

**UNESCO DESIGNATIONS:
WORLD HERITAGE SITES AND BIOSPHERE RESERVES**

GIANFRANCO TAMBURELLI

TABLE OF CONTENTS

INDEX

Foreword, VIRGINIA CODA NUNZIANTE

Introduction, RENATO GRIMALDI

Reports

GIANFRANCO TAMBURELLI, *UNESCO Designations – An Overview of Current Legal Issues*

BORIS ERG, *IUCN Protected Area Management Categories and UNESCO Designations*

PAOLO FOIS, *Definition of Lists of International Protected Areas: comparison between acts at the global and regional levels*

MAYA VASILJEVIC, *Transboundary Conservation and UNESCO World Heritage Convention*

ZLATA DRNAS DE CLEMENT, *Biosphere Reserves and World Heritage Sites in Argentina*

LENKA VOSTRA, *Biosphere Reserves and World Heritage Sites in the Czech Republic*

DANILO COMBA, *Legal Regime of Biosphere Reserves in France*

M. BRUSCHI, I. SINIBALDI, M. TUFANO, *UNESCO Designations and Protected Areas in the Italian Regional Legislation: a preliminary analysis*

AARON OYARCE, *UNESCO Designation in Peru*

MARIA OLMOS GIUPPONI, *Biosphere Reserves and World Heritage Sites in Spain*

OLEG RUBEL, KATERINA STEPANOVA, *Management of UNESCO Designations in Ukraine*

PREFACE

The relationship between international designations and the numerous national classifications of protected areas (PAs) are various, complex, often not really clarified by existing legal norms. This gives rise to a widely felt need for a deep multi-level investigation into the real distinction between the various concepts held and the practical implications of each designation, as well as for a comparative analysis of the diverse national and regional experiences and the identification of recommended models and best practices.

In particular, some 40 years after the signing of the Paris Convention on Cultural and Natural Heritage and the launching of the Man & Biosphere Programme, it seems appropriate to reflect on the two principal UNESCO designations of “World Heritage Site” (WHS) and “Biosphere Reserve” (BR), as well as on related national practices of implementation. The process of classification of natural sites as WHSs or BRs, in fact continues, and international cooperation is beginning to favour, among other things, a broader use - through a network of space science and space technology partners - of satellite-based and remote sensing technologies to monitor their conservation. Actions have also been undertaken to promote the inscription on the WH List of properties from under-represented regions and of under-represented categories of heritage, while the topicality of BRs and the functions of their World Network are under the attention of the international fora.

We must highlight the fact that scientific research is an important component of the governance of UNESCO sites and is an essential element of the very concept of a BR. Not surprisingly, the model law on BRs, developed within the ICC (International Coordinating Council of the MAB Programme), states: “development of interdisciplinary and innovative research tools for BRs is encouraged in order to improve tools for adaptive management of these territories. BRs participate in national and local environmental monitoring programmes. Long term scientific monitoring set up in BRs constitutes a tool for adaptive management”.

For these reasons, and focusing in particular on the rich debate relating to UNESCO designations, which are under consideration in a number of European countries, the ISGI (Institute for International Legal Studies) working group on: “*Environmental Law and Sustainable Management of Natural Resources and Ecosystems*” decided in 2010 to organize an international workshop and to promote research on the theme: “PAs and UNESCO Designations”.

The aims of this initiative were shared by the Italian Ministry for the Environment, Land and Sea (MELT), which co-financed the workshop, by the Italian National Commission for UNESCO, which gave its patronage, and by EUROPARC, which included a workshop on the theme in the

programme of the 2010 Conference on: *Living Together. Biodiversity and Human Activities: a Challenge for the Future of PAs.*

The CNR workshop was held in Rome on 28th September 2010: participants analyzed management and legal aspects of the two designations of World Heritage Sites (WHSs) and Biosphere Reserves (BRs); representatives from IUCN and the IUCN WCPA (World Commission on PA) Transboundary Conservation Specialist Group provided specific input on the relationship between IUCN PA Management Categories and UNESCO designations, as well as on transboundary WHSs and BRs.

The present volume constitutes a scientific contribution to the debate currently taking place within a wide range of institutions (UNESCO, IUCN, the European Union, etc.); it contains some of the reports presented at the Rome workshop and other contributions from the ISGI international network of experts.

In this regard, we would like to thank once more the Department on Nature Conservation of the MELT and the representatives from IUCN, as well as the many institutions and friends who supported the ISGI effort - those in Italy, from the University of Sassari and the Regional Agency for Parks (ARP) of the Lazio Region, and especially - those in other countries, from the National University of Cordoba, Argentina, the Joint Doctoral Programme in International Law, Nice Sophia- Antipolis and Milan- Bicocca, the University San Martín de Porres, Lima, the Academy of Sciences of the Czech Republic, the Rey Juan Carlos University, Madrid, the National Academy of Sciences of Ukraine.

The National Research Council of Italy (CNR) has longstanding and widely recognized experience and competences (research, training, high level consultancy) in the field of ecosystems and natural habitats management, including related legal and institutional issues.

In addition to the research carried out on numerous topics by several of its institutes, the CNR participates, among other things, in the activities of the International Union for Conservation of Nature (IUCN), the European Centre for Nature Conservation (ECNC) and the Federation of Nature and Natural Parks of Europe (EUROPARC), and has drawn up with the UNESCO BRESCE (United Nations Educational, Scientific and Cultural Organization - Regional Bureau for Science and Culture in Europe) a Memorandum of Understanding for *Strengthening Scientific Cooperation for Sustainable Development in Central - South - Eastern Europe and in the Mediterranean Countries*. It also designates experts for scientific committees and the boards of national and regional Italian parks.

The CNR intends to maintain these contacts, and to strengthen relations with all the main stakeholders (national and international, governmental and non-governmental, etc.) in the sector of

environmental protection and sustainable management of PAs, and hopes, too, to make a significant contribution to the clear understanding and evaluation of the legal implications of each designation (whether national or international), as well as of the relationships between them and surrounding zones.

VIRGINIA CODA NUNZIANTE

International Relations and Agreements Office
of the National Research Council of Italy, Director

INTRODUCTION

Over the past 40 years, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has developed, in order to implement its own statutory objectives, several scientific programmes and multilateral agreements to protect natural resources, ecosystem services, biodiversity - in its double meaning as biological and cultural diversity - and geological and geomorphologic features, as well as aesthetic values and natural landscapes of protected areas (PAs) and territories all around the world.

International classifications globally promoted by the Paris Organization - through instruments such as the World Heritage Convention, the Man and Biosphere Programme or the Geoparks Network - aimed, even if in different degrees, both at monitoring and preserving the great variety of natural resources of the planet, and at positively fostering PAs by identifying best practices and profitable formulas in the relationship between man and his environment from a sustainable perspective.

Since the UN Conference on Environment and Development of Rio de Janeiro in 1992, UNESCO has gradually polarized its action towards selected areas and traditional knowledge considered as a “driver” for the preservation and enhancement of ecosystems, focusing its investigation on the comparison of conservation measures undertaken by any one country and highlighting the connections between biological and cultural diversity in order to implement sustainable development policies and promote traditional production techniques.

After 2000, increased world attention on management aspects concerning conservation issues moved UNESCO to push Member States to elaborate policies on their natural terrestrial and marine environment. Many significant initiatives have already been implemented through the establishment of lists of sites of worldwide interest, such as the well-known “World Heritage List” (whose nomination process, as well as the standard application procedure, now requires *ad hoc* management plans, synthesising technical skills and planning tools). The sphere of action has been markedly enlarged to include new territories such as, for example, Geoparks, in partnership with the UNESCO Division of Ecology and Earth Sciences and the International Union of Geological Sciences (IUGS).

Currently, within the diversified framework of the international classification of PAs at regional and world level (including major conventions on biodiversity, the Barcelona Convention, NATURA 2000 and so on) the networking of territories listed in the UNESCO supranational circuits - both on a regional and a global scale - and technical support provided by the main non-governmental environmental agencies, including the International Union for the Conservation of

Nature and Natural Resources (IUCN), have paved the way for a functional review of experiences considered as successful, because able to connect local development processes with ecosystem conservation tools, and to combine the need to preserve natural assets through local and sustainable uses.

This complex system gave emphasis to management and governance models, regulatory and conservation solutions, research projects, training and educational initiatives in a wide range of areas identified on each continent and in each bio-geographical region, and it developed an intense debate with representatives of specialized agencies and nations on areas addressed as conservation and development laboratories. This trend was recently confirmed by the “*Satoyama Initiative*”, launched by the Japanese Ministry for the Environment and the UN University Institute of Advanced Studies during the 10th Conference of Parties of the Convention on Biological Diversity, held last October 2010 in Nagoya.

The overall impact tools promoted by the “UNESCO System”, in close connection with the main multi-lateral treaties and crosscutting issues of global environmental agenda, aim to increase the awareness of the international community in a move towards more responsible policies and a rational management of the resources of the planet, as well as towards the rediscovery of local traditional knowledge and the enhancement of bilateral cooperation agreements.

Within the “UNESCO System” Italy plays a major role, as it has more World Heritage Sites (WHS) than any other country in the world. Among its 47 sites, three have been inscribed for natural criteria (Aeolian Islands, Dolomites and Monte San Giorgio) and they are directly followed by the Ministry for Environment, as are the national parks (Portovenere, Cinque Terre and the Islands of Palmaria, Tino and Tinetto, and Cilento and Vallo di Diano) selected for cultural criteria.

In the framework of the Global Network of Biosphere Reserves, 8 territories have been so far recognized (Collemeluccio-Montedimezzo, Circeo, Miramare, Cilento and Vallo di Diano, Somma-Vesuvio and Miglio d'Oro, Valle del Ticino, Tuscany Islands, Selva Pisana) including both national and local PAs

Following the last Global Geoparks Network Bureau – held in Greece in October 2010 during the 9th European Geoparks Conference – the number of Italian Geoparks increased to 7 sites and currently include Madonie Geopark, Beigua Regional Park, Sardinia Geo-Mining Park, Adamello-Brenta Park, Rocca di Cerere Cultural Park, Technology and Archaeological Park of Metalliferous Hills of Grosseto and National Park of Cilento and Vallo di Diano (this last already recognized as a Biosphere Reserve and World Heritage Site).

Of course, the differences between WHSs, Biosphere Reserves and Geoparks concern their nomination procedures as well the typology of development and their programme planning. The

role played by the Parisian Organization in initiatives aimed at preserving and enhancing the natural heritage of its States Parties, remains central, and has world-wide recognition.

The Ministry of the Environment, in coordination with the Ministry for Foreign Affairs and the Italian National Commission for UNESCO, has looked upon these initiatives with growing interest during the past years, working to maintain the Aeolian Islands in the World Heritage List and to ease the way for the Dolomites to be included in 2009, updating the provisional national list according to requests coming both from PAs and local governments, reorganizing the National MAB Committee by introducing a new operational structure, as outlined in Ministerial Decree no. 51 of 12th June 2009 and then in Ministerial Decree no. 228 of 12th November 2011, and revitalizing its activities through direct support to seminars and technical meetings.

Among these, I must mention the seminar “*UNESCO Designations and Protected Areas*”, held in Rome on 28th September 2010 thanks to the professional scientific organization of the Institute for International Legal Studies of the C.N.R., conclusions of which are partially reproduced in this volume. The Ministry has also assured its participation in major UNESCO events in the future.

During the 23rd Session of the MAB International Coordinating Council (ICC), which closed in Dresden on 1st July 2011, Italy introduced a paper reviewing the activities carried out by central Administration and Italian Biosphere Reserves in consideration of the principles of the Seville Strategy and the targets of the Madrid Action Plan (MAP), as well as periodic reports and initiatives promoted by the Ministry to raise awareness of MAB activities for academics, experts and protected areas managers.

More particularly, the ICC approved the “*Dresden Declaration*”, with an appeal to decision makers to use the solid experience gathered through MAB Reserves for three specific goals of the global environmental agenda (climate change, fight against poverty and halting the loss of biodiversity); it also furthered the debate on the evaluation of MAP results with a view to its 2013 deadline and its Global Network role, it partially revised MAB statutory documents (Statutes of the International Advisory Committee and ICC) and it rewarded several researchers, assigning the *Michel Batisse* prize for his case study on the Shouf Biosphere Reserve to the Lebanese Nizar Hanil who publicly thanked Italian Cooperation for its efforts in his country.

In Dresden – as in Paris during the 35th World Heritage Committee which closed 29th June 2010 - the classification process of natural sites continued, also for transnational nominations, and the leading role of such areas for socio-economic and eco-compatible development - recognized as UNESCO’s contribution to the Rio+20 UN Conference on Sustainable Development scheduled for June 2012 - was underlined.

The synthesis of territorial administrative and governance policies developed between centre and the periphery, civil society participation mechanisms, the adoption of due measures to maintain the levels of protection required by UNESCO, a clear and comprehensive management system able to integrate natural values protection with the socio-economic needs of local communities, the sharing of global environmental policies at national, regional and local levels, together represent the added value, and the challenge, both of those areas already classified through UNESCO initiatives and for those territories belonging to the overall national system of Italian PAs which are aiming at international recognition.

RENATO GRIMALDI

Directorate for the Protection of Nature and Sea
Italian Ministry for Environment, Director General