



THE 50 YEARS OF THE WORLD HERITAGE CONVENTION IN SPAIN: IMPLEMENTATION, EFFECTS, AND CHALLENGES

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Introduction

Due to the diversity of characteristics and the high number of World Heritage sites (49) inscribed by Spain, this country and its ICOMOS National Committee have a long experience in the application of the World Heritage Convention throughout these 50 years¹. *The World Heritage Working Group of the Spanish National Committee of ICOMOS* has therefore carried out an analysis of these sites, their history and evolution, typology, and state of conservation with the final goal of assessing their current heritage situation and the contribution of the Convention to the conservation of the Spanish natural and cultural heritage. We also aim to reflect on how Spain has contributed to the World Heritage Convention during these five decades and about the most important challenges that our country needs to confront in order to continue complying with the spirit of the Convention and the principles of its Operational Guidelines.

¹ If the unjustified invasion of Ukraine by Russia had not made impossible to hold the 45th session of the World Heritage Committee of 2022, precisely in the year of its 50th anniversary, today Spain would probably had 50 sites to celebrate this ephemerid. The 50th proposal is Menorca Talayótica, a deferred candidacy that has been reviewed, corrected and remarkably improved and that might be inscribed at the next Extended 45th session of the World Heritage Committee which will be held between the 10-25 September 2023 in Riyadh /Kingdom of Saudi Arabia).

To conduct this analysis, we first deal with the background of the ratification of the Convention in Spain, provide an overview of its application, and describe the evolution of the Spanish Tentative List. Second, we deepen on the Spanish nominations and the typologies of the Spanish properties inscribed on the World Heritage List. Thirdly, we focus on the preservation of the Spanish World Heritage sites basing on the State of Conservation Reports (SOCs) that affect them and the results of the first survey on these properties' conservation, management and presentation carried out by the Heritage Observatory of ICOMOS Spain. This allows us to share some conclusions about the most positive effects of the Convention for the protection of Spanish cultural heritage and the most important challenges for its future development, many of which can be extended at least to the European context.

Background and overview of the implementation of the World Heritage Convention in Spain

The process of adoption of the Convention in Spain is parallel to its own transformation into a democratic state where cultural heritage assumed an important role in the framework of the fundamental rights and duties recognised in the Spanish Constitution of 1978. In 1981, work began on the ratification of the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage. This required both new heritage legislation, with the Spanish Historical Heritage Law of 1985 that replaced the law in force established during the Second Republic (1933), and the drawing up of a first Tentative List. On 4 May 1982, the Spanish government ratified the Convention. The transfer of competencies in the field of culture to the autonomous communities was taking place in those years, being the Ministry of Culture a coordinating body responsible also for the compliance with international commitments such as the articulation with the UNESCO conventions.

This governance structure for culture and heritage also allowed Spain to participate in other international events, such as the World Conference on Cultural Policies (MONDIACULT) in Mexico City in 1982.

Europe has 545 cultural properties inscribed on the World Heritage List, a 47.23% of the total of 1,154 World Heritage properties. Spain is therefore one of the countries with more inscriptions on the continent (the 4.25%), behind Italy (58) and Germany (51) and on a par with France (49), and also in the world (China is the country with more inscriptions, 56). Providing this data does not mean boasting about our sites, but rather taking this experience as the basis for this analysis and reflection on the evolution of the implementation of the Convention, its effects, and future challenges.

Spain is also among the countries that have adopted a national World Heritage strategy and has contributed to the practical development and dissemination of the World Heritage Convention. It has been a member of the World Heritage Committee on several occasions and has made financial contributions to the World Heritage Fund, which have enabled the development of significant projects, mainly in Latin America. Contributions to the theoretical approach of the Convention include, among others, Spain involvement in the promotion of knowledge about prehistoric sites on the World Heritage List and participation in the Starlight initiative, which

enhances the links between the cultural heritage of astronomy and the natural heritage of the skies. The different governments of Spain have understood that the 1972 World Heritage Convention and the work and commitment in this framework is fundamental not only for the preservation and dissemination of our cultural and natural heritage, but also for the country's international cooperation policies.

The Spanish Tentative List: 1984-2022

The first Tentative List proposed by Spain included five properties considered the most representative of the country's heritage: the Alhambra and Generalife in Granada, the Cathedral of Burgos, the Mosque of Córdoba, the Monastery and Site of San Lorenzo del Escorial, and the works of Antoni Gaudí. The nomination files were presented in 1983 and inscribed in 1984.

This list was updated in 1989 and 1993, when cultural landscapes were included. The 1993 Tentative List was set up according to the ICOMOS criteria and after extensive consultation with the Autonomous Communities. It had 40 properties that were reduced to 11 but increased progressively in subsequent years.

Today, the Spanish Tentative List has 31 properties some of which were deferred and have not been presented again, or were withdrawn. A high percentage of these proposals were initially the result of a political or economic aim that was subsequently confirmed (or not) by an OUV. Very few of them are grounded on a local community initiative, with the exception, for example, of the Priorat-Montsant-Siurana Agricultural Landscapes of the Mediterranean Mountain, an exceptional case of grass-root born from the community itself. In 2010 a World Heritage Working Group was created within the Ministry of Culture, made up of representatives of the Ministry and the Autonomous Communities. Among other tasks, this Working Group assesses the degree of accordance of the new proposals for the Tentative List with the Global Strategy and the 5 Cs priorities of the Convention. Despite this, the Spanish Tentative List has not been reviewed for a long time and there are some sites, such as the interesting potential transnational Mediterranean windmills nomination, which have never been developed or put forward after more than 20 years. Adapting to the *Guidance on Developing and Revising World Heritage Tentative Lists*² would undoubtedly support the Upstream Process formally adopted in the Operational Guidelines for the Implementation of the World Heritage Convention in 2015. In addition to the Upstream Process, in 2019 the World Heritage Committee endorsed a two-phase nomination process, with a "Preliminary Assessment" of a property proposed by a State Party from its Tentative List by the Advisory Bodies as the first phase, and before a full nomination for inscription is developed and submitted in the second phase. As a result of these two initiatives, and as the quality of Preliminary Assessments depends of the quality of the Tentative Lists, there is an increasing need to adapt them to the future requirements.

² UNESCO / ICCROM / ICOMOS / IUCN, *Guidance on Developing and Revising World Heritage Tentative Lists*, Paris: International Council on Monuments and Sites, <https://whc.unesco.org/en/documents/184566>, 2020 It is a paradox that neither Las Medulas nor the Palmeral de Elche, being paradigmatic cultural landscapes, were inscribed as such.

The Spanish nominations and World Heritage typologies

As already stressed, Spain began to present nominations in 1984, this meaning that in 38 years 58 properties have been presented (with an average of more than 1.5 per year). It has achieved 49 inscriptions (the 87.5%), withdrawn 5 nominations (8.5%), which have not been presented again (Mediterranean-Pyrenees, Valle Salado Añana, Priorat, Monfragüe-Plasencia-Trujillo, Ribeira Sacra), obtained 3 referrals (after becoming inscriptions) and 5 defers (2 of which have not been resubmitted). 11 sites have experienced major and minor extensions of limits, some at the request of the Committee and others of the State Party. 3 properties seem to have been refused for inscription (5.35%) although this needs to be confirmed in the minutes of the respective World Heritage Committee Sessions. In the first three years, between 1984 and 1986 (in only three years!) 15 nominations (26%) were presented; in the following 7 years, between 1986 and 1993, 21 sites were presented; and between 1993 and 2022, in the last 29 years, there have been 22 nominations.

With regards to the recommendations received, Spain has withdrawn the candidatures the 95% of times in which the advisory bodies have recommended a “defer” or non-inscription, highly respecting their assessments. This is not the case in all countries, so it is fair to stress that Spain is probably one of the countries that most respects the scientific assessment of advisory bodies. On the contrary, Spain has followed a clear and continuous strategy of submitting applications annually, against some the Global Strategy recommendations that seek to achieve a better regional balance of the List, which is currently (and historically) heavily tilted towards Europe and North America.

The study of the typologies of the properties inscribed, not only in Spain but also at the international level, is a pending and difficult issue within the World Heritage system. First, because the List's website does not allow thematic or typological searches or does so in a way that is not in line with the categories indicated in the Convention and its Operational Guidelines. And second because, especially in the early days of the Convention, many nominations were not made according to a specific typology. In the case of cultural properties, it is only the evaluation by ICOMOS that allows the proposals to be assigned to the different types of heritage recognised in the Operational Guidelines. ICOMOS began to include this reflection in the dossiers' evaluations in the mid-1990s. This difficulty in associating nominations with types of properties has become less pronounced since the establishment of the Global Strategy, the obligatory nature of comparative studies, and the inclusion of new typologies with the capacity to rebalance the List, all of which makes it necessary (or at least desirable) to specify them in the dossiers themselves with a view to stress their uniqueness (or at least certain novelty).

Bearing in mind this initial situation, the typological and comparative analysis of Spanish World Heritage properties reveals the following data: Spain has inscribed 49 properties, of which 43 are cultural, 3 are natural, 2 are mixed sites and 4 transnational or transboundary. Their typological distribution is as follows:

- 8 Monuments: Burgos Cathedral (1984), Monastery and Site of the Escorial, Madrid (1984), Poblet Monastery (1991), Roman Walls of Lugo (2000), Royal Monastery of Santa María de Guadalupe (1993), Lonja de la Seda of Valencia (1996), Vizcaya Bridge (2006), Tower of Hercules (2009) in A Coruña.
- 10 Groups of Buildings: Alhambra, Generalife and Albaicín in Granada (1984-1994); Monuments of Oviedo and the Kingdom of the Asturias (1985); Mudéjar Architecture of Aragon (1986, 2001, 2016), Cathedral, Alcázar and Archivo de Indias in Seville (1987), Archaeological Ensemble of Mérida (1993), Palau de la Música Catalana and Hospital de Sant Pau, Barcelona (1997), San Millán Yuso and Suso Monasteries (1997), University and Historic Precinct of Alcalá de Henares (1998), Archaeological Ensemble of Tarraco (2000), Catalan Romanesque Churches of the Vall de Boí (2000).
- 9 Sites of which 1 single site, the Caliphate City of Medina Azahara (2018), 1 Group of Sites, the Cave of Altamira and Paleolithic Cave Art of Northern Spain (1985; 2008), and 7 Historic Cities and City Centres: Historic Centre of Cordoba (1984), Old Town of Ávila with its Extra-Muros Churches (1985), Old Town of Segovia and its Aqueduct (1985), Santiago de Compostela (Old Town) (1985), Old Town of Cáceres (1986), Old City of Salamanca (1998), San Cristóbal de La Laguna (1999).
- 6 Cultural Landscapes: Las Médulas de León (1997), Palmeral of Elche (2000)³, Aranjuez Cultural Landscape (2001), Cultural Landscape of the Serra de Tramuntana (2011), Risco Caido and the Sacred Mountains of Gran Canaria (2019), Paseo del Prado and Buen Retiro, a landscape of Arts and Sciences (2021).
- 1 Heritage Route: Routes of Santiago de Compostela: Camino Francés and Routes of Northern Spain (1995/2015).
- 5 Serial properties: Works of Antonio Gaudi (1984/2005), Rock Art of the Mediterranean Basin on the Iberian Peninsula (1998), Archaeological Site of Atapuerca (2000), Renaissance Monumental Ensembles of Úbeda and Baeza (2003), Antequera Dolmens Site (2016).
- 3 Transnational properties: Prehistoric Rock Art Sites in the Côa Valley and Siega Verde (1998, transboundary); Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe (natural property 2007, 2011, 2017, 2021), The Heritage of Mercury, Almaden and Idrija (2012).
- 2 Mixed Sites: Pyrénées - Mont Perdu (transboundary 1997); Ibiza, Biodiversity and Culture (1999).
- 3 Natural properties: Garajonay National Park (1986), Doñana National Park (1994), Teide National Park (2007).

³ The most recent threats, dealing to illegal uses of water, have been repeatedly denounced by several NGO's among which ICOMOS Spain itself: <https://icomos.es/comunicado-sobre-la-nueva-ley-de-regadios-en-donana/>

The imbalance between cultural and natural sites drives to reflect on the motives behind the Autonomous Communities' proposals, especially bearing in mind that one of the scarce natural sites, Doñana National Park, is seriously threatened by various anthropic factors and has been the subject of 15 SOCs. Indeed, its situation is far to be improving but rather the contrary⁴. With regards to cultural properties, the most used category in Spain is the Group of Buildings, which amount 10 properties, followed by 8 single monuments and 7 cities and historic centres. These nominations were made during the first 18 years of the application of the convention in Spain and they account for almost half of the inscribed properties (25/49). A shift towards new typologies occurs with the Global Strategy, and especially since 2000, when cultural landscapes and serial nominations increase, having 6 properties each.

With regards to the criteria for the assessment of OUV, most of the Spanish nominations combine two or three criteria: criteria ii & iii are the most utilised; only 2 properties – the Rock Art of the Mediterranean Basin on the Iberian Peninsula and the Tower of Hercules- are inscribed according to criterion iii exclusively; and only 2 properties _ the Mudejar Architecture of Aragon & the Roman Walls of Lugo- are inscribed according to criterion iv.

The conservation, management and presentation of World Heritage in Spain: SOCs and remarks of the Heritage Observatory of ICOMOS Spain

The analysis of the state of conservation and management and about the quality of their dissemination and valorisation is an ongoing task of the *World Heritage Working Group* of the Spanish National Committee of ICOMOS. However, some preliminary results can be drawn from two sources: the SOCs received and the survey on these matters recently launched by the Heritage Observatory of ICOMOS Spain.

In total, 17 sites have at some point been subject of a reactive monitoring process and 79 reports have been submitted between 1991 and 2021. Of those 17 properties, 12 are cultural properties (71%), 3 are natural properties (all the inscribed, a 18% of the total of SOCs), and 2 are mixed properties (all the inscribed, the 12%). 5 of these sites have been discussed by the Committee only on one occasion, while others show sustained problems over time, requiring the attention of the Committee during the three decades analysed. The worst case, mentioned above, is Doñana National Park, which has been evaluated up to 15 sessions, followed by the Old City of Salamanca, subject of 10 SOCs, Pyrénées - Mont Perdu with 9 SOCs, and the Old Town of Avila with 8 SOCs.

If we focus on the threats affecting the properties identified by these SOCs, the problems related to management and institutional factors clearly stand out, having been identified in 44 SOCs corresponding to 10 properties. The impact of new buildings and developments is mentioned in 22 SOCs of 6 sites. In third place is the impact of tourism, analysed in 15 reports of 4 properties. Finally, the legal framework for the protection of 4 properties was considered a problem on 8

⁴ The serial properties in Europe and its future prospects have been recently studied by the ICOMOS National Committees of the región and published by ICOMOS International. See: ICOMOS International coord., *ICOMOS Europe Initiative_Sharing experience on Transnational Serial Nominations in Europe*. Paris, ICOMOS, 2021.

SOCs. Despite of this data, it is important to emphasize that none of the Spanish sites has been inscribed on the List of World Heritage in Danger.

As a combined result of the activities of the *World Heritage Working Group* of ICOMOS Spain and of the need to have independent, up-to-date, reliable, accessible, and comparable information of our World Heritage, we have created an Observatory on the Spanish properties inscribed on the World Heritage List and the Lists of the Intangible Cultural Heritage Convention. The Observatory is a collaborative, participatory and on-going project, open to all ICOMOS members as experts who voluntarily provide and disseminate objective and quality information on the conservation status of these properties, their legal and management situation, and their valorisation, presentation and interpretation. It is therefore also a platform for identifying good practices that can serve as a benchmark in improving the preservation and for detecting and preventing threats.

At the moment the Observatory has received more than 130 reports, covering 40 sites, which means that there are still have 9 unassessed sites (20%). We hope to be able to present the results of their analysis during the year 2023 and we intend to repeat the experience periodically, every 5 or 10 years, to monitor their evolution. In general, the perception of the specialists who have analysed the sites, according to previously established parameters, is that their conservation, dissemination, and interpretation are quite appropriate, without being excellent. At a statistical level, dysfunctions are detected which guide us in possible lines of improvement and will allow us to detect weak points in the preservation and management of our heritage. It is also important to stress that most of the 49 inscribed sites require the study of various elements independently, which results to some 250 assets to be evaluated, without considering the very vast serial site of the Rock Art of the Mediterranean Basin on the Iberian Peninsula (with more than 1.000 heritage elements). This is an arduous task to be accomplished with time and the collaboration of all the members of the ICOMOS Spanish National Committee.

The most important shortcoming perceived by the experts of the Observatory, which can probably be extrapolated to other countries, is the non-existence or non-application of management plans. This is an important gap on which, as it happens in all the World Heritage system, it is difficult to obtain precise information. As this aspect, and others already mentioned, can be extended to the European context, we will finish this analysis sharing some conclusions that contribute to continue delving on the general situation of the 50 years of the World Heritage Convention in our region.

Conclusions

Analysing the situation of the fifty years of the Convention in Spain is not only relevant to deepen the knowledge of the World Heritage sites in our country and their problems. Due to the high number of inscriptions, its considerable typological and thematic variety, the experience in the management of SOCs, the early implementation of the Convention, and Spain's contribution to its development through technical and financial cooperation, this study is significant for the general knowledge of the state of the art. Indeed, and for these same reasons, some of our conclusions can be transferred at least to the European level.

Since its inception, the Convention has led different countries to develop national heritage protection legislation and the establishment of coordinating bodies at different levels. In Spain, its ratification gave impetus to the Spanish Historical Heritage Law of 1985 and contributed to the existence of the Ministry of Culture as a coordinating agent in a country where the competences in the field of culture and heritage were being transferred to the Autonomous Communities. The Convention has also led to the identification and legal protection of innovative heritage typologies, both in Spain and internationally, such as cultural landscapes. It is fair to highlight the leading role played by Spain in the recognition of some of these new typologies, such as serial sites and Cultural Routes / Heritage Routes (depending on the use of the terminology of the ICOMOS International Scientific Committee on Cultural Routes or the Operational Guidelines one, respectively).

Developed countries do not always respect the Global Strategy and the principles of the 5Cs, and therefore there is still a great regional imbalance in the World Heritage List grounded in the lack of real international cooperation aimed to help solve this problem. In the case of Spain, although changes are being made to the Tentative List, they are not sufficient: The number of sites is excessive and not all are adapted to the Global Strategy or to the 5Cs, as the proposals do not come from the public or from experts, but rather from political impetus and the desire to prioritise the nominations according to a regional balance between the Autonomous Communities. This strategy does not respond to heritage or scientific criteria and does not fully adapt to the *Guidance on Developing and Revising Tentative Lists*⁵. It is to be hoped that the new two-step nomination process will eventually help to change this situation. In this sense, Spain, has many European countries well represented, has followed a clear strategy of submitting nominations without considering the Global Strategy that seeks a balance between the different regions. The "success" of the candidacies, which in a high percentage result in inscriptions, is also very similar to other neighbor countries. In principle this might be due to the good quality of the dossiers and the high heritage value of the sites, but it also points to the proper allocation of enough resources, staff and time to this objective in our region. In turn, this leads again to the need to enhance international cooperation, technical and financial support to other countries and regions to increase capacity building on the Convention processes.

⁵ UNESCO/ICCROM/ICOMOS/IUCN, *Guidance and Toolkit for Impact Assessments in a World Heritage Context*, Paris, UNESCO, 2022.

The current composition of the World Heritage List shows that there is still an imbalance between cultural and natural sites, with very few mixed sites. Nominations should focus on filling the gaps in the List in terms of regions, typologies and themes. In the case of Spanish cultural heritage, the national strategy should focus on the typologies and the properties representing heritage topics least used in this country and equally under-represented on the World Heritage List. These properties could be related to the heritage of the 20th century and the history of science, industry and tourism, among others. Moreover, perhaps the time has come for Spain (and for other countries in a similar situation) to switch priorities and face its responsibility as one of the countries with the highest number of inscribed sites. This would mean to pause the presentation of new nominations and to focus on encouraging participation and cooperation with other countries with which it is strongly connected culturally, within the European, Mediterranean and Latin American sphere⁶. This would result in new serial and transnational nominations that might help to equilibrate the List from a geographical, thematic and typological perspective.

There is a major gap in relation to the existence, updating and implementation of management plans/systems. Among the main shortcomings of the existing, it is worth highlighting the scarce participation of local communities and the absence of indicators to monitor the state of conservation of the sites. In Spain, the state of the art of management plans, even at the most basic level, is also unknown, but from the experience of the members of this Commission and the results of the Observatory it can be inferred that these same deficiencies and gaps are repeated: Most of the sites lack sufficient local participation and genuine shared governance because communities are hardly involved from the inception of the nominations; And few sites can demonstrate monitoring their conservation status and factors of degradation according to indicators.

SOCs are key to assessing the situation of heritage sites and to confronting the negative impacts identified. The legal integration of Heritage Impact Assessments (HIAs) into Environmental Impact Assessments (EIAs) is essential to counteract all types of impact and to monitor those identified in SOC⁷. It is also an obligation clearly established in the Operational Guidelines, but still seems to be a long way off. The comparative analysis of the SOC⁸ received by Spain indicates that the main threat factors match with those identified globally by the World Heritage Centre⁸. Prominent among them are inappropriate uses and infrastructures surrounding World Heritage properties.

⁶ UNESCO World Heritage Centre (sd.), *State of Conservation Information System* https://whc.unesco.org/en/soc/?action=list&id_search_state=150

⁷ Comité Nacional Español ICOMOS; S.G. de Gestión y Coordinación de Bienes Culturales e IPCE, *La Evaluación de Impacto Patrimonial: herramienta de gestión del desarrollo sobre el patrimonio y su entorno*, <https://icomos.es/webinar-la-evaluacion-de-impacto-patrimonial-herramienta-de-gestion-del-desarrollo-sobre-el-patrimonio-y-su-entorno/>, 2021

⁸ Alonso Campanero, J. A. et. al., *Guía de buenas prácticas para la instalación de infraestructuras y equipamientos relacionados con las energías renovables y su potencial afección al patrimonio cultural*, Madrid, ICOMOS España, 2022.

The implementation of the Convention has led to the creation of organisational and coordination agents and institutions at different levels with very positive effects on the knowledge, dissemination, and management of the sites. Various initiatives stand out in our case, such as the Group of World Heritage Cities; the Alliance of Cultural Landscapes; the annual meeting of World Heritage site managers and the Ministry of Culture; the Iberian Meeting of Managers; and the collaboration between the Ministry of Culture and ICOMOS Spain in specific but important actions, such as the training on HIA⁹, or the setting up of guidelines for the implantation of renewable energies near heritage sites¹⁰, among others.

Finally, the need to reinforce the monitoring of World Heritage suggests that the establishment of World Heritage Observatories at national level would be very positive in all countries. It should involve the advisory bodies and independent experts who could provide accurate and up-to-date data on their state of conservation, management, and presentation, which is very much needed to confront successfully the following fifty years of the World Heritage Convention.

⁹ UNESCO / ICCROM / ICOMOS / IUCN, *Guidance on Developing and Revising World Heritage Tentative Lists*. Paris: International Council on Monuments and Sites, <https://whc.unesco.org/en/documents/184566>, 2020 It is a paradox that neither Las Medulas nor the Palmaral de Elche, being paradigmatic cultural landscapes, were inscribed as such.

¹⁰ Alonso Campanero, J. A. et al., *Guía de buenas prácticas para la instalación de infraestructuras y equipamientos relacionados con las energías renovables y su potencial afección al patrimonio cultural*, Madrid, ICOMOS España, 2022.

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