one map which precisely delimits the perimeter of the nominated area and which clearly indicates the location of each monument listed in the nomination. The nominated property can be one uninterrupted area or composed of several separate areas. In the latter case, the perimeter of each of these areas must be indicated and the nature of protection of the intermediate zones must also be described.

Scale: between 1/5.000 and 1/25.000

- one map indicating the zones of different degrees of legal protection which might exist:

- inside the perimeter of the nominated property
- outside the perimeter of the nominated property

Scale: between 1/5.000 and 1/25.000. This map should be of a size that lends itself to easy reproduction.

(ii) Photographic documentation (2)

This documentation should include:

- an aerial view

(1) For example:

- a town centre, a village, a street, a square or other urban or rural archaeological site or

- a series of cultural properties which are geographically dispersed but are representative of a specific type of property as described in paragraph 19 above.

- (2) All photographs must be recent, i.e. taken not more than one year prior to presentation of the nomination file.

- views of the monuments listed in the nomination (interior and exterior)
- panoramic views taken in different directions from outside the proposed perimeter (skyline)
- views taken inside the proposed perimeter which give an exact idea of the urban landscape (townscape)

- a selection of original colour slides preferably 35 mm slides film for which the non-exclusive reproduction rights are granted to Unesco on the form provided for this purpose. It should be noted that colour slides are absolutely necessary for the presentation of the property to the Bureau and to the Committee.

Audio-visual documents, where applicable.

(iii) Supplementary documentation

Information on institutions or associations concerned with the study or safeguard of the site

- within the country
- abroad.

(iv) Legal information

- laws or decrees which govern the protection of monuments and sites (date and text)
- decrees or orders which protect the nominated property (date and text)
- master plan for historic preservation land-use plan, urban development plan, regional development plan or other infrastructure projects
- town planning regulations and orders issued in application of these plans.

Indications should be given as to whether these various juridical provisions prevent:

- uncontrolled exploitation of the ground below the property
- the demolition and reconstruction of buildings situated within the protected zones
- the raising of the height of buildings
- the transformation of the urban fabric

What are the penalties foreseen in case of a contravention of these juridical provisions ?

What, if any, juridical or other measures exist which encourage the revitalization of the property concerned in full respect of its historic authenticity and its social diversity ?

(v) Administrative framework

- Responsible administration:
 - at the national or federal level
 - at the level of federated States or provinces
 - at the regional level
 - at the local level.

H. Procedure and timetable for the processing of nominations

53. The annual schedule set out below has been fixed for the receipt and processing of nominations to the World Heritage List. It should be emphasized, however, that the process of nominating properties to the World Heritage List is an ongoing one. Nominations to the List can be submitted at any time during the year. Those received by 1 October of a given year will be considered during the following year. Those received after 1 October of a given year can only be considered in the second subsequent year. Despite the inconvenience it may cause certain States Parties, the Committee has decided to bring forward the deadline for submission of nominations in order to ensure that all working documents can be made available to the Bureau as well as States members of the Committee no later than 6 weeks before the start of the sessions of the Bureau and the Committee. This will also enable the Committee at its annual December session to be made aware of the number and nature of nominations to be examined at its next session the following year.

1 October

Deadline for receipt by the Secretariat of nominations to be considered by the Committee the following year.

By 1 November

The Secretariat:

- (1) registers each nomination and thoroughly verifies its contents and accompanying documentation. In the case of incomplete nominations, the Secretariat must immediately request the missing information from States Parties.
- (2) transmits nominations, provided they are complete, to the appropriate international non-governmental organization (ICOMOS, IUCN or both), which:
- (3) Immediately examines each nomination to ascertain those cases in which additional information is required and takes the necessary steps, in co-operation with the Secretariat, to obtain the complementary data.

By 1 April

The appropriate non-governmental organization undertakes a professional evaluation of each nomination according to the criteria adopted by the Committee. It transmits these evaluations to the Secretariat under three categories:

- (a) properties which are recommended for inscription without reservation;

- (b) properties which are not recommended for inscription;
- (c) properties whose eligibility for inscription is not considered absolutely clear.

During April

The Secretariat checks the evaluations of the non-governmental organizations and ensures that States members of the Bureau receive them by 1 May.

June

The Bureau examines the nominations and makes its recommendations thereon to the Committee under the following four categories:

- (a) properties which it recommends for inscription without reservation;
- (b) properties which it does not recommend for inscription;
- (c) properties that need to be referred back to the nominating State for further information/documentation;
- (d) properties whose examination should be deferred on the ground that a more in-depth assessment or study is needed.

July-November

The report of the Bureau is transmitted by the Secretariat as soon as possible to all States Parties. The Secretariat endeavours to obtain from the States Parties concerned the additional information requested on properties under category c) above. This information, which should be sent to the Secretariat at the latest 9 weeks before the meeting of the Committee, is sent by the Secretariat to ICOMOS, IUCN and States members of the Committee.

December

The Committee examines the nominations on the basis of the Bureau's recommendations, together with any additional information provided by the States Parties concerned as well as the comments thereon of ICOMOS and IUCN. It classifies its decisions on nominated properties in the following three categories:

- (a) properties which it inscribes on the World Heritage List;
- (b) properties which it decides not to inscribe on the List.
- (c) properties whose consideration is deferred.

January

The Secretariat forwards the report of the December session of the World Heritage Committee, which contains all the decisions taken by the Committee, to all States Parties.

54. In the event that a State Party wishes to nominate an extension to a property already inscribed on the World Heritage List, the same documentation should be provided and the same procedure shall apply as for new nominations, set out in paragraph 53 above. This provision will not apply for extensions which are simple modifications of these limits of the

property in question: in this case, the request for modification of these limits is submitted directly to the Bureau which will examine in particular the relevant maps and plans. The Bureau can approve such modifications, or it may consider that the change is sufficiently important to constitute an extension of the property, in which case the procedure for new nominations will apply.

55. The normal deadlines for the submission and processing of nominations will not apply in the case of properties which, in the opinion of the Bureau, after consultation with the competent international non-governmental organization, would unquestionably meet the criteria for inclusion in the World Heritage List and which have suffered damage from disaster caused by natural events or by human activities. Such nominations will be processed on an emergency basis.

II. ESTABLISHMENT OF THE LIST OF WORLD HERITAGE IN DANGER

A. Guidelines for the inclusion of properties in the List of World Heritage in Danger

56. In accordance with Article 11, paragraph 4 of the Convention, the Committee may include a property in the List of World Heritage in Danger when the following requirements are met:

- (i) the property under consideration is on the World Heritage List;
- (ii) the property is threatened by serious and specific danger;
- (iii) major operations are necessary for the conservation of the property;
- (iv) assistance under the Convention has been requested for the property;
- (v) an estimate of the cost of such operations has been submitted.

B. Criteria for the inclusion of properties in the List of World Heritage in Danger

57. A World Heritage property - as defined in Articles 1 and 2 of the Convention - can be entered on the List of World Heritage in Danger by the Committee when it finds that the condition of the property corresponds to at least one of the criteria in either of the two cases described below.

58. In the case of cultural properties:

- (i) ASCERTAINED DANGER - The property is faced with specific and proven imminent danger, such as:
 - (a) serious deterioration of materials;
 - (b) serious deterioration of structure and/or ornamental features;
 - (c) serious deterioration of architectural or town-planning coherence;
 - (d) serious deterioration of urban or rural space, or the natural environment;
 - (e) significant loss of historical authenticity;

- (f) important loss of cultural significance.
- (ii) **POTENTIAL DANGER** - The property is faced with threats which could have deleterious effects on its inherent characteristics. Such threats are, for example:
 - (a) modification of juridical status of the property diminishing the degree of its protection;
 - (b) lack of conservation policy;
 - (c) threatening effects of regional planning projects;
 - (d) threatening effects of town planning;
 - (e) outbreak or threat of armed conflict;
 - (f) gradual changes due to geological, climatic or other environmental factors.

59. In the case of natural properties:

- (i) **ASCERTAINED DANGER** - The property is faced with specific and proven imminent danger, such as:
 - (a) A serious decline in the population of the endangered species or the other species of outstanding universal value which the property was legally established to protect, either by natural factors such as disease or by man-made factors such as poaching.
 - (b) Severe deterioration of the natural beauty or scientific value of the property, as by human settlement, construction of reservoirs which flood important parts of the property, industrial and agricultural development including use of pesticides and fertilizers, major public works, mining, pollution, logging, firewood collection, etc.
 - (c) Human encroachment on boundaries or in upstream areas which threaten the integrity of the property.
- (ii) **POTENTIAL DANGER** - The property is faced with major threats which could have deleterious effects on its inherent characteristics. Such threats are, for example:
 - (a) a modification of the legal protective status of the area;
 - (b) planned resettlement or development projects within the property or so situated that the impacts threaten the property;
 - (c) outbreak or threat of armed conflict;
 - (d) the management plan is lacking or inadequate, or not fully implemented.

60. In addition, the factor or factors which are threatening the integrity of the property must be those which are amenable to correction by human action. In the case of cultural properties, both natural factors and man-made factors may be threatening, while in the case of natural properties, most threats will be man-made and only very rarely with a natural

factor (such as an epidemic disease) be threatening to the integrity of the property. In some cases, the factors threatening the integrity of a property may be corrected by administrative or legislative action, such as the cancelling of a major public works project or the improvement of legal status.

61. The Committee may wish to bear in mind the following supplementary factors when considering the inclusion of a cultural or natural property in the List of World Heritage in Danger:

- (a) Decisions which affect World Heritage properties are taken by Governments after balancing all factors. The advice of the World Heritage Committee can often be decisive if it can be given before the property becomes threatened.
- (b) Particularly in the case of ascertained danger, the physical or cultural deteriorations to which a property has been subjected should be judged according to the intensity of its effects and analyzed case by case.
- (c) Above all in the case of potential danger to a property, one should consider that:
 - the threat should be appraised according to the normal evolution of the social and economic framework in which the property is situated;
 - it is often impossible to assess certain threats - such as the threat of armed conflict - as to their effect on cultural or natural properties;
 - some threats are not imminent in nature, but can only be anticipated, such as demographic growth.
- (d) Finally, in its appraisal the Committee should take into account any cause of unknown or unexpected origin which endangers a cultural or natural property.

C. Procedure for the inclusion of properties in the List of World Heritage in Danger

62. When considering the inclusion of a property in the List of World Heritage in Danger, the Committee shall develop, and adopt in consultation with the State Party concerned, a programme for corrective measures.

63. In order to develop the programme referred to in the previous paragraph, the Committee shall request the Secretariat to ascertain, in cooperation with the State Party concerned, the present condition of the property, the dangers to the property and the feasibility of undertaking corrective measures. The Committee may further decide to send a mission of qualified observers from IUCN, ICOMOS, ICCROM or other organizations to visit the property, evaluate the nature and extent of the threats and propose the measures to be taken.

64. The information received, together with the comments of the State Party and the advisory organization(s) shall be brought to the attention of the Committee by the Secretariat.

65. The Committee shall examine the information available and take a decision. Any such decision shall be taken by a majority of two-thirds of the Committee members present and voting.

66. The State Party concerned shall be informed of the Committee's decision.

67. The Committee shall allocate a specific, significant portion of the World Heritage Fund to meeting funding requests for assistance to World Heritage properties inscribed on the List of World Heritage in Danger.

68. The Committee shall review at regular intervals the state of property on the List of World Heritage in Danger. This review shall include such monitoring procedures and expert missions as might be determined necessary by the Committee.

69. On the basis of these regular reviews, the Committee shall decide, in consultation with the State Party concerned whether:

- (i) additional measures are required to conserve the property;
- (ii) to delete the property from the List of World Heritage in Danger if the property is no longer under threat;
- (iii) to consider the deletion of the property from both the List of World Heritage in Danger and the World Heritage List if the property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the World Heritage List, in accordance with the procedure set out in paragraphs 37 to 45 above.

III. INTERNATIONAL ASSISTANCE

A. Different forms of assistance available under the World Heritage Fund

(i) Preparatory assistance

70. Assistance is available to States Parties for the purpose of:

- (a) preparing tentative lists of cultural and/or natural properties suitable for inclusion in the World Heritage List;
- (b) organizing meetings for the harmonization of tentative lists within the same geo-cultural area;
- (c) preparing nominations of cultural and natural properties to the World Heritage List; and
- (d) preparing requests for technical co-operation, including requests relating to the organization of training courses.

This type of assistance, known as "preparatory assistance", can take the form of consultant services, equipment or, in exceptional cases, financial grants. The budgetary ceiling for each preparatory assistance project is fixed at \$ 15,000.

71. Requests for preparatory assistance should be forwarded to the Secretariat which will transmit them to the Chairman, who will decide on the assistance to be granted. Request forms (reference WHC/5) can be obtained from the Secretariat.

(ii) Emergency assistance

72. States Parties may request emergency assistance for work in connection with cultural and natural properties included or suitable for inclusion in the World Heritage List and which have suffered severe damage due to sudden, unexpected phenomena (such as sudden

land subsidence, serious fires or explosions, flooding) or are in imminent danger of severe damage. Emergency assistance does not concern cases of damage or deterioration that has been caused by gradual processes such as decay, pollution, erosion, etc. Such assistance may be made available for the following purposes:

- (a) to prepare urgent nominations of properties for the World Heritage List in conformity with paragraph 55 of these guidelines;
- (b) to draw up an emergency plan to safeguard properties inscribed on or nominated to the World Heritage List;
- (c) to undertake emergency measures for the safeguarding of a property inscribed on or nominated to the World Heritage List.

73. Requests for emergency assistance may be sent to the Secretariat, at any time in the year, using form WHC/5. The Secretariat shall submit these requests to the Chairman to approve amounts up to \$ 20,000. For requests above \$ 20,000, the Chairman should consult the other members of the Bureau by telex/telegram before taking a decision.

(iii) Training

74. States Parties may request support for the training of specialised staff at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage. The training must be related to the implementation of the World Heritage Convention.

75. Priority in training activities will be given to group training at the local or regional levels, particularly at national or regional centres in accordance with article 23 of the Convention. The training of individual persons will be essentially limited to short term refresher programmes and exchanges of experience.

76. Requests for the training of specialised staff at the national or regional level should contain the following information:

- (i) details on the training course concerned (courses offered, level of instruction, teaching staff, number of students and country of origin, date, place and duration, etc.);
- (ii) type of assistance requested (financial contribution to costs of training, provision of specialised teaching staff, provision of equipment, books and educational materials for training courses);
- (iii) approximate cost of support requested, including as appropriate tuition fees, daily subsistence allowance, allocation for purchase of educational material, travel costs to and from training centre, etc.
- (iv) other contributions: national financing, received or anticipated multilateral or bilateral contributions.

77. Requests for support for individual training courses should be submitted on the standard "Application for Fellowship" form used for all fellowships administered by Unesco and which can be obtained from Unesco National Commissions, Unesco offices and the offices of the United Nations Development Programme in Member States, as well as from the Secretariat. Each request should be accompanied by a statement indicating the relationship of the proposed study plan to the implementation of the World Heritage Convention within the State Party submitting the request.

78. All requests for support for training activities should be transmitted to the Secretariat which will ensure that the information is complete and forward these requests along with an estimation of the costs to the Chairman for his approval. In this regard the Chairman can approve amounts up to \$20,000. Requests for sums above this amount follow the same procedure for approval as for requests for technical cooperation set out in paragraphs 82 to 86.

(iv) Technical co-operation

79. States Parties can request technical co-operation for work foreseen in safeguarding projects for properties included in the World Heritage List. This assistance can take the forms outlined in paragraph 22 of the Convention for World Heritage properties.

80. The following information should be provided in requests for technical co-operation:

(i) details of property

- date of inscription in the World Heritage List,
- description of property and of dangers to property,
- legal status of property;

(ii) details of request

- scientific and technical information on the work to be undertaken,
- detailed description of equipment requested (notably make, type, voltage, etc.) and of required personnel (specialists and workmen), etc.,
- if appropriate, details on the "training" component of the project,
- schedule indicating when the project activities will take place;

(iii) Cost of proposed activities

- paid nationally,
- requested under the Convention,
- other multilateral or bilateral contributions received or expected, indicating how each contribution will be used;

(iv) national body responsible for the project and details of project administration.

81. The Secretariat, if necessary, will request the State Party concerned to provide further information. The Secretariat can also ask for expert advice from the appropriate organization (ICOMOS, IUCN, ICCROM).

82. Large-scale technical cooperation requests (that is those exceeding \$ 30,000) should be submitted to the Secretariat as early as possible each year. Those received before 31 August will be dealt with by the Committee the same year. Those received after 31 August will be processed by the Secretariat in the order in which they are received and will be considered by the Committee the same year if it has been possible to complete their processing in time. All large-scale requests will be considered by the Bureau which will make recommendations on them to the Committee.

83. The Bureau will consider the requests which are presented at its meetings and will make recommendations thereon to the Committee. The Secretariat will forward the Bureau's recommendation to all the States members of the Committee.

84. If the recommendation is positive, the Secretariat will proceed with all the preparatory work necessary for implementing the technical co-operation immediately after the Committee has decided to approve the project.

85. At the Committee meeting, the Committee will make a decision on each request for technical co-operation taking account of the Bureau's recommendation. The Committee's decisions will be forwarded to the States Parties and the Secretariat will proceed to implement the project.

86. The above schedule does not apply, however, to projects the cost of which does not exceed a ceiling of \$ 30,000 for which the following simplified procedure will be applied. In the case of requests not exceeding \$ 20,000 the Secretariat after examining the dossier and receiving the advice of ICCROM, ICOMOS or IUCN, as appropriate, will forward the request accompanied by all other relevant documents directly to the Chairman, who is authorized to take decisions on the financing of such projects up to the total amount set aside for this purpose in the annual allocation from the World Heritage Fund; the Chairman is not authorized to approve requests submitted by his own country. The Bureau is authorized to approve requests up to a maximum of \$ 30,000 except for requests from States members of the Bureau; in such cases, the Bureau can only make recommendations to the Committee.

(v) Assistance for promotional activities

87. (a) at the regional and international levels:

The Committee has agreed to support the holding of meetings which could:

- help to create interest in the Convention within the countries of a given region;
- create a greater awareness of the different issues related to the implementation of the Convention to promote more active involvement in its application;
- be a means of exchanging experiences;
- stimulate joint promotional activities.

(b) at the national level:

The Committee felt that requests concerning national activities for promoting the Convention could be considered only when they concern:

- meetings specifically organised to make the Convention better known or for the creation of national World Heritage associations, in accordance with Article 17 of the Convention;
- preparation of information material for the general promotion of the Convention and not for the promotion of a particular site;

The World Heritage Fund shall provide only small contributions towards national promotional activities on a selective basis and for a maximum amount of \$5,000. However, requests for sums above this amount could exceptionally be approved for projects which are of special interest: the Chairman's agreement would be required and the maximum amount approved would be \$10,000.

B. Order of priorities for the granting of international assistance

88. Without prejudicing the provisions of the Convention, which shall always prevail, the Committee agreed on the following order of priorities with respect to the type of activities to be assisted under the Convention:

- emergency measures to save property included, or nominated for inclusion, in the World Heritage List (see paragraph 72 above);
- preparatory assistance for drawing up tentative lists of cultural and/or natural properties suitable for inclusion in the World Heritage List as well as nominations of types of properties underrepresented on the list and requests for technical co-operation;
- projects which are likely to have a multiplier effect ("seed money") because they:
 - . stimulate general interest in conservation;
 - . contribute to the advancement of scientific research;
 - . contribute to the training of specialized personnel;
 - . generate contributions from other sources.

89. The Committee also agreed that the following factors would in principle govern its decisions in granting assistance under the Convention:

- (i) the urgency of the work and of the protective measures to be taken;
- (ii) the legislative, administrative and financial commitment of the recipient State to protect and preserve the property;
- (iii) the cost of the project;
- (iv) the interest for, and exemplary value of, the project in respect of scientific research and the development of cost/effective conservation techniques;
- (v) the educational value both for the training of local experts and for the general public;
- (vi) the cultural and ecological benefits accruing from the project, and
- (vii) the social and economic consequences.

90. Properties included in the World Heritage List are considered to be equal in value. For this reason, the criteria proposed above make no reference to the relative value of the properties. A balance will be maintained between funds allocated to projects for the preservation of the cultural heritage on the one hand and projects for the conservation of the natural heritage on the other hand.

C. Agreement to be concluded with States receiving international assistance

91. In accordance with Article 26 of the Convention, when technical co-operation on a large scale is granted to a State Party, an agreement will be concluded between the Committee and the State concerned in which will be set out

- (a) the scope and nature of the technical co-operation granted;

- (b). the obligations of the Government;
- (c) the facilities, privileges and immunities to be applied by the Government to the Committee and/or Unesco, to the property, funds and assets allocated to the project as well as to the officials and other persons performing services on behalf of the Committee and/or Unesco in connection with the project.
- (d) the obligation of the recipient State Party to mark all equipment and all products arising from technical assistance provided under the Fund with the World Heritage name and emblem (see Annex 2) (stickers for this purpose are available from the Secretariat).

92. The text of a standard agreement has been adopted by the Committee.

93. The Committee decided to delegate authority to the Chairman to sign such agreements on its behalf. In exceptional circumstances, or when necessary for practical purposes, the Chairman may delegate authority to a member of the Secretariat whom he will designate.

D. Implementation of projects

94. In order to ensure the efficient implementation of a project for which technical co-operation has been granted under the World Heritage Fund, the Committee recommends that a single body - whether national, regional, local, public or private - should be entrusted with the responsibility of executing the project in the State Party concerned.

IV. WORLD HERITAGE FUND

95. The Committee decided that contributions offered to the World Heritage Fund for international assistance campaigns and other Unesco projects for any property inscribed on the World Heritage List shall be accepted and used as international assistance pursuant to Section V of the Convention, and in conformity with the modalities established for carrying out the campaign or project.

96. States Parties to the Convention who anticipate making contributions towards international assistance campaigns or other Unesco projects for any property inscribed on the List are encouraged to make their contributions through the World Heritage Fund.

97. The financial regulations for the Fund are set out in document WHC/7.

98. The Bureau shall function as the financial committee of the World Heritage Committee and shall make recommendations to the Committee on the budget for the following year.

V. BALANCE BETWEEN THE CULTURAL AND THE NATURAL HERITAGE IN THE IMPLEMENTATION OF THE CONVENTION

99. In order to improve the balance between the cultural and natural heritage in the implementation of the Convention, the Committee has recommended that the following

measures be taken:

- (a) Preparatory assistance to States Parties should be granted on a priority basis for:
 - (i) the establishment of tentative lists of cultural and natural properties situated in their territories and suitable for inclusion in the World Heritage List;
 - (ii) the preparation of nominations of types of properties underrepresented in the World Heritage List.
- (b) States Parties to the Convention should provide the Secretariat with the name and address of the governmental organization(s) primarily responsible for cultural and natural properties, so that copies of all official correspondence and documents can be sent by the Secretariat to these focal points as appropriate.
- (c) States Parties to the Convention should convene at regular intervals at the national level a joint meeting of those persons responsible for natural and cultural heritage in order that they may discuss matters pertaining to the implementation of the Convention. This does not apply to States Parties where one single organization is dealing with both cultural and natural heritage.
- (d) The Committee, deeply concerned with maintaining a balance in the number of experts from the natural and cultural fields represented on the Bureau, urges that every effort be made in future elections in order to ensure that:
 - (i) the chair is not held by persons with expertise in the same field, either cultural or natural, for more than two successive years;
 - (ii) at least two "cultural" and at least two "natural" experts are present at Bureau meetings to ensure balance and credibility in reviewing nominations to the World Heritage List.
- (e) States Parties to the Convention should choose as their representatives persons qualified in the field of natural and cultural heritage, thus complying with Article 9, paragraph 3, of the Convention.

VI. OTHER MATTERS

A. Use of the World Heritage Emblem and the name, symbol or depiction of World Heritage sites

100. At its second session, the Committee adopted the World Heritage Emblem which had been designed by Mr. Michel Olyff. This emblem symbolizes the interdependence of cultural and natural properties: the central square is a form created by man and the circle represents nature, the two being intimately linked. The emblem is round, like the world, but at the same time it is a symbol of protection. The Committee decided that the two versions proposed by the artist (see Annex 2) could be used, in any colour, depending on the use, the technical possibilities and considerations of an artistic nature. In practice however, the second version is usually preferred by States Parties and has been used by the Secretariat for promotional activities.

this List confirms the exceptional universal value of a cultural or natural site which deserves protection for the benefit of all humanity."

This text could be then followed by a brief description of the site concerned.

C. Rules of Procedure of the Committee

107. The Rules of Procedure of the Committee, adopted by the Committee at its first session and amended at its second and third sessions, are to be found in document WHC/I.

D. Meetings of the World Heritage Committee

108. In years when the General Assembly of States Parties is held, the ordinary session of the World Heritage Committee will take place as soon as possible after the Assembly.

E. Meetings of the Bureau of the World Heritage Committee

109. The Bureau shall meet twice a year, once in May/June and a second time during the Committee session.

F. Publication of the World Heritage List

110. An up-to-date version of the World Heritage List and the List of the World Heritage in Danger will be published every year.

111. The name of the States having nominated the properties inscribed on the World Heritage List will be presented in the published form of the List under the following heading: "Contracting State having submitted the nomination of the property in accordance with the Convention".

G. Action at the national level to promote a greater awareness of the activities undertaken under the Convention

112. States Parties are reminded of Articles 17 and 27 of the Convention concerning the establishment of national, public and private foundations or associations whose purpose is to invite donations for the protection of the world heritage and the organization of educational and information programmes to strengthen appreciation and respect by their peoples of this heritage.

Annex 1

MODEL FOR PRESENTING A TENTATIVE LIST

Name of country _____

Drawn up by _____

Date _____

1.*	NAME OF PROPERTY	GEOGRAPHICAL LOCATION
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DESCRIPTION

JUSTIFICATION OF "OUTSTANDING UNIVERSAL VALUE"

. Criteria met :

. Assurances of authenticity or integrity :

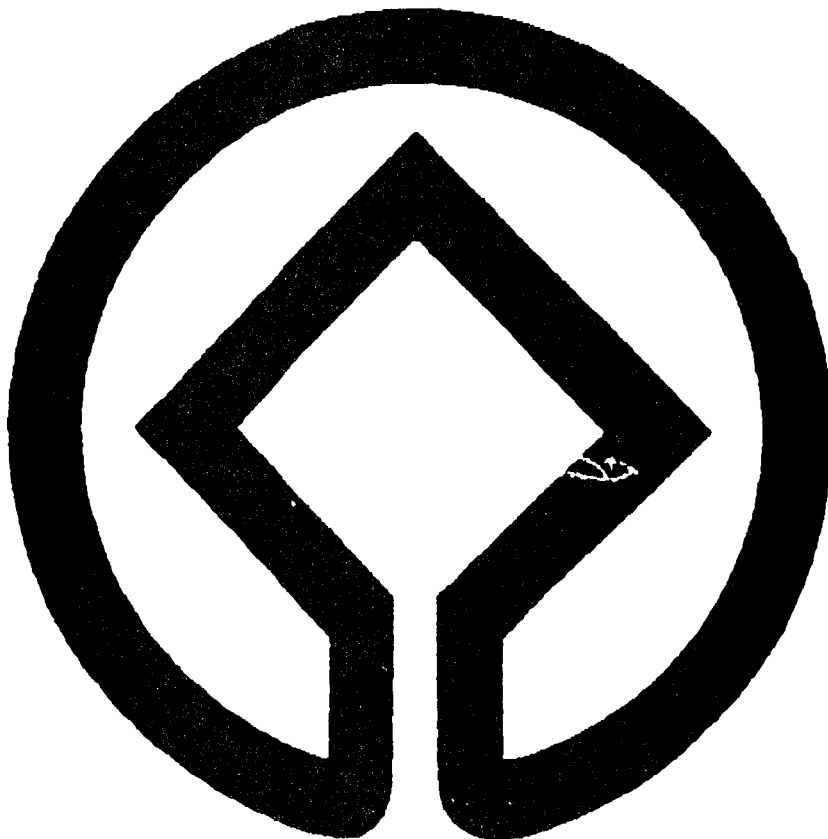
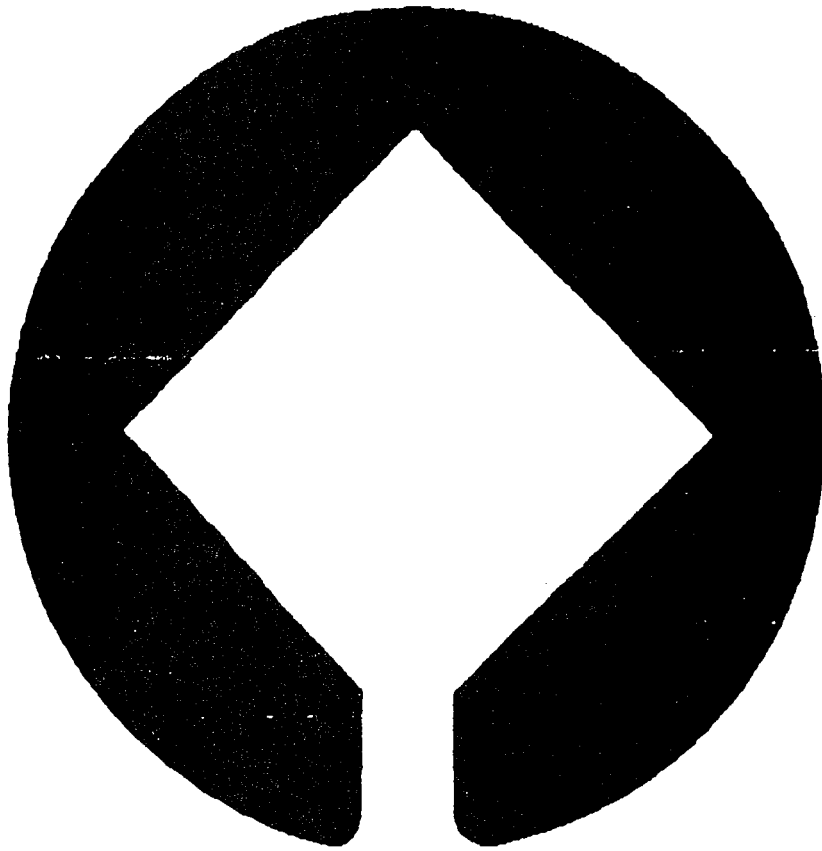
. Comparison with other similar properties :

* Please present, if possible, in the order to be nominated

Annex 2

WORLD HERITAGE EMBLEM / EMBLEME DU PATRIMOINE MONDIAL

(adopted by the World Heritage Committee at its second session /
adopté par le Comité du patrimoine mondial lors de sa deuxième session)



EXTRACT from

Nomination of

**SHARK BAY, WESTERN
AUSTRALIA**

**by the Government of
Australia**

Nomination of
SHARK BAY, WESTERN AUSTRALIA
by the Government of Australia
for inclusion in the
WORLD HERITAGE LIST

Prepared by
Department of the Arts, Sport, the Environment,
Tourism and Territories

1990

5. JUSTIFICATION FOR INCLUSION IN THE WORLD HERITAGE LIST

b) Natural Property

Criterion (i): Outstanding examples representing the major stages of the earth's evolutionary history.

Justification

Shark Bay contains, in one place, the most diverse and abundant examples of stromatolitic microbialites in the world. Analogous structures were the dominant benthic ecosystem on Earth for 3000 million years.

Prokaryotic microbes have always defined the limits of life on earth, and all life has evolved from a prokaryotic ancestor. The earliest record of life on Earth is contained in 3500 million year old rocks of the Pilbara in Western Australia. These rocks contain the remains of multicellular filamentous microbes morphologically similar to some modern filamentous cyanobacteria. Stromatolites also occur in these rocks and, although no microbial fossils have been preserved directly within them, they provide evidence for the ability of the earliest benthic microbial communities to modify their immediate environment.

For the next 2930 million years (ie, 85% of the history of life) only microbes populated the Earth. The only macroscopic evidence of their activities is preserved by stromatolites which reached their greatest diversity 850 million years ago. The stromatolites encrypt evidence of the biology of the microbial communities that created them and the nature of the environments in which they grew. They dominated the shallow seas and formed extensive reef tracts rivalling those of modern coral reefs. Over this period microbes modified the earth's atmosphere by producing oxygen, evolved the ability to respire oxygen, emerged from the sea to colonise the land and evolved most of other survival technique that life uses today. Somewhere between 2000 and 1700 million years ago more organised eukaryotic cells evolved from apparent symbiotic association of prokaryotic cells, thus setting the essential groundwork for the later evolution of higher life forms which began to emerge about 570 million years ago.

The period since then has been marked by the explosive evolution of plants and animals, and although microbes have not declined in importance, their activity in building organosedimentary structures has, it being more efficient to occupy niches in reefs constructed by faster growing organisms, or indeed to occupy positions within the organisms themselves. Consequently stromatolites and other microbialites have declined in importance over this period, though they have remained locally significant in environments where biotic diversity has been limited for one reason or another.

The stromatolites and microbial mats of Hamelin Pool were the first modern, living examples to be recognised that have a morphological diversity and abundance comparable to those that inhabited Proterozoic seas. As such they offer the only extensive living analogue for study of the nature and evolution of the earth's biosphere up until the early Cambrian. Subsequently other modern microbialite occurrences have been discovered, the most notable being at Lake Clifton in Western Australia, and offshore of Lee Stocking Island in the Exuma Cays of the Bahamas, but these augment rather than duplicate the knowledge derived from the study of Shark Bay. Hamelin Pool remains the most significant known occurrence of shallow marine and intertidal benthic microbial ecosystems living on the Earth today.

Modern day analogues such as occur in great diversity and abundance in Hamelin Pool greatly assist in the understanding of the Earth's evolution. For example Proterozoic stromatolites are proving to be valuable tools in the relative dating of ancient rocks. Furthermore, because different forms seem to be restricted to certain sediment types, they are providing valuable information on interpreting palaeo-environments.

It must be emphasised that the microbial organisms living today are not primitive, but are modern organisms well adapted to and successful in their ecological niches. However, some of these organisms are phenotypically similar to forms that are millions of years old, for example the coccoid cyanobacterium *Entophysalis major* is thought to be a descendant of the 1900 million year old form *Euentsophysalis*, thus representing one of the longest continuing biological lineages known.

The Hamelin Pool stromatolites are considered to be a 'classic site' for the study and classification of stromatolitic microbialites, as the morphology and biology of diverse living types can be studied through a range of environments. The stromatolites of Hamelin Pool were also the first large living marine stromatolites to be described in the scientific literature.

Integrity

The nominated property contains all of the interrelated and interdependent elements necessary for the maintenance of the salinity gradient, the benthic microbial communities, microbial mats and stromatolites.

The whole of Hamelin Pool and Lharidon Bight and adjacent Holocene deposits are included. There are adequate planning and management arrangements in place or proposed to ensure the maintenance of the present ecosystem. Hamelin Pool is a Nature Reserve and therefore managed with conservation being the primary objective.

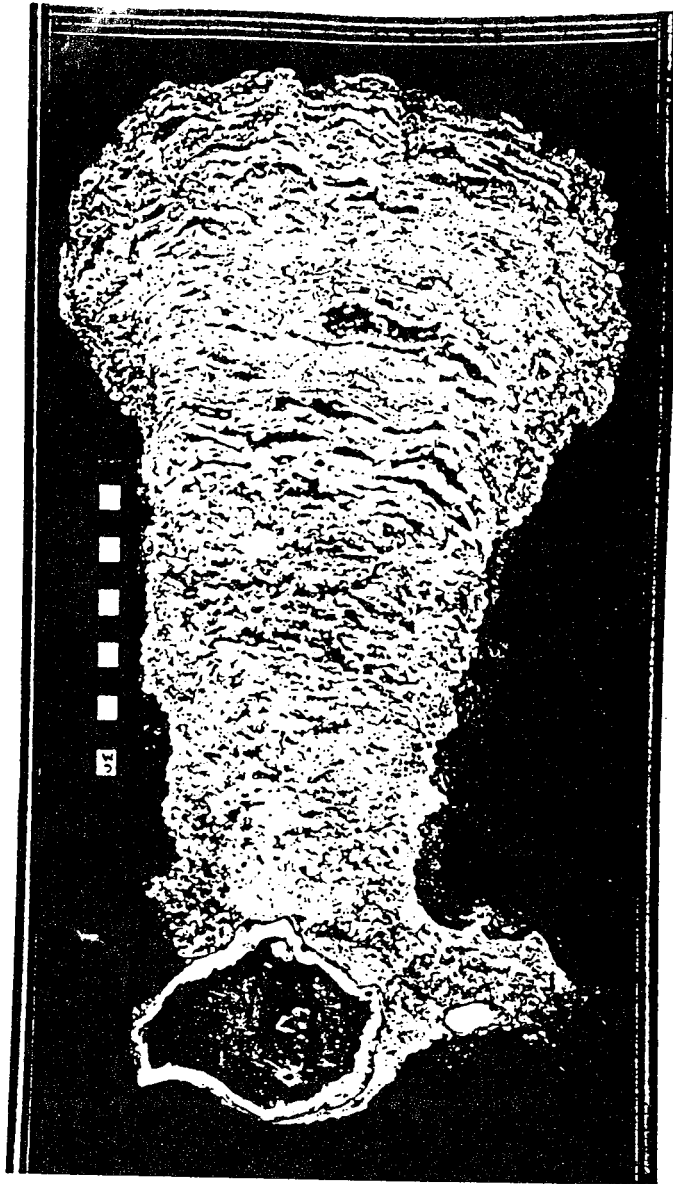


Plate 20

Photo: Robert Burne

Cross-section of a club-shape stromatolite from subtidal zone in a water depth of 1.5 metres. Successive laminae formed from coloform mat trapping and binding carbonate sands, which is then cemented together - the stromatolite is growing off a Cretaceous flint nodule.

Benthic microbial communities may trap and bind sediments to form organosedimentary structures called microbialites. If characterised by an internally laminated structure as evident above they are termed stromatolites.

The Hamelin Pool is considered to be a 'classic site' for the study and classification of stromatolitic microbialites, as the morphology and biology of diverse living types can be studied through a range of environments.

Criterion (ii): be outstanding examples representing significant ongoing geological processes, biological evolution and man's interaction with his natural environment.

Justification

The nominated property provides outstanding examples of processes of biological and geomorphic evolution continuing in a largely natural condition, including the evolution of the Bay's hydrologic system, the hypersaline environment of Hamelin Pool and the biological processes of ongoing speciation, succession and the creation of refugia. Shark Bay is a highly significant area for ongoing geological and biological processes in both the marine and terrestrial environments.

Marine Environment

The outstanding feature of the Bay is the steep gradient in salinities which has created three biotic zones that have a marked effect on the distribution and abundance of marine organisms.

Shark Bay has a unique hydrologic structure resulting from the restriction imposed by banks and sills, that has led to increased salinity in the southern parts of the Bay. This outstanding feature is characterised by three major water types, *ie*, oceanic, metahaline and hypersaline, have a limiting effect on biota, creating three biotic zones corresponding to the distribution of water types (see APPENDIX 5).

A key element in the maintenance of the hypersaline environment of Hamelin Pool has been the growth and shoaling of the Faure Sill. This structure is a barrier bank constructed in the past 4000 years through the accumulation of skeletons of marine organisms living in seagrass meadows that flourish on the bank surface. Shoaling and growth have led to restriction of tidal exchange with Hamelin Pool and to the development of hypersaline concentrations. The progression to hypersalinity from low (oceanic) salinities can be read from sediment cores taken in the basins.

The growth of the Faure Sill has created a landlocked marine basin partially separated from Shark Bay. This forms a reversed estuary where outflow of dense saline waters is prevented by the barrier of the sill.

The basin is one of the few areas in the world where marine waters are hypersaline with salinities of 55 to 70 parts per thousand, almost twice the salinity of normal seawater. The size, depth and other geomorphologic features of the basin combine with salinity to make this an environment unique in modern seas.

Hypersaline conditions in Hamelin Pool have led to the development of a number of significant geological and biological features. Outstanding among these are stromatolitic microbialites which are "living fossils" of great scientific importance and rarity. There also are restricted communities of marine organisms tolerant of hypersalinity, vast deposits of organic shells (coquinas), ooid shoals and lithified sediments of recent age, broad supratidal flats with evolution of subsurface evaporitic deposits, and the meromictic blue ponds, all rare and scientifically important. The biota inhabiting hypersaline waters is of special interest to marine biologists because of physiological adaptations necessary for life in waters of these high salt concentrations.

Shark Bay is remarkable from the point of view of environmental microbiology in that extensive tracts of the intertidal and sub-tidal zones of the hypersaline gulfs and embayments are dominated by benthic microbial communities (BMCs). The enormous expanse and wide variety of microbial mats, which are best developed in Hamelin Pool, give the area the most significant assembly of phototrophic microbial ecosystems in the world.

Within the Bay, the effects of the steep environmental gradients are evident in the distribution and diversity of organisms. Amongst zooplankton there is high diversity and density of organisms in the oceanic and metahaline waters compared with the hypersaline waters.

The most striking example of the effects of the strong salinity gradients on marine animals is *Fragum erugatum*. Shell form of this little bivalve changes markedly with increasing salinity to the extent that the form in the extreme hypersaline waters of Hamelin Pool was once considered to be a distinct species (*Fragum hamelini*). The species is one of the very few tolerant to such high salinity and it thrives in the hypersaline inlets of Shark-Bay. Accumulations of these bivalves have, over a long period of time, resulted in spectacular white beaches and ridges such as Shell Beach and coquinas or sedimentary rocks made from the lithified shells of these bivalves.

The steep environmental gradients also have produced genetic variability among populations of marine species. For example, there is a variation between snapper (*Chrysophrys unicolour*) populations inside Shark Bay and those outside, and between the eastern and western gulfs of the inner portion of the Bay. Venerid clams are a further example of genetic divergence confirming the importance of Shark Bay as a focal point for genetic divergence of marine species. The area thus has a high level of genetic biodiversity.

As a habitat for bivalves, Shark Bay is of major significance on the western coast of Australia. Species diversity, as well as densities of many species, is high. The patterns of distribution of bivalves within Shark Bay show an apparent link with salinity gradients (see APPENDIX 10-f).

In terms of ongoing biological and geological processes, Shark Bay provides an impressive example of the roles that seagrasses play in the modification of a whole shallow benthic ecosystem.

Seagrass, covering over 4000 square kilometres, can be regarded as the dominant organism in Shark Bay. It has modified the physical, chemical and biological environment as well as the geology of the Bay.

The presence of extensive meadows of large seagrasses has influenced the water current regimes of the Bay, as the seagrasses slow the rate of water flow over the substratum. Rates of sediment accretion associated with the seagrass meadows in Shark Bay are greater than those associated with coral reefs. This is largely a function of the rapid rates of leaf turnover and the fact that the leaves carry a heavy load of calcareous epiphytes. Over geological time, these processes have led to the development of large sedimentary banks, such as the Faure Sill.

The build-up of these barrier banks and sills has restricted the circulation of oceanic seawater and in combination with low rainfall and high evaporation, has resulted in the increase in salinity observed in the inner reaches of the Bay, such as Hamelin Pool and Lharidon Bight. These hypersaline environments have been unsuitable for the further growth of seagrass, but have provided suitable conditions for the development of stromatolites.

The restriction of exchange between the waters of the Bay and the open ocean has resulted in depletion of phosphorus. The seagrass meadows, however, represent large accumulations of nutrients. The majority of the seagrass production is not consumed directly, but is broken down, providing a huge input to detrital food chains. Dugongs and turtles, as well as some fish and crustaceans, feed directly on the seagrass. Shark Bay is the only locality where Dugongs feed on *Amphibolis antarctica*, as this is the only place where the distribution of the two species overlap.



Plate 21

Photo: Richard Woldendorp,
Photo Index

Wooramel Seagrass Bank is one of the largest bodies of carbonate sediment formed by an organic baffle recorded from a modern environment.

It is the largest reported seagrass structure of its kind in the world, covering some 1030 square kilometres.



Plate 22

Photo: Eva Boogaard,
Lochman Transparencies

Dugong (*Dugong dugon*)

Shark Bay contains an estimated population of 10,000 Dugong which is one of the largest in the world. In the Bay they graze on the extensive seagrass beds including those in the Wooramel-Gladstone area and the eastern side of Dirk Hartog and Bernier and Dorre Islands.

Dugong are listed by IUCN as a vulnerable species. Shark Bay is the southern limit of the species along the west coast of Australia.

Shark Bay contains the largest reported seagrass meadows as well as some of the most species-rich seagrass assemblages in the world. Twelve species of seagrass have been found in Shark Bay. Several species of essentially southern distribution are at the northern limit of their range eg. *Amphibolis antarctica* and *Posidonia australis*. Shark Bay also contains species of tropical affinity such as *Syringodium isoetifolium* and *Halodule uninervis*. *Cymodocea angustata*, endemic to the northern section of the Western Australian coastline, is common in Shark Bay.

The most abundant species in the Bay is *Amphibolis antarctica* which occupies some 3751 square kilometres, over 90% of the total seagrass area. The large surface area of leaves provides a substratum for 66 species of algal epiphytes and over 100 species of zoophytes, refuge for juvenile fish and a habitat for the abundant populations of sea snakes.

In areas where larger seagrasses are absent, various combinations of smaller seagrasses occur in habitats including inter-tidal sand flats, edges of channels, banks and around islands. These *Halodule* beds occupy an area of approximately 500 square kilometres or about 4% of the Bay. Despite having a low biomass, they are highly productive and form a preferred food source for Dugong, a species classed as vulnerable by the IUCN and endangered under State legislation.

The Wooramel Seagrass Bank is the largest reported structure of its kind in the world, covering some 1030 square kilometres. The Bank structure is a major part of the Shark Bay ecosystem. The Bank contains a variety of habitats for seagrass, molluscan faunas and mangrove and microbial mat communities in the inter-tidal and supra-tidal zones. The seagrasses act as organic baffles and provide habitats for organisms contributing skeletal carbonate, and as an important element in the nutrient cycles of marine biota throughout the Bay. Also, tidal waters draining from the Bank influence the hydrology of the embayment and contribute to the unusual steady-state conditions which pertain. Seagrass is also an important fish and crustacean nursery area.

In size, continuity, growth rate and variety of features, seagrass surpasses most modern coral reefs.

In addition, the Bank is one of the largest bodies of carbonate sediment formed by an organic baffle yet recorded from a modern environment. The only deposits of similar origin and comparable size are the seagrass - bound "mattes" on the Mediterranean coast of France. Smaller seagrass-covered banks are recorded from the Florida region.

Shark Bay is one of the few marine areas of the world dominated by carbonates not associated with hermatypic corals. Other major areas include the Persian Gulf and the Bahamas. Shark Bay is one of three great models for understanding the development of carbonate rocks. Research on the Wooramel Seagrass Bank has become the standard reference on carbonate banks, seagrass and other organic baffles.

Seagrasses stabilize the sediment on which they grow, encouraging the development of sediment-based invertebrate communities. By stabilizing sediment in certain localities, to produce barrier banks such as Faure Sill, seagrass has altered the hydrology of the Bay.

The processes of carbonate deposition and diagenesis in Hamelin Pool are also of great significance especially for the understanding of ooid formation, submarine lithification, and micritisation.

In a broad regional and global context Shark Bay is an outstanding example of biological evolution because it forms a transition zone between major ecological provinces. It is of great scientific interest for the study of biogeography including the evolution and extinction of species, the effects of isolation, succession, diversity and other factors such as effects of steep environmental gradients.

The Bay is located near the northern limit of a transition region between temperate and tropical marine fauna. Of the 323 fish species recorded from Shark Bay 83% are tropical species, 11% warm temperate and 6% cool temperate species. Similarly, of the 218 species of bivalves in the region, 75% have a tropical range and 10% a southern Australian range, and 15% are west coast endemics. The coral fauna of 80 species is tropical in distribution, apart from a single southern endemic species with its northern limit in Shark Bay. Six species of *Turbinaria* are abundant in the western part of the Bay and form spectacular stands, likened by Saville-Kent (1897) to "subaqueous plantations of Brobdingnagian, crumble-leaved savoy cabbages".

Terrestrial Environment

Shark Bay is of great botanical and zoological significance primarily as the habitat of many species at the end of their range.

Shark Bay is of great botanical and zoological importance as the habitat of many species at the end of their range. However, this importance relates not only to their presence but, to the inference of this for the understanding of the biological evolution of the area and the contrasting nature of this to similar latitudes on the eastern coast of Australia. At Shark Bay, the temperate climate of the southern part of Australia gives way to semi desert climates and there is an abrupt change from the South West Botanical Province to the Eremaean Botanical Province with the nearest rainforest vegetation being vine thickets nearly 1200 km to the north-east at Broome. The contrast to the east coast of Australia is very significant. There the rainfall along the coast is much higher and there is a mosaic of areas of rainforest and temperate vegetation types along the coast with the eremaeen well inland.

Shark Bay represents a meeting point of three major climatic regions and forms a transition zone between two major botanical provinces - the South West dominated by *eucalyptus* species and the Eremaean dominated by *acacia* species. The 25% of species that reach the end of their range is a major feature of Shark Bay's flora, and represents 145 species of plant that are at their northern limit and 39 species at their southern limit. APPENDIX 6 provides a full list of these species.

The sharp overlap between botanical provinces is most pronounced in the southern part of Nanga. Such pronounced overlaps between major botanical provinces are unusual in Australia and, therefore, of great scientific value in determining the adaptation of species to their environment and the factors which limit distribution and abundance.

The area south of Freycinet Estuary contains the unique type of vegetation known as 'tree heath'. The reasons for the "gigantism" of these shrubs is not fully understood. The nominated area contains almost all of this vegetation type.

There are also at least 28 species of vascular plants endemic to the Shark Bay region, and others are considered new to science. The key areas are the Tamala sand plain with 11 species and the coastal zone around Shark Bay. There is a high degree of probability that new species, and expanded ranges for other species, will be found with further botanical surveys.

The Shark Bay region is also an area of major zoological importance, primarily as a result of the isolation of habitats on peninsulas and islands from disturbance which has occurred elsewhere. Of the 26 species of rare and threatened Australian mammals, five are found on Bernier and Dorre Islands. These are the Burrowing Bettong (*Bettongia lesueur*), Rufous Hare-Wallaby (*Lagorchestes hirsutus*), Banded Hare-Wallaby (*Lagostrophus fasciatus*), the Shark Bay Mouse (*Pseudomys praeconis*), and the Western Barred Bandicoot (*Perameles bougainville*).

Numerous species of native mammals, reptiles and birds are at their northern or southern limits. Apart from the five rare and threatened species found on Bernier and Dorre there are other species found at Shark Bay. At the northern end of their range is the Ash-grey Mouse (*Pseudomys albocinereus*).

Shark Bay is noted for its diversity of herpetofauna and supports nearly 100 species. This richness is in part due to the location of Shark Bay at the meeting point of two of the State's three main natural regions.

Many southern species are at their northern limit at Shark Bay, viz. the leptodactylid frog *Pseudophryne occidentalis*, the geckos *Diplodactylus michaelsoni*, *D. spinigerus*, *Phyllodactylus marmoratus* and *Underwoodisaurus milii*, the pygopodid lizards *Aclys concinna*, *Aprasia smithi*, *Delma australis*, *D. fraseri*, *Pletholax gracilis* and *Pygopus lepidopodus*, the agamid lizard *Tympanocryptis butleri*, the skinks *Ctenotus fallens*, *C. lesueurii*, *Egernia badia*, *E. bos*, *E. kingii*, *E. stockesii*, *Morethia obscura* and *Tiliqua rugosa*, the blind snake *Ramphotyphlops leptosoma*, the python *Aspidites ramsayi* and the elapid snakes *Vermicella bimaculata* and *V. fasciolata*. The southern element is largely confined to the western and central zones, i.e. to the country west and south of the acacia-eucalypt line.

Northern species at their southern limit in the Shark Bay area include the hylid frog *Litoria rubella*, the pygopodid *Delma nasuta*, the agamid *Ctenophorus rubens*, the blind snake *Ramphotyphlops grypus*, the elapid *Demansia calodera* and all the marine turtles and sea snakes.

Several species characteristic of the arid interior reach the coast in the Shark Bay area, eg. the leptodactylid *Neobatrachus wilsmorei*, the hylid *Cyclorana maini*, the geckos *Diplodactylus squarrosus* and *D. strophurus*, the skinks *Egernia depressa*, *E. formosa*, *E. inornata*, *Lerista muelleri* and *Morethia butleri* and the monitors *Varanus brevicauda*, *V. caudolineatus*, *V. eremius* and *V. giganteus*. The Eremaean element is almost entirely restricted to the eastern zone.

The islands, peninsulas and gulfs of the area provide a refuge for nine relict or endemic species and subspecies: the pygopodids *Aclys concinna major*, *Aprasia haroldi* and *Pletholax gracilis edelensis*, the skinks *Ctenotus youngsoni*, *C. zasticus*, *Egernia stokesii aethiops*, *Lerista maculosa* and *Menetia amaura* and the sea snake *Aipysurus pooleorum*.

The nominated property is rich in old Australian elements, *eg.* 12 species of diplodactyline geckos and 12 species of pygopodid lizards. It is especially rich in fossorial species, *viz.* the frog *Arenophryne*, two species of the pygopodid genus *Aprasia* (one endemic), ten species of the scincid genus *Lerista* (two endemic), four blind snakes (*Ramphotyphlops*), five species of the elapid genus *Vermicella*. and 10 of the 30 dragon lizard species found in Australia.

The Shark Bay region has a rich avifauna. Over 230 species or 35% of Australia's bird species have been recorded. A number of birds attain their northern limit such as the Regent Parrot, Western Yellow Robin, and Blue Breasted Fairy Wren. Other bird species have their southern limit in the region. The Striated Heron, Brahminy Kite and the Dusky Gerygone are a few examples.

In addition 11 marine birds breed in the area, including the Osprey, Caspian Tern and Wedge-tailed Shearwater. Other species are rare or uncommon. A sub species of the vulnerable Thick billed Grasswren (*Amytornis textilis*) has a major stronghold on Peron Peninsula.

Over 35 species migrate to Asia. Four of these breeding in the Shark Bay region.

There are numerous examples of evolution proceeding in the nominated property. For example the Rufous Hare-Wallaby (*Lagorchestes hirsutus*) has a mainland and two island forms from Bernier and Dorre Islands. It is one of the best examples known to science of the study of island biogeography because it is known when the populations became isolated. The populations became isolated some 7000 years ago.

The Banded Hare-Wallaby (*Lagostrophus fasciatus*) formerly occurred on the Australian mainland is now only found on Bernier and Dorre Islands. Research into the Banded Hare-Wallaby has indicated that the species may be a relict from the Post-Pleistocene macropod Sthenurinae, and therefore represent the most primitive sthenurine known. The sthenurines are unique within the Macropodoidea in that the most primitive known species is arid-adapted. In all other macropodid sub-families, the most primitive known forms are rainforest or wet sclerophyll forest dwellers. The sthenurines may represent the first group of macropodoids to take advantage of the growing arid areas of Australia, joined later by potoroinae and macropodines.



Plate 23

Photo: Peter Matthews

Faure Island is a key breeding area for marine birds within Shark Bay.

The island is surrounded by the Faure Sill which underlies the Faure salinocline separating the hypersaline waters of Hamelin Pool and Lhardidon Bight and the metahaline water mass to the north.

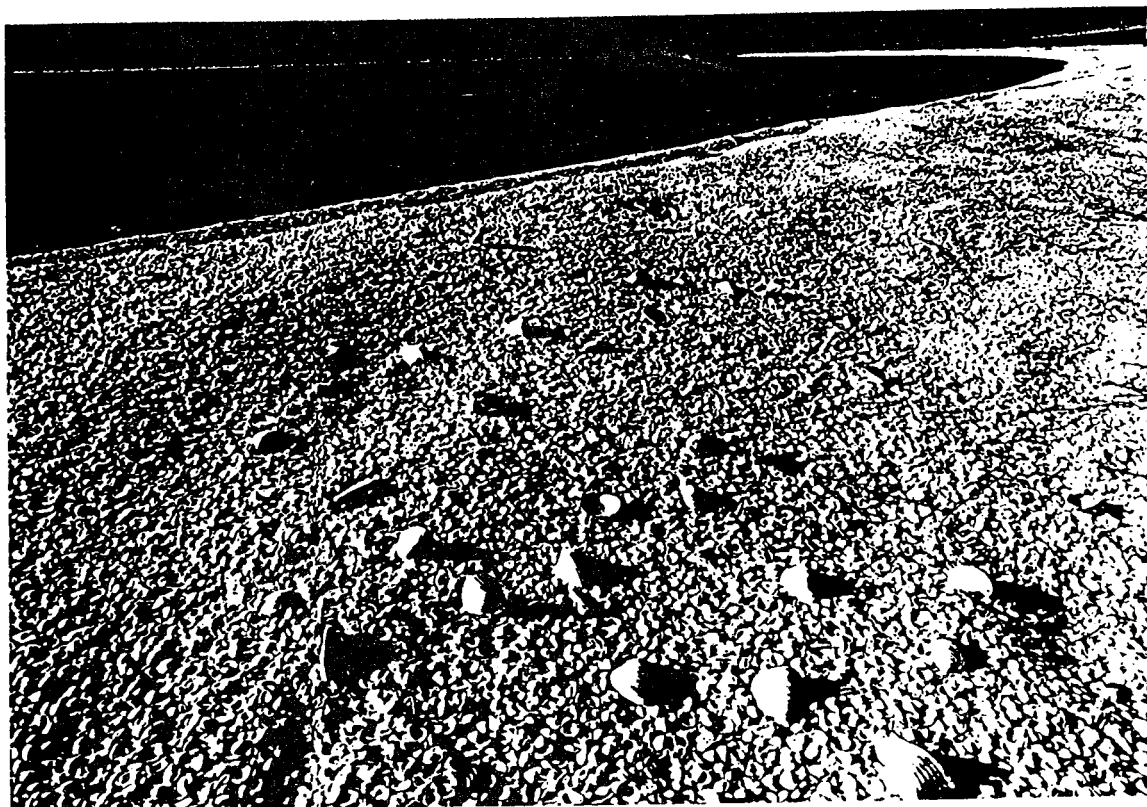


Plate 24

Photo: Marie Lochman,
Lochman Transparencies

Shell Beach

This area is dominated by a small bivalve *Frøgum erugatum*. The species is one of the very few tolerant to the hypersaline environment of Lharidon Bight, and represents a striking example of the effects of the strong salinity gradients on marine animals.



Plate 25

Photo: Alex George

Abutilon geranioides is a species at the southern limit of its range in Shark Bay. Of the 621 native plant taxa recorded from the Shark Bay region 145 are at the northern limit and 39 at their southern limit.



Plate 26

Photo: Jiri Lochman,
Lochman Transparencies

The Sandhill Frog (*Arenophryne rotunda*) is a recently discovered endemic to Shark Bay. It is believed that the species has no requirement for surface water, with the young frogs hatching directly from large eggs buried in the sand.

Integrity

The conditions of integrity are met by the great size, the range of environments, and the generally unmodified nature of the nominated property. The size of the nominated property is such that all three of the marine biotic zones are included. These factors combined with the adequate planning and management arrangements will justify the prediction that the ecological and evolutionary processes in the property will continue unimpeded and that the diversity and complexity of the present terrestrial and marine ecosystems will be perpetuated.

Criterion (iii) contain unique, rare or superlative natural phenomena, formations or features of exceptional natural beauty.

Justification

Shark Bay is one of the most significant terrestrial and marine ecosystems in the world containing phenomena such as modern analogues of the oldest recorded life, the hypersaline environments, the Faure Sill and Wooramel Seagrass Bank.

Stromatolites represent the oldest form of life on Earth. Hamelin Pool is the only place in the world with a range of stromatolite forms comparable to fossils in ancient rocks.

The hydrologic structure of Shark Bay, altered by the growth of the Faure Sill and a high evaporation, has produced a basin which is one of the few areas in the world where marine waters are hypersaline with salinities almost twice that of seawater.

Shark Bay is one of the few marine areas of the world dominated by carbonates. The Wooramel Seagrass Bank is one of the largest bodies of carbonate sediment formed by an organic baffle recorded from a modern environment.

The Wooramel Seagrass Bank is also the largest seagrass meadow in the world.

The arid landscape of Shark Bay, combined with the many peninsulas, islands and bays, creates a great diversity of landscapes with some exceptional coastal scenery. Notable areas include the Zuytdorp Cliffs, Dirk Hartog Island, Peron Peninsula, and Heirisson and Bellefin Prongs.

Other significant features include: wide sweeping beaches of shells at Shell Beach, the inundated birridas that create areas of great natural beauty such as Big Lagoon and the strongly contrasting colours of the dunes and cliffs of Peron Peninsula.

The marine fauna of Shark Bay such as dugong, dolphins, sharks, rays, turtles and fish occur in great numbers. The only "lek" mating system in any marine mammal in the world is observable amongst dugong near South Cove.

On land the richness of the flora contributes to an extensive wildflower display every July and August.

Integrity

The conditions of integrity are met by the size of the nominated property which includes all the superlative natural phenomena of Shark Bay within the boundaries.

Careful management of existing and foreseeable pressures on the nominated property will ensure that each of these superlative natural phenomena will be conserved. Arrangements for the planning and management of the property are already in place or are proposed. For example the proposed Marine Park over a large part of the Bay is close to finalisation.

Criterion (iv): the most important and significant habitats where threatened species of plants and animals of outstanding universal value from the point of view of science and conservation still survive.

Justification

Shark Bay is the habitat for many species of plants and animals that are recorded as rare, vulnerable or threatened. Importantly, these habitats occur in the biogeographically significant transition zone between the south-west and arid zones.

The IUCN Red List of Threatened Mammals (1988) lists 26 species of extant Australian mammals. The contemporary distribution of the IUCN rare and endangered mammal species highlights the significance of the Shark Bay islands in preserving a large number of mammal species which were formerly widespread. Shark Bay has the only or major populations of five out of the 26 species.

Bernier and Dorre Islands are significant refuges which contain the only known populations of three species of native mammals which were once more widespread: the Banded Hare-Wallaby (*Lagostrophus fasciatus*), Marla or Barred Bandicoot (*Perameles bougainville*) and the Shark Bay Mouse (*Pseudomys praeconis*). The Rufous Hare-Wallaby (*Lagorchestes hirsutus*) is present on these islands and in a small area of the Tanami Desert. The Boodie or Burrowing Bettong (*Bettongia lesueur*) is only found on these islands and two islands approximately 600 kilometres further north. A sub-species of the Ash-grey Mouse (*Pseudomys albocinerus squalonum*) is restricted to Bernier Island and an unusual form of the widely distributed little bat (*Eptesicus finslaysoni*) is found at Shark Bay.

APPENDIX 8 shows the occurrence, distribution and current status of native mammals at Shark Bay.

Rare and endangered endemic reptiles include the skinks *Menetia amuara*, *Ctenotus youngsoni*, *Ctenotus zasticus*, the Baudin Island Skink or Spiny-tailed skink *Egernia stokesii aethiops*, *Lerista humphriesi*, *Lerista petersoni*, *Lerista connivens*; the legless lizards *Aprasia haroldi*, *Aprasia smithi* and *Pletholax gracilis edelensis*; the dragon lizard *Tympanocryptis bulteri*; and the rare python *Aspidites ramsayi* is located on the north of Peron Peninsula. The Round (Sandhill) Frog (*Arenophryne rotunda*) is endemic to Shark Bay.

Of the 230 bird species recorded for the nominated property over 35 species are migratory to Asia and are protected by international agreements between the Australian Government and the governments of the People's Republic of China (CAMBA) and of Japan (JAMBA).

APPENDIX 9 shows the bird species recorded from Shark Bay and their status in relation to CAMBA and JAMBA.

A number of bird species are considered vulnerable, rare or uncommon: the Thick-billed Grasswren (*Amytornis textilis*), the endemic black and white Winged Fairy-wren (*Malus leucopterus*) and the Southern Emu-wren (*Stipiturus malachurus hartogi*).

The Dugong (*Dugong dugon*) and the Humpback Whale (*Megaptera novaeangliae*) are marine mammals of note from Shark Bay. Dugong are listed by IUCN as vulnerable and Shark Bay contains approximately one-eighth of the world's population.



Plate 27

Photo: Barry Wilson

Dorre Island

Covered with low shrubs, the island with the nearby Bernier Island represents a significant refuge for the survival of native mammals now extinct or almost so on the mainland of Australia. These include the Western Barred Bandicoot (*Perameles bougainville*), the Banded Hare-Wallaby (*Lagostrophus fasciatus*), the Rufous Hare-Wallaby (*Lagorchestes hirsutus*), the Burrowing Bettong (*Sectongia lesueur*) and the Shark Bay Mouse *Pseudomys praeceus*.

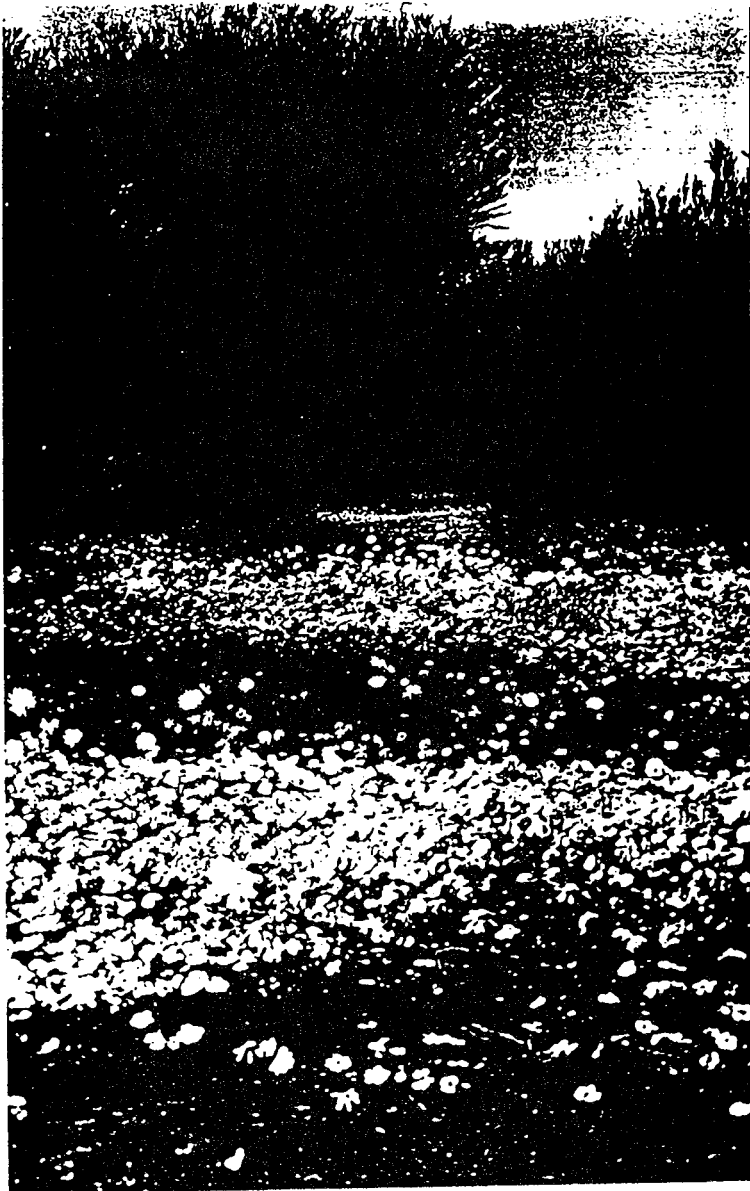


Plate 28

Photo: Alex George

Shark Bay is noted for its displays of wildflowers which appear in the area every July and August.



Plate 29

Photo: Marie Lochman,
Lochman Transparencies

Big Lagoon, Peron Peninsula

Gypsum-filled hollows known as birridas are widely distributed in the region. Big Lagoon is an example where the sea has accessed these hollows to form shallow inland bays of great beauty.



Plate 30

Photo: Babs and Bert Wells

The Rufous Hare-Wallaby (*Lagorchestes hirsutus*) listed by IUCN as a rare species .Once more widespread, is now restricted to Bernier and Dorre Islands and a small colony in the Tanami Desert, Northern Territory.



Plate 31

Photo: Babs and Bert Wells

Banded Hare-Wallaby (*Lagostrophus fasciatus*) listed by IUCN as a rare species was formerly widespread across south western Australia. It is now restricted to Bernier and Dorre Islands. This relict species may be the most primitive of the sthenurines an arid-adapted sub-family within Macropodoidea. The other primitive known forms within the macropoid sub-families are rainforest or wet sclerophyll forest dwellers.



Plate 32

Photo: Babs and Bert Wells

The Burrowing Bettong (*Bettongia lesueur*) listed as a rare species by IUCN was previously widespread but now extinct on the Australian mainland. It is now found only on Bernier and Dorre Islands in Shark Bay and two islands 500 kilometres to the north.

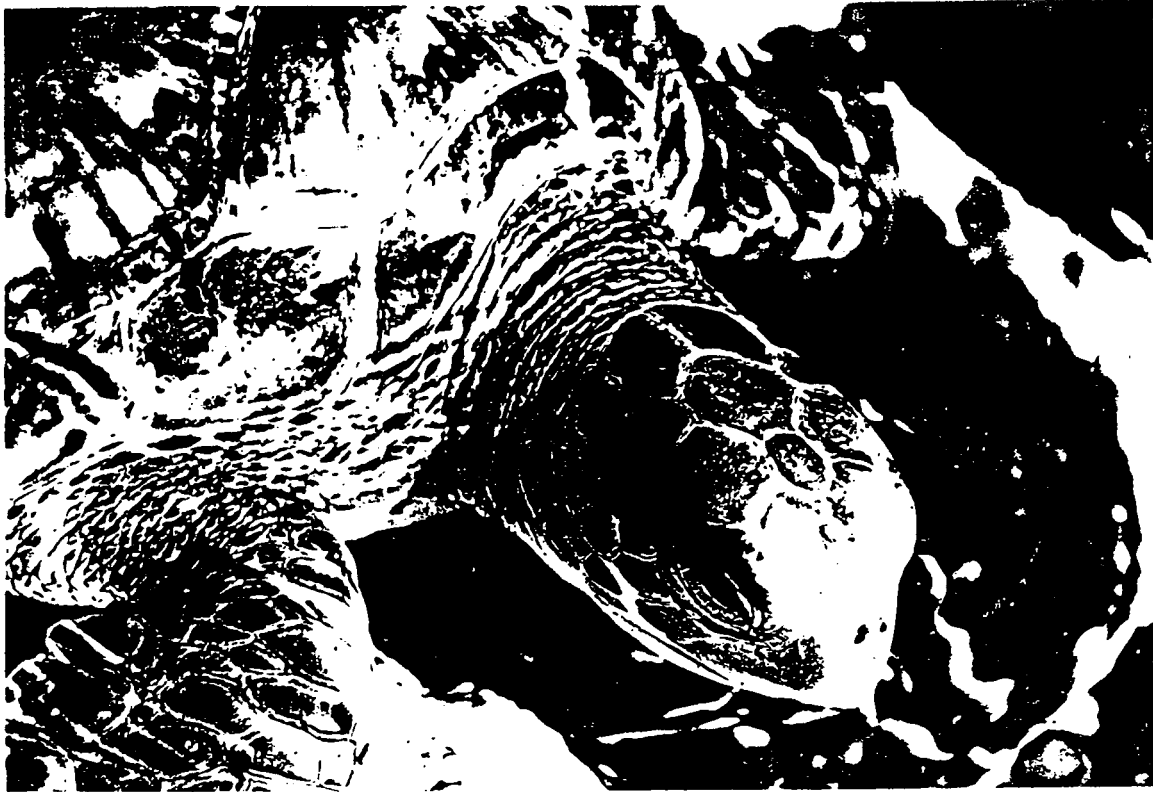


Plate 33

Photo: Jiri Lochman,
Lochman Transparencies

The Green Turtle (*Chelonia mydas*) listed by IUCN as endangered has its southern nesting limit in Shark Bay. Green Turtles are found on Bernier and Dorre Islands, Dirk Hartog Island, and the northern remote beaches of Peron Peninsula.

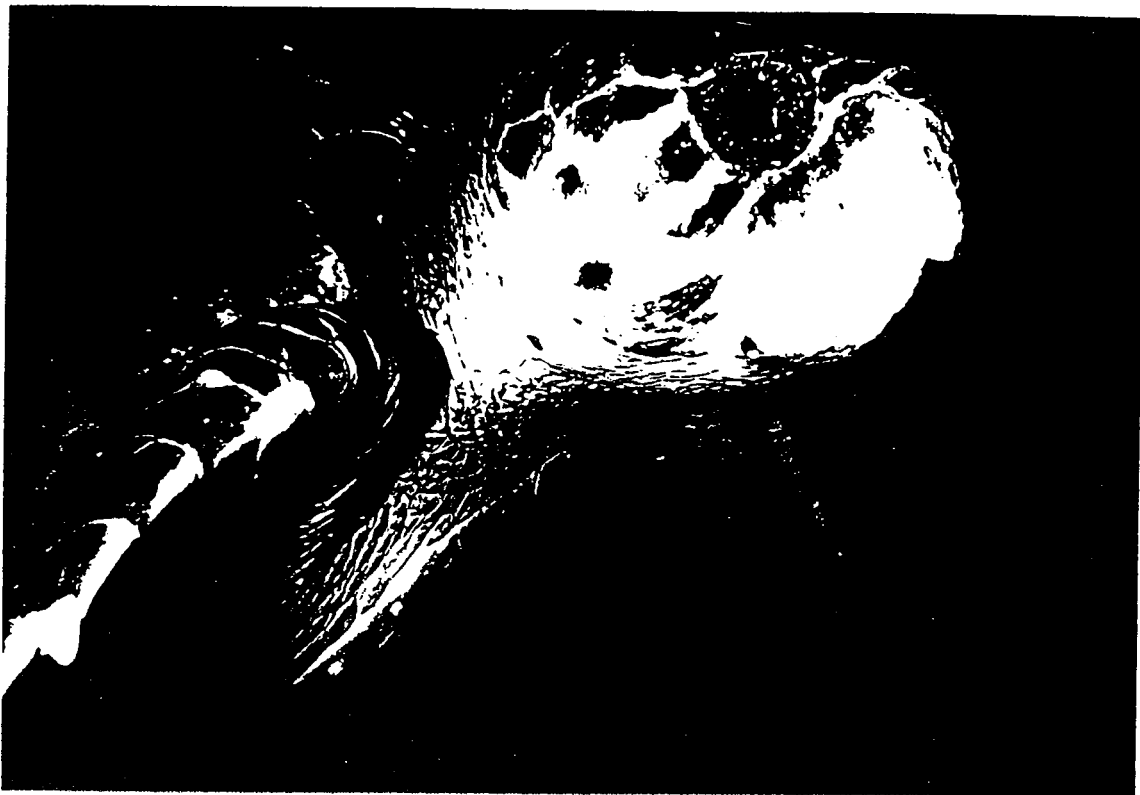


Plate 34

Photo: Dick Beilby,
Lochman Transparencies

The Loggerhead Turtle (*Caretta caretta*) listed by IUCN as a vulnerable species has its southern nesting limit in Shark Bay where they are found on Bernier and Dorre Islands, Dirk Hartog Island and the northern remote beaches of Peron Peninsula.

The Humpback Whale (*Megaptera novaeangliae*), considered by IUCN as endangered, reduced by past exploitation from an estimated population of 20 000 on the west coast of Western Australia to 500-800 whales in 1962, has now increased to an estimated population of 2000-3000. The northern end of Shark Bay is a staging area of the northern and southern migration of Humpback Whales.

The Green Turtle (*Chelonia mydas*) and the Loggerhead Turtle (*Caretta caretta*), listed as endangered and vulnerable, respectively, by IUCN, and have their southern nesting limit on Bernier and Dorre Islands.

The nominated property contains species of plants which are rare, threatened, little known, undescribed or endemic to the area. Families which have species showing restricted distribution include Aizoaceae, Amaranthaceae, Apiaceae, Asteraceae, Chloanthaceae, Dasypogonaceae, Hamemodoraceae, Liliaceae, Orchidaceae, Mimosaceae, Myrtaceae, Papilionaceae, Poaceae and the Proteaceae. Fifteen species of plants are considered to be rare or threatened at the national level.

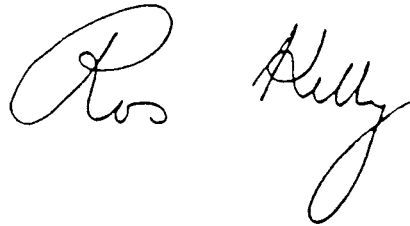
Integrity

The conditions of integrity are based on the quality and size of the nominated property. Included are habitats of sufficient size to provide the greatest opportunity for the survival of plant and animal species mentioned above. The survival of certain species such as the migratory Humpback whale will depend to some degree on the management of regions beyond the nominated property.

A distinguishing feature of Shark Bay compared with mainland Australia is the opportunity to maintain refuges on islands (and potentially a number of peninsulas) for native mammals threatened or made extinct elsewhere due to the effects of predators.

Bernier and Dorre Islands are Nature Reserves managed for conservation and their significance is further recognised by restrictions on public access.

Signed

A handwritten signature in cursive script, appearing to read "Ros Kelly". The signature is written in dark ink on a white background.

Full name

HON ROS KELLY MP

Title

Minister for the Arts, Sport, the
Environment, Tourism and Territories

Date

9th October 1990.

Appendix 4**DESCRIPTION OF SHARK BAY WORLD HERITAGE AREA**

Bounded by lines commencing at the northernmost north western corner of Edel location 52 (reserve number 34771) and extending, easterly, southerly, easterly, generally southerly, westerly, northerly and again westerly along northern, eastern and southern boundaries of that location to its intersection with the eastern boundary of location 71 (pastoral lease number 3114/835, Tamala), thence southerly along that boundary to the north eastern corner of location 84 (part reserve number 34771 aforesaid), thence southerly and westerly along eastern and southern boundaries of that location to its south western corner, a point on the High Water Mark, and thence onwards to a point situate 3 nautical miles from that High Water Mark, thence generally northerly at that distance from and parallel to that coastline and imaginary lines between Steep Point and Surf Point (Dirk Hartog Island), Cape Inscription (Dirk Hartog Island) and Cape St.Cricq (Dorre Island), Cape Boullanger (Dorre Island) and Cape Couture (Bernier Island) to its intersection with latitude 24 degrees 44 minutes south, thence easterly along that latitude to its intersection with longitude 113 degrees 20 minutes east, thence south along that longitude to its intersection with a point situate in prolongation westerly of the southern boundary of Gascoyne location 343 (reserve number 610), thence easterly along that prolongation to its intersection with the coastline 40 metres above High Water Mark, a point on the western boundary of location 415 (pastoral lease number 3114/593, Brick House), thence generally southerly along that boundary and western boundaries of location 406 (pastoral lease number 3114/460, Edaggee), location 405 and Murchison location 208 (pastoral lease number 3114/435, Wooramel) to the south western corner of the

last mentioned location and onwards to the proposed northern boundary of reserve number 11076 as shown on Department of Land Administration Miscellaneous Diagram Number 517, thence easterly, southerly, westerly and again southerly along proposed northern, eastern, southern and again eastern boundaries of that reserve to the coastline 40 metres above High Water Mark, thence generally southerly along that coastline to its intersection with a northern boundary of Murchison location 229 (pastoral lease number 3114/924, Yaringa) and onwards along the western boundary of that location, location 227 (pastoral lease number 3114/453, Carbla) and location 220 (pastoral lease number 3114/476, Hamelin) to the eastern boundary of reserve number 658, thence southerly, westerly and northerly along eastern, southern and western boundaries of that reserve to its intersection with the northernmost corner of Edel location 74, thence generally south westerly along the north western boundary of that location to its intersection with an eastern boundary of Edel location 73 (pastoral lease number 3114/884, Nanga), thence southerly, westerly, southerly, easterly and again southerly along eastern boundaries of that location to the starting point.

Excluding the following:

Schedule A

Bounded by lines commencing at the north east corner of Edel Location 91 and extending south and west along eastern and southern boundaries of that location to the eastern boundary of Denham Townsite Lot 317, thence south along that boundary to its southern corner, thence west to the eastern corner of Lot 319 and onwards along the southern boundary of that Lot to the High Water Mark, a point on an eastern boundary of Shark Bay Marine Park as shown and described on Department of Land Administration Miscellaneous Plan Number 1697, thence northerly, westerly, north westerly and easterly along that boundary to its intersection

with the High Water Mark (Lagoon Point), thence generally northerly along the High Water Mark to the southern boundary of Lot 318 (reserve 30899), thence easterly along that boundary to its intersection with a western boundary of Lot 312 (reserve 31039), thence northerly, easterly and southerly along western, northern and eastern boundaries of that Lot to a point situate in prolongation easterly of the southern boundary of Lot 318 aforesaid, thence easterly along that prolongation to its intersection with the western side of Monkey Mia Road (Road Number 15079), thence generally northerly and north easterly along western and north western sides of that road to the western corner of Edel Location 85 (reserve 29432), thence generally easterly along north western, northern and north eastern boundaries of that location to its eastern corner, thence south easterly to the north western corner of location 91 aforesaid, a point on the south eastern side of Road Number 15079 aforesaid, thence north easterly along that road side to the starting point.

Schedule B

(i) Marine Component

An area bounded by lines commencing at the intersection of the High Water Mark and the northern corner of Edel Location 19, a point on the present boundary of Shark Bay Marine Park as shown on Department of Land Administration Miscellaneous Plan Number 1697, and extending east, north easterly and generally southerly along boundaries of that Marine Park to latitude 26 degrees 9 minutes south, situate in prolongation east of the southern side of a seawater drain, thence west along that latitude to the High Water Mark, thence generally northerly, generally southerly and again generally northerly along that High Water Mark to the starting point.

south, situate in prolongation east of the southern side of a seawater drain, thence west along that latitude to the High Water Mark, thence generally northerly, generally southerly and again generally northerly along that High Water Mark to the starting point.

(ii) Land Component

All that land including:

Mining Lease ML/260sa shown coloured red ;

General Purpose Lease G09/1 shown coloured yellow ;

General Purpose Lease G09/2 shown coloured brown ;

Miscellaneous Licenses L09/2, L09/3, L09/4 and L09/5 shown coloured purple and

Miscellaneous License L09/6 shown coloured purple

as shown on plan marked "A" forming part of *Shark Bay Solar Salt Industry Agreement Act 1983 (W.A.)*

Schedule C

All that land contained within cancelled Mining Leases M09/6 and M09/21-24 inclusive.

On Department of Land Administration Plans: QUOBBA, SHARK BAY, WOORAMEL,
EDEL, YARINGA, AJANA &
Pt. ZUYTDORP 1:250 000
DENHAM TOWNSITE

Description prepared utilising current versions of plans obtained from Department of Land Administration (DOLA), together with verification via on-line access to DOLA Land Information Access System (LIA) containing the State cadastral database with tenure linkage.

Graham Hoare, Project Leader (Tenure)

Information Management Branch

Department of Conservation and Land Management

4 August 1997

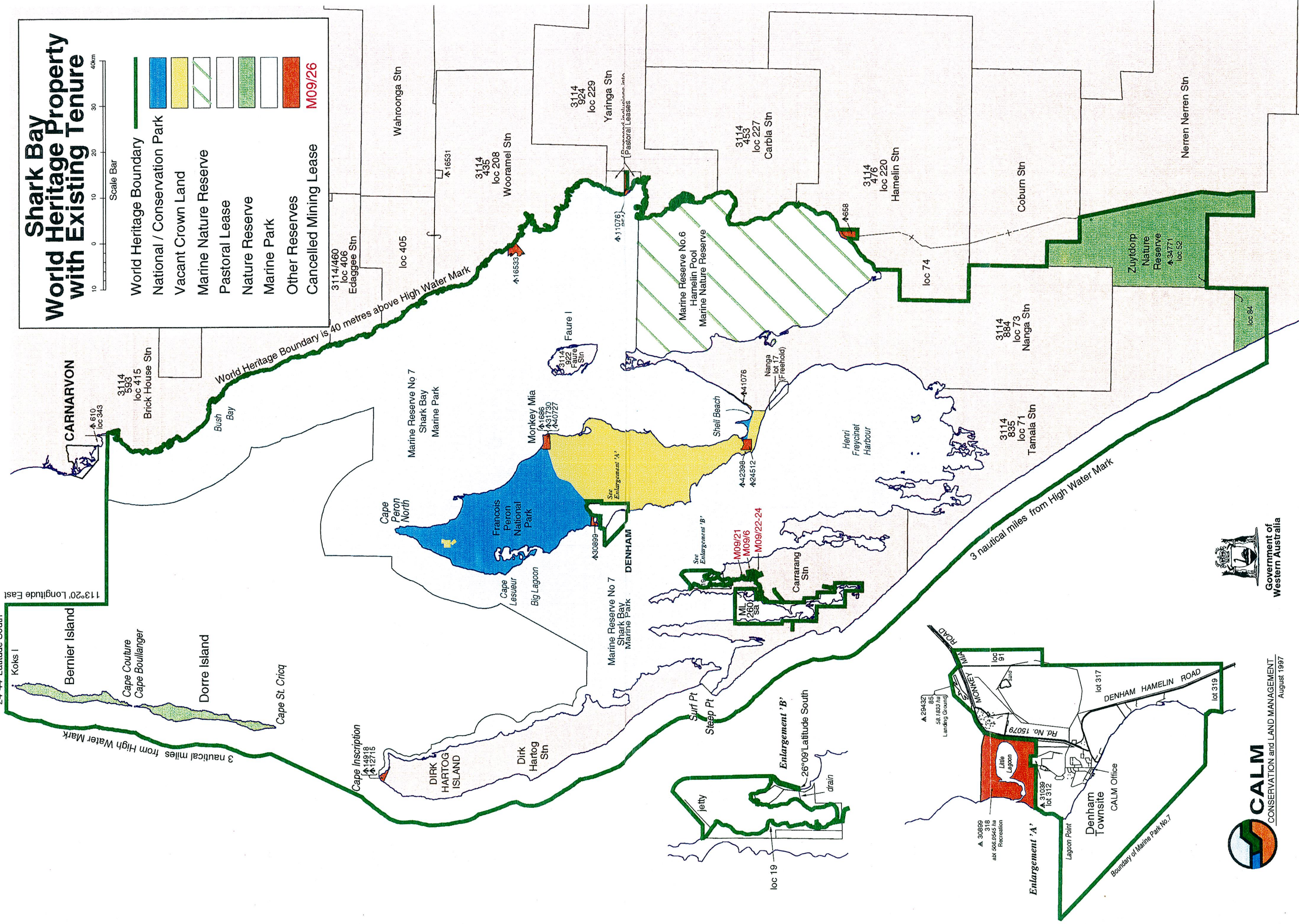
24°44' Latitude South

113°20' Longitude East

Shark Bay World Heritage Property with Existing Tenure



- World Heritage Boundary
- National / Conservation Park
- Vacant Crown Land
- Marine Nature Reserve
- Pastoral Lease
- Nature Reserve
- Marine Park
- Other Reserves
- Cancelled Mining Lease M09/26



APPENDIX 5

LIST OF CONSERVATION RESERVES IN THE SHARK BAY WORLD HERITAGE PROPERTY

Reserve No. and Class	Name	Area (hectares)	Purpose
Marine Reserve 7 A	Shark Bay Marine Park	748 725	Marine Park
Marine Reserve 6 A	Hamelin Pool Marine Nature Reserve	132 000	Marine Nature Reserve
42471 A	Francois Peron National Park	52 529	National Park
34771 C	Zuytdorp Nature Reserve	58 850	Conservation of Flora and Fauna
42443 C	Shell Beach Conservation Park	518	Conservation Park
24869 A	Bernier and Dorre Islands Nature Reserve	9720	Conservation of Flora and Fauna
33901 A	Koks Island Nature Reserve	3	Conservation of Flora and Fauna
26004 C	Pelican, Salutation, Three Bays, Wilds, Mary Anne, Double, Freycinent, White, Sunday, Egg, Baudin, North Guano and South Guano Nature Reserves	206	Conservation of Fauna and Collection of Guano
33829 A	Friday Island Nature Reserve	1	Conservation of Flora and Fauna
33828 A	Charlie Island Nature Reserve	1	Conservation of Flora and Fauna
30885 A	Sedimentary Deposits Reserve	NOT DEFINED	Preservation of Sedimentary Deposits

Reserve 1686 C, Monkey Mia Reserve (477 ha), is jointly vested in the Executive Director of the Department of Conservation and Land Management and the Shire of Shark Bay for the purpose of "Recreation".