文化遗产保护管理相关法规 文件汇编

Collection of Important International and National Documents on Cultural Heritage Conservation & Management

目 录

INDEX

保护世界文化和自然遗产公约	1
CONVENTION CONCERNING THE PROTECTION OF THE WORLD	
CULTURAL AND NATURAL HERITAGE	10
关于古迹遗址保护与修复的国际宪章 (威尼斯宪章)	23
INTERNATIONAL CHARTER FOR THE CONSERVATION AND	
RESTORATION OF MONUMENTS AND SITES (THE VENICE CHARTER)	25
巴拉宪章	30
BURRA CHARTER	41
奈良真实性文件	57
THE NARA DOCUMENT ON AUTHENTICITY	60
木结构遗产保护准则	64
PRINCIPLES FOR THE PRESERVATION OF HISTORIC TIMBER	
STRUCTURES	67
会安草案——亚洲最佳保护范例	71
HOI AN PROTOCOLS FOR BEST CONSERVATION PRACTICE IN ASIA	100
保护历史城镇与城区宪章(华盛顿宪章)	135
CHARTER FOR THE CONSERVATION OF HISTORIC TOWNS AND	
URBAN AREAS	137
乡土建筑遗产宪章	141
CHARTER ON THE BUILT VERNACULAR HERITAGE	143
考古遗产保护与管理宪章	147
CHARTER FOR THE PROTECTION AND MANAGEMENT OF	
THE ARCHAEOLOGICAL HERITAGE	151
古迹、建筑群及遗址的记录工作原则	159
PRINCIPLES FOR THE RECORDING OF MONUMENTS,	
GROUPS OF BUILDINGS AND SITES	163

古迹、建筑群及遗址保护中的教育与培训准则	170
GUIDELINES FOR EDUCATION AND TRAINING IN THE CONSERVATION	
OF MONUMENTS, ENSEMBLES AND SITES	174
建筑遗产分析、保护与结构修复准则(2003)	180
PRINCIPLES FOR THE ANALYSIS, CONSERVATION AND STRUCTURAL	
RESTORATION OF ARCHITECTURAL HERITAGE	183
关于保护遗产地精神的魁北克宣言	189
QUÉBEC DECLARATION ON THE PRESERVATION OF THE SPIRIT OF PLACE.	192
关于文化线路的宪章	196
THE ICOMOS CHARTER ON CULTURAL ROUTES	203
文化遗产阐释与展示宪章	214
THE ICOMOS CHARTER FOR THE INTERPRETATION AND PRESENTATION	
OF CULTURAL HERITAGE SITES	219
中华人民共和国文物保护法(2002 年版)	227
LAW OF THE PEOPLE'S REPUBLIC OF CHINA ON PROTECTION OF	
CULTURAL RELICS	239
中华人民共和国文物保护法实施条例	
REGULATIONS FOR THE IMPLEMENTATION OF THE LAW OF THE PEOPLE'S	
REPUBLIC OF CHINA ON PROTECTION OF CULTURAL RELICS	271
西安宣言	285
XI'AN DECLARATION ON THE CONSERVATION OF THE SETTING	
OF HERITAGE STRUCTURES, SITES AND AREAS	288
世界文化遗产保护管理办法	
CHINA WORLD CULTURAL HERITAGE MANAGEMENT PRINCIPLES	296
中国世界文化遗产监测巡视管理办法	300
CHINA WORLD CULTURAL HERITAGE MONITORING AND	
CHECKING PRINCIPLES	302
中国世界文化遗产专家咨询管理办法	305
CHINA WORLD CULTURAL HERITAGE EXPERT ADVISORY	
MANAGEMENT PRINCIPLES	307

北京文件——关于东亚地区文物建筑保护与修复	309
INTERNATIONAL SYMPOSIUM ON THE CONCEPTS AND PRACTICES	
OF CONSERVATION AND RESTORATION OF HISTORIC BUILDINGS	
IN EAST ASIA	313
关于东亚地区彩画保护的北京备忘录	318
BEIJING MEMORANDUM ON THE CONSERVATION OF CAIHUA[1]	
IN EAST ASIA	321

保护世界文化和自然遗产公约

联合国教育、科学及文化组织大会于 1972 年 10 月 17 日至 11 月 21 日在巴黎举行的第十七届会议,

<u>注意到</u>文化遗产和自然遗产越来越受到破坏的威胁,一方面因年久腐变所致,同时变化中的 社会和经济条件使情况恶化,造成更加难以对付的损害或破坏现象;

考虑到任何文化或自然遗产的坏变或丢失都有使全世界遗产枯竭的有害影响:

考虑到国家一级保护这类遗产的工作往往不很完善,原因在于这项工作需要大量手段而列为保护对象的财产的所在国却不具备充足的经济、科学和技术力量:

回顾本组织《组织法》规定,本组织将通过保存和维护世界遗产和建议有关国家订立必要的国际公约来维护、增进和传播知识:

考虑到现有关于文化和自然遗产的国际公约、建议和决议表明,保护不论属于哪国人民的这类罕见且无法替代的财产,对全世界人民都很重要:

考虑到部分文化或自然遗产具有突出的重要性,因而需作为全人类世界遗产的一部分加以保护:

考虑到鉴于威胁这类遗产的新危险的规模和严重性,整个国际社会有责任通过提供集体性援助来参与保护具有突出的普遍价值的文化和自然遗产;这种援助尽管不能代替有关国家采取的行动,但将成为它的有效补充;

考虑到为此有必要通过采用公约形式的新规定,以便为集体保护具有突出的普遍价值的文化和自然遗产建立一个根据现代科学方法制定的永久性的有效制度:

在大会第十六届会议上,曾决定应就此问题制订一项国际公约,于 1972 年 11 月 16 日通过本 公约。

I.文化和自然遗产的定义

第1条 在本公约中,以下各项为"文化遗产":

文物: 从历史、艺术或科学角度看具有突出的普遍价值的建筑物、碑雕和碑画、具有考古性 质成份或结构、铭文、窟洞以及联合体:

建筑群:从历史、艺术或科学角度看在建筑式样、分布均匀或与环境景色结合方面具有突出的普遍价值的单立或连接的建筑群:

遗址:从历史、审美、人种学或人类学角度看具有突出的普遍价值的人类工程或自然与人联合工程以及考古地址等地方。

第2条 在本公约中,以下各项为"自然遗产":

从审美或科学角度看具有突出的普遍价值的由物质和生物结构或这类结构群组成的自然面

貌;

从科学或保护角度看具有突出的普遍价值的地质和自然地理结构以及明确划为受威胁的动物 和植物生境区:

从科学、保护或自然美角度看具有突出的普遍价值的天然名胜或明确划分的自然区域。

第3条 本公约缔约国均可自行确定和划分上面第1条和第2条中提及的、本国领土内的文化和自然财产。

Ⅱ.文化和自然遗产的国家保护和国际保护

- **第4条** 本公约缔约国均承认,保证第1条和第2条中提及的、本国领土内的文化和自然遗产的确定、保护、保存、展出和遗传后代,主要是有关国家的责任。该国将为此目的竭尽全力,最大限度地利用本国资源,必要时利用所能获得的国际援助和合作,特别是财政、艺术、科学及技术方面的援助和合作。
- 第5条 为保证、保护、保存和展出本国领土内的文化和自然遗产采取积极有效的措施,本公约各缔约国应视本国具体情况尽力做到以下几点:
- (a)通过一项旨在使文化和自然遗产在社会生活中起一定作用并把遗产保护工作纳入全面规划计划的总政策;
- (b) 如本国内尚未建立负责文化和自然遗产的保护、保存和展出的机构,则建立一个或几个 此类机构,配备适当的工作人员和为履行其职能所需的手段:
 - (c) 发展科学和技术研究,并制订出能够抵抗威胁本国文化或自然遗产的危险的实际方法;
- (d) 采取为确定、保护、保存、展出和恢复这类遗产所需的适当的法律、科学、技术、行政和财政措施:
- (e) 促进建立或发展有关保护、保存和展出文化和自然遗产的国家或地区培训中心,并鼓励这方面的科学研究。

<u>第6条</u>

- 1. 本公约缔约国,在充分尊重第1条和第2条中提及的文化和自然遗产的所在国的主权,并不使国家立法规定的财产权受到损害的同时,承认这类遗产是世界遗产的一部分,因此,整个国际社会有责任合作予以保护。
- 2. 缔约国根据本公约的规定,应有关国家的要求帮助该国确定、保护、保存和展出第 11 条 第 2 和 4 段中提及的文化和自然遗产。
- 3. 本公约各缔约国不得故意采取任何可能直接或间接损害本公约其他缔约国领土的、第1条和第2条中提及的文化和自然遗产的措施。
- **第7条** 在本公约中,世界文化和自然遗产的国际保护应被理解为建立一个旨在支持本公约缔约国保存和确定这类遗产的努力的国际合作和援助系统。

Ⅲ.保护世界文化和自然遗产政府间委员会

第8条

- 1. 在联合国教育、科学及文化组织内,要建立一个保护具有突出的普遍价值的文化和自然遗产政府间委员会,称为"世界遗产委员会"。委员会由联合国教育、科学及文化组织大会常会期间召集的本公约缔约国大会选出的 15 个缔约国组成。委员会成员国的数目将在至少 40 个缔约国实施本公约之后的大会常会之日起增至 21 个。
 - 2. 委员会委员的选举须保证均衡地代表世界的不同地区和不同文化。
- 3. 国际文物保护与修复研究中心(罗马中心)的一名代表、国际古迹遗址理事会的一名代表以及国际自然及资源保护联盟的一名代表可以咨询者身份出席委员会的会议,此外,应联合国教育、科学及文化组织大会常会期间举行大会的本公约缔约国提出的要求,其他具有类似目标的政府间或非政府组织的代表亦可以咨询者身份出席委员会的会议。

第9条

- 1. 世界遗产委员会成员国的任期自当选之应届大会常会结束时起至应届大会后第三次常会闭幕时止。
- 2. 但是,第一次选举时指定的委员中,有三分之一的委员的任期放于当选应届大会后第一次常会闭幕时截止;同时指定的委员中,另有三分之一的委员的任期应于当选之应届大会后第二次常会闭幕时截止。这些委员由联合国教育、科学及文化组织大会主席在第一次选举后抽签决定。
 - 3. 委员会成员国应选派在文化或自然遗产方面有资历的人员担任代表。

<u>第 10 条</u>

- 1. 世界遗产委员会应通过其议事规则。
- 2. 委员会可随时邀请公共或私立组织或个人参加其会议,以就具体问题进行磋商。
- 3. 委员会可设立它认为为履行其职能所需的咨询机构。

第11条

- 1. 本公约各缔约国应尽力向世界遗产委员会递交一份关于本国领土内适于列入本条第 2 段 所述《世界遗产目录》的、组成文化和自然遗产的财产的清单。这份清单不应看作是齐全的,它 应包括有关财产的所在地及其意义的文献资料。
- 2. 根据缔约国按照第 1 段规定递交的清单,委员会应制订、更新和出版一份《世界遗产目录》, 其中所列的均为本公约第 1 条和第 2 条确定的文化遗产和自然遗产的组成部分,也是委员会按照 自己制订的标准认为是具有突出的普遍价值的财产。一份最新目录应至少每两年分发一次。
- 3. 把一项财产列入《世界遗产目录》需征得有关国家同意。当几个国家对某一领土的主权或管辖权均提出要求时,将该领土内的一项财产列入《目录》不得损害争端各方的权利。
- 4. 委员会应在必要时制订、更新和出版一份《处于危险的世界遗产目录》,其中所列财产均为载于《世界遗产目录》之中、需要采取重大活动加以保护并为根据本公约要求给予援助的财产。《处于危险的世界遗产目录》应载有这类活动的费用概算,并只可包括文化和自然遗产中受到下述严重的特殊危险威胁的财产,这些危险是: 蜕变加剧、大规模公共或私人工程、城市或旅游业迅速发展计划造成的消失威胁; 土地的使用变动或易主造成的破坏; 未知原因造成的重大变化;

随意摈弃;武装冲突的爆发或威胁;灾害和灾变;严重火灾、地震、山崩;火山爆发;水位变动、洪水和海啸等。委员会在紧急需要时可随时在《处于危险的世界遗产目录》中增列新的条目并立即予以发表。

- 5. 委员会应确定属于文化或自然遗产的财产可被列入本条第 2 和 4 段中提及的目录所依据的标准。
- 6. 委员会在拒绝一项要求列入本条第2和4段中提及的目录之一的申请之前,应与有关文化或自然财产所在缔约国磋商。
- 7. 委员会经与有关国家商定,应协调和鼓励为拟订本条第2和4段中提及的目录所需进行的研究。
- **第12条** 未被列入第11条第2和4段提及的两个目录的属于文化或自然遗产的财产,决非意味着在列入这些目录的目的之外的其他领域不具有突出的普遍价值。

<u>第 13 条</u>

- 1. 世界遗产委员会应接收并研究本公约缔约国就已经列入或可能适于列入第 11 条第 2 和 4 段中提及的目录的本国领土内成为文化或自然遗产的财产要求国际援助而递交的申请。这种申请的目的可能是保证这类财产得到保护、保存、展出或恢复。
- 2. 本条第 1 段中提及的国际援助申请还可能涉及鉴定哪些财产属于第 1 和 2 条所确定的文化或自然遗产,当初步调查表明此项调查值得进行下去。
- 3. 委员会应就对这些申请所需采取的行动作出决定,必要时应确定其援助的性质和程度,并 授权以它的名义与有关政府作出必要的安排。
- 4. 委员会应制订其活动的优先顺序并在进行这项工作时应考虑到需予保护的财产对世界文化和自然遗产各具的重要性、对最能代表一种自然环境或世界各国人民的才华和历史的财产给予国际援助的必要性、所需开展工作的迫切性、拥有受到威胁的财产的国家现有的资源、特别是这些国家利用本国资源保护这类财产的能力大小。
 - 5. 委员会应制订、更新和发表已给予国际援助的财产目录。
- 6. 委员会应就本公约第 15 条下设立的基金的资金使用问题作出决定。委员会应设法增加这类资金,并为此目的采取一切有益的措施。
- 7. 委员会应与拥有与本公约目标相似的目标的国际和国家级政府组织和非政府组织合作。委员会为实施其计划和项目,可约请这类组织;特别是国际文物保护与修复研究中心(罗马中心)、国际古迹遗址理事会和国际自然及自然资源保护联盟并可约请公共和私立机构与个人。
- 8. 委员会的决定应经出席及参加表决的委员的三分之二多数通过。委员会委员的多数构成法定人数。

第14条

- 1. 世界遗产委员会应由联合国教育、科学及文化组织总干事任命组成的一个秘书处协助工作。
- 2. 联合国教育、科学及文化组织总干事应尽可能充分利用国际文物保护与修复研究中心(罗马中心)、国际古迹遗址理事会和国际自然及自然资源保护联盟在各自职权范围内提供的服务,以为

委员会准备文件资料,制订委员会会议议程,并负责执行委员会的决定。

IV. 保护世界文化和自然基金

第15条

- 1. 现设立一项保护具有突出的普遍价值的世界文化和自然遗产基金, 称为"世界遗产基金"。
- 2. 根据联合国教育、科学及文化组织《财务条例》的规定,此项基金应构成一项信托基金。
- 3. 基金的资金采源应包括:
- (a) 本公约缔约国义务捐款和自愿捐款;
- (b) 下列方面可能提供的捐款、赠款或遗赠:
 - (i) 其他国家;
 - (ii) 联合国教育、科学及文化组织、联合国系统的其他组织(特别是联合国开发计划署) 或其他政府问组织:
 - (iii) 公共或私立机构或个人;
- (c) 基金款项所得利息;
- (d) 募捐的资金和为本基金组织的活动的所得收入:
- (e) 世界遗产委员会拟订的基金条例所认可的所有其他资金。
- 4. 对基金的捐款和向委员会提供的其他形式的援助只能用于委员会限定的目的。委员会可接受 仅用于某个计划或项目的捐款,但以委员会业已决定实施该计划或项目为条件,对基金的捐款不得 带有政治条件。

第16条

- 1. 在不影响任何自愿补充捐款的情况下;本公约缔约国每两年定期向世界遗产基金纳款,本公约缔约国大会应在联合因教育、科学及文化组织大会届会期间开会确定适用于所有缔约国的一个统一的纳款额百分比,缔约国大会关于此问题的决定,需由未作本条第2段中所述声明的、出席及参加表决的缔约国的多数通过。本公约缔约国的义务纳款在任何情况下都不得超过对联合国教育、科学及文化组织正常预算纳款的百分之一。
- 2. 然而,本公约经第31条或第32条中提及的国家均可在交存批准书、接受书或加入书时声明不受本条第1段的约束。
- 3. 已作本条第 2 段中所述声明的本公约缔约国可随时通过通知联合国教育、科学及文化组织总干事收回所作声明。然而,收回声明之举在紧接的一届本公约缔约国大会之日以前不得影响该国的义务纳款。
- 4. 为使委员会得以有效地规划其活动,已作本条第2段中所述声明的本公约缔约国应至少每两年定期纳款,纳款不得少于它们如受本条第1段规定约束所须交纳的款额。
- 5. 凡拖延交付当年和前一日历年的义务纳款或自愿捐款的本公约缔约国不能当选为世界遗产委员会成员,但此项规定不适用于第一次选举。属于上述情况但已当选委员会成员的缔约国的任期应在本公约第8条第1段规定的选举之时截止。
 - 第 17 条 本公约缔约国应考虑或鼓励设立旨在为保护本公约第 1 和 2 条中所确定的文化和自

然遗产募捐的国家、公共及私立基金会或协会。

第18条 本公约缔约国应对在联合国教育、科学及文化组织赞助下为世界遗产基金所组织的国际募捐运动给予援助。它们应为第15条第3段中提及的机构为此目的所进行的募款活动提供便利。

V.国际援助的条件和安排

- **第19条** 凡本公约缔约国均可要求对本国领土内组成具有突出的普遍价值的文化或自然遗产之财产给予国际援助。它在递交申请时还应按照第21条规定所拥有的有助于委员会作出决定的文件资料。
- **第20条** 除第13条第2段、第22条(c)分段和第23条所述情况外,本公约规定提供的国际援助仅限于世界遗产委员会业已决定或可能决定列入第11条第2和4段中所述目录的文化和自然遗产的财产。

第21条

- 1. 世界遗产委员会应制订对向它提交的国际援助申请的审议程序,并应确定申请应包括的内容,即打算开展的活动、必要的工程、工程的预计费用和紧急程度以及申请国的资源不能满足所有开支的原因所在。这类申请须尽可能附有专家报告。
- 2. 对因遭受灾难或自然灾害而提出的申请,由于可能需要开展紧急工作,委员会应立即给予优先审议,委员会应掌握一笔应急储备金。
- 3. 委员会在作出决定之前,应进行它认为必要的研究和磋商。<u>第 22 条</u>世界遗产委员会提供的援助可采取下述形式;
- (a) 研究在保护、保存、展出和恢复本公约第 11 条第 2 和 4 段所确定的文化和自然遗产方面所产生的艺术、科学和技术性问题;
 - (b) 提供专家、技术人员和熟练工人,以保证正确地进行已批准的工作;
 - (c) 在各级培训文化和自然遗产的鉴定、保护、保存、展出和恢复方面的工作人员和专家;
 - (d) 提供有关国家不具备或无法获得的设备:
 - (e) 提供可长期偿还的低息或无息贷款;
 - (f) 在例外和特殊情况下提供无偿补助金。
- **第23条** 世界遗产委员会还可向培训文化和自然遗产的鉴定、保护、保存、展出和恢复方面的各级工作人员和专家的国家或地区中心提供国际援助。
- **第24条** 在提供大规模的国际援助之前,应先进行周密的科学、经济和技术研究。这些研究 应考虑采用保护、保存、展出和恢复自然和文化遗产方面最先进的技术,并应与本公约的目标相 一致。这些研究还应探讨合理利用有关国家现有资源的手段。
- **第 25 条** 原则上,国际社会只担负必要工程的部分费用。除非本国资源不许可,受益于国际援助的国家承担的费用应构成用于各项计划或项目的资金的主要份额。
 - 第 26 条 世界遗产委员会和受援国应在他们签订的协定中确定享有根据本公约规定提供的国

际援助的计划或项目的实施条件。应由接受这类国际援助的国家负责按照协定制订的条件对如此 卫护的财产继续加以保护、保存和展出。

VI.教育计划

第27条

- 1. 本公约缔约国应通过一切适当手段,特别是教育和宣传计划,努力增强本国人民对本公约第1和2条中确定的文化和自然遗产的赞赏和尊重。
 - 2. 缔约国应使公众广泛了解对这类遗产造成威胁的危险和根据本公约进行的活动。

第 28 条 接受根据本公约提供的国际援助的缔约国应采取适当措施,使人们了解接受援助的财产的重要性和国际援助所发挥的作用。

VII.报告

第29条

- 1. 本公约缔约国在按照联合国教育、科学及文化组织大会确定的日期和方式向该组织大会递交的报告中,应提供有关它们为实行本公约所通过的法律和行政规定和采取的其他行动的情况,并详述在这方面获得的经验。
 - 2. 应提请世界遗产委员会注意这些报告。
 - 3. 委员会应在联合国教育、科学及文化组织大会的每届常会上递交 7 份关于其活动的报告。

Ⅷ.最后条款

第30条 本公约以阿拉伯文、英文、法文、俄文和西班牙文拟订,五种文本同一作准。

第31条

- 1. 本公约应由联合国教育、科学及文化组织会员国根据各自的宪法程序予以批准或接受。
- 2. 批难书或接受书应交存联合国教育、科学及文化组织总干事。

第32条

- 1. 所有非联合国教育、科学及文化组织会员的国家,经该组织大会邀请均可加入本公约。
- 2. 向联合国教育、科学及文化组织总干事交存一份加入书后,加入方才有效。
- **第33条** 本公约须在第二十份批准书、接受书或加入书交存之目的三个月之后生效,但这仅涉及在该日或之首交存各自批准书、接受书或加入书的国家。就任何其他国家而言,本公约应在这些国家交存其批准书、接受书或加入书的三个月之后生效。

第34条 下述规定须应用于拥有联邦制或非单一立宪制的本公约缔约国:

- (a) 关于在联邦或中央立法机构的法律管辖下实施的本公约规定,联邦或中央政府的义务应与非联邦国家的缔约国的义务相同;
 - (b) 关于在无须按照联邦立宪制采取立法措施的联邦各个国家、地区、省或州法律管辖下实

施的本公约规定,联邦政府应将这些规定连同其关于予以通过的建议一并通告各个国家、地区、省或州的主管当局。

第35条

- 1. 本公约缔约国均可通告废除本公约。
- 2. 废约通告应以一份书面文件交存联合国教育、科学及文化组织的总干事。
- 3. 公约的废除应在接到废约通告书一年后生效,废约在生效日之前不得影响退约国承担的财政义务。
- **第 36 条** 联合国教育、科学及文化组织总干事应将第 31 和 32 条规定交存的所有批准书、接受书和加入书和第 35 条规定的废约等事通告本组织会员国、第 32 条中提及的非本组织会员的国家以及联合国。

第37条

- 1. 本公约可由联合国教育、科学及文化组织的大会修订。但任何修订只将成为修订的公约缔约国具有约束力。
- 2. 如大会通过一项全部或部分修订本公约的新公约,除非新分约另有规定,本公约应从新的 修订公约生效之日起停止批准、接受或加入。
- **第 38 条** 按照《联合国宪章》第 102 条,本公约须应联合国教育、科学及文化组织总干事的要求在联合国秘书处登记。

1972年11月23日订于巴黎,两个正式文本均有大会第十七届会议主席和联合国教育、科学及文化组织总干事的签字,由联合国教育、科学及文化组织存档,并将证明无误之副本发送第31条和第32条述之所有国家以及联合国。

前文系联合国教育、科学及文化组织大会在巴黎举行的,于一九七二年十一月二十一日宣布 闭幕的第十七届会议通过的《公约》正式文本。

一九七二年十一月二十三日签字, 以昭信守。

大会主席荻原彻总干事勒力・马厄

该副本经验明无误

巴黎

联合国教育、科学及文化组织国际准则及法律事务办公室主任



UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION

CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

Adopted by the General Conference at its seventeenth session Paris, 16 november 1972



English Text

CONVENTION CONCERNING 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 technological 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 efficient 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. DEFINITION OF THE CULTURAL AND NATURAL HERITAGE Article 1

For the purpose 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 man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point 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 endeavor, 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.

- 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 right 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 presentation 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.

- 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.

- 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.

- 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 mentioned 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

- 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 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.

- 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 instrument 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

 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) provisions 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 endeavor 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 the 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 role played by such assistance.

VII. REPORTS

- 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

- 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.

关于古迹遗址保护与修复的国际宪章

(威尼斯宪章 1964)

(第二届历史古迹建筑师及技师国际会议于1964年5月25日——31日在威尼斯通过)

发文单位: 第二届历史古迹建筑师及技师国际会议

发文时间: 1964-5-25 生效日期: 1964-5-25

世世代代人民的历史古迹,饱含着过去岁月的信息留存至今,成为人们古老的活的见证。人们越来越意识到人类价值的统一性,并把古代遗迹看作共同的遗产,认识到为后代保护这些古迹的共同责任。将它们真实地、完整地传下去是我们的职责。古代建筑的保护与修复指导原则应在国际上得到公认并作出规定,这一点至关重要。各国在各自的文化和传统范畴内负责实施这一规划。1931 年的雅典宪章第一次规定了这些基本原则,为一个国际运动的广泛发展做出了贡献,这一运动所采取的具体形式体现在各国的文件之中,体现在国际博物馆协会和联合国教育、科学及文化组织的工作之中,以及在由后者建立的国际文化财产保护与修复研究中心之中。一些已经并在继续变得更为复杂和多样化的问题已越来越受到注意,并展开了紧急研究。现在,重新审阅宪章的时候已经来临,以便对其所含原则进行彻底研究,并在一份新文件中扩大其范围。为此,1964年5月25日——31日在威尼斯召开了第二届历史古迹建筑师及技师国际会议,通过了以下文本:

定义

第一条 历史古迹的要领不仅包括单个建筑物,而且包括能从中找出一种独特的文明、一种有意义的发展或一个历史事件见证的城市或乡村环境。这不仅适用于伟大的艺术作品,而且亦适用于随时光流逝而获得文化意义的过去一些较为朴实的艺术品。

第二条 古迹的保护与修复必须求助于对研究和保护考古遗产有利的一切科学技术。

宗旨

第三条 保护与修复古迹的目的旨在把它们既作为历史见证,又作为艺术品予以保护。

保护

第四条 古迹的保护至关重要的一点在于日常的维护。

第五条 为社会公用之目的使用古迹永远有利于古迹的保护。因此,这种使用合乎需要,但 决不能改变该建筑的布局或装饰。只有在此限度内才可考虑或允许因功能改变而需做的改动。

第六条 古迹的保护包含着对一定规模环境的保护。凡传统环境存在的地方必须予以保存, 决不允许任何导致改变主体和颜色关系的新建、拆除或改动。

第七条 古迹不能与其所见证的历史和其产生的环境分离。除非出于保护古迹之需要,或因国家或国际之极为重要利益而证明有其必要,否则不得全部或局部搬迁古迹。

第八条 作为构成古迹整体一部分的雕塑、绘画或装饰品,只有在非移动而不能确保其保存

的唯一办法时方可进行移动。

修复

- **第九条** 修复过程是一个高度专业性的工作,其目的旨在保存和展示古迹的美学与历史价值,并以尊重原始材料和确凿文献为依据。一旦出现臆测,必须立即予以停止。此外,即使如此,任何不可避免的添加都必须与该建筑的构成有所区别,并且必须要有现代标记。无论在任何情况下,修复之前及之后必须对古迹进行考古及历史研究。
- **第十条** 当传统技术被证明为不适用时,可采用任何经科学数据和经验证明为有效的现代建筑及保护技术来加固古迹。
- **第十一条** 各个时代为一古迹之建筑物所做的正当贡献必须予以尊重,因为修复的目的不是追求风格的统一。当一座建筑物含有不同时期的重叠作品时,揭示底层只有在特殊情况下,在被去掉的东西价值甚微,而被显示的东西具有很高的历史、考古或美学价值,并且保存完好足以说明这么做的理由时才能证明其具有正当理由。评估由此涉及的各部分的重要性以及决定毁掉什么内容不能仅仅依赖于负责此项工作的个人。
- **第十二条** 缺失部分的修补必须与整体保持和谐,但同时须区别于原作,以使修复不歪曲其 艺术或历史见证。
- **第十三条** 任何添加均不允许,除非它们不致于贬低该建筑物的有趣部分、传统环境、布局 平衡及其与周围环境的关系。
- **第十四条** 古迹遗址必须成为专门照管对象,以保护其完整性,并确保用恰当的方式进行清理和开放。在这类地点开展的保护与修复工作应得到上述条款所规定之原则的鼓励。

发掘

第十五条 发掘应按照科学标准和联合国教育、科学及文化组织 1956 年通过的适用于考古发掘国际原则的建议予以进行。遗址必须予以保存,并且必须采取必要措施,永久地保存和保护建筑风貌及其所发现的物品。此外,必须采取一切方法促进对古迹的了解,使它得以再现而不曲解其意。然而对任何重建都应事先予以制止,只允许重修,也就是说,把现存但已解体的部分重新组合。所用粘结材料应永远可以辨别,并应尽量少用,只须确保古迹的保护和其形状的恢复之用便可。

出版

第十六条 一切保护、修复或发掘工作永远应有用配以插图和照片的分析及评论报告这一形式所做的准确的记录。清理、加固、重新整理与组合的每一阶段,以及工作过程中所确认的技术及形态特征均应包括在内。这一记录应存放于一公共机构的档案馆内,使研究人员都能查到。该记录应建议出版。



INTERNATIONAL CHARTER FOR THE CONSERVATION AND

RESTORATION OF MONUMENTS AND SITES

(THE VENICE CHARTER 1964)

IInd International Congress of Architects and Technicians of Historic Monuments, Venice, 1964.

Adopted by ICOMOS in 1965.

Imbued with a message from the past, the historic monuments of generations of people remain to the present day as living witnesses of their age-old traditions. People are becoming more and more conscious of the unity of human values and regard ancient monuments as a common heritage. The common responsibility to safeguard them for future generations is recognized. It is our duty to hand them on in the full richness of their authenticity.

It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions.

By defining these basic principles for the first time, the Athens Charter of 1931 contributed towards the development of an extensive international movement which has assumed concrete form in national documents, in the work of ICOM and UNESCO and in the establishment by the latter of the International Centre for the Study of the Preservation and the Restoration of Cultural Property. Increasing awareness and critical study have been brought to bear on problems which have continually become more complex and varied; now the time has come to examine the Charter afresh in order to make a thorough study of the principles involved and to enlarge its scope in a new document.

Accordingly, the IInd International Congress of Architects and Technicians of Historic Monuments, which met in Venice from May 25th to 31st 1964, approved the following text:

DEFINITIONS

Article 1.

The concept of a historic monument embraces not only the single architectural work but also the urban or rural setting in which is found the evidence of a particular civilization, a significant development or a historic event. This applies not only to great works of art but also to more modest works of the past which have acquired cultural significance with the passing of time.

Article 2.

The conservation and restoration of monuments must have recourse to all the sciences and techniques which can contribute to the study and safeguarding of the architectural heritage.

Article 3.

The intention in conserving and restoring monuments is to safeguard them no less as works of art than as historical evidence.

CONSERVATION

Article 4.

It is essential to the conservation of monuments that they be maintained on a permanent basis.

Article 5.

The conservation of monuments is always facilitated by making use of them for some socially useful purpose. Such use is therefore desirable but it must not change the lay-out or decoration of the building. It is within these limits only that modifications demanded by a change of function should be envisaged and may be permitted.

Article 6.

The conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and colour must be allowed.

Article 7.

A monument is inseparable from the history to which it bears witness and from the setting in which it occurs. The moving of all or part of a monument cannot be allowed except where the safeguarding of that monument demands it or where it is justified by national or international interest of paramount importance.

Article 8.

Items of sculpture, painting or decoration which form an integral part of a monument may only be removed from it if this is the sole means of ensuring their preservation.

RESTORATION

Article 9.

The process of restoration is a highly specialized operation. Its aim is to preserve and reveal the aesthetic and historic value of the monument and is based on respect for original material and authentic documents. It must stop at the point where conjecture begins, and in this case moreover any extra work which is indispensable must be distinct from the architectural composition and must bear a contemporary stamp. The restoration in any case must be preceded and followed by an archaeological and historical study of the monument.

Article 10.

Where traditional techniques prove inadequate, the consolidation of a monument can be achieved by the use of any modern technique for conservation and construction, the efficacy of which has been shown by scientific data and proved by experience.

Article 11.

The valid contributions of all periods to the building of a monument must be respected, since unity of style is not the aim of a restoration. When a building includes the superimposed work of different periods, the revealing of the underlying state can only be justified in exceptional circumstances and when what is removed is of little interest and the material which is brought to light is of great historical, archaeological or aesthetic value, and its state of preservation good enough to justify the action. Evaluation of the importance of the elements involved and the decision as to what may be destroyed cannot rest solely on the individual in charge of the work.

Article 12.

Replacements of missing parts must integrate harmoniously with the whole, but at the same time must be distinguishable from the original so that restoration does not falsify the artistic or historic evidence.

Article 13.

Additions cannot be allowed except in so far as they do not detract from the interesting parts of the building, its traditional setting, the balance of its composition and its relation with its surroundings.

HISTORIC SITES

Article 14.

The sites of monuments must be the object of special care in order to safeguard their integrity and ensure that they are cleared and presented in a seemly manner. The work of conservation and restoration carried out in such places should be inspired by the principles set forth in the foregoing articles.

EXCAVATIONS

Article 15.

Excavations should be carried out in accordance with scientific standards and the recommendation defining international principles to be applied in the case of archaeological excavation adopted by UNESCO in 1956.

Ruins must be maintained and measures necessary for the permanent conservation and protection of architectural features and of objects discovered must be taken. Furthermore, every means must be taken to facilitate the understanding of the monument and to reveal it without ever distorting its meaning.

All reconstruction work should however be ruled out "a priori". Only anastylosis, that is to say, the reassembling of existing but dismembered parts can be permitted. The material used for integration should always be recognizable and its use should be the least that will ensure the conservation of a monument and the reinstatement of its form.

PUBLICATION

Article 16.

In all works of preservation, restoration or excavation, there should always be precise documentation in the form of analytical and critical reports, illustrated with drawings and photographs. Every stage of the work of clearing, consolidation, rearrangement and integration, as well as technical and formal features identified during the course of the work, should be included. This record should be placed in the archives of a public institution and made available to research workers. It is recommended that the report should be published.

The following persons took part in the work of the Committee for drafting the International Charter for the Conservation and Restoration of Monuments:

Piero Gazzola (Italy), Chairman Raymond Lemaire (Belgium), Reporter José Bassegoda-Nonell (Spain)

Luis Benavente (Portugal)

Djurdje Boskovic (Yugoslavia)

Hiroshi Daifuku (UNESCO)

P.L. de Vrieze (Netherlands)

Harald Langberg (Denmark)

Mario Matteucci (Italy)

Jean Merlet (France)

Carlos Flores Marini (Mexico)

Roberto Pane (Italy)

S.C.J. Pavel (Czechoslovakia)

Paul Philippot (ICCROM)

Victor Pimentel (Peru)

Harold Plenderleith (ICCROM)

Deoclecio Redig de Campos (Vatican)

Jean Sonnier (France)

Francois Sorlin (France)

Eustathios Stikas (Greece)

Gertrud Tripp (Austria)

Jan Zachwatovicz (Poland)

Mustafa S. Zbiss (Tunisia)

巴拉宪章

历史回顾

背黒

国际古迹遗址理事会(ICOMOS)澳大利亚国家委员会(以下称"澳大利亚 ICOMOS")明确表示:《巴拉宪章》只有一个,即 1999 年通过并实施的版本。1999 年之前所颁布的三个版本业已归档,不再获得澳大利亚 ICOMOS 的认可。任何宣称使用 1998 年版本(或非 1999 年 11 月所通过版本)的人都违背了澳大利亚 ICOMOS 的主旨,并没有采用真正的《巴拉宪章》。在首次提及《巴拉宪章》之处,需使用"澳大利亚 ICOMOS《巴拉宪章》(1999 年)"字样,此后则简称"《巴拉宪章》"即可。

澳大利亚 ICOMOS 乃是文化遗产保护领域的最高层专业机构。该理事会于 1999 年 11 月 的年度常务会议上对《巴拉宪章》进行了修改。宪章的修改是以总结最佳实践经验为目的,并经过了广泛的审查。

宪章的修改纳入了自上次更新后的十年间保护实践所取得的最新进展。

最新版《巴拉宪章》最突出的变化是认识到了文化遗产的无形要素,这些要素在遗产地的使用、遗产地与场所的联系及其人文含义中都有所体现。

最新版《巴拉宪章》还认识到了在决策过程中纳入公众参与的必要性,尤其是那些与遗产地密切相关的人员。他们可以是街角商店的店主、工厂的工人、或是某一具有特殊价值的场所的社区监护人,而无论其是来自澳大利亚本土还是欧洲。

新版宪章还极大地改进了指导遗产地决策的规划流程,并附有示意图,对程序加以更清晰的 说明。

随着 1999 年修订版的批准与实施,此前的 1998 年版已宣告失效,与 1981 和 1979 年的版本一并归档,记录着澳大利亚遗产保护思想的发展历程。

如果您对《巴拉宪章》的历史历程、修订文件或任何其他问题仍有疑问,请联系:

ICOMOS 澳大利亚国家委员会秘书处

电话: +61 3 9251 7131 传真: +61 3 9251 7158

巴拉宪章

澳大利亚 ICOMOS 保护具有文化重要性的场所宪章

序言

《巴拉宪章》是由国际古迹遗址理事会(ICOMOS)澳大利亚国家委员会在参考《国际古迹遗址保护和修复宪章》(1964年,威尼斯)及 ICOMOS 第 5 届大会决议(1978年,莫斯科)的基础上,于 1979年8月19日在澳大利亚南部城市巴拉批准实施的。澳大利亚 ICOMOS 分别于1981年2月23日、1988年4月23日和1999年11月26日对宪章进行了修订。

《巴拉宪章》(以下简称"《宪章》")凝聚了澳大利亚 ICOMOS 成员的学识和经验,为具有文化重要性的场所(文化遗产地)的保护管理提供了指导。

保护是文化遗产地管理的有机组成,是一项长期而持续的任务。

《宪章》的话用对象

《宪章》为从事文化遗产地工作或与之相关的顾问、决策者、以及遗产地的所有者、管理者和保管者制定了工作标准。

如何使用《宪章》

应当从整体上把握《宪章》。其中的许多条款是相互关联的。例如,"保护准则"部分的条款在"保护过程"和"保护规范"部分中也有进一步的诠释。各部分的标题意在方便读者阅读,而不是将《宪章》刻意划分为几个部分。

《宪章》本身为一份完整独立的文件,但是其实施和运用会在澳大利亚 ICOMOS 的一些其他文件中得到进一步的诠释,这些文件包括:

- •《巴拉宪章》指南:文化价值;
- •《巴拉宪章》指南:保护方针:
- •《巴拉宪章》指南:科研及报告的程序;
- 遗产地保护中的共存规范。

《宪章》的适用领域

《宪章》适用于所有类型的文化遗产地,包括具有文化价值的自然遗产地、原住民遗址和历史古迹等。

其他组织制定的准则规范也有参考价值,包括《澳大利亚自然遗产宪章》及《原住民及托雷斯海峡岛民文化遗产地的保护、管理与使用指南草案》。

为什么需要保护?

具有文化重要性的场所丰富了人类的生活,在社会和景观、过去与现实体验之间建立了深刻而富有灵感的联系。它们是历史的记录,是澳大利亚存在与发展的有形见证,具有重要的意义。 具有文化重要性的场所反映了社会的多样性,反映了我们的现在,以及塑造出我们自身及澳大利亚景观的历史。因此,这些场所具有不可替代的珍贵性。

我们必须为现在及未来世代的人们保护这些具有文化重要性的场所。

《巴拉宪章》提倡慎微的改造:尽全力保护并利用这些场所,同时尽可能不对其做出任何改造,以保存其文化重要性。

第一条	定义	注释
	在本《宪章》中:	注释不属于《宪章》的一部分,可由澳大利亚 ICOMOS 予以添加
1.1	"场所"指地点、区域、土地、景观、建筑或建筑群,也可以包括组成要素、内容、空间和风景。	场所是一个广义的概念。条款 1.1 中描述的 组成要素包括: 古迹、树木、花园、公园、 历史事件发生地、城区、城镇、工业区、考 古遗址和宗教场所。
1.2	"文化重要性"指对过去、现在及将来的人们 具有美学、历史、科学、社会和精神价值。文 化重要性包含于遗产地本身、遗产地的构造、 环境、用途、关联、涵义、记录、相关场所及 物体之中。 遗产地对不同个体或团体而言,具有不同的价 值。	化遗产价值"具有相同的含义。 遗产地的文化重要性随历史发展而变化。 对文化重要性的认识也可随信息的更新而
1.3	"构造"是指遗产场所的所有自然物质,包括组成成分、固定结构、内容和实体	构造包括建筑物内部和表面遗迹,以及从遗迹中发掘出来的材料。 构造可界定空间范围,这可能是判断场所重 要性的重要元素。
1.4	"保护"指保护某一场所以保存其文化重要性的一切过程。	
1.5	"维护"是指对某遗产地的构造和环境所采取的持续保护措施。维护要与维修相区别。维修包括修复和重建。	以屋顶沟檐为例,两者的区别在于: • 维护仅涉及沟檐的常规视察和清洁; • 修复性维修则意味着将沉积的沟槽重新装回原位; • 重建性维修则意味着更换已经腐朽的沟槽。
1.6	"保存"是指维护某遗产地的现存构造状态并 延缓其退化。	我们已经发现,所有遗产地及其组成部分都 在以不同的速度随着时间的推移而发生改 变。
1.7	"修复"是指通过去除增添物,或不利用新材料而将现有组成部分进行重新组装,将某一场所的现有构造恢复到已知的某一历史状态	
1.8	"重建"是指将某遗产地恢复到已知的某一历 史状态。重建和修复的区别在于它在遗产地的 构造中应用了新的材料	新材料可包括从其它场所抢救出来的回收 材料。这一方法不应对任何具有文化重要性 的场所造成损害。
1.9	"改造"是指对某一场所进行调整,以使其适合现有或提议用途	

4.40		
1.10	"用途"是指一处场所的功能,以及可在这一	
	场所开展的活动或实践行为	
1.11	"相容用途"是指对某一场所的文化重要性给	
	予充分尊重的用途。这类用途对此场所的文化	
	重要性没有或者只有极小的影响。	
1.12	环境是指"某遗产地周围的区域,可包括视力	
	所及的范围"。	
1.13	"相关场所"是指促成另一场所文化重要性形	
	成的场所。	
1.14	77.00.7	
	成但却不位于该场所的物体。	
1.15		相关性可以包括某一场所的社会或精神价
1.13	"相关性"是指人与场所之间的特殊关联。	信及社会对该场所的文化责任。
1.16	"意义"是指某一场所所代表、象征、唤起或	
1.16		
4.47	表达的意义。	念性。
1.17	"诠释"是指展示某遗产地文化价值的所有方	诠释可以是对构造的各种处理(譬如,维护、
	式。	修复、重建);某一场所的用途及活动;遗
		迹说明性材料的利用。
	保护准则	
	71.4	
 第二条	保护与管理	
·	保护与管理	
2.1	保护与管理 具有文化重要性的场所应该得到保护。	
2.1 2.2	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。	
2.1	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有	
2.1 2.2 2.3	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。	
2.1 2.2 2.3	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得	
2.1 2.2 2.3	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。	
2.1 2.2 2.3	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得	
2.1 2.2 2.3 2.4 第三条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。	对某一场所的构造进行的添加、改变和处理
2.1 2.2 2.3 2.4	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施	对某一场所的构造进行的添加、改变和处理
2.1 2.2 2.3 2.4 第三条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施	对某一场所的构造进行的添加、改变和处理痕迹是其历史和用途的证据,也是其重要性
2.1 2.2 2.3 2.4 第三条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。
2.1 2.2 2.3 2.4 第三条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。 保护行动应该有助于而不是妨碍对这一部
2.1 2.2 2.3 2.4 第三条 3.1	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少之又少。	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。
2.1 2.2 2.3 2.4 第三条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少之又少。 对遗产地进行的改变不应破坏其物理结构和	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。 保护行动应该有助于而不是妨碍对这一部
2.1 2.2 2.3 2.4 第三条 3.1	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少之又少。	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。 保护行动应该有助于而不是妨碍对这一部
2.1 2.2 2.3 2.4 第三条 3.1	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少之又少。 对遗产地进行的改变不应破坏其物理结构和	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。 保护行动应该有助于而不是妨碍对这一部
2.1 2.2 2.3 3.4 第三条 3.1 第四条	保护与管理 具有文化重要性的场所应该得到保护。 保护的目标是保持该场所的文化重要性。 保护是妥善管理具有文化重要性的场所的有机组成部分。 具有文化重要性的场所应受到安全保护,不得被置于危险或脆弱的状态。 采取审慎措施 保护应基于对现存构造、用途、相关性和意义的尊重;对遗产地进行的改变需慎之又慎,少之又少。 对遗产地进行的改变不应破坏其物理结构和其他特征,也不要基于想当然的推测。	对某一场所的构造进行的添加、改变和处理 痕迹是其历史和用途的证据,也是其重要性 的一部分。 保护行动应该有助于而不是妨碍对这一部

	和保护的知识、技能和方法。	
4.2	在进行重要构造的保护时,倾向于使用传统的 技术和材料。在某些情况下,则可能更适合使 用能提供重大保护效果的现代技术和材料。	现代材料和技术的应用必须得到牢固的科学证据或富有经验的机构的支持。
第五条	价值	
5.1	对遗产地的保护应认识并考虑到各方面的文 化和自然价值,而不能毫无根据地强调一种价 值,牺牲其他价值。	
5.2	可依据某一场所的文化重要性的相对程度决定不同的保护措施。	必须谨慎对待采取的措施,因为对遗产地文 化重要性的理解会发生改变。本条款不得被 用于为损害文化重要性的行为作出任何辩 解。
第六条	《巴拉宪章》执行程序	
6.2	在进行决策之前,最好通过一系列信息收集与分析,了解场所的文化重要性及可能影响其未来的其他事务。 首先要理解文化重要性,然后是制订开发方针,最后是依据方针对遗产地加以管理遗产地的管理方针必须建立在理解其文化重要性的基础上。 方针制订应考虑到影响遗产地未来发展的其他因素,例如遗产地所有者的需求、资源、外	附录中以插图形式讲解了《巴拉宪章》执行 程序,或者说是研究、决策和行动顺序。
	部限制条件及其自身的物理条件。	
第七条	用途	
7.1	若场所的用途具有文化重要性,则应该对其加 以保存。	
7.2	应该为遗产地创造相容用途。	方针应甄别出遗产地的一种或多种用途或旨在保存其文化重要性的使用局限。遗产地的新用途应将重要构造和用途改变减至最少;应尊重遗产地的相关性和意义;在条件允许的情况下,应继续保持为其赋予文化重要性的实践活动。
第八条	环境	
	遗产地保护应该保留恰当的视觉环境及赋予 其文化重要性的其他关系。	视觉环境可包括用途、位置、数量、形态、 体量、特征、颜色、质地和原材料。

		+4 V ~ (BL C + B /b) ¬+bB ~ fb /b /b
	一切可能对环境或其他关系起负面作用的新	
	建设、破坏、干扰或其他变化都是不恰当的。	释、理解、欣赏或体验遗产地。
第九条	地点	
9.1	遗产地的地理位置是其文化重要性的组成部	
	分。	
	遗产地中的建筑,人工作品及其他组成要素都	
	应保存在其原有位置。	
	除非必须更换位置才能保证遗产地的存在,否	
	则不能改变遗产地的位置。	
9.2	遗产地中某些建筑、人工作品和其他组成要素	
	在设计上是可移动的或者在历史上已被更换	
	位置。	
	如果这样的建筑、作品和组成要素与遗产地当	
	前所处位置没有重要联系,则移动可被视为合	
	理的。	
9.3	在需要移动的情况下,需将建筑、人工作品和	
	组成要素移动到合理的位置,并加以合理利	
	用。类似措施不应对任何文化遗产地造成损	
	害。	
AA 1 A2	مل باند	
第十条	内容	
	构成遗产地文化重要性的内容、设备和物体都	
	应得到保存。只有在以下情况下,方可进行移	
	动:这是确保其安全和保存的唯一途径;临时	
	性处理或展览; 文化原因; 健康和安全原因;	
	或出于保护场所本身的目的。	
	在条件允许以及具有文化合理性的情况下,应	
	将上述内容、设备和物体归还原处。	
第十一条	相关场所和物体	
	应当保留相关场所和相关物体对文化重要性	
	的贡献。	
第十二条	公众参与	
	在遗产地保护、诠释和管理中, 应当纳入那些与	
	遗产地有特殊关联或对其有特殊意义的公众,或	
	是对遗产地富有社会、精神或其他文化责任的人	
	士的参与。	
 第十三条	多种文化价值的共存	

	应当认识、尊重并鼓励多种文化价值的共存, 尤其是在这些价值处于冲突的情况下。	在某些遗产地,相互冲突的文化价值可能会影响方针制订和管理决策。本条款中的文化价值指对文化群体具有重要意义的信仰,包括但不限于政治、宗教、精神和道德信仰。 与遗产地文化重要性方面的价值比较,这里价值的概念比文化重要性中的价值概念外延更广。
	保护程序	
第十四条	保护程序	
	根据具体情况,保护可包括以下程序:保留或 重新推出某一用途;保留相关性和意义;维护、 保存、修复、重建、改造和诠释;一般来说可 能包括一个以上的上述活动。	
第十五条	改变	
15.1	为了保留文化重要性,有时或许需要进行必要的改变,然而如果可能削弱文化重要性,则不提倡这么做。 遗产地的改变程度应取决于遗产地的文化重要性及其合理诠释。	若要改造遗产地,必须将文化重要性削弱减 至最小为标准,从 众多方案中作出选择。
15.2	可能削弱文化重要性的改变措施都应该是可 逆的,在条件允许的情况下,可将其恢复到改 变前的状态。	可逆性改变应被视为临时性措施。只有在迫 不得已的情况下,才能采取不可逆的改变, 且该措施不得阻碍未来的保护行动。
15.3	一般不允许对遗产地的重要构造造成破坏。 但是在某些情况下,微弱的破坏作为保护措施 的一部分也是可以接受的。在条件允许的情况 下,应该将移动过的重要构造复原。	
15.4	应尊重遗产地各方面的文化重要性。 如果某个遗产地包括不同时期的构造、用途、 关联或意义,只有在准备忽略、移除或弱化的 某一历史阶段或部分仅具有极小文化重要性, 以及所要强调或诠释的某一阶段或部分具有 远为重大的文化重要性的情况下,方能牺牲前 者,强调或诠释后者。	
第十六条	维护	
	维护是保护的基础。当遗产地的构造具有文化 重要性,且这一重要性必须通过维护来加以保 持时,就应当对其加以维护。	

第十七条	保存	
	保存适合于以下场所:现有构造或状况构成了遗产地的文化重要性,或没有足够的证据以执行其它保护程序。	对遗产地构造的保存不会掩盖其建筑和使用情况。保存程序适用于:
第十八条	修复和重建	
	修复和重建应当揭示遗产地的文化重要性的 各方面。	
第十九条	修复	
	只有当我们对遗产地构造的早期状态有充分 了解时,才能对其进行修复。	
第二十条	重建	
20.1	只有当遗产地因破坏或改造已残缺不全,以及 对复制到早期构造有充分把握时,才能进行重 建。在个别情况下,重建也可用作保留遗产地 文化重要性的用途使用和实践的一部分。	
20.2	重建应当与详细的审查结果或附加的诠释相 一致。	
第二十一条	改造必须仅限于依据第6条和第7条所判断的 对遗产地的用途具有必要性的情况。	
21.1	只有对遗产地的文化重要性的影响极小时,才 能对遗产地进行改造。	
21.2	在改造时应尽量将对重要构造的影响最小化, 且必须在对多种方案加以权衡之后才能予以 执行。	
第二十二条	新建筑	
22.1	受: 不歪曲或掩盖遗产地的文化重要性;不减损对 遗产地的诠释和欣赏。	新建筑的环境、体积、外形、规模、特点、 颜色、质地和材料可与遗产地现存构造相 似,但应避免仿造。
22.2	新建筑应与本体保持和谐一致。	

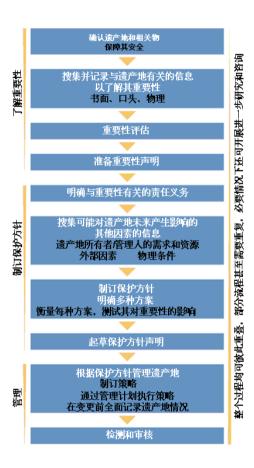
第二十三条	保护性利用	
	延续性、调整性和修复性利用是合理且理想的保护方式。	这些利用方式可能会改变重要构造,但应将 改变降至最低。在某些情况下,延续性利用 和实践活动可能涉及到大型新建筑。
第二十四条	保存相关性和意义	
24.1	应当尊重、保存、而不是抹煞人类和遗产地之间的重要关联。应当探寻并利用各种机会以诠释、纪念并颂扬这种关联。	对很多遗产地来说,相关性可能与用途有关。
24.2	应当尊重包括精神价值在内的遗产地的重要 意义。应当探寻并利用机会以延续或复兴遗产 地的意义。	
第二十五条	诠释	
	很多遗产地的文化重要性并不明晰,因此应对 其进行诠释。诠释应当提高公众对遗产地的认 识和体验乐趣,同时应具有合理的文化内涵。	
第二十六条	《巴拉宪章》的应用流程	
26.1	在开展遗产地工作之前,应首先开展一系列旨 在了解遗产地的研究工作,包括对物理、文献、 口头及其他证据的分析,吸收恰当的知识、技 能和准则。	研究结果应随时进行更新,在必要的情况下还应定期加以审查和修订。
26.2	在关于遗产地文化重要性和方针的书面声明中,应通过有力的证据证明该声明的合理性。 重要性和方针声明应作为遗产地管理计划的一部分。	如有必要,定期审查和修订文化重要性和方 针,以随时保持更新。管理计划可包含与遗 产地管理相关的其他问题。
26.3	应当为与遗产地及其管理相关的集体或个人 提供机会,参与并协助了解遗产地的文化重要 性。在适当的情况下,应给予他们参与遗产地 保护与管理的机会。	
第二十七条	改变管理	
27.1		
	现存的构造、用途、相关性和意义。	

第二十八条	对构造的干扰	
	应当将出于研究或获取证据的目的而对重要构造造成的干扰降至最低。只有能够为遗产地的保护决策提供重要资料或出于获取即将遗失或难以获得的资料证据的目的,才能从事对构造加以干扰的研究,包括考古发掘。除决策所需的研究之外,任何可能对构造构成干扰的研究都必须遵守遗产地的工作方针。类似研究必须基于可能极大地增加知识,且无法通过其他方式予以解答的研究课题,并应当将对重要构造的干扰减至最低。	
第二十九条	决策责任	
	应指定负责管理决策的个人或机构并且明确 他们对每项决策的职责。	
第三十条	指导、监督和执行	
	在所有阶段都应保持强有力的指导和监督;任何改变都必须由具有恰当知识和技能的人员 予以执行。	
第三十一条	资料记录和决策	
	所有最新证据和额外决策都应予以记录。	
第三十二条	档案记录	
32.1	与遗产地保护相关的资料应永久性存档,在符合安全和保密要求及具有文化合理性的前提下,可以将资料公开。	
32.2	应当保护与遗产地的历史相关的资料;在符合 安全和保密要求及具有文化合理性的前提下, 可以将资料公开。	
第三十三条	被移除的构造	
	被移除的重要构造,包括内容、设备、实体,都应被列入目录,并依据其文化重要性加以保护。 在条件允许及具有文化合理性的情况下,应当将移除的重要构造,如内容、设备和实体就地保存。	

第三十四条	资源	
	应当为遗产地保护提供充足的资源。	最好的保护模式应该既节约工作量又节约 成本。

《巴拉宪章》工作程序

调研、决策与实施的程序



Burra Charter

Review

Background

Australia ICOMOS wishes to make clear that there is but one Burra Charter, namely the version

adopted in 1999 and identified as such. The three previous versions are now archival documents and are not authorised by Australia ICOMOS. Anyone proclaiming to use the 1988 version (or any

version other than that adopted in November 1999) is not using the Burra Charter as understood

by Australia ICOMOS. Initial references to the Burra Charter should be in the form of the

Australia ICOMOS Burra Charter, 1999 after which the short form (Burra Charter) will suffice.

Australia ICOMOS (International Council on Monuments and Sites), the peak body of professionals

working in heritage conservation, adopted revisions to the Burra Charter at its Annual General Meeting

in November 1999. This followed an extensive process of review with the intention of bringing the with

best practice.

The revisions take account of advances in conservation practice that have occurred over the decade since

the Charter was previously updated.

Prominent among the changes are the recognition of less tangible aspects of cultural significance

including those embodied in the use of heritage places, associations with a place and the meanings that

places have for people.

The Charter recognises the need to involve people in the decision-making process, particularly those that

have strong associations with a place. These might be as patrons of the corner store, as workers in a

factory or as community guardians of places of special value, whether of indigenous or European origin.

The planning process that guides decision-making for heritage places has been much improved, with a

flowchart included in the document to make it clearer.

With the adoption of the 1999 revisions, the previous (1988) version of the Charter has now been

superseded and joins the 1981 and 1979 versions as archival documents recording the development of

conservation philosophy in Australia.

If you have further inquiries about the review process itself, the revised document, or any other issues

concerning the Burra Charter please contact:

The Australia ICOMOS Secretariat

Tel.: +61 3 9251 7131 Fax: +61 3 9251 7158

41

The Burra Charter

The Australia ICOMOS charter

for the conservation of places

of cultural significance

Preamble

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia.

Revisions were adopted on 23 February 1981, 23 April 1988 and 26 November 1999.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia

ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing

responsibility.

Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake

works to places of cultural significance, including owners, managers and custodians.

Using the Charter

The Charter should be read as a whole. Many articles are interdependent. Articles in the Conservation Principles section are often further developed in the Conservation Processes and Conservation Practice

sections. Headings have been included for ease of reading but do not form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained in the following

Australia ICOMOS documents:

• Guidelines to the Burra Charter: Cultural Significance;

• Guidelines to the Burra Charter: Conservation Policy;

• Guidelines to the Burra Charter: Procedures for Undertaking Studies and Reports;

• Code on the Ethics of Coexistence in Conserving Significant Places.

What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, indigenous

42

and historic places with cultural values.

The standards of other organisations may also be relevant. These include the Australian Natural Heritage Charter and the Draft Guidelines for the Protection, Management and Use of Aboriginal and Torres Strait Islander Cultural Heritage Places.

Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Article 1 Definitions

For the purpose of this Charter:

i Deminions

- 1.1 Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.
- 1.2 Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the <u>place</u> itself, its<u>fabric</u>, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

1.3 Fabric means all the physical material of the place including components,

Explanatory Notes

These notes do not form part of the Charter and may be added to by Australia ICOMOS.

The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

The term cultural significance is synonymous with heritage significance and cultural heritage value.

Cultural significance may change as a result of the continuing history of the place.

Understanding of cultural significance may change as a result of new information.

Fabric includes building interiors and sub-surface remains, as well as excavated fixtures, contents, and objects.

material.

Fabric may define spaces and these may be important elements of the significance of the place.

- **1.4** *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.
- 1.5 Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

The distinctions referred to, for example in relation to roof gutters, are

- maintenance and regular inspection and cleaning of gutters;
- repair involving restoration and returning of dislodged gutters;
- repair involving reconstruction and replacing decayed gutters.
- **1.6** Preservation means maintaining the <u>fabric</u> of a <u>place</u> in its existing state and retarding deterioration.
- It is recognised that all places and their components change over time at varying rates.
- **1.7** Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- **1.8** Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.
- **1.9** Adaptation means modifying a place to suit the existing use or a proposed use.
- **1.10** *Use* means the functions of a place, as well as the activities and practices that may occur at the place.
- **1.11** Compatible use means a use which respects the cultural significance of a

New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.

place. Such a use involves no, or minimal, impact on cultural significance.

- **1.12** Setting means the area around a place, which may include the visual catchment.
- **1.13** Related place means a place that contributes to the cultural significance of another place.
- **1.14** Related object means an object that contributes to the *cultural significance* of a *place* but is not at the place.
- **1.15** Associations mean the special connections that exist between people and a place.
- **1.16** *Meanings* denote what a *place* signifies, indicates, evokes or expresses.
- **1.17** *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

Conservation Principles

Article 2 Conservation and management

- **2.1** *Places* of *cultural significance* should be conserved.
- **2.2** The aim of *conservation* is to retain the *cultural significance* of a *place*.
- **2.3** Conservation is an integral part of good management of places of cultural significance.
- **2.4** Places of cultural significance should

Associations may include social or spiritual values and cultural responsibilities for a place.

Meanings generally relate to intangible aspects such as symbolic qualities and memories.

Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.

be safeguarded and not put at risk or left in a vulnerable state.

Article 3 Cautious approach

3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.

The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4 Knowledge, skills and techniques

- **4.1** *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.
- 4.2 Traditional techniques and materials are preferred for the conservation of significant fabric. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate.

The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Article 5 Values

5.1 *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.

Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biological diversity and geodiversity for their existence value, or for present or future generations in terms of their scientific, social, aesthetic and life-support value.

5.2 Relative degrees of *cultural* significance may lead to different *conservation* actions at a place.

A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

Article 6 Burra Charter Process

- 6.1 The cultural significance of a place and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy.
- 6.2 The policy for managing a *place* must be based on an understanding of its

cultural significance.

6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.

Article 7 Use

- **7.1** Where the *use* of a *place* is of *cultural significance* it should be retained.
- **7.2** A place should have a compatible use.

The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change, to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.

The Burra Charter process, or sequence of investigations, decisions and actions, is illustrated in the accompanying flowchart.

Article 8 Setting

Conservation requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials.

Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

Article 9 Location

- 9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.
- 9.2 Some buildings, works or other components of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.
- **9.3** If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate *use*. Such action should not be to the detriment of any *place* of *cultural significance*.

Article 10 Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring

their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

Article 11 Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

Article 12 Participation

Conservation, interpretation and management of a place should provide for the participation of people for whom the place has special associations and meanings, or who have social, spiritual or other cultural responsibilities for the place.

Article 13 Co-existence of cultural values

Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict. For some places, conflicting cultural values may affect policy development and management decisions. In this article, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

Conservation Processes

Article 14 Conservation processes

Conservation may, according to circumstance, include the processes of:

There may be circumstances where no action is required to achieve conservation.

retention or reintroduction of a *use*; retention of *associations* and *meanings*; *maintenance, preservation, restoration, reconstruction, adaptation* and *interpretation*; and will commonly include a combination of more than one of these.

Article 15 Change

Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* should be guided by the *cultural significance* of the place and its appropriate *interpretation*.

When change is being considered, a range of options should be explored to seek the option which minimises the reduction of cultural significance.

- **15.2** Changes which reduce *cultural significance* should be reversible, and be reversed when circumstances permit.
- Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.
- 15.3 Demolition of significant *fabric* of a *place* is generally not acceptable. However, in some cases minor demolition may be appropriate as part of *conservation*. Removed significant fabric should be reinstated when circumstances permit.
- 15.4 The contributions of all aspects of cultural significance of a place should be respected. If a place includes fabric, uses, associations or meanings of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which emphasised or interpreted is of much

greater cultural significance.

Article 16 Maintenance

Maintenance is fundamental to conservation and should be undertaken where fabric is of cultural significance and its maintenance is necessary to retain that cultural significance.

Article 17 Preservation

Preservation is appropriate where the existing fabric or its condition constitutes evidence of cultural significance, or where insufficient evidence is available to allow other conservation processes to be carried out.

Preservation protects fabric without obscuring the evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered;
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

Article 18 Restoration and reconstruction

Restoration and reconstruction should reveal culturally significant aspects of the *place*.

Article 19 Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the *fabric*.

Article 20 Reconstruction

20.1 Reconstruction is appropriate only where a place is incomplete through

damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the *fabric*. In rare cases, reconstruction may also be appropriate as part of a *use* or practice that retains the *cultural significance* of the place.

20.2 Reconstruction should be identifiable on close inspection or through additional interpretation.

Article 21

<u>Adaptation</u> must be limited to that which is essential to a use for the <u>place</u> determined in accordance with Articles <u>6</u> and <u>7</u>.

21.1 *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the *place*.

Adaptation is acceptable only where the adaptation has minimal impact on the *cultural significance* of the *place*.

21.2 *Adaptation* should involve minimal change to significant fabric, achieved only after considering alternatives.

Article 22 New work

22.1 New work such as additions to the *place* may be acceptable where it does not distort or obscure the *cultural* significance of the place, or detract from its *interpretation* and appreciation.

New work may be sympathetic if its siting, bulk, form, scale, character, colour, texture and material are similar to the existing fabric, but imitation should be avoided.

22.2 New work should be readily identifiable as such.

Article 23 Conserving use

Continuing, modifying or reinstating a significant *use* may be appropriate and preferred forms of *conservation*.

These may require changes to significant *fabric* but they should be minimised. In some cases, continuing a significant use or practice may involve substantial new work.

Article 24 Retaining associations and meanings

24.1 Significant *associations* between people and a *place* should be respected, retained and not obscured. Opportunities for the *interpretation*, commemoration and celebration of these associations should be investigated and implemented.

For many places associations will be linked to

24.2 Significant *meanings*, including spiritual values, of a *place* should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

Article 25 Interpretation

The *cultural significance* of many *places* is not readily apparent, and should be explained by *interpretation*. Interpretation should enhance understanding and enjoyment, and be culturally appropriate.

Article 26 Applying the Burra Charter process

26.1 Work on a *place* should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.

The results of studies should be up to date, regularly reviewed and revised as necessary.

- 26.2 Written statements of cultural significance and policy for the place should be prepared, justified and accompanied by supporting evidence. The statements of significance and policy incorporated should be into a management plan for the place.
- **26.3** Groups and individuals with associations with a place as well as those involved in its management

Statements of significance and policy should be kept up to date by regular review and revision as necessary. The management plan may deal with other matters related to the management of the place.

should be provided with opportunities to contribute to and participate in understanding the *cultural significance* of the place. Where appropriate they should also have opportunities to participate in its *conservation* and management.

Article 27 Managing change

27.1 The impact of proposed changes on the *cultural significance* of a *place* should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.

27.2 Existing *fabric*, *use*, *associations* and *meanings* should be adequately recorded before any changes are made to the *place*.

Article 28 Disturbance of fabric

Disturbance of significant *fabric* for study, or to obtain evidence, should be minimised. Study of a *place* by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the *conservation* of the place, or to obtain important evidence about to be lost or made inaccessible.

Investigation of a *place* which requires disturbance of the *fabric*, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to

substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

Article 29 Responsibility for decisions

The organisations and individuals responsible for management decisions should be named and specific responsibility taken for each such decision.

Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

Article 31 Documenting evidence and decisions

A log of new evidence and additional decisions should be kept.

Article 32 Records

- **32.1** The records associated with the *conservation* of a *place* should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.
- **32.2** Records about the history of a *place* should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

Article 33 Removed fabric

Significant *fabric* which has been removed from a *place* including

contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

Article 34 Resources

Adequate resources should be provided for *conservation*.

Words in italics are defined in Article 1.

The best conservation often involves the least work and can be inexpensive.

奈良真实性文件

序言

作为奈良(日本)会议全体专家,我等兹在此感谢日本当局的慷慨精神与学术勇气,为我们适时提供了此论坛,使我们得以挑战遗产保护领域的传统思想,并就拓展视野的方式与手段展开辩论,以使得我们在遗产保护实践中赋予文化与遗产多样性更多的尊重。

我们也希望,藉此对世界遗产委员所提出的讨论框架的价值表示认可。该框架旨在以全面尊 重所有社会的社会与文化价值的方式来验证真实性,并检验被列入世界遗产名单的文化资产的普 遍性价值。

《奈良真实性文件》乃是孕育于 1964 年《威尼斯宪章》的精神,并以此为基础加以了延伸, 以响应当代世界文化遗产关注与利益范围的不断拓展。

在一个日益受到全球化以及同质化力量影响的世界,在一个时有藉由侵略性民族主义与压制少数民族的文化以获取文化认同的世界,在保护实践中纳入真实性考虑具有重要的作用,可厘清并阐明人类的集体记忆。

文化多样性与遗产多样性

整个世界的文化与遗产多样性对所有人类而言都是一项无可替代的丰富的精神与知识源泉。我们必须积极推动世界文化与遗产多样性的保护和强化,将其作为人类发展不可或缺的一部分。

文化遗产的多样性存在于时间与空间之中,需要对其他文化及其信仰系统的各个方面予以尊重。在文化价值出现冲突的情况下,对文化多样性的尊重则意味着需要认可所有各方的文化价值的合理性。所有文化与社会都是根植于以有形与无形手段表现出来的特殊形式和方法,这些形式和方法构成了他们的遗产,应该受到尊重。

其中至关重要的是强调任何一种文化遗产都是所有人类的共同遗产这一联合国教科文组织的基本原则。对文化遗产的责任及管理首先应该是归属于其所产生的文化社区,接着是照看这一遗产的文化社区。然而,除这些责任之外,在决定相关原则与责任时,还应该遵守为文化遗产保护而制订的国际公约与宪章。所有社区都需要尽量在不损伤其基本文化价值的情况下,在自身的要求与其他文化社区的要求之间达成平衡。

价值与真实性

对文化遗产的所有形式与历史时期加以保护是遗产价值的根本。我们了解这些价值的能力部分取决于这些价值的信息来源是否真实可靠。对这些与文化遗产的最初与后续特征有关的信息来源及其意义的认识与了解是全面评估真实性的必备基础。

《威尼斯宪章》所探讨及认可的真实性是有关价值的基本要素。对于真实性的了解在所有有

关文化遗产的科学研究,保护与修复计划以及《世界遗产公约》与其它遗产名单收录程序中都起 着至关重要的基本作用。

一切有关文化项目价值以及相关信息来源可信度的判断都可能存在文化差异,即使在相同的 文化背景内,也可能出现不同。因此不可能基于固定的标准来进行价值性和真实性评判。反之, 出于对所有文化的尊重,必须在相关文化背景之下来对遗产项目加以考虑和评判。

因此,在每一种文化内部就其遗产价值的具体性质以及相关信息来源的真实性和可靠性达成 共识就变得极其重要和迫切。

取决于文化遗产的性质、文化语境、时间演进,真实性评判可能会与很多信息来源的价值有关。这些来源可包括很多方面,譬如形式与设计、材料与物质、用途与功能、传统与技术、地点与背景、精神与感情,以及其它内在或外在因素。使用这些来源可对文化遗产的特定艺术、历史、社会与科学维度加以详尽考察。

附录一

后续建议【由史托维亚(H. Stovel)所提议】

对文化与遗产多样性的尊重需要有意识的努力,避免在试图界定或判断特定纪念物或历史场 所的真实性时套用机械化的公式或标准化的程序。

以尊重文化与遗产多样性的态度来判断真实性需要采取一定的方法,鼓励不同文化针对其性 质和需求制订出特定的分析过程与工具。这些方法可能会有以下共同点:

- •努力确保在真实性评估中纳入跨学科合作,恰当利用所有可用的专业技术和知识;
- •努力确保相关价值真正代表了一个文化与其兴趣的多样性,尤其是纪念物与历史场所;
- ●努力清晰记录有关纪念物与历史场所的真实性的特殊性质,作为未来开展处理与监控的实用性 指南:
- •努力根据不断变化的价值和环境对真实性评估加以更新。
- ●尤其重要的是努力确保相关价值受到尊重,且尽量在决策中形成与这些价值有关的跨学科及社区统一 意见。

这些方法还应该建立在有志于文化遗产保护的所有各方的国际合作基础上,并进一步推动这一合作,以促进全世界对每一种文化的多样化表达和价值的尊重与了解。

将此对话延伸并拓展到全世界不同区域与文化是提升人类共同遗产保护的真实性的实用价值的必要前提。

文化资产自身价值的了解的同时, 也要尊重这些纪念物与历史场所在当代社会所扮演的角色。

附录二:定义

保护: 是指所有旨在了解一项遗产, 掌握其历史和意义, 确保其自然形态, 并在必要时进行

修复和增强的行为。(文化遗产包括《世界遗产公约》第一条所定义的具文化价值的纪念物、建筑群与历史场所)。

信息来源:可使人了解文化遗产的性质、规范、意义与历史的所有物质的、书面的、口述的与图像的来源。

《奈良真实性文件》是在日本政府文化事务部的邀请下,于 1994 年 11 月 1 至 6 日出席在奈良举办的"与世界遗产公约相关的奈良真实性会议"的 45 名代表起草。此次会议乃是由日本政府文化事务部与联合国教科文组织、国际文化财产保护与修复研究中心(ICCROM)及国际古迹遗址理事会(ICOMOS)共同举办。

《奈良文件》的最终版本由奈良会议总协调人雷蒙德·勒梅尔(Raymond Lemaire)先生和赫伯·史托维亚(Herb Stovel)先生编辑。

THE NARA DOCUMENT ON AUTHENTICITY

<u>(1994)</u>

Preamble

- 1. We, the experts assembled in Nara (Japan), wish to acknowledge the generous spirit and intellectual courage of the Japanese authorities in providing a timely forum in which we could challenge conventional thinking in the conservation field, and debate ways and means of broadening our horizons to bring greater respect for cultural and heritage diversity to conservation practice.
- 2. We also wish to acknowledge the value of the framework for discussion provided by the World Heritage Committee's desire to apply the test of authenticity in ways which accord full respect to the social and cultural values of all societies, in examining the outstanding universal value of cultural properties proposed for the World Heritage List.
- 3. The Nara Document on Authenticity is conceived in the spirit of the Charter of Venice, 1964, and builds on it and extends it in response to the expanding scope of cultural heritage concerns and interests in our contemporary world.
- 4. In a world that is increasingly subject to the forces of globalization and homogenization, and in a world in which the search for cultural identity is sometimes pursued through aggressive nationalism and the suppression of the cultures of minorities, the essential contribution made by the consideration of authenticity in conservation practice is to clarify and illuminate the collective memory of humanity.

Cultural Diversity and Heritage Diversity

- 5. The diversity of cultures and heritage in our world is an irreplaceable source of spiritual and intellectual richness for all humankind. The protection and enhancement of cultural and heritage diversity in our world should be actively promoted as an essential aspect of human development.
- 6. Cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties.
- 7. All cultures and societies are rooted in the particular forms and means of tangible and intangible expression which constitute their heritage, and these should be respected.

8. It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all. Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing their own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural values.

Values and authenticity

- 9. Conservation of cultural heritage in all its forms and historical periods is rooted in the values attributed to the heritage. Our ability to understand these values depends, in part, on the degree to which information sources about these values may be understood as credible or truthful. Knowledge and understanding of these sources of information, in relation to original and subsequent characteristics of the cultural heritage, and their meaning, is a requisite basis for assessing all aspects of authenticity.
- 10. Authenticity, considered in this way and affirmed in the Charter of Venice, appears as the essential qualifying factor concerning values. The understanding of authenticity plays a fundamental role in all scientific studies of the cultural heritage, in conservation and restoration planning, as well as within the inscription procedures used for the World Heritage Convention and other cultural heritage inventories.
- 11. All judgements about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must be considered and judged within the cultural contexts to which they belong.
- 12. Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources.
- 13. Depending on the nature of the cultural heritage, its cultural context, and its evolution through time, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of the sources may include form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling, and other internal and external factors. The use of

these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined.

Appendix 1

Suggestions for follow-up (proposed by H. Stovel)

- 1. Respect for cultural and heritage diversity requires conscious efforts to avoid imposing mechanistic formulae or standardized procedures in attempting to define or determine authenticity of particular monuments and sites.
- 2. Efforts to determine authenticity in a manner respectful of cultures and heritage diversity requires approaches which encourage cultures to develop analytical processes and tools specific to their nature and needs. Such approaches may have several aspects in common:
- efforts to ensure assessment of authenticity involve multidisciplinary collaboration and the appropriate utilisation of all available expertise and knowledge;
- efforts to ensure attributed values are truly representative of a culture and the diversity of its interests, in particular monuments and sites;
- efforts to document clearly the particular nature of authenticity for monuments and sites as a practical guide to future treatment and monitoring;
- efforts to update authenticity assessments in light of changing values and circumstances.
- 3. Particularly important are efforts to ensure that attributed values are respected, and that their determination included efforts to build, ad far as possible, a multidisciplinary and community consensus concerning these values.
- 4. Approaches should also build on and facilitate international co-operation among all those with an interest in conservation of cultural heritage, in order to improve global respect and understanding for the diverse expressions and values of each culture.
- 5. Continuation and extension of this dialogue to the various regions and cultures of the world is a prerequisite to increasing the practical value of consideration of authenticity in the conservation of the

common heritage of humankind..

6. Increasing awareness within the public of this fundamental dimension of heritage is an absolute necessity in order to arrive at concrete measures for safeguarding the vestiges of the past. This means developing greater understanding of the values represented by the cultural properties themselves, as well as respecting the role such monuments and sites play in contemporary society.

Appendix II

Definitions

Conservation: all efforts designed to understand cultural heritage, know its history and meaning, ensure its material safeguard and, as required, its presentation, restoration and enhancement. (Cultural heritage is understood to include monuments, groups of buildings and sites of cultural value as defined in article one of the World Heritage Convention).

Information sources: all material, written, oral and figurative sources which make it possible to know the nature, specifications, meaning and history of the cultural heritage.

The Nara Document on Authenticity was drafted by the 45 participants at the Nara Conference on Authenticity in Relation to the World Heritage Convention, held at Nara, Japan, from 1-6 November 1994, at the invitation of the Agency for Cultural Affairs (Government of Japan) and the Nara Prefecture. The Agency organized the Nara Conference in cooperation with UNESCO, ICCROM and ICOMOS.

This final version of the Nara Document has been edited by the general rapporteurs of the Nara Conference, Mr. Raymond Lemaire and Mr. Herb Stovel.

木结构遗产保护准则(1999)

1999年10月第12届ICOMOS墨西哥大会通过

该文件旨在尊重遗产文化价值的基础上,明确木结构遗产保护和保存中基本和普遍适用的原则与实践。这里的木结构遗产指的是有较高文化价值或构成某古迹遗址一部分的整体或部分各类木制建筑物或建造物。

为保护此类遗产,特制定如下准则:

- 充分认识到各历史时期的木结构遗存作为世界文化遗产组成部分的重要性
- 充分考虑到木结构遗存的多样性
- 充分考虑建造木材种类和质量的多样性
- 认识因环境和气候变化而导致的建筑材料破损和腐朽给整体或部分木制建造物带来的脆弱性,及造成损毁的多方面因素,如湿度变化、光照、昆虫、霉菌、年久失修、火灾和其它灾害等。
- 认识到由于木制结构本身的脆弱性、不适当的使用以及传统建造技术、设计工艺知识的丧失而导致的木结构历史遗存的日益严重的消亡。
- 充分考虑到保存和保护这些遗产资源所需的各种行动和措施。
- 参考《威尼斯宪章》、《巴拉宪章》和联合国教科文组织及国际古迹遗址理事会(ICOMOS) 所通过的其它相关文件,探索将这些普遍准则应用于木结构历史遗存保存和保护中的途径。 并提出以下建议:

检查、记录、归档

- 1. 在采取任何介入措施之前,必须依据《威尼斯宪章》第 16 条和 ICOMOS《历史纪念物、建筑群和遗址记录准则》详尽认真地记录遗产的现状、各组成构件和修复处理时使用的所有材料。 所有相关记录资料,包括从古迹中移除的多余构件、材料的采样,有关传统建造技术工艺的信息,都应认真收集、整理、安全存放并适当开放,以供研究查阅。记录资料应同时包括保护修复工作中采用特定材料和方法的具体原因。
- 2. 在进行任何处理之前,必须对木结构遗存的现状和导致结构衰败腐朽的原因进行全面准确的诊断。这一判断需建立在对文献资料的参阅、实地实物检查分析的基础上,如有必要,还应包括对实体现状的测绘和无破坏的试验措施。这一过程中不排除对古迹进行必要的微小处理和紧急防护措施。

监测和维护

3. 制定一套连贯系统的监测和维护策略是保护木结构历史遗存及其文化价值的关键步骤。

具体干预措施

- 4. 遗产保护的首要目标是保护和延续文化遗产的历史真实性和完整性。因而任何一项干预措施都应建立在正确的研究评估基础上。问题的解决应根据相应的条件和需求,尊重历史古迹的美学和历史价值及其完整性。
 - 5. 任何要采取的干预措施都应尽量:
 - 采用传统做法;
 - 如技术允许,是可逆转的:或
 - 在干预是必需的情况下,至少对未来的保护工作不造成不利影响或阻碍;并且
 - 不阻碍之后的保护工作者了解干预证据的可能。
- 6. 在对木结构历史遗存的保护上,尽可能少的干预是最理想的做法。 在某些特定情况下,尽可能少的干预可以指为了保护和修复木结构遗存而进行的必要的整体或部分拆卸和重新组装。
- 7. 就具体干预措施来说,历史古迹应被看作一个整体; 所有组成部分,包括结构构件、镶嵌板材、挡风板、屋顶、地板、门窗等都应给予同等的重视。原则上应该尽可能多地保留古迹现有残存。保护范围应该同时包括外表面,如涂层、油漆、墙纸等。如果必须更新或取代原有的外表面元素,那么对原始材料、技术和质地的复制要尽可能的准确无误。
- 8. 修复的目标是保护历史结构及其基本承重功能,并根据《威尼斯宪章》第 9-13 条,在现有历史遗存证据允许的情况下,加强其历史完整性,完善原有状态和设计,以此揭示其更完整的文化价值。移除的文物古迹的部件应当记录归档,有代表性的取样应永久保存作为记录档案的内容。

修缮和替代

9. 在修缮一个木结构古迹的过程中,仅仅在出于满足替代腐朽或破损构件的需要,或满足修 复要求的恰当情况下,方才可以根据相应的历史和审美价值来替换原有木材。

新的构件或其组成部分应采用与原置换构件相同或(在合适的情况下)更好的木材。条件允许的情况下,也应包含类似的自然特征。选取的置换木材的湿度和其他物理特征应与现存古迹结构相兼容协调。

工艺和建造技术,包括涂层工具或机器的使用在可能的情况下都应与原建造手段相符。钉子和其他辅助材料也应酌情原样复制。

在置换部分构件时,应在与结构要求相符的条件下酌情使用传统木工连接方式将新材料与原 有结构拼接。

- 10. 可以接受新构件或新构件的组成部分与原有古迹存在差异。对置换构件及其部分变形或自然衰败的情况加以复制是不可取的。在不损害或降低木质构件表面质量的前提下,可以采用适当传统或经反复检验的现代工艺方法调节匹配新旧颜色。
 - 11.添加的新构件或组成部分应谨慎地做标记,采取在木材上刻记、烙印或其它方式使其日后

易于识别。

古森林保护区

12. 应大力鼓励建立和维护可为历史木结构遗产保护和维修提供合适木材的森林保护区。负责保护和维护历史木结构古迹遗址的机构应建立或鼓励建立用于保护工作的木材库。

当代材料和技术

- 13. 在使用当代材料(如环氧树脂)和现代技术(如结构加固钢架)时应极其谨慎,并仅仅在材料和建造技术的持久性和结构表现已经得到足够验证后才能进行。现代设备如供暖、火警和其他预防系统等的使用应建立在对古迹遗址历史和美学价值充分认识和理解的前提下。
- 14. 化学防护剂的使用应受到严格的控制和监督,并仅仅在可以确保惠益、公共和环境安全不会因此受损和存在长期显著良效的情况下进行。

教育培训

15. 通过各种教育项目使与历史木结构遗产文化价值相关的价值得以再生是可持续的遗产保护、发展政策的重要前提。应大力鼓励建立和发展历史木结构遗产保存、维护和管理的培训项目。此类培训应建立在一个与生产和使用可持续性需要相结合的综合全面的策略基础上,并包含地方、国家、地区和国际等各层次的培训项目。活动项目应涉及所有相关专业和行业,尤其是建筑师、保护工作者、工程师、工匠和遗产地管理人员。

PRINCIPLES FOR THE PRESERVATION OF HISTORIC TIMBER STRUCTURES (1999)

Adopted by ICOMOS at the 12th General Assembly in Mexico, October 1999.

The aim of this document is to define basic and universally applicable principles and practices for the protection and preservation of historic timber structures with due respect to their cultural significance. Historic timber structures refer here to all types of buildings or constructions wholly or partially in timber that have cultural significance or that are parts of a historic area.

For the purpose of the preservation of such structures, the Principles:

- •recognise the importance of timber structures from all periods as part of the cultural heritage of the world;
- ·take into account the great diversity of historic timber structures;
- take into account the various species and qualities of wood used to build them;
- recognise the vulnerability of structures wholly or partially in timber due to material decay and degradation in varying environmental and climatic conditions, caused by humidity fluctuations, light, fungal and insect attacks, wear and tear, fire and other disasters;
- recognise the increasing scarcity of historic timber structures due to vulnerability, misuse and the loss of skills and knowledge of traditional design and construction technology;
- take into account the great variety of actions and treatments required for the preservation and conservation of these heritage resources;
- note the Venice Charter, the Burra Charter and related UNESCO and ICOMOS doctrine, and seek to apply these general principles to the protection and preservation of historic timber structures;

And make the following recommendations:

INSPECTION, RECORDING AND DOCUMENTATION

- 1. The condition of the structure and its components should be carefully recorded before any intervention, as well as all materials used in treatments, in accordance with Article 16 of the Venice Charter and the ICOMOS Principles for the Recording of Monuments, Groups of Buildings and Sites. All pertinent documentation, including characteristic samples of redundant materials or members removed from the structure, and information about relevant traditional skills and technologies, should be collected, catalogued, securely stored and made accessible as appropriate. The documentation should also include the specific reasons given for choice of materials and methods in the preservation work.
- 2 . A thorough and accurate diagnosis of the condition and the causes of decay and structural failure of the timber structure should precede any intervention. The diagnosis should be based on documentary evidence, physical inspection and analysis, and, if necessary, measurements of physical conditions and non-destructive testing methods. This should not prevent necessary minor interventions and emergency measures.

MONITORING AND MAINTENANCE

3 .A coherent strategy of regular monitoring and maintenance is crucial for the protection of historic timber structures and their cultural significance.

INTERVENTIONS

- 4 . The primary aim of preservation and conservation is to maintain the historical authenticity and integrity of the cultural heritage. Each intervention should therefore be based on proper studies and assessments. Problems should be solved according to relevant conditions and needs with due respect for the aesthetic and historical values, and the physical integrity of the historic structure or site.
 - 5. Any proposed intervention should for preference:
 - a) follow traditional means;
 - b) be reversible, if technically possible; or
 - c) at least not prejudice or impede future preservation work whenever this may become necessary; and
 - d) not hinder the possibility of later access to evidence incorporated in the structure.
 - 6. The minimum intervention in the fabric of a historic timber structure is an ideal. In certain

circumstances, minimum intervention can mean that their preservation and conservation may require the complete or partial dismantling and subsequent reassembly in order to allow for the repair of timber structures.

- 7 . In the case of interventions, the historic structure should be considered as a whole; all material, including structural members, in-fill panels, weather-boarding, roofs, floors, doors and windows, etc., should be given equal attention. In principle, as much as possible of the existing material should be retained. The protection should also include surface finishes such as plaster, paint, coating, wall-paper, etc. If it is necessary to renew or replace surface finishes, the original materials, techniques and textures should be duplicated as far as possible.
- 8 . The aim of restoration is to conserve the historic structure and its loadbearing function and to reveal its cultural values by improving the legibility of its historical integrity, its earlier state and design within the limits of existing historic material evidence, as indicated in articles 9 13 of the Venice Charter. Removed members and other components of the historic structure should be catalogued, and characteristic samples kept in permanent storage as part of the documentation.

REPAIR AND REPLACEMENT

9. In the repair of a historic structure, replacement timber can be used with due respect to relevant historical and aesthetical values, and where it is an appropriate response to the need to replace decayed or damaged members or their parts, or to the requirements of restoration.

New members or parts of members should be made of the same species of wood with the same, or, if appropriate, with better, grading as in the members being replaced. Where possible, this should also include similar natural characteristics. The moisture content and other physical characteristics of the replacement timber should be compatible with the existing structure.

Craftsmanship and construction technology, including the use of dressing tools or machinery, should, where possible, correspond with those used originally. Nails and other secondary materials should, where appropriate, duplicate the originals.

If a part of a member is replaced, traditional woodwork joints should, if appropriate and compatible with structural requirements, be used to splice the new and the existing part.

- 10 . It should be accepted that new members or parts of members will be distinguishable from the existing ones. To copy the natural decay or deformation of the replaced members or parts is not desirable. Appropriate traditional or well-tested modern methods may be used to match the colouring of the old and the new with due regard that this will not harm or degrade the surface of the wooden member.
 - 11. New members or parts of members should be discretely marked, by carving, by marks burnt

into the wood or by other methods, so that they can be identified later.

HISTORIC FOREST RESERVES

12. The establishment and protection of forest or woodland reserves where appropriate timber can be obtained for the preservation and repair of historic timber structures should be encouraged.

Institutions responsible for the preservation and conservation of historic structures and sites should establish or encourage the establishment of stores of timber appropriate for such work.

CONTEMPORARY MATERIALS AND TECHNOLOGIES

- 13 . Contemporary materials, such as epoxy resins, and techniques, such as structural steel reinforcement, should be chosen and used with the greatest caution, and only in cases where the durability and structural behaviour of the materials and construction techniques have been satisfactorily proven over a sufficiently long period of time. Utilities, such as heating, and fire detection and prevention systems, should be installed with due recognition of the historic and aesthetic significance of the structure or site.
- 14 . The use of chemical preservatives should be carefully controlled and monitored, and should be used only where there is an assured benefit, where public and environmental safety will not be affected and where the likelihood of success over the long term is significant.

EDUCATION AND TRAINING

15 . Regeneration of values related to the cultural significance of historic timber structures through educational programmes is an essential requisite of a sustainable preservation and development policy. The establishment and further development of training programmes on the protection, preservation and conservation of historic timber structures are encouraged. Such training should be based on a comprehensive strategy integrated within the needs of sustainable production and consumption, and include programmes at the local, national, regional and international levels. The programmes should address all relevant professions and trades involved in such work, and, in particular, architects, conservators, engineers, craftspersons and site managers.

会安草案

亚洲最佳保护范例

关于在亚洲文化背景下以《奈良真实性文件》(2005年4月第三版)为框架 确保和维护世界遗产地真实性的专业指南

A. 序言

草案出台背景

2001年2月26日至3月2日,在越南政府和意大利政府的资助下,来自南亚、东亚和东南亚¹的考古、建筑、市镇规划及遗产地管理等领域的保护专家齐聚越南会安,参加了由联合国教科文组织(UNESCO)发起的研讨会。此次研讨会旨在探讨建立和颁布最佳保护范例的区域性标准,以确保亚洲遗产地的内在价值得到应有的保护,并在保护、修复、重建及后续维护和使用的过程中对遗产地的真实性加以保护,使其得到如实的阐明。

2003 年 11 月 18 日至 20 日,"联合国教科文组织 2001 年《保护水下文化遗产公约》亚太区域研讨会"在香港特别行政区举行。该研讨会旨在促进成员国对《公约》的认可,并汇聚水下文化遗产保护权威专家,相互交流经验和知识。在与会专家所探讨的众多重要议题中,保护水下遗产的真实性尤其备受关注。考虑到这些议题与亚洲遗产保护的相关性,UNESCO 决定,将水下文化遗产也纳入本《草案》。

遗产在可持续发展中的重要作用

在亚洲,天然和人造遗产不仅与其自然地理和文化环境有着不解的联系和渊源,同时也是更 多非物质性文化传统的表现背景。因此,与会专家尤其强调了自然遗产地、非物质性遗产和文化 景观的保护规范间的相互关联性。

与会专家还强调了遗产价值保护的重要性,并将其视为保护整个区域文化身份的多元性和持久性的基石。与会专家还指出了保护地方、国内和地区文化资源的重要性,将其视为社会及经济可持续及合理发展的根本。

本地区不断增长的威胁

与会专家不无忧虑地指出,亚洲遗产尚有欠保护。这一点从亚洲地区被收入世界遗产名录中文化遗产地相对较少,亚洲城镇地区遗产结构所受到的侵蚀,以及文化企业对亚洲经济体²国内生产总值(GDP)的贡献也相对较小等迹象中均可见一斑。

¹ 出席此次会议的专家分别来自以下国家:澳大利亚、柬埔寨、中国、印度尼西亚、日本、马来西亚、缅甸、菲律宾、泰国、斯里兰卡;以及加拿大、德国、意大利、葡萄牙、英国、美国和联合国教科文组织。附件中为参加会议的所有专家名单。

² 此处插入UNESCO世界文化报告第I卷和第II卷统计表。

与会专家共同指出,亚洲遗产所面临的威胁正日益增加。这些威胁力量与以下各种因素有关:人口增长、环境恶化、从乡村到城镇的移民、城镇的再发展、工业化、以及地区经济和传统社会文化结构的全球化。

与会专家还指出,旅游业和以旅游为目的的修复与展示也给真实性带来了更为错综复杂的全 新威胁,尤其是在亚洲这样一个对真实性的认知尚处于起步阶段的文化背景之下。

在谈到亚洲许多地方的遗产地保护时,与会专家指出,由于对发展和现代化进程的威胁重视 不足,导致以下恶劣后果时有发生:

- 遗产地分裂,丧失完整性;
- 建筑环境的结构发生**退化**及结构性恶化,不再足以支持其最初的使用目的;
- 仿造及非原产地技术和材料对原始组成要素的**替换**;
- 不恰当的重建进程使区域内遗产地独有的特征同质化,**丧失**其地方感;
- 遗产与社区使用传统相剥离。

亚洲遗产保护工作目前所面临的主要威胁包括: 缺乏对遗产构成的清晰定义, 法规调控的缺失, 资金支持和激励的不足。与会专家总结说, 这些威胁都源自于公众对遗产保护必要性的认识缺乏, 以及遗产资源管理责任的本地化不足。而这正是亚洲遗产长期保护所面临的最大危险。

对更好地保护和管理文化资源的有效指南的需求

与会专家警告说,本地区遗产所面临的上述及其他威胁已经危及到了亚洲文化遗产的存在和 真实性,并影响了其向后世的如实传承。我们急切需要建立一套指导方针,协助政治领袖和规划 者保护并管理遗产,同时建立最佳保护规范标准,指导遗产项目的保护、修复及改造性再利用。

在亚洲背景下诠释和评估"真实性"

与会专家进一步指出,在执行 1972 年《世界遗产公约》时,提名、评估及周期性汇报流程均要求对被提名和列入名录的遗产项目的真实性价值的保护是否成功加以评估。

鉴于上述因素,与会专家总结说,真实性保护是遗产保护工作的首要目标和必备条件,在亚洲各地所出台的保护规范专业准则中,都应当明确地就遗产地真实性的确认、记录、保护及保存等事务做出规定。

然而,与会专家也认识到,在亚洲,遗产地的保护应当并将一直是一种调和不同利益相关者不同价值的协商解决方案。与会专家还强调指出,这种"协商状态"是亚洲文化进程与生俱来的一种价值。

与其他真实性国际指南的相关性

与会专家还指出,目前已经存在相关的保护规范国际标准,譬如: 1972 年《世界遗产公约》、 联合国教科文组织(UNESCO)所出台的其他公约和建议³、以及《保存和修复纪念物与考古现场

72

³ 文件最后将附上一份联合国教科文组织公约和建议列表。

的国际宪章》(威尼斯宪章)及联合国教科文组织、国际古迹遗址理事会(ICOMOS)和国际文物保护修复研究中心(ICCROM)随后所颁布的执行指南。与会专家特别提出,在将《威尼斯宪章》用于指导保护工作时,需要重视其在亚洲的高度延续性和相关性,尤其是针对以持久性材料建造的历史建筑。与会专家还重申了继《威尼斯宪章》之后所拟定的补充准则《保护历史城镇与城区宪章》(华盛顿宪章)的价值与相关性。

与会专家还适时指出,《奈良真实性文件》为《威尼斯宪章》的相关条款在特定文化环境中的 应用提供了示例。《奈良真实性文件》主要就如何建立与亚洲遗产保护规范有关的准则,以及如何 将非物质性文化的保存和纪念物与遗产地的保护相结合做出了规定。

与会专家还指出,在这一地区还存在着部分国家级最佳保护规范宪章。这些宪章对于建立国家级保护标准有着极为重要的意义,同时也可为本地区其他国家制订本国的国家级标准提供范例。因此,与会专家呼吁,对澳大利亚纪念性建筑与遗址国际委员会(ICOMOS)《保护具有文化重要性的处所宪章》(巴拉宪章)条款的地区相关性给予重视,尤其是其对于在保护过程中确立"地方感"保存指导方针的重要意义,并号召利用 ICOMOS 及其国家级宪章支持在亚洲其余地方制订类似的国家级宪章。

与会专家还提及了1998年所发表的《历史性城市保护与发展国际合作苏州宣言》。该宣言详细论述了历史性城区在立法、规划和基础建设需求方面的优先性。同样,2000年在韩国水原市举行的"世界遗产要塞城市市长国际圆桌会议"也论及了适用于某些亚洲城市的管理工具和行动计划建议。

联合国教科文组织《保护水下文化遗产公约》于 2001 年 11 月 2 日在联合国大会第 31 届全体大会上获得通过(第 31C/24 号文件)。该公约及其附件(有关水下文化遗产开发活动的规章)是草案新增水下文化遗产议题的主要参考来源。

2003 年 9 月 13 日至 15 日在越南会安举办的会安研讨会则是在专家会议之后举行,但却同样与草案的起草有关。此次研讨会由越南和日本发起,最后发表了《亚洲历史性地区保护会安宣言》。

与会专家重申了上述相关先例,再度肯定了《威尼斯宪章》的条款,并认可了《奈良真实性 文件》及《巴拉宪章》中与亚洲遗产地保护有关的条款。

对区域性草案的需求

与会专家同意,需要制订一部分具有区域针对性的草案,为亚洲遗产保护工作者提供具有实用性的操作指南,从而为亚洲地区建立高标准的最佳保护规范,尤其是在遗产地的文化真实性保护领域。这些遗产地包括:已经和尚未进行发掘的考古遗址;受损及完好的纪念物和其他立式建筑;具有历史或文化、社会、经济、政治及意识形态意义的楼宇和其他建筑物;建筑群、历史性城区和城镇景观;水下文化遗产和景观以及具有历史、文化和/或社会经济意义的周围环境。

因此,与会专家拟定了以下《亚洲最佳保护规范会安草案》,并号召负责并(或)参与遗产保护工作的区域、国家和地方各级政府及非政府团体及个人,在从事任何及所有保护、保存、修复或改造亚洲遗产地的工作中,都能够运用这些准则。

草案的目标受众与实施

《会安草案》乃是针对以下目标受众而拟定的:

- 亚洲遗产项目和场所的(公共及私人)保管人和管理者:
- 国家级、省级和地方各级政府,以及参与遗产地及其周边地区战略及实际规划的各相关 部门:
- 参与文化遗产资源保护的非政府组织、社区和志愿者组织;
- 私营部门商务从业者,包括规划师、建筑师、考古学家、景观建筑师及其他人士;
- 遗产专业人士、理论家和技术人员教师及培训师:
- 参与亚洲文化旅游开发和推广的旅游产业:
- 对保护和开发本社区文化资源及资产感兴趣的普通公众。

草案旨在从理论和实践层面为所有可能直接或间接影响遗产资源真实性的行为的决策者和执行者提供指导。

草案将遗产资源分为五大类:文化景观;考古遗址;水下文化遗产;历史城区与遗产群落;纪念物、建筑物和构造物。对每一个大类都进行了明确的定义,并清晰阐述了各类遗产分类方法的总体概念。草案还明确指出了保护这些资源的主要威胁,并拟定了标题为"保存真实性的手段"的指南。这些指南专注于确认和记录遗产及其真实性元素的手段,以及可确保其保护的工具和方法。草案还特别关注了作为每一种文化资源不可或缺的组成部分之一的非物质性资源的保护。最后一部分则强调了遗产所在地的社区在保护中的重要角色,并特别论及了文化旅游对亚洲遗产所在地和场所的风险和惠益。

B. 定义

- **"改造"**是指对某一场所进行调整,以使其适合现有或提议用途。(《巴拉宪章》第1.9条)
- **"重要性评估"**是指出台一个简明的重要性陈述,对某一项目的遗产价值加以总结。这一评估是影响项目未来并确保其价值保留的政策和管理结构的基础。 (NSW 遗产办公室)
- "相容用途"是指对某一场所的文化重要性给予充分尊重的用途。这类用途对此场所的文化 重要性没有或者只有极小的影响。
- "保护"是指"保护某一场所以保存其文化重要性的一切过程。"(《巴拉宪章》第1.4条)"保护包括旨在维护一项文化资源,以保持其历史价值并延长其自然寿命的措施。遗产保护包括多个学科,以针对不同类型的文化资源。保护的概念范围很广,包括可从最小到最大程度(也就是从维护到改造)对文化资源进行连续介入的一个或多个战略。(加拿大联邦公园部)保护是指所有旨在了解一项遗产,掌握其历史和意义,确保其自然形态,并在必要时进行修复和增强的行为。(《奈良真实性文件》)
- "保护计划"是指对遗产项目的保护需要、优先顺序和方法进行明确界定的文件,由管理人员用以指导其行动及进行资金分配。
 - "文化遗产影响评估"是指用于对遗产资源的提议发展计划及其它行动的潜在影响加以评估

的系统性方法。它是环境立法的一部分,由遗产专家予以执行,用于建议并设计能够削弱影响的措施。

"文化重要性"是指对过去、现在及将来的人们具有美学、历史、科学、社会和精神价值。 "文化重要性包含于遗产地本身、遗产地的构造、环境、用途、关联、涵义、记录、相关场所及 物体之中。"(《巴拉宪章》第1.2条)

"文化旅游"是指以探索发现纪念物和遗产地为主要目的的旅游方式。文化旅游具有非常积极的影响,在满足自身的需求之外,同时也促进了这些纪念物和遗产地的维修与保护。由于这些活动为所有相关人士所带来的社会文化和经济惠益,这种形式的旅游事实上也反过来证明了人类社区的维修与保护要求的合理性。(1976年 ICOMOS《文化旅游宪章》)

"构造"是指遗产场所的所有自然物质,包括组成成分、固定结构、内容和实物物体。"(《巴拉宪章》第1.3条)

"建筑群"是指相互独立或彼此连接的成组建筑,包括城镇或城镇的一部分,可以是荒弃地、居住地或新建地,因其建筑结构、同质特征、景观位置、或历史、文化、经济、社会、政治或意识形态意义而引起注意。

"信息来源"是指能够提供有关文化遗产的性质、特点、含义或历史的所有物理的、书面的、 口头的或象征性的来源。

"非物质文化遗产"(又称"无形文化遗产")是指"被各社区、团体甚或是个人视为其文化遗产的各种惯例、表现、表达方式、知识和技能以及与此相关的工具、实物、工艺品和文化场所。"(《保护非物质文化遗产公约》第2条)

"完整性"是指一项遗产资源的"健康和完整"。如果一项遗产资源被指定的价值没有受到损伤和威胁,能有效地传递给公众,并在所有影响遗产地的决策和行动中得到尊重,就可以说这一遗产地具有"完整性"。 (加拿大联邦公园部)

"诠释"是指展示某遗产地文化价值的所有方式。(《巴拉宪章》第 1.17 条)

"维护"是指"对某遗产地的构造和环境所采取的持续保护措施。'维护'要与'维修'相区别。'维修'包括修复和重建"。(《巴拉宪章》第 1.5 条)

"管理计划"为是指为监测、维护和保存某遗产地的价值和真实性所制定的明确的短期和长期工作重点及方法。

"意义"是指某一场所所代表、象征、唤起或表达的含义。(《巴拉宪章》第1.16条)

"纪念物"是指建筑物、纪念性雕塑及绘画作品、具有考古性质的元素或结构、铭文、居住洞穴、以及上述所有事物的组合。

"古色"是指从建筑物或物体外层构造的明显变化中反映出来的时代或岁月痕迹。

"历史时期性修复"是指"基于历史记录、研究和分析所提供的证据,通过去除后来的添加部分并还原现已缺失或退化的某一历史时期的元素,来精确地再现某遗产地在这一历史时期的形态、构造和细节。考虑到介入的目的和程度,历史时期性修复更多地是一种展示,而不是保护行为。" (加拿大联邦公园部)

"场所"(在文中多译为"遗产地")是指"地点、区域、土地、景观、建筑物、建筑群或其

他物体,可包括组成成分、内容、空间和景色。"(《巴拉宪章》第1.1条) "场所"可对不同的个人或群体具有一系列不同的价值。

"保存"是指"维护某遗产地的现存构造状态并延缓其退化。"(《巴拉宪章》第 1.6 条)"保存包括加固和维护某一资源的现存形式、材质和完整性的所有保护行为。保存既包括短期的保护性措施,也包括旨在延缓退化或防止损坏的长期行动。保存旨在为遗产资源提供一个安全稳定的环境,以此延长其寿命。"(加拿大联邦公园部《保存指南》)"保存的标准要求最大限度地保留遗产地的历史构造,包括随着时间而演变的历史状态、特征和细节。"(内政部长所颁布的历史性项目保护标准)

"重建"是指将某遗产地恢复到已知的某一历史状态。重建和修复的区别在于它在遗产地的构造中应用了新的材料。(《巴拉宪章》第 1.8 条)"再造已经消失的或不可挽回地退化掉的资源"。(《阿尔普顿宪章》)

"再发展"是指"加入与环境相符的当代结构"。 (《阿尔普顿宪章》)

"恢复"是指对资源加以修整,包括改造性地重新利用,以满足包括安全、项目保护和可接近性等功能要求,同时保存遗产结构的历史特征。

"**修护**"包括对一个原始建筑物的外观或其组成部分加以整修和/或增加,以求"更新"其外观,在遵循保护观念的同时,满足当代品位。

"复制"是指复制现存的结构以维持美学上的统一与和谐。

"修复"是指"通过去除增添物,或不利用新材料而将现有组成部分进行重新组装,将某一场所的现有构造恢复到已知的某一历史状态";(《巴拉宪章》第1.7条)"以便在现有材料范围内重现原始状态,重现文化价值并提高其原始设计的可辨认性。"(《世界文化遗产地管理指南》)

"环境"是指"某遗产地周围的区域,可包括视力所及的范围"(《巴拉宪章》第1.12条)。 这包括自然和人工建造的领域、固定物体及相关活动。

"地点"(在文中多译为"遗产地")是指人类群体或个人的创作成果或人与自然相结合的创作成果,包括考古遗址、通过计划或随时间演变在人类的应用或实践中形成的文化景观、有文化价值的环境、神圣的地理区域,以及具有宗教、艺术、历史或其他文化含义的地区。

"重要性(价值)陈述"是重要性(价值)评估的产物。它简明总结了一项遗产的遗产价值 并阐明了这一遗产之所以重要的原因。"重要性(价值)陈述"是所有遗产项目管理的重要组成部 分,构成了所有相关政策、管理结构以及所有对该遗产项目的未来具有积极影响的遗产决策的基 础。(NSW 遗产手册)

"可持续性"是指合理保存和管理文化遗产,以保证其构造和价值能够保存完好地传承给后代。

"有形文化遗产"包括所有具有一定物理形态的文化价值的资源,比如历史名城、建筑物、 考古遗址、文化景观或实物等。

"用途"是指一处场所的功能,以及可在这一场所开展的活动或实践行为。(《巴拉宪章》 第1.10条)

C. 重要性与真实性

《巴拉宪章》中对遗产地的"文化重要性"的定义是"对过去、现在及将来的人们具有美学、历史、科学、社会和精神价值","包含于遗产地本身、遗产地的构造、环境、用途、关联、涵义、记录、相关场所及物体之中。"遗产保护的目的,就是通过确保一切介入行为和行动都能满足对真实性的全方位检验,以保存此文化重要性。

了解遗产资源的相对重要性对我们至关重要,可帮助我们合理判断哪些要素必须在任何情况下都得到保存,哪些要素需要在某些情况下得到保护,以及哪些要素可以在某些特殊情况下被牺牲掉。重要性程度可基于资源的代表性、稀缺性、条件性、完备性、整体性以及诠释潜质来加以评估。

对某一场所、遗址或纪念物的重要性评估应当成为采取任何保护行动之前的必要准备。重要性评估是指对场所、物体和藏品的意义和价值进行研究和了解的过程。它涉及三个主要步骤:首先,分析该物体或资源;其次,了解其历史和背景;第三,鉴别其对创造和/或照管它的社区的价值所在。

这一过程的关键就在于真实性概念。自 1972 年《联合国教科文组织世界遗产公约》颁布以来,这一概念就已在遗产保护专业领域引起广泛关注。该公约把真实性视为遗产最重要也是最基本的条件。真实性是一个多维度的集合,与下列要素相关:位置与环境、形式、材质与设计、用途与功能、以及"无形的"或本质的特性。这些特性构成了遗产的真实性,并由此派生出其重要性。保留真实性正是良好保护规范的目的所在。

真实性的各个方面

位置与环境	形式与设计	用途与功能	本质特性
场所	空间规划	用途	艺术表达
环境	设计	使用者	价值
"地方感"	材质	联系	精神
生境	工艺	因时而变的用途	感性影响
地形与景致	建筑技术	空间布局	宗教背景
周边环境	工程	使用影响	历史联系
生活要素	地层学	因地制宜的用途	声音、气味、味道
对场所的依赖程度	与其他项目或遗产地的联系	历史用途	创造性过程

D. 真实性的信息来源

《奈良真实性文件》强调,为了解某场所的真实遗产价值,我们必须采用真实可靠的信息来源。文件中说:"一切有关文化项目价值以及相关信息来源可信度的判断都可能存在文化差异,即使在相同的文化背景内,也可能出现不同。因此不可能基于固定的标准来进行价值性和真实性评判。反之,出于对所有文化的尊重,必须在相关文化背景之下来对遗产项目加以考虑和评判。因

此,在每一种文化内部就其遗产价值的具体性质以及相关信息来源的真实性和可靠性达成共识就 变得极其重要和迫切。"

真实的来源不仅包括书面的记录,同时也包括诸如考古挖掘现场及其所提供的信息、或是展示了某一特定时期和地区的生活和技术细节的壁画、或是世代沿袭相传的手工艺传统等信息和来源。

重要性乃是根据评判所依据的信息/文件的可靠性和真实性来加以衡量。以下是一个基本的信息来源清单,可以被用于确保保护规范能够得以全方位地保存遗产资源的真实性:

历史来源	社会来源	科学来源	艺术来源	类推	语境
一手来源					
原始文件(地 契,户籍调查 记录等)	口传历史	传统的本地知 识	特定时期的艺术 品	人种学记录	空间整体性
碑铭	宗教文献和背 景	考古调查	当代文学	人种学收藏	使用的持续性
宗谱,族谱	对 当前 使 用 者 的 社 会 一 经 济 调查	地理调查	旧式材质和风 格取样	试验性研究	社 会 一 文 化 背 景
陈年照片	人口统计数据		传统工艺手册 和建造指南		
陈年地图	宗族、邻近地区 和 其 他 团 体 的 记录	几何学调查和 摄影测量学	古色		压 力 和 精 神 创 伤的历史根源
历史来源	社会来源	科学来源	艺术来源	类推	语境
二手来源					
编年史	对使用、居住连 续性的分析	定量及统计分 析	艺术评论	诠释性研究	周围空间
旅游者	对 手 工 艺 组 织 的研究	_ , ,	风格分析		政治背景
历史记录和评 论	政治舆论分析	断代法	对 同 类 遗 址 和 来源的研究	使用邻近地区 分析等模型	经济
日记、通信	社会评论	材质分析		文化轶事研究	技术变革背景
		工程学和结构研究			
		数学模型			

根据上表所列出的真实性要素对这些以及其他相关信息来源加以检验,可以按时间顺序复制 出一个多维度的遗产地面貌,提供一幅遗产地的完整画面,从形态、功能、场所和性质等各个维 度提供保护遗产地连续性的全方位指导。

E. 真实性与非物质文化遗产

参照以上表格,可以清晰地发现,并非所有的变数都会被考虑在内,也并非所有的信息来源都能反映出有形的、可衡量的现象。许多信息都是是转瞬即逝的,并反映出非物质部分对于真实性、文化多样性和可持续性的重要性,正如《保护非物质文化遗产公约》(联合国教科文组织 2003年)中所强调的一样。2004年10月在日本奈良举行的"保护物质和非物质文化遗产:整体方法"国际研讨会则强调了物质遗产与非物质遗产构成要素间的共存性和相关性。基于国际个案研究,该研讨会通过了一个《整体方法宣言》(关于保护物质和非物质文化遗产的整体方法的大和宣言)。

其中最为重要的就是认识到物质遗产与非物质遗产的保护技术有着本质的不同,这一点也与《会安草案》的主旨相关。从定义上来说,非物质文化遗产与特定的纪念物或场所无关,而是存在于传承者和社区的头脑之中,并在持续的实践中得以保存。保存非物质遗产所采取的技术和方法必须具有文化敏感性,并且要足够灵活,才能体现出上文所提及的区别。

以下几点正是基于这一背景,为维护亚洲非物质性遗产的真实性而设置的:

- 真实性概念具有文化相对性。在亚洲,很多情况下都需要对严格且富有条理的西方分析方法 加以调整,融入亚洲所特有的抽象且具有玄学性质的概念。
- 遗产保护从业者一定要谨记,不能过分强调某一资源的材质或实体物质的真实性,因为在活文化的环境里,物质性组成要素的缺失并不代表一个现象没有存在过。"在很多活文化传统中,实际上发生过什么,比材质构成本身更能体现一个遗址的真实性。"(Dawson Munjeri:《完整性和真实性概念——非洲的新兴模式》)
- 文化遗产的物质性文化表现源于非物质性文化表现。我们需要颠覆传统的文化遗产保护模式,寻找文化遗产的非物质性表现形式,为保护包括物质性遗产在内的文化遗产提供指导。

F. 对真实性的系统威胁

我们可以通过检验判断真实性的信息来源的可信度来了解文化遗产的真实性。真实的文化资产历经时间和社区的变迁而持续传承,尽管可能发生演变,但却保留了赋予其真实性的基本特质。 真实性持续并不可避免地面临着由下列原因带来的威胁:

1. 知识的遗失

不断增长的全球化正在造成传统知识的遗失,尤其是在本地区的年轻一代中间。以一种真实 方式创造、维护和表现文化遗产所需的技术正面临危机。为了支持其他保护行动,必须对这些非 物质性知识形式的多样性加以反映、评估和保护。

2. 城镇翻新

亚洲市镇和城市构造翻新带来的社会和经济压力正在迅速增加。这些地区内的资产价值的增加,令遗产建筑物和城镇周边地区陷入了真正的且已经明显被察觉的不利局面。尽管居住者或许想要保留传统建筑环境的构造和感觉,这些地产的所有人却面临着巨大的压力,想要最大限度地发掘其所拥有的土地,而不是土地上的历史建筑和空间的潜力。其结果往往是全面摧毁整个历史

性街区,或者是以现代化高回报率的开发项目,一幢一幢逐步将其侵蚀。

3. 基础设施建设

亚洲地区工程建设的速度和规模也给文化遗产及其语境的真实性带来了威胁。大型基础设施 工程可能会损坏或破坏遗产的构造、环境和缓冲区域,给遗产资源造成直接影响。严重改变景观 和环境的工程还会以多种方式间接破坏遗产地:譬如,改变排污和供水系统;加剧土地侵蚀、沉 积和滑坡风险:改变视觉效果以及遗产地之间及遗产地与其周围环境之间的象征性关联。

4. 文化旅游

在规范、修改和商品化文化资产,将其用于文化旅游的过程中,会导致丧失真实性的严重风险。这其中的问题在于,遗产的"包装和展示"通常是由出于其自身利益考虑的旅游业,而不是负责文化遗产保护的主体在执行。其结果就是,遗产项目的物理构造及其非物质性方面均趋于流俗和妥协。

在推广旅游文化的时候,我们往往会犯这样一个错误:仅仅对文化形式加以简单的重复或复制。同一支舞蹈,面对不同的游客,夜复一夜一跳再跳。这样的重复不是传承,只会导致进程的中断,将文化形式萎缩成用于兜售的商品。

5. 背景分离与独特地方感的丧失

在围绕着历史性纪念物修建主题公园时,我们往往会将文化从背景中分离出来,将其当作花园的点缀品。在上演宴会舞蹈时,我们也以同样的方式对待非物质遗产,将这些艺术表现和仪式视为供大众消费的甜点。这种文化背景分离是一个严峻的问题,因为它破坏了文化表达的真实性。导致我们将文化资源视为旅游产品的保护政策正是造成保护相对失败的原因所在。如果我们想要成功地将文化归置于其所属位置,将其作为发展的基石,就必须要纠正这一态度。

G. 所有遗产地保护的先决条件

1. 遗产地研究与保护

全世界所有地方所有类型的遗产地都面临着很多共通的与真实性确认和维护有关的议题。其中就包括与遗产地研究和保护有关的议题,例如:

- 对遗产地承载能力加以评估的需要
- 遗产地状况的快速评估以及非侵害性技术的使用
- 设计和执行保护遗产的防卫性规章
- 以支持保护为目的的创造性理财与激励机制
- 对变革流程的管理加以规划的需要
- 作为保护性措施执行文化遗产影响评估

2. 遗产地与社会

所有类型的遗产项目都应当强调遗产地与社会之间的关系,其中的普遍议题包括:

■ 界定社会对遗产的渴望

- 对社区参与保护的促进、授权和赋能
- 保护进程的社会化
- 保护管理的本地化
- 在社区、政治家、规划者、承包者或建筑者以及旅游产业中,进行保护意识培养和教育
- 强调文化旅游的效益及威胁

3. 文化遗产影响评估

丰富而不可替代的亚洲文化遗产正日益面临着被迫与基础设施、城市扩张和其他发展形式展开空间和资源竞争的局面。最理想的状态或许就是在改善建筑及社会环境和消除贫困的同时,又能保存文化遗产。然而,这种理想的均衡状态往往很难达到。

文化遗产影响评估(CHIA)可以为达成这一目标起到关键性作用:通过严格的数据收集、重要性和潜在影响评估、以及影响减轻设计,保护文化资产免于遭到毁灭或不可挽回的损害。最终在确保可持续发展和社会福祉的前提下,令地区遗产得到成功保护。

对真实性的考虑及保护是 CHIA 进程的基本环节。其中第一阶段的筛查至关重要;所有提议的发展项目都必须经过审查,以判断其是否会对任何已知或潜在文化遗产的构造造成任何直接影响。同时还必须考虑该项目可能对遗产的大环境、视线和总体背景带来的影响,因为这些影响都可能导致完整性的丧失,从而破坏遗产项目的真实性。如果事先预见到了任何影响,则需要在项目初期开展文化遗产影响评估。

CHIA 的范围涉及制订实施影响评估的详细要求、限制和方法。评估应考虑到已知文化遗产的价值,以及在项目所在地或附近可能出现的(尽管目前尚未记录)资源的预期重要性。评估方法应专注于收集所有了解资源真实性所需的基础信息。这一方法可提供一个很好的机会,全面了解研究区域,并获得保持完整性和真实性所需数据。

如果进行 CHIA 公开招标,从业者需要提供详细的预计时间和成本报价,从中可以体现出每一个投标者的提案重点和方法,由此选择出最佳竞标方案,为了解和保持项目区文化遗产真实性提供最完善的方法。

被选中的从业者将遵循并拓展项目范围内所制订的方法。完整详细地收集有关文化遗产的基线数据有助于可靠真实地提供对了解和保护真实性至关重要的信息来源。影响评估过程还包括出台一份有关所有资源的重要性的声明,将资源的完整性和真实性与其整体文化重要性相联系。然后,根据这些重要性评估,对所提议项目的所有直接和间接的潜在影响加以评估。这一过程需要对遗产开发的广泛后果展开详细的分析,包括侵蚀、干扰、不恰当的介入和使用、背景分离、分割及毁坏。

在每一种情况下,均需要设计相关措施,减轻对遗产资源首要及基本环境的负面影响。这些措施应该在相对重要性与项目的整体公众惠益之间达成平衡,永远将避免影响和以真实形式全面保持最大遗产数量放在首位。在整个过程中,还应该随时开展公众咨询,将社区对其遗产的真实性和重要性的理解纳入在考虑之列。

CHIA 保护遗产真实性的能力来自于其严格而系统化的数据收集,及其对威胁的性质和程度

的直接审查。CHIA 首先会对所有类型的遗产(从无形的艺术和知识基础,到纪念物和地下遗迹)加以考察,然后系统性地对所有形式的影响(从不恰当的行为到整体性的毁坏)进行确认和衡量。此外,作为影响减轻设计进程的一部分,CHIA 还会要求制造出多种保护选择的模型。然后,CHIA 会对各种解决保护和开发冲突的方案加以权衡,甄别出在面临开发的情况下能够最为切实有效地保持遗产完整性和有效性的方案。

H. 亚洲问题

然而,尽管上述议题适用于所有类型的遗产地,还是存在部分专门或特别针对亚洲情况的议题。

- 许多亚洲国家都管理着不同于其现代宗教的重要宗教遗产地。这一情况并不罕见,比如,在伊斯兰国家境内,可能会拥有颇具价值的印度教和佛教遗址。《奈良真实性文件》指出,文化遗产的多样性存在于时间和空间中,并要求尊重其他文化及其信仰体系的各个方面。因此,当代国家有义务以等同于其自有宗教遗产的标准和精确性来保存和保护属于其他宗教的遗产。
- 同样,当代亚洲国家通常将本土和少数民族的文化合并而成其为丰富而颇具价值的自有遗产。正如《奈良真实性文件》所申明,如果面临文化价值冲突,则应该出于对文化多样性的尊重,对所有各方的文化价值的合理性给予认可。国家负有全面责任,与遗产所有人合作,对这一遗产加以保护。双方必须确保在对遗产加以诠释时,要采用对少数民族群体有参与感的方式进行,同时使外界对遗产的根源有完整和正确的认识。
- 几乎在整个亚洲,对专业保护人员和遗产地管理人的教育都不足。遗产地管理人员对于保护本地区的遗产充满了热情和良好的意愿,但却缺乏足够的专业背景和培训。我们需要着眼于制订与亚洲有关的项目,这些项目需要灵活的时间跨度,并开展本区域内的最佳实践范例交流和学习。
- 不断拓展的道路网络,以及与乡村地区发展有关的其他基础设施建设,正在冲击着亚洲的 考古遗址、文化景观和遗产纪念物。有必要在类似发展到来之前,针对亚太地区的实际情况, 制订一套文化影响评估体系,甄别出可能对遗产带来威胁的不安全因素,以及减轻损害的有 效途径。
- 同样,历史性城区内未受限制的通行也给遗产资源带来了诸如污染、出入不便、侵蚀和物理损害等严峻威胁。一旦某一地区被界定为历史性城区,相关专业人员就应当开展相关交通研究,将保护与基础设施建设和城镇规划相整合。
- 亚洲地区在对抗一系列潜在的自然和人为灾害上还相当脆弱,这些灾害会严重影响到各种 类型的文化遗产,包括物质或非物质遗产。此外,经验显示,灾后恢复也会对遗产造成同等 的威胁。许多灾后重建措施都会对文化遗产的真实性造成不可挽回的损失。在这一地区的文 化资源管理政策中,必须纳入1997 年《神户/东京文化遗产风险准备宣言》以及国际文物保护

修复研究中心(ICCROM)的手册和培训工具中所提议及制订的风险准备方法。这些方法必须基于可持续的技术和财务机制,纳入当地技术和本土知识体系,并结合本地社区的参与。

- 本地区的高速现代化和城市化进程也导致了传统建筑技术、工匠技艺和原料生产的衰退, 在有些情况下甚至是丧失。传统的师傅带学徒的教学体系正在这一区域逐步瓦解。我们亟需 通过培训、制度支持和创新方法为这些领域提供支持,将这两个群体同时汇聚在遗产地现场, 创造一种传统的教学环境与学习氛围。
- 对遗产地的管理应当继续由传统的管理者来进行,他们应当得到授权和协助,以实现对真实性的保护。"对文化遗产及其管理的责任,应当首先由产生该遗产的文化社区来肩负,其次才是负责照管该遗产的主体。"【《奈良真实性文件》,8】

1. 亚洲遗产地保护的特定方法

I. 文化景观

1. 定义

文化景观是指与历史事件、活动、人物相关或展示出了其他的文化或美学价值的地理区域, 包括其中的文化和自然资源以及野生动物或家禽家畜。

文化景观分为三种类型,这三种类型可能彼此重合:其中最容易界定的就是由人类有意识设计和创造的有明确定义的景观,包括为出于美学目的而建造的园林景观。这些景观一般(但并非绝对)与宗教建筑和建筑群有关。

第二类文化景观是指有机演变而成的景观、遗迹或生活景观。该景观源自某一个社会、经济、 行政、和/或宗教动机,通过与自然环境的联系及对其所做出的反应发展成为当前的形态。这一类 景观在其形态和组成特征上反映出了其演变过程。

最后一类文化景观是关联性文化景观。此类景观的价值在于与其自然因素有关的强大的宗教、艺术或文化内涵,而不是在于其实质性的文化迹象。后者可能微乎其微,或者根本不存在。

2. 框架性概念

专家认为,文化景观产生于人与自然环境之间长期持续的相互作用。因此,文化景观反映了 不同文化的有机哲理和观点,必须得到了解和保护。

文化景观并非静态。保护文化景观的目的,并不是要保护其现有的状态,而更多的是要以一种负责任的、可持续的方式来识别、了解和管理形成这些文化景观的动态演变过程。

亚洲的文化景观受到了各种价值系统和各种抽象性框架理念(例如宇宙哲学、泥土占卜、风水、 泛灵论等)以及各种传统、技术和经济系统的影响与感染。要有效地保护文化景观,就必须对这些系 统加以识别和了解。

3. 保存工作面临的威胁

(1) 亚洲文化景观面临的威胁与世界上其他地区有所不同: 反映了特定的环境/气候因素、

改善楼宇建筑及乡村环境的地方压力、以及商业发展的压力等方面的综合影响。

- (2) 文化景观的保存必须兼顾景观真实性的需要以及亚洲地区的经济发展必要及其它潜在的实际情况。
- (3)同时也要了解亚洲地区独有的极端的气候因素、环境条件和现有的管理水平、政治意愿和核心技术。

4. 保存真实性的手段

4.1 确认和记录

- (1) 在对文化景观的组成部分进行确认和统计时,需要将非物质的成分作为基本元素加以充分考虑。这些非物质的成分在亚洲往往是一处遗产地的真实性意义及地方感的所在。对一处遗产地进行记录时需要将历史研究和深入的实地研究相结合,以便充分地将一处文化景观的现状记录在案。最后对一处文化景观之所以重要以及怎样才能将其保存完好作一个清楚的阐述。
- (2)相关的记录方法和文化景观真实性保存和管理方法,在下列文件中有详细的表述:《NPS 保存概要 36:保护文化景观》;ICOMOS 《佛罗伦萨历史园林宪章》;哈佛大学文化景观研究院亚太地区联合文化景观研讨会;《牛津景观宣言》;以及联合国教科文组织关于保护景观和场所的魅力及特性的建议(1962 年)。不过,我们还亟需对相关的国际标准加以调整,以更好地适应亚洲地区文化景观保护的需要。
- (3)文化景观由多种因素均衡构成:有关文化景观保护的决定必须旨在确认并保存这一复杂且微妙的平衡,而不是过分强调其中的某一因素,忽视其它因素,从而破坏文化景观的真实性。一处文化景观可以包括纪念物。但无论是否包含纪念物,文化景观本身都是需要加以保护的基本因素。
- (4)准确而有意义地对文化景观进行测绘是文化景观保护过程中至关重要的一步,尤其是在这一概念还没有得到很好的理解或有关其保护的法律机制尚未健全之际。无论应用哪一种测绘技术,在收集和整理数据时都需要采取跨学科的方式,其中至少要包括地球科学、生物多样性、视觉和感官感受、历史时期测绘和文化背景等各方面。

4.2 保护真实性

- (1) 在进行记录之后,最重要的一步就是设计一个保存或处理计划,该计划应充分考虑到赋予文化景观以重要性的遗产价值。保存计划需确保能保存文化景观的真实性。此外,还应该设计并实施一个包含以下组成部分的项目: 历史研究,包括阶段性计划; 有计划地对现有状况加以盘点和记录; 对遗产地的重要性和真实性加以分析和评估; 制订文化景观管理计划; 制订持续维护的策略; 做好对处理活动加以记录的准备,并提出未来研究建议。
- (2) 在风险管理当中,必须认识并充分利用这一地区现有的行政和法律保护机制,尽管这些机制很多时候并不充分或并不健全。因此,结合现有的法规计划往往是保护文化景观最有效的方法之一,至少可以通过这种方法警示具有潜在破坏性的开发建议。
 - (3) 必须以具有实用性的手段阻止对文化景观的分割。需要尝试可以将现有分割现象的影响

减至最小的各种可能性,例如复制、重建、迁移等,以及建立相关的法律法规以控制景观内部未来建筑的外观、体量和风格。

- (4)对文化景观的再利用必须仅限于那些不会对构成该文化景观真实性的任何因素造成影响的用途。
- (5) 亚洲文化景观的多样性决定了我们需采取跨学科、跨部门的行动计划。因此,所有文化景观保护计划均须从相关社区出发并保证其参与。
- (6) 在保护过程中所应用的科学技术需要纳入具有亚洲特色的方法,譬如,当地社区对自然 平衡的理念,以及在当地宇宙观在景观中的重现。
- (7) 由于考古发掘是一个破坏性的手段,因此必须在进行发掘前实施深度调研和基线研究。 应当谨慎设计发掘方法,以解答有关某一景观的特定问题。过多地利用小规模探测具有破坏性, 应在研究过程中尽量避免。
- (8) 应强调在研究、管理和保护文化景观的过程中使用非侵害性的手段,包括开发地理信息系统(GIS)、远程测试、空中摄影分析、文化影响评估,等等。

4.3 保护文化景观中非物质因素的真实性

- (1)记录联系:必须认识到,亚洲文化景观的许多组成部分都是非物质性和/或非永久性的。 正因如此,有必要记录和了解文化景观的物质组成部分与赋予这一文化景观以文化重要性的非物 质实践和价值之间的有机联系。
- (2) 地方可信性:信息来源必须在地方层面具有可信性,其中包括产自当地的材料,并且以各种形式和媒介予以表达,例如神话、口头历史、乡村记录,等等。
- (3) 定义问题:一处文化景观的空间完整性并不总是可以得到明确界定,而且还会随着时间而转变。被其居住者视为有意义的文化景观应该反映出环境与文化领域之间在通过相互磨合所达成的平衡。这一事实必须在设计管理方案和法律保护措施时加以考虑。

4.4 遗产的真实性与社区的关系

- (1) 对遗产领域而言,尤其是在亚洲,文化景观这一概念还相对较新。正因如此,公众教育对文化景观保护具有重要的意义。
- (2)将文化景观申报为世界遗产只是提高公众文化景观意识的一个方面。而最终,文化景观的理念应植根于人们对遗产地的地方感和自我认同感当中。即使是在非世界遗产区域,也要对此加以提倡。
- (3)将文化景观开发为文化旅游是不可避免的。保护过程的一个重要组成部分就是使人们了解到文化景观的价值,赋予其真实性的特征,以及游人对保护文化景观的责任。现场教育应该不仅限于介绍当地的历史发展。
- (4)亚洲的文化景观经常有当地人口在其中居住和劳动。其中非常重要的一点就是能够将许 多保护任务交给当地社区,对他们加以适当的培训和管理,使其能够自己对其遗产加以巩固。
 - (5) 保护文化景观的目的是保卫它们,不仅仅作为历史的见证,同时也作为一个文化发展的

活态系统和可能的未来模式。在保持其真实性的前提下,经营中的文化景观应该持续保持其经济活力。

真实性面临的主要威胁	标识	行动	
	不恰当的构成元素和规模; 不兼容的	影响评估、计划执行、社区行	
侵占	土地用途(例如,当代商业或居住群	动	
	落、大型农业活动等)		
+ + -1.4V	由于维护不足使得重要特征受到侵蚀	管理规划、培训、国家与国际	
丧失功能	(例如:堤岸、梯状墙、运河等)	技术支援	
分割	由线形基础设施或建筑元素造成的分	影响评估	
	割(例如:道路、铁路、下水管道等)		

Ⅲ. 考古遗址

1. 定义

考古遗址由一个经过文化变更的土壤基质内的所有结构遗存、人工制品和生态制品相结合而构成。一处考古遗址可能完全处在地下,也可能部分露出地表。它可能已被全部或部分进行发掘,也可能只有通过文件记载、下层土或遥感技术才能够有所了解。

2. 框架性概念

- 一处考古遗址可能由很多成份构成,而这些成份又可能具有相互矛盾的保护要求,在特定的 土壤基质内保持着微妙的平衡。地下考古遗存的性质和范围也具有不可避免的未知性。因此,对 考古遗址真实性的定义和观点也需要有多种方式。考古遗址的真实性可以从以下方面来进行测量:
 - 我们对遗产地的范围和规模的了解程度;
 - 我们通过地层学和断代对遗产地年代的了解程度;
 - 遗产地已被侵占,或被农业活动、自然侵蚀、部分考古发掘和/或建设所破坏的程度;以及 遗产地对研究人员和公众而言的可接近程度。

3. 保存工作面临的威胁

- (1)考古遗址的准确位置和范围往往不能明确辨认,因此,考古遗址很容易受到侵占和分割, 对遗产地的真实性造成不可避免的损失。
- (2)考古遗址往往位于曾经且依然具有重要价值的地点。这就意味着这些地点长期持续地承受着(经常是不适当地)被利用的压力。这样的例子包括具有军事战略意义的"兵家必争之地"、具有宗教或崇拜价值的"圣地"、以及具有发展潜能的沿海地区等。
- (3)还有一种危险的倾向就是仅仅基于考古遗址地表部分来衡量遗址的内在价值和意义。由 于低估了不具有建筑或纪念性结构的考古遗址的价值,使得人们不能正确认识到,一处遗产地所

具有的让我们了解过去的潜能其实才是它的真实性和价值之所在。

- (4)考古学可以是一门具有破坏性的科学。虽然它能够让我们了解过去,但也有能力剥夺所有的证据,令我们无法再次见证历史。设计、实施和授权进行现场作业的人士必须认识并了解考古实践所具有的这种潜在破坏力。
- (5) 亚洲传统的农业实践在很多方面对考古遗址具有负面影响。从一个区域发掘的土壤用于 其它地区会破坏考古遗存,转移材料,造成相关背景的流失。与此类似,作为水稻田或其它种田 方式组成部分的梯田、堤岸、沟渠可能对地下遗存,尤其是浅层考古遗址造成直接的影响。水稻 所常见的有规律的干湿交替过程也会对考古遗存,尤其是靠近地表的考古遗存,造成损害。人工 制品的位置会迁移,其所位于的土壤基质会发生化学变化,尤其是陶瓷的组织结构会衰退。化肥 和杀虫剂对考古材料的影响目前了解尚不充足;有可能会造成腐蚀以及金属或陶瓷组织结构的分 解。

4. 保存真实性的手段

4.1 确认和记录

- (1)地区性和地方性的调查勘测方法是管理和保存考古记录的最基础的第一步,它为人们提供了一个有关考古遗址的位置和范围的尽可能详尽的画面。调查勘测方法在很多国家已经得到高度发展,而在亚洲整体来讲利用率还不高。其中一部分原因是由于在海外常用的方法不能适应亚洲热带和亚热带地区的特殊要求。有必要在这些方法和亚洲地区的应用标准上达成一致,以便扩展亚洲考古业的基线。
- (2) 应大力提倡地理信息系统(GIS)的应用,因为它提供了一个收集、处理和诠释上述基线测绘数据的理想工具。
- (3) 尽可能地应用非侵害性的技术,例如空中摄影分析、遥感技术、土壤化学研究和摄影测量术来获取有关考古遗址的性质和范围的数据,以避免造成完整性的损失。
- (4) 尽可能对用亚洲语言所书写的研究、现场记录和档案进行翻译,以便于将数据呈现给更 广泛的人群。同理,西方的学者和研究人员应该尽可能将其工作成果翻译成相关地方的语言。
- (5) 在保护考古遗址的过程中,为了维护其真实性,有必要收集所有相关的建筑材料,例如 砖、瓦、灰浆和石头。应在当地博物馆或其它指定地点对这些建筑材料加以适当的标记、编目和 储藏。

4.2 保护真实性

- (1) 应支持建立有关考古遗址保护的综合立法机制。这种立法机制应基于原址保护的理念,同时具有应对变化及满足高级研究要求的灵活性。
- (2) 在现有的立法规划中,纳入具有特殊科研和/或遗产保护意义的考古遗址保护区并加以实施,是保护遗产地及其缓冲区的另一种手段。
- (3)如上所述,地理信息系统是遗产保护和管理的一个重要工具。它具有能将考古纳入地区发展框架的特殊优势。可以通过地理信息系统将考古潜能作为一个发展变量进行勘测。
 - (4) 在遗产地内部,区域划分概念具有重要作用。建立一个由不同等级的保护区构成的层次

系统,可以顾及遗产地内各种不同结构的不同需求,例如遗产和景观保护区、环境保护区、考古研究区和纪念物管理区等。

- (5)在所有考古遗址或具有考古潜能的区域内附近进行任何基础设施建设规划时,均应进行考古影响评估。评估不应仅仅集中在对遗产地的直接损害,同时也要考虑到有可能改变遗产地所处土壤微观环境的各种间接影响。评估中应该使用一整套适合该地区的研究和现场技术,以确认遗产地和评估开发活动所产生的影响。评估中还应包括有关削弱负面影响的措施建议,包括在必要时采取全面的原址保护。
- (6) 在考古遗址基础上完整地重现过去的原貌需要采取跨学科的方法。应在传统的考古学方法基础上,尽可能地辅以广泛的专家意见。对资源的广泛了解也有助于更有效地保护考古遗址的真实性。
- (7)考古遗址的看护者应在专家的帮助下制订旨在保存、维护并将遗产地展现给公众的工作计划。计划应包括实施时间表,并指定从事各项专门工作的负责人员。还应对按照工作计划展开的各项活动和过程加以详细记录。
- (8) 在某些情况下,有必要将考古遗址重新掩埋,以保护其不受各种因素和/或人为破坏的影响。在重新掩埋之前,应对遗产地进行全面的记录,将遗产地各部分的边界勘测清楚,并在新的地面上予以标明。
- (9) 应通过各种方式,尽可能支持地方文化机构及博物馆的工作人员在当地或海外接受培训,在培训中向他们灌输真实性的概念及其对当地考古遗址的切实意义。培训项目的核心应该围绕在基层保护遗产地真实性的方法。
- (10)为满足古玩市场上的非法交易而进行的对遗产地的抢劫和非法盗掘是遗产地管理人员需要长期面对的一个问题。每一个遗产地的管理计划都要包括对安全需要的评估和建立在社区参与、教育和常规检查基础上的保护策略。

4.3 保护考古遗址中非物质因素的真实性

- (1) 相关联系:考古遗址的真实性与其保留文化积淀的能力有着直接的联系。这一文化积淀由具有杰出普遍价值的事件、理念、信仰或文学艺术作品组成。
- (2) 叙述潜力:大多数考古遗址都埋藏在地下,只有一小部分已被挖掘的记录可以看得到。遗产地管理人员应设计出保存这些遗迹的"可读性"的方法,最大限度地发挥其叙述功能,以便展现给参观者一个将过去与现在联系起来的历史发展脉络。
- (3)时间深度:土壤、碎片和建筑遗存所表现出的复杂的、跨越多个时期的地层现象不应该被简化,例如为重现某一特定历史时期而进行的遗产地重建有可能会忽略该遗产地在其它时期的发展过程。

4.4 遗产的真实性与社区的关系

- (1) 应注重地方博物馆或文化机构在提高地方社区积极性方面的教育作用。
- (2) 必须扭转亚洲地区在考古遗址上建立军事基地或相关军事居住区与设施的趋势。
- (3)许多亚洲考古遗址依然具有持续的宗教功能,例如神殿、寺庙、朝圣和节庆活动等。应寻找符合保护框架的适当方式对考古遗址进行上述功能的利用。

(4)如果对考古遗址管理不当,就可能对公众造成危害。具有潜在危险的、脆弱的部分应加设护栏,或用其他方式将其与参观者隔离开,以保护参观者的安全,同时也保护遗产地本身的完整性。

真实性面临的主要威胁	标识	行动
对考古遗迹的破坏和侵扰	对考古遗迹造成直接侵扰的侵害性活	设计规划、影响评估
	动,例如建设、利用性发掘、传统农业	
	活动、现代工具和化学药品的使用等。	
	穿过具有考古价值的地区的地上及地	
	下工程(道路、管道、下水道、河道工	
	程等)	
保护不足	不加限制的出入, 缺乏监测机制, 使得	立法和执法保护
	抢劫遗产地成为可能; 人为的恶意破坏	
退化	由气候和污染引起的腐蚀和分解	保护与维修规划

Ⅲ. 水下遗产

1. 定义

水下文化遗产包括部分或全部周期性或连续性保存在水下的所有与人类生存有关的文化、历 史或考古遗存。这类资源范围很广,从古器物、木结构遗迹,到飞机、船只及其运载的货物都包 含在内。水下遗产还包括原本在陆地上,而随着时间的推移没入水下的遗址。这一切都淹没在水 和泥沙的混合体中。

2. 框架性概念

专家一致认为,水下考古所涉及的物理环境意味着必须采取特殊、精确的方法,以保证遗产 真实性在原地以及在发掘和保存的过程中得到保留。

3. 保存工作面临的威胁

- (1)对水下遗产存在于其中的混合体的各种活动可能改变遗产保护所需的微妙平衡,从而使水下遗产受到威胁。这些行动可能源于自然(风暴)或源于人类(疏浚,河流改道);并可能导致考古遗迹发生化学/微生物变化或受到物理干扰。
 - (2) 不知情的休闲潜水人员可能无意之中影响到考古遗迹或改变遗产地周围的脆弱环境。
- (3)水下遗产地还面临着一项严重威胁,那就是个人或商业性海上打捞公司为寻觅可以在国际市场上贩卖的古董而进行的有组织的掠夺。
- (4)包括疏浚、堆积和其它建筑工程以及提取沙土和砾石的各种岸上开发活动也有可能对考古遗产地造成直接影响。
 - (5) 邻近地区的岸上开发活动也有可能对水下文化遗产造成威胁,例如释放沉积物、倾倒疏

浚废弃物使遗产地被掩埋、改变化学环境和/或引入污染物。

(6) 商业化捕鱼业也威胁着水下考古遗迹,例如,拖网渔船会刮损海底。

4. 保存真实性的手段

4.1 确认和记录

- (1) 地理信息系统是记录和保护水下遗产地的宝贵工具。考古学家和管理人员可以通过它来记录和评估项目的发展,并对遗产地的状态进行监测。对可接近性和可视性有限的遗产地而言,地理信息系统对数字和视觉数据的优良视觉尤其弥足珍贵。
- (2) 应限制使用侵害性的调查方法,强调勘测优先于矫正。取样技术必须将对遗产的影响最小化,并遵从最低损害和过程可逆性的原则规范。通过遥感技术的重大进步可以达到以上效果只是目前尚比较昂贵。
- (3)目前最紧迫的是需要记录和保护,而不是移除水下文化遗产;应该以原地保护为目标,以确保遗产资源在其所存在的混合物中保持微妙平衡。
- (4) 水下考古人员应是唯一被授权计划和实施水下考古调查的人群。海洋地理学家、海上打捞操作人员、潜水旅游组织者、寻宝者和其他人员可在发现和管理遗产地的过程中扮演不同的角色,但不应参与其记录和发掘。
- (5)潮间地带包括高水位和低水位之间的地带。这些地带不断处于暴露和淹没的替换过程中。 处于这一地带的考古材料包括淹没于水下的陆上遗址、废船船体、与码头船只及造船业有关的遗迹,以及船只靠岸和卸货时遗留的物件等。应运用特殊方法来定位和记录这些交替出现在陆上和 水下的考古遗迹。
- (6)石油勘探公司应将协助政府查找与其项目有关的文化遗产地的招募工作看作是一项重要任务。

4.2 保护真实性

- (1) 应特别参考《水下文化遗产保护公约》附加议定书,以确保维护遗产在考古发掘过程之中和源于考古发掘过程的真实性。
- (2) 当一处重要水下遗产地被确认时,经常涉及是否应将其确切位置公布于众的问题。公布 这些信息会导致掠夺和业余考古人员以及商业性潜水人员的不经意破坏。如果遗产地位置被公布, 应采取措施限制其可接近性。
- (3)保护从海底移取的文化材料也面临着特殊的保护问题,因为它涉及文物被保存在其中的混合体。应在最初阶段设计提供受控环境和必要处理,以确保这些文物中所包含的信息不至于流失。
- (4) 对海洋考古学家,包括众多业余潜水人员进行专业培训非常重要。这些人员对水下考古贡献重大。对其进行专业培训有助于以对环境负责的方式进行水下遗产的调查并最大限度地获取信息。
- (5)为保存水下遗产的价值,有必要对其进行管理和维护。应建立顾问委员会及管理委员会等形式的相关机制,来控制调查之前及调查过程中遗产地的可接近性。
 - (6) 管理应确保暴露材料的稳定性和完整性,并考虑到将有关信息公布于众的形式:维持监

测系统,积极对遗产地进行监测,通过对物件和考古信息进行巩固和恢复来削弱各种威胁。对遗产地的探索性测试仍可以继续。现场工作结束后,则应做出如何以最佳方式"封锁"遗产地的全面决策。

- (7)原地保护包括遮盖暴露部分,以减少退化和风暴及人为干扰所造成的类似破坏。必要时应对遗产地进行检测。
- (8) 对水下遗产进行适当调查和创造性的博物馆展示能带来巨大的经济效益。以优秀范例对 此潜能进行展示时,社区将对保护遗产所带来的长期广泛的效益有所了解。这些效益远远超出了 通过贩卖掠夺来的古董使少数人得到的眼前利益。
- (9) 通过颁发潜水许可证可以有效控制潜水人员对水下文化资源产生的影响。这是一项受到 法律支持的"用户负费"体制,可以创造保护所需的资金来源,同时控制海底遗产地不加限制的 可接近性。
- (10)将本来有可能成为保护工作负面影响的特许证持有者招募成正式的遗产监察员。这一措施提供了另一被授权协助执法的人群,从而加强了保护工作。他们可提供遗产地信息反馈,并有权检举违法行为。
- (11)设计完好的公共信息系统能带来长远利益。公众对正在进行的探测、最佳范例的恢复 以及对过去数据的分析结果都持有很高的兴趣,这意味着他们每年都会回来,学习有关水下遗产 的更多知识。信息传播能够激发公众的兴趣,增进其对水下遗产的了解,提高他们的热情。
- (12)对一个地区水下考古潜能的调查应该成为文化遗产影响评估机制的一部分。任何在岸上、潮间地带或沿海地区计划进行的开发工程事先都应进行考古方面的影响评估。这包括案头背景研究、甄别海底异常现象的地球物理勘测、查明异常现象的潜水调查、对潜在影响的评估和有关削弱影响的建议。
- (13)对水下文化遗产的保护需要用到规划和土地应用区域划分工具。对现存的沿海保护区的扩展应包括潮间地带和岸上地带。应划分具有水下文化遗产价值的保护区域。其他规划工具则包括对临近水下遗产地的土地应用加以限制,控制有可能影响水下环境稳定性的主要建筑开发工程。
- (14) 水下沉船遗址因其船只和运载货物的来源经常涉及国际领域。应将与这些共同的水下 文化遗产有关的前殖民地和殖民国家,以及历史上的贸易合作伙伴联合起来,共同开发相关项目。
- (15) 应支持类似航海考古协会(Nautical Archaeological Society, NAS)这样的 PADI 项目,以便将保护遗产价值的理念灌输给从事潜水运动的公众。
- (16) 在沉船遗址或其它水下考古遗址周围用浮标或堆积物界定有法律效力的"保护区",以限制参观者数量,避免偶然破坏,防止掠夺。

4.3 保护水下遗产中非物质因素的真实性

- (1)纪念性遗产:应区分水下考古遗产地和纪念性遗产地。后者被定义为年代较近的遗产地, 逝者仍有直系后代在附近居住,他们会认为对遗产地的发掘是一种侵犯行为。对上述遗产应加以 维护,供人参观,但不应加以发掘。
 - (2) 无论任何年代的沉船都是一种独特形式的考古遗存: 与复杂的分层遗产地不同, 沉船代

表一个单独的事件。它们如同过去时间的浓缩点。在真实地解读它们所蕴含的故事时应多加注意。

(3)水下遗产只有会潜水的人才能得以接近。应努力将有关空间和背景的非物质方面的感触灌输给陆上的公众。有必要时可利用新技术和新方法,以图像的形式重现一处遗产地的真实感觉。

4.4 遗产的真实性与社区的关系

- (1)人们普遍存在着一种认识,认为海洋考古只属于学术界,公众并不能从中获得多少益处。 遗产专业人员有义务将水下考古的知识和理念传播给公众。
- (2) 水下文化遗产的利益相关者所涉及的范围非常广泛和多样。他们的利益经常相互冲突,需要进行调解:
 - 非潜水公众: 这部分人群尽管无法理解水下遗产,但却热衷于对其进行有意义的解读。
 - 当地潜水社区: 他们往往不愿合作,因为他们可以通过贩卖水下遗产获利,并且/或者不愿接受官方或权威人士的干预。
 - 休闲性质的潜水旅游者: 他们希望在最短的时间内获得最多的经历与感受。
 - 商业性海上打捞公司: 他们的目的与保护相违背。
 - 商业性特许证持有者和旅游组织者: 应该让他们意识到保护水下文化遗产带来的商业效益和长远利益。
 - 非政府组织:
 - 政府部门:增强政府间合作可以提高公共服务的质量。
 - 考古工作人员: 他们的主要目的在于记录, 诠释和保护。
- (3)应该考虑对发现水下遗产地的休闲潜水人员提供奖赏。奖赏应根据遗产地的保护状况而 定,以避免在报告前先进行掠夺。
- (4)将发现的遗产进行公共展示有助于提升社区的兴趣。展览不应只在博物馆内举行,还应在例如旅店等相关旅游场所举办,以便使得更广泛的利益相关者能够一睹水下研究的成果。
- (5) 水下文化遗产的展示和诠释应采取陆上和水下两种途径。带有观察点和信息台的沿海沉船路线可提升对海洋遗产的意识和关注。这种远程参观值得提倡。水下沉船路线应带有防水的信息和遗产地指示牌,上面提供有关遗产地的信息和在遗产地的正确行为方式。

真实性面临的主要威胁	标识	行动
	有可能直接影响海底及其上的遗	
破坏	迹和/或保存环境的开发计划和工	影响评估
	程项目	
	休闲潜水人员和商业性海上打捞	
将材料从其考古环境中分离	公司的掠夺,遗产出现在非法市场	严格执法; 国际压力
	上	

IV. 历史城区和遗产群落

1. 定义

历史城区或遗产群落由多个彼此相关的,或在空间上相毗邻的,或至少是近似的遗产资源组成。这些遗产资源的每一个都具有相对独立的遗产价值,并且/或者对遗产群落的整体价值有所贡献。

2. 框架性概念

专家一致认为,我们的历史城区资源正在经济发展和演变的威胁下快速地消失。必须采取措施来平衡发展和遗产保护之间的关系,将文化与可持续发展有效结合,以保护历史中心城区的真实性。在这个过程中,必须对亚洲城市传统所特有的具象和抽象特质及其真实性保护予以关注。

3. 保存工作面临的威胁

- (1)亚洲城镇的历史街区面临着来自多方面的威胁。在开发高价值地产的经济压力下,历史建筑不断消失,并被新建筑所取代。
- (2)同时,由于资金短缺、无人问津、以及物主/居住者对于作为一个有价值的整体城区中一个不起眼组成部分的遗产的价值认识不足,导致城区遗产资源的组织构造由于维护不足而逐渐衰退。
- (3)城区环境还持续受到污染的冲击,包括历史建筑材料受到的化学影响、由于震动和沉降带来的损害、水位和湿度的变化等。
- (4)历史城区内及其附近不加限制的繁忙交通和污染性交通工具也会对遗产群落的完整性造成严重的直接危害。在保护过程中,必须优先制定交通变更路线、划定步行区域、制订执行空气净化政策、并强制执行一系列交通解决方案。
- (5) 赋予历史城区真实性意味的传统职业以及本地社区传统的经济一居住格局正在消失。其中包括与传统建筑物的建造和维修有关的手工艺技能的消失。

4. 保存真实性的手段

4.1 确认和记录

- (1) 对城区形态加以详细记录是一项基本任务。它必须包括对城区建筑结构及其应用方式的记录和分析,同时应特别注意区分使遗产具有其价值的历史模式和当前模式。记录中也应包括详细的出入方式、基础设施、遗产区内部及附近的交通等。
- (2) 在记录中应将城区作为整体看待,其中也包括普通的民居建筑,而不只是优先考虑纪念性建筑和保护名单上的建筑。在进行记录时,有关真实性的信息来源的类型和可信度是特别重要的考虑因素。
- (3) 应避免将小型的独特建筑群从其大环境中剥离的倾向,而应在相关的历史、社会和经济背景下定义并界定更大范围的连续保护对象。
- (4) 在最基本的"核心"层次上,为遗产群落的所有组成部分编制一份详细的清单。清单应包括所有物质的和社会的遗产组成部分,以及这些组成部分的所有细节,并认识到遗产地的独特"个性"就存在于这些细节当中。编制清单时可应用多种技术,包括建筑物勘测、摄影测量术和地理信息系统。这份清单上记录的档案构成了有关遗产地真实性的信息来源,可在实施保护时作为参考之用。

4.2 保护真实性

- (1)"预防性"机制可有助于助保护历史城区的完整性,譬如,指定规划地带、历史街区地带、暂停或至少是限制再开发的特殊保护地带。
- (2)需要建立历史城区整体管理计划,将保护与城市规划和公共及基础设施的供应相结合。 在进行历史城区保护和改善的规划时,保护当地特征及城区内居民的亚洲价值系统非常重要。
- (3) 应尽可能地保护、改善并以协调的方式重新利用历史建筑。应着重帮助历史建筑的现有居民进行合理的持续居住利用。在很多时候,持续居住利用并不一定可行或理想。从前的住房可能需要重新加以改造,以适应现代的商业或社区用途。然而,类似改造不应以人口迁移以及多样化城区的同质化或商业化为代价。
- (4) 历史城区的集合体是一个有机的单位,通常由代表不同时期的建筑构成。不能将所有建筑都恢复到某个单一的历史时期;而是应该清晰展现出该城区随着岁月变迁的过程,以便参观者辨认出城区的多个层次,解读相关建筑群落的历史。
- (5)繁忙的商业中心地带应设在新的开发区,不应试图将此类现代功能挤入历史城区,超越其 承载能力。
- (6) 同样重要的还有确认和积极促进当地传统的与濒危的贸易行业。构成许多亚洲城市古老街区的集市模式本身就是有价值的遗产组成部分。规划和保护措施必须尽可能在原地和原有建筑中促进这些传统贸易行业的持续活力。
- (7) 大多数亚洲城市的历史城区业已损耗;历史街区或建筑群被不悦目的现代建筑所截断,破坏了历史城区集合体的遗产价值。然而,在用历史建筑复制品或传统风格插入建筑来取代侵入的现代建筑时,也应当加以审慎的考虑。
- (8)与断续的纪念物或考古遗址不同,活态的城区集合体往往没有固定的看管机构。因此,建立一个由当地政府、企业界和社区代表以及专业的保护与规划人员组成的行政和决策制定机构是很重要的。这一机构的功能是设计将保护与城市发展相结合的长期计划,并建立可持续的财政激励与机制。
- (9)如果管理得当,旅游可以为历史城区的保护和消除贫困创造资金来源。在旅游规划中应始终纳入商业与包括居住在内的其它用途,不允许与旅游相关的商店和设施在历史城区内占据主导地位。
- (10)为历史城区或其周边环境所规划的任何基础设施或开发项目在实施前都应进行文化影响评估,以甄别出任何可能导致的负面或累积影响。

4.3 保护历史城区和遗产群落中非物质因素的真实性

- (1)精神规划样板:使一个城区具有可辨识性、连贯性和真实性的元素包括其构造、街道、广场、街区和建筑,换言之,就是其空间结构。因此,必须将这一空间结构作为保护计划的骨干来加以保存。城市构造是建造一个城市,从而也是保护一个城市的基本要素。它们包括:比例规律、密度、重复性、纹理和方向性。
- (2)结构性和非结构性的公众互动空间:亚洲城市环境中的空间结构遵循着一定的等级制度:街道是典礼之路,广场是文化圣地。在这种空间结构中,边界是构成历史城区物质界线的线性元素,同时也赋予了整个城市组织结构以连贯性。城门(有时也可以是建筑物)构成了城

墙的出口。因此, 建筑物和整个街区的真实性都至关重要。

- (3)本地社区生活:历史城区构造历经成百上千年的演变,反映了其居民的独特文化和价值体系。如果破坏了其生活方式和传统特色,仅仅只是保护建筑物,就无异于将其作为舞台上的道具,失去了赋予历史城区以独特之处的意味和价值体系。鉴于现代生活的需要和活态城市不断演变的特点,在保护中着意寻求平衡至关重要。因此,应该将持续就社区价值体系的世代传递展开探讨作为保护战略的一个组成部分。
- (4)传播的连贯性/城市作为理念的市场:出于保护历史城区的非物质文化遗产的需要,应该在老师和学生以及主人和观众之间进行知识传播。因此,划定和保护具有真实性的传播空间和场所非常重要的,例如,仪式场所、机构、学校、演出场所及其它类似空间等。城市作为理念和技能的市场构成了真实性的一个基本元素。
- (5) 贸易与职业的连续性: 历史城区的传统贸易行业与世代相传的职业赋予了其建筑环境和空间以生命。这些经济活动和社会、家庭群体紧密相连,创造了非物质性的生活方式、工具和工作环境模式,反映在城市的形状、规划和布局之中。应对这些模式加以记录、研究并作为文化真实性的基本元素给予支持。

4.4 遗产的真实性与社区的关系

- (1)公众对历史城区遗产重要性的高度认知是确保历史城区得到保护的前提。在以作为这些城区的守卫者而感到骄傲,以作为这些独特建筑遗产的拥有者而感到自豪的人们手中,这些城区的真实性和完整性会获得更多的安全。
- (2) 在有关历史城区保护的决策中,应该纳入包括行政、政治、社区、商界和专业人员在内的广泛的利益相关者的参与,以便使对遗产价值的认可社会化。
- (3) 历史城区的未来经济与管理得当的旅游发展密切相关。文化旅游给这些地区带来的新的 压力只有通过公共与私营的利益相关者的有效合作才能得以缓解。联合国教科文组织在亚太地区 开展的丽江可持续旅游合作模式为促成这种合作提供了一个具有地区适用性的有效工具。
- (4) 历史城区是活态的实体。以其生活赋予这些历史城区生命力的人们应在保护过程中得到支持和福祉。保护专家应参与社区项目,并和社区工作积极人士一道,教育公众认识其遗产的价值,参与遗产保护的方法及其从遗产保护中可得到的惠益。

真实性面临的主要威胁	标识	行动	
分裂	丧失历史结构和空间,并为不恰当的	影响评估、管理规划	
	建筑风格所取代	影响厅伯、自连观划	
规模	在历史街区内部或其周围建设规模不	以中心 4. 在 14. 14. 14. 14. 14. 14. 14. 14. 14. 14.	
	恰当的建筑	影响评估、执行规划法	
	结构分解和崩溃、装饰性元素的腐蚀、		
忽视和衰退	虫害引起的损坏、植被生长以及不加	管理规划	
	控制的水上运动		
背景分割	不适当/不真实的活动和历史环境利用	影响评估、管理规划、社区行动	

V. 纪念物、建筑物与构造物

1. 定义

这一类别包括被视为具有遗产价值并已经或即将被列入保护名单的、处于周围环境中的单体建筑遗产资源和建筑群。

2. 框架性概念

纪念物、建筑物与构造物的真实性与其结构所蕴涵的时间叙述具有不可分割的联系。理解一 处纪念物的历史发展过程及其多样的、复杂的结构、空间和装饰层次是保护其真实性的基础。

专家认为,成功并真实地保护纪念物、建筑物与构造物的最好方式就是赋予其一个现代语境。 无论在物质上,还是在解读与展示方面,它们都应该能够为社区所接近。

3. 保存工作面临的威胁

- (1)单体纪念物和纪念物群落的保护与真实性面临着多种威胁,其中包括发展所带来的破坏和分割,由于人们缺乏兴趣和忽视造成的结构性衰退,由污染及其它环境影响造成的组织结构腐蚀等。
- (2) 不恰当的及误导性的保护措施会对真实性带来意想不到的威胁。因为急于美化和改善一处建筑物的外观,可能会去除其原始建筑构件并代之以相对现代化的新构件。结果意外地产生一个全新的、非真实的建筑结构。
- (3)一处纪念物的完整性可能会因为失去其历史环境而遭到损失和破坏。必须通过法律法规建设来控制亚洲城市发展对其纪念物造成的侵害。同样地,应对乡村纪念物的原始背景加以记录,并对其界限加以研究和保护,以防止其逐渐衰退腐蚀。
- (4) 对纪念物和历史性建筑进行翻新和重建,以使政权合法化,或是证明其民族和宗教主张 的行为,是一种绝对不可接受的保护措施。

4. 保存真实性的手段

4.1 确认和记录

- (1) 在建筑物或纪念物重要性陈述中,应包括详细的历史研究、对过去所采取的介入措施的记录、以及建筑物或纪念物的现状描述。这一陈述应对赋予建筑物或纪念物遗产意义并应当在后续介入行为中予以保存的不可替代的价值加以说明。
- (2) 有必要建立一个恰当的数据库,作为以维护真实性为目的的保护项目实施的基线。这一数据库应包括以下内容:
 - 环境信息
 - 土地/土壤信息
 - 地质/地震探测信息
 - 历史信息
 - 有关所有权的细节

- 建筑细节
- 功能分析
- 风格分析和描述
- 结构评估(状态、破坏情况、机制)
- 材料评估(特点、衰退情况、原因)
- 考古材料
- 过去的介入历史
- (3)对纪念物和建筑物采取的所有介入活动都应得到全面记录。为一个保护项目所收集的所有照片、图表、笔记、报告、分析和判断以及其他数据都应进行存档。最好是能够在权威的学术刊物上发表最终的保护报告。
- (4) 应收集有详细记录和明确纪年的纪念物原始材料样品,例如砖石、瓦当等,以便在需要用新材料进行保护时给予参考。保护中所使用的任何新材料和混合物,包括其详细用途都应记录在案。
- (5) 所有现场举办的项目进展会议、监测记录和其他任何与已开展工作有关的信息都应记录 存档。
- (6) 有关作为保护计划一部分的介入行为的类型和程度的决定均应在进行充分的研究、专家讨论和权衡可能的保护措施之后作出。应采取确保遗产价值和纪念物及建筑物真实性所需的最小程度的介入。

4.2 保护真实性

- (1) 应特别参考《巴拉宪章》。此文献对于作为建筑物、纪念物和构造物保护工作一部分的 真实性维护尤其重要。应当将《巴拉宪章》中有关保护、维修和重建的指南作为决策的基础。
- (2)建筑物和纪念物的保护应遵循旨在保存遗产资源的真实性与完整性的保护计划。类似计划应包括基本要素:
 - 保护项目的主要协调员应是一位建筑保护专家。
 - 应组建一个专家小组(包括保护专家、艺术史专家、建筑师、考古学家、材料专家、勘测专家、土壤专家、工程师、实验专家、地质技术人员等)。
 - 清晰界定需要开展的工作,并指定有关负责人员。
 - 调查、分析、判断和设计需要下列因素: 图表、照片、样本、实验室试验、现场试
 - 验和控制、监测、工作图表、详细说明、建筑细节、实施控制等。
 - 对于建筑物或纪念物的全面记录是保护工作的基础,包括详细记录过去所采取的介入措施。
- (3)应明确了解可供保护专家选择的不同程度的介入措施以及在特定情况下选择适当的最小程度介入的标准。
- (4) 修复或重建纪念物,将其恢复到过去某一特定历史时期只应在揭示和恢复遗产价值所需的特殊情况下进行。这一工作应建立在认真研究,而不是推测的基础之上。
 - (5) 迁移纪念物应在不可能进行原址保护的情况下作为最后手段加以考虑。只有在可以找到

与纪念物的历史时期、形式和作用相符的新址时才能进行迁移。拆卸过程应在进行彻底的摄影、制图和材料记录后,由一位有资质的保护建筑专家监督执行。新址必须在拆卸开始前准备妥当。

- (6) 在现有的物理证据、与其它建筑物的相似性和历史研究的基础上重建已经消失的建筑物只应在特殊情况下,在取得专家同意后予以考虑。其结果只能是诞生貌似传统,而实际上已失去真实性的新建筑物。
- (7)保留历史建筑物的立面或特征,并将其结合到现代的建筑结构中是一种不值得提倡的保护尝试。这种错位或环境的改变往往会使遗产地丧失其真实性。
- (8)如果保护措施包括新材料的使用,应特别加以注意。所用新材料的兼容性是维护真实性的基础。应对以下几方面的兼容性加以考虑,以保证新材料不对纪念物产生负面影响:
 - 化学兼容性: 两种材料不应发生化学反应 (例如,水泥与硫酸),导致膨胀现象。
 - 物理兼容性: (i)新旧材料不会因为气温变化产生膨胀而发生差动。(ii)新材料的密度不 应和现 有材料存在很大差别。
 - 机械兼容性: 新材料的强度和硬度应和原始材料相同或低于原始材料。
- (9) 所有新材料和结构都应如实标明,而不应作为原件加以展示。为达到此目的,应在所有附加的新材料上加盖使用日期,并将建筑结构的新建部分与原始部分加以明确区分。
- (10) 应建立有关亚洲特殊建筑材料的保护最佳实践和方法的指南,包括土质建筑、当地砖石、木雕、石雕和镶嵌、镜面镶嵌、壁画等。这些指南应与联合国教科文组织和国际古迹遗址理事会等通过的国际宪章相符,同时注重亚洲的特殊需要。应将支持传统的建筑技术和行业作为保护过程不可缺少的一部分。
- (11) 在亚洲大部分地区,潮湿是保护工作的一项重要课题。保护项目应设立湿度控制,包括测量水分组成内容和分布,并设计措施来减少从上方降雨和地下吸收来的水分。

4.3 保护纪念物、建筑物与构造物中非物质因素的真实性

- (1)历史的重现:一处纪念物中所蕴含的过去的非物质遗产痕迹只有在我们了解了特定的"语言"或"代码"后才能够解读。遗产管理人员有责任向参观者阐明这一历史内涵,以体现遗产地的真实价值。
- (2) 纪念物的环境:一处纪念物仅以它的存在即可表明一处场所的含义。而周围的景观则是通过其他的联系方式产生特殊含义。在保护计划中应纳入这一有相关空间,而不应忽略纪念物和重要建筑物的相关环境。
- (3)象征性领域:与许多纪念物、建筑物和构造物有关的宗教活动和/或神圣元素是其真实性的一部分。这些象征性的元素可能指导了一处纪念物的原始设计,并且被忠实地纳入了它的构造之中。构造物也有可能作为历史上一系列神职活动的舞台或背景。必须通过研究对类似关联加以确认,并反映在遗产地的保护工作中。
- (4) 相关用途:同样地,一处纪念物或建筑物的原始修建目的是我们了解其真实性的一个重要部分。我们必须明确这些原始用途及其对纪念物的计划产生的影响,并确保将这一信息反映在遗产的保护和诠释中。
 - (5) 传统知识: 纪念物的架构和设计中融入了有关自然和宇宙的知识与实践。因此, 一个建

筑物也可以作为有关传统知识和手工技能的书本来读。对纪念物的解读应包括对这些知识形式的 描述,而不仅仅只是集中在最终的成品上。

4.4 遗产的真实性与社区的关系

- (1) 应使得居住在遗产项目内及周围的当地社区拥有主人翁责任感。如果当地居民认识到赋予其纪念物意义和特殊性的品质,他们就会以这一真实性为荣并对保护工作给以支持。
- (2)许多纪念物至今仍然拥有那些赋予其真实性的宗教、社区或其它用途。而其它纪念物的这些原始用途在保护工作完成后已不再起到积极作用。应该以具有创造性的方式寻找重新利用纪念物和历史性建筑的途径,以使其拥有经济生存能力,同时兼顾保护其真实特征和环境的需要。应特别注意表明保护工作带来的社会效益,找到将当地社区与历史遗产紧密相连的用途。
- (3) 纪念物和历史性建筑的保护和持久维护需要一个拥有各种传统建筑和装饰技能的手工技师群体。这类特殊技艺的范围在不同地区各不相同,而多数地区都极其缺乏类似人才,很多手工技艺和专业技能都正在消失。如果要在保护工作中包含真实的工艺和设计,就必须努力支持这些工艺,并在地方和国家层次提供相关的培训和学徒机会。

真实性面临的主要威胁	标识	行动	
	建筑结构出现问题或崩溃,装饰性		
疏忽	元素被腐蚀,受到虫害的破坏,植	管理规划	
	被生长和不加控制的水上活动		
环境退化	污染、酸雨或石癌带来的化学侵蚀	专家技术评估和行动	
误导性的保护	丧失原始构造,代之以"新版过去";	保护规划和培训	
	试图让遗产地"面目如新"。		
脱离背景/扩侵	在制订缓冲区内进行非法建筑和土地	影响评估、规划控制和社区行	
	征用	动	

HOI AN PROTOCOLS FOR BEST CONSERVATION PRACTICE IN ASIA

Professional guidelines for assuring and preserving the authenticity of heritage sites in the context of the cultures of Asia within the framework of the Nara Document on Authenticity

A. PREAMBLE

Background to the Preparation of the Protocols

Experts in conservation from and/or working in South, East and Southeast Asia¹ specialized in the various fields of archaeology, architecture, urban planning and site management met in Hoi An, Viet Nam from 26 February to 2 March 2001 under the auspices of UNESCO and with the support of the governments of Viet Nam and Italy. The Asian conservation experts convened to discuss the establishment and promulgation of regional standards of best conservation practice which will assure that the values inherent in the heritage sites of Asia are safeguarded and that their authenticity is preserved and truthfully explicated during the process of conservation, restoration, rehabilitation and subsequent maintenance and use.

The UNESCO Asia – Pacific Regional Workshop on the 2001 Convention on the Protection of the Underwater Cultural Heritage was held in Hong Kong SAR, 18 – 20 November 2003. The objective of this workshop was to promote the ratification of the Convention by member states as well as to bring together the leading authorities on underwater cultural heritage to share their knowledge. Among the many important topics discussed, the conservation of the authenticity of underwater heritage was highlighted. As a result of these proceedings, which are of extreme relevance to conservation in Asia, it was decided to extend the Protocols to include underwater cultural heritage.

Significant Role of Heritage in Sustainable Development

In Asia, the physical, human-made components of the heritage are not only inextricably linked to but also arise from the natural geography and environmental setting of their respective cultures and serve as the setting for more intangible expressions of cultural traditions. The Experts underscored the inter-relatedness of practices for the conservation of the physical heritage sites, the intangible heritage and cultural landscapes.

The Experts emphasized the importance of the preservation of heritage values represented in heritage sites as fundamental to the preservation of diverse and enduring cultural identities throughout the region, and pointed to the importance of the conservation of local, national and regional cultural resources as basic to sustained and equitable social and economic development.

Increasing Threats within the Region

The Experts noted with concern that the heritage of Asia is under-protected, as evidenced by the relative under-representation of cultural sites from the region inscribed on the World Heritage List,

Experts from the following countries were present at the meeting: Australia, Cambodia, China, Indonesia, Japan, Malaysia, Myanmar, the Philippines, Thailand, Sri Lanka, and Viet Nam; and well as from Canada, Germany, Italy, Portugal, the United Kingdom, the United States and UNESCO. A list of expert participants is attached.

the erosion of heritage fabric of Asian urban areas and by the relatively low contribution of cultural enterprises to the gross domestic product of Asian economies².

The Experts collectively noted that the heritage of Asia is under increasing threat from a variety of forces linked to population growth, environmental degradation, rural-to-urban migration, urban redevelopment, industrialization and globalization of both the economies of the region and the traditional socio-cultural fabric.

It was also recognized that both tourism and the very process of restoration and presentation for tourism purposes introduced new and more subtle threats to authenticity that are only beginning to be understood in the Asian context.

With regard to the conservation of heritage sites in many places in Asia, the Experts noted that the unaddressed threats from development and modernization have too often resulted in negative consequences such as:

- **Dismemberment** of heritage sites, with resultant loss of integrity;
- **Dilapidation** and structural deterioration of the fabric of the region's built environment to the point where it can no longer adequately support the human uses for which it is intended;
- **Replacement** of original components with counterfeit and non-indigenous technologies and materials:
- **Loss** of the sense of place of the region's heritage sites, through inappropriate reconstruction processes which homogenize their unique characteristics.
- **Disenfranchisement** of heritage from the traditions of community use.

Absence of clear definitions of what constitutes the heritage, lack of regulatory controls, inadequate financing and incentives all currently compromise heritage conservation work in Asia. The Experts concluded that these are symptomatic of the greatest danger to longer-term safeguarding of the heritage in Asia, which is inadequate public understanding of the need to conserve the heritage and inadequate localization of stewardship responsibility over heritage resources.

Need for Effective Guidelines for Better Protection and Management of Cultural Resources

It was noted with alarm that these and other threats to the region's heritage threaten the survival and compromise the authenticity of the cultural heritage of Asia and endanger its truthful transmission to future generations. There is an urgent need to establish guidelines to assist political leaders and planners in the protection and management of the heritage and to establish standards of best conservation practice to guide the conservation, restoration and adaptive reuse of heritage properties.

Defining and Assessing "Authenticity" in an Asian Context

The Experts further noted that in the application of the 1972 World Heritage Convention, the nomination, evaluation and periodic reporting processes all require an assessment of success in achieving conservation of the authenticity values of nominated and inscribed properties.

Considering these issues, the Experts concluded that safeguarding of authenticity is the primary objective and requisite of conservation, and that professional standards of conservation practice

101

² Insert statistical tables of the UNESCO World Culture Report, vol. I and II

everywhere in Asia should explicitly address issues of identification, documentation, safeguarding and preservation of the authenticity of heritage sites.

The Experts however recognized that in Asia, conservation of the heritage should and will always be a negotiated solution reconciling the differing values of the various stakeholders, and underscored that this "negotiated state of mind" is a value inherent in Asian cultural processes.

The Relevance of International Guidelines on Authenticity

The Experts took due note that international standards of conservation practice already exist as codified in the 1972 World Heritage Convention and other UNESCO Conventions and Recommendations³, as well as in the International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter), and the guidelines which have been issued by UNESCO, ICOMOS and ICCROM for its implementation. The Experts called attention, in particular, to the high continued relevance in Asia of the Venice Charter in guiding the conservation of, inter alia, historic structures built in non-perishable materials. The value and relevance in the Asian context of the Washington Charter on the Conservation of Historic Towns and Urban Areas, drawn up to complement the Venice Charter, was also reiterated.

The Experts duly noted that the provisions of the Venice Charter have been give culturally-specific application through the Nara Document on Authenticity, the provisions of which are particularly relevant to the establishment of standards of conservation practice relevant to the preservation of the heritage of Asia, and the integration of the preservation of the intangible cultural heritage together with the safeguarding of sites and monuments.

The Experts also noted that within the region, there are national charters of conservation best practice which are extremely important for the establishment of national conservation standards and which can serve as models for other countries of the region in the development of their own national standards. In this regard, the Experts called attention to the regional relevance of the provisions of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter), in particular its importance in establishing guidelines for the preservation of a "sense of place" during the conservation process, and called upon ICOMOS and its national chapters to assist in the development of similar National Charters elsewhere in Asia.

Reference was also made to the Suzhou Declaration on International Cooperation for the Safeguarding and Development of Historic Cities, 1998, which details priorities in the legal, planning and infrastructure needs of historic urban districts. Similarly, the International Roundtable of Mayors of World Heritage Fortress Cities which met in Suwon City, Republic of Korea in 2000 delineated management tool and action plan recommendations relevant to situations in some Asian cities.

The UNESCO Convention on the Protection of the Underwater Cultural Heritage was adopted on 2 November by the Plenary Session of the 31st General Conference (Doc. 31C/24). This document and the Annex, Rules concerning activities directed at underwater cultural heritage, were the main points of reference for the addition of underwater heritage issues to the Protocols.

Also held after the meeting of experts but relevant to development of the Protocols, was the Hoi An Symposium, September 13 - 15, 2003. The results of this Vietnamese and Japanese initiative was the Hoi An Declaration on Conservation of Historic Districts of Asia.

Having noted these relevant precedents, the Experts re-affirmed the provisions of the Venice Charter and endorsed the provisions contained in the Nara Document and, in principle, those of the Burra Charter, as relevant to the conservation of Asian heritage sites.

102

-

³ A list of UNESCO Conventions and Recommendations will be annexed to the document.

The Need for Regional Protocols

The Experts agreed that regionally-specific protocols are needed to give practical operational guidelines for conservation practitioners working in Asia, thereby establishing high standards of best conservation practice for the region, with specific regard to the safeguarding of the cultural authenticity of heritage sites. These sites include archaeological sites, both excavated and unexcavated; monuments and other standing structures, whether ruined or intact; buildings and other structures of historic or other cultural, social, economic, political or ideological significance; architectural ensembles, historic urban areas and townscapes; underwater cultural heritage and landscapes and environments of historical, cultural and/or socio-economic significance.

Therefore, the Experts have established the following Hoi An Protocols for Best Conservation Practice in Asia, and call upon regional, national and local bodies, both governmental and non-governmental, as well as individuals, responsible for and/or engaged in heritage conservation work, to adopt these standards when undertaking any and all work to protect, conserve, restore or adapt heritage sites in Asia.

The Intended Audience and Implementation of the Protocols

The Hoi An Protocols have been prepared with several target audiences in mind:

- The custodians and managers, both public and private, of heritage properties and places in Asia,
- National, state and local governments and concerned departments involved in strategic and physical planning within heritage sites and in their environs;
- Non-governmental organizations (NGOs), community and voluntary organizations involved in the conservation of cultural heritage resources;
- Private sector commercial practitioners, including planners, architects, archaeologists, landscape architects and others;
- Teachers and trainers of heritage professionals, theorists and technicians;
- The tourism industry involved in development and promotion of cultural tourism in Asia
- Members of the general public with a vested interest in the conservation and development of their communities' cultural resources and assets.

The Protocols are intended to provide guidance at both the theoretical and practical level to all those making decisions and carrying out actions which will directly or otherwise affect the authenticity of heritage resources.

The Protocols are divided into five categories of heritage resource: Cultural Landscapes; Archaeological Sites; Historic Urban Sites and Heritage Groups; Monuments, Buildings and Structures and Underwater Cultural Heritage. Each category is clearly defined and the overall concepts which frame the approach to each type of heritage are stated. There follows identification of the main threats to preservation of these resources, followed by guidelines entitled "Tools for Preservation of Authenticity". These focus on tools for the identification and documentation of heritage and its authentic elements and tools and approaches to ensure its preservation. Preservation of the intangible aspects which form an essential part of every cultural resource is given special attention. The final section highlights the important role to be played in preservation by the community in which heritage is embedded. Special reference is made to the risks and benefits of cultural tourism to the authenticity of heritage sites and places in Asia.

B DEFINITIONS

Adaptation means modifying a place to suit the existing use or a proposed use. (Burra Charter Article 1.9)

Assessment of significance means producing a succinct statement of significance summarizing an item's heritage values. The assessment is the basis for policies and management structures that will affect the items future and will ensure retention of these values. (NSW Heritage Office)

Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance. (Burra Charter Article 1.11)

Conservation "means all the processes of looking after a *place* so as to retain its *cultural significance*." (Burra Charter Article 1.4) "Conservation encompasses the activities that are aimed at the safeguarding of a cultural resource so as to retain its historic value and extend its physical life. There are conservation disciplines that address different kinds of cultural resources. All share a broad concept of conservation that embraces one or more strategies that can be placed on a continuum that runs from least intervention to greatest; that is, from maintenance to modification of the cultural resource." (Parks Canada) All operations designed to understand a property, know its history and meaning, ensure its material safeguard, and, if required, its restoration and enhancement (Nara Document).

Conservation plans set out clearly the conservation needs, priorities and methodologies for a heritage property. They are used by custodians to guide their actions and the use of funds.

Cultural heritage impact assessment is a systematic methodology for assessing potential impacts on heritage resources of proposed development or other actions. It is embedded in environmental legislation and carried out by heritage professionals who recommend and design mitigating measures to address impacts.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. "Cultural significance is embodied in the *place* itself, its *fabric*, setting, *use*, associations, meanings, records, related places and related objects "(Burra Charter Article1.2)

Cultural tourism is that form of tourism whose object is, among other aims, the discovery of monuments and sites. It exerts on these last a very positive effect insofar as it contributes - to satisfy its own ends - to their maintenance and protection. This form of tourism justifies in fact the efforts which said maintenance and protection demand of the human community because of the socio-cultural and economic benefits which they bestow on all the populations concerned. (1976 ICOMOS Charter on Cultural Tourism)

Fabric "means all the physical material of the *place* including components, fixtures, contents and objects" (Burra Charter Article 1.3).

Groups of buildings comprise groups of separate or connected buildings including towns or parts thereof which are noteworthy because of their architecture, their homogeneity, their place in the landscape, or historical, cultural, economic, social, political or ideological significance, whether abandoned, still-inhabited or newly-built.

Information sources are all physical, written, oral, and figurative sources which make it possible to know the nature, specificities, meaning, and history of the cultural heritage.

Intangible cultural heritage means "the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage" (Convention for the Safeguarding of the Intangible Cultural Heritage, Article 2)

Integrity describes "the health and wholeness" of a heritage resource. A resource can be said to possess integrity when the values for which it was designated are not impaired or under threat; they are effectively communicated to the public; and are respected in all decisions and actions affecting the site (Parks Canada).

Interpretation means all the ways of presenting the cultural significance of a place (Burra Charter Article 1.17).

Maintenance "means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction." (Burra Charter Article 1.5)

Management plans set out clearly the short and long term priorities and methodologies to be used to monitor, maintain and conserve the significance and authenticity of a heritage property.

Meaning denote what a place signifies, indicates, evokes or expresses (Burra Charter Article 1.16).

Monuments are architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings, and combinations of these features.

Patina means the sense of age or passage of time as reflected in the layers of visible change to fabric of a building or object.

Period restoration "is the accurate recovery of an earlier form, fabric and detailing of a site or structure based on evidence from recording, research and analysis, through the removal of later additions and the replacement of missing or deteriorated elements of the earlier period. Depending on the intent and degree of intervention, period restoration may be a presentation rather than a conservation activity." (Parks Canada)

Place "Site, area, land, landscape, building or other work, group of buildings or other works and may include components, contents, spaces and views" (Burra Charter Article 1.1). Places may have a range of values for different individuals or groups.

Preservation means "maintaining the fabric of a place in its existing state and retarding deterioration." (Burra Charter Article 1.6) "Preservation encompasses conservation activities that consolidate and maintain the existing form, material and integrity of a resource. Preservation includes short-term protective measures as well as long-term actions to retard deterioration or prevent damage. Preservation extends the life of the resource by providing it with a secure and stable environment." (Parks Canada Preservation Guidelines) "Preservation standards require retention of the greatest

amount of historic fabric, including the historic form, features and details as they have evolved over time" (Secretary of the Interior's Standards for Treatment of Historical Properties

Reconstruction means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material into the *fabric*. (Burra Charter Article 1.8); "recreation of vanished or irreversibly deteriorated resources" (Appleton Charter).

Redevelopment means "insertion of contemporary structures or additions sympathetic to the setting." (Appleton Charter)

Rehabilitation is the modification, including adaptive re-use, of resource to meet various functional requirements such as safety, property protection and access while preserving the historic character of the structure.

Renovation entails refurbishing and/or adding to the appearance of an original building or elements of a building in an attempt to "renew" its appearance in keeping with contemporary tastes and perceptions of "conservation.

Replication means the copying of an existing structure in order to maintain aesthetic unity and harmony

Restoration means "returning the existing *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material;" (Burra Charter Article 1.7) " to reveal the original state within the limits of existing material...to reveal cultural values and to improve the legibility of its original design." (Management Guidelines for World Cultural Heritage Sites)

Setting means "the area around a place, which may include the visual catchment" (Burra Charter Article 1.12). This includes natural and built aspects, fixtures and the activities associated.

Sites are works of human groups or individuals or the combined works of humans and nature and areas including archaeological sites, cultural landscapes planned or evolved over time through use or human events, environments of cultural significance, sacred geographies, and landscapes religious, artistic, historical or other cultural associations.

Statement of significance is the product of assessment of significance. It briefly summarizes an item's heritage value and clarifies why the item is important. The statement is an important part of the management of all heritage items and forms the basis for policies, management structures and all good heritage decisions which will affect the item's future. (NSW Heritage Manual)

Sustainability refers to the preservation and management of cultural heritage in such a way as to ensure that its fabric and values are safeguarded for the benefit of future generations.

Tangible cultural heritage includes all resources that have some physical embodiment of cultural values such as historic towns, buildings, archaeological sites, cultural landscapes and objects.

Use means the functions of a place, as well as the activities and practices that may occur at the place. (Burra Charter Article 1.10)

C. SIGNIFICANCE AND AUTHENTICITY

The Cultural Significance of heritage sites has been defined by the Burra Charter as the "aesthetic, historic, scientific, social or spiritual value for past, present or future generations" which is "embodied in the place itself, its setting, use, associations, meanings, records, related places and related objects. "The goal of conservation is to preserve this significance by ensuring that all interventions and actions meet the test of authenticity in all respects.

Understanding the relative degree of significance of heritage resources is essential if we are to rationally determine which elements must be preserved under any circumstance, which should be preserved under some circumstances and which, under exceptional circumstances, will be sacrificed. Degree of significance can be assessed on the basis of the representativeness, rarity, condition, completeness and integrity and interpretive potential of a resource.

Assessment of the significance of a place, site or monument should be carried out as a necessary preliminary to any conservation action. Significance assessment is the process of studying and understanding the meanings and values of places, objects and collections. It involves three main steps; firstly, analyzing the object or resource; secondly, understanding its history and context and thirdly, identifying its value for the communities which created and/or care for it.

The key to the process is the concept of Authenticity which has become the universal concern of the conservation profession since the adoption of the 1972 UNESCO World Heritage Convention, which defines authenticity as the primary and essential condition of the heritage. Authenticity is usually understood in terms of a matrix of dimensions of authenticity: of location and setting; form, materials and design, use and function and "immaterial" or essential qualities. Together these form the composite authenticity from which significance derives. The retention of authenticity is the aim of good conservation practice.

Dimensions of Authenticity

LOCATION AND SETTING	FORM AND DESIGN	USE AND FUNCTION	ESSENCE
Place	Spatial layout	Use(s)	Artistic expression
Setting	Design	User(s)	Values
"Sense of Place"	Materials	Associations	Spirit
Environmental niches	Crafts	Changes in use over time	Emotional impact
Landforms and vistas	Building techniques	Spatial distribution of usage	Religious context
Environs	Engineering	Impacts of use	Historical associations
Living elements	Stratigraphy	Use as a response to environment	Sounds, smells and tastes
Degree of dependence on locale	Linkages with other properties or sites	Use as a response to historical context	Creative process

D. SOURCES OF INFORMATION ON AUTHENTICITY

The Nara Document on Authenticity stresses that in order to understand the authentic heritage values of a place we must employ credible and truthful sources of information. It states that "all judgments about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgments of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must considered and judged within the cultural contexts to which they belong. Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources."

An authentic source is not only a written record, but information or sources of information such as an archaeological excavation and the information it can provide, or wall paintings that show details of the life and technology of a certain period and area, or continuous craft traditions handed down generation by generation.

Significance is measured by the credibility and truthfulness of the information / documentation on which the judgment is made. The following sources of information form the basis of a check-list which should be consulted to ensure that conservation practices preserve the authenticity of all these aspects of heritage resources:

Historic	Social	Scientific	Artistic	Analogy	Context
Sources	Sources	Sources	Sources		
	Primary Sources				
Primary documents [land deeds, census records etc.]	Oral histories	Traditional indigenous knowledge	Period artwork	Ethnographic records	Spatial integrity
Inscriptions	Religious context	Archaeological investigations	Contemporary literature	Ethnographic collections	Degree of Continuity of use
Genealogies, ancestral records	Socio- economic survey of current users	Geophysical survey	Dated samples of materials and styles	Experimental studies	Socio – cultural context
Historical Photos	Demographic data	Remote sensing imaging	Traditional crafts manuals and building guides		Environment al
Historical maps	Records of clan, neighbourhood and other groups	Geometrical survey and photogrammetry	Patina		Trauma

Historic	Social	Scientific	Artistic	Analogy	Context
Sources	Sources	Sources	Sources		
		Secondary	Sources		
Chronologies	Analysis of continuity of use, occupation etc.	Quantitative and statistical analysis	Artistic commentaries and reviews	Interpretative studies	Surrounding spaces
Travellers' accounts	Studies of craft organization	Laboratory analysis	Stylistic analysis		Political context
Histories and commentaries	Analysis of political consensus	Dating methods	Study of comparative sites and resources	Application of models such as nearest neighbour analysis	Economic
Diaries, correspondence	Social commentaries	Materials analysis		Studies of cultural antecedents	Context of technological change
		Engineering and structural studies			
		Mathematical modeling			

Examination of these and other relevant sources of information in terms of the matrix of the elements of authenticity above creates a palimpsest of overlaid dimensions of the site in a chronological context. These provide an overall picture to guide the conservation effort in preserving the continuity of the site in all its dimensions: form, function, place and essence.

E. AUTHENTICITY AND INTANGIBLE CULTURAL HERITAGE

Reference to the tables above will make it clear that not all the variables reviewed and not all of the sources of information reflect tangible, measurable phenomena. Many are ephemeral and reflect the importance of intangible aspects to our notions of authenticity, cultural diversity and sustainability, as underscored in the *Convention for the Safeguarding of the Intangible Cultural Heritage* (UNESCO 2003). The International Conference on "The Safeguarding of Tangible and Intangible Cultural Heritage: Towards an Integrated Approach", held in Nara Japan in October 2004, stressed the co-existence or inter-connection between elements of the tangible and intangible heritage. It adopted a Declaration on an Integrated Approach (*Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage*) based on international case studies.

Most importantly, and of relevance to the stated aims of the Hoi An Protocols, is the acknowledgment that safeguarding techniques for tangible and intangible are fundamentally different. Intangible cultural heritage is by definition not linked to specific monuments or places, but is stored in the minds of tradition bearers and communities and conserved in the continuity of practice. The techniques and methodologies employed to preserve intangible heritage must be culturally sensitive and flexible enough to make this distinction.

In this context, the following points are made regarding maintaining authenticity in terms of the intangible heritage of Asia:

- The notion of authenticity is culturally relative. In much of Asia the rigorous and methodical Western analytical approach needs to be tempered with the abstract and metaphysical concepts that characterize the region.
- Conservation practitioners must not over-emphasize the authenticity of the
 materials or physical substance of a resource, as in the context of living cultures the
 absence of the tangible element does not mean that a phenomenon did not exist. "In a
 number of living cultural traditions, what makes a relic authentic is less what it was (in
 form) than what it did." (Dawson Munjeri, *The Notions of Integrity and Authenticity –The*Emerging Patterns in Africa)
- Tangible cultural expressions of cultural heritage have their origins in the
 expression of intangible culture. We need to look at how we can almost turn the traditional
 equation for cultural heritage conservation on its head and look for the expressions of
 intangible cultural heritage to guide us towards how we are going to preserve even the
 tangible heritage

F. SYSTEMIC THREATS TO AUTHENTICITY

We can understand the authenticity of our cultural heritage by examining the credibility of the sources on which the judgement of authenticity is based. Authentic cultural assets are passed through time and communities by un-interrupted transmission, evolving but retaining the essential qualities that make them authentic. Authenticity faces constant and unavoidable threats from the following sources:

1. The Loss of Knowledge

Increasing globalization is resulting in a loss of traditional knowledge, particularly among the younger generations in the region. Skills which are required to create, maintain and present cultural heritage in an authentic manner are at risk. The diversity of these intangible knowledge forms must be mapped, evaluated and protected in order to support other preservation initiatives.

2. Urban Renewal

The social and economic pressures for renewal of the fabric of Asia's towns and cities are growing rapidly. They are fed by increases in property values in these areas which puts heritage buildings and precincts at a real and perceived disadvantage. Although residents may wish to retain the fabric and feeling of their traditional built environment, owners are under pressure to maximize the potential of their land and not the historical structures and spaces on it. The result is demolition of entire historical neighbourhoods, or at best, slow attrition as one building after another is replaced by modern, high – return development,

3. Infrastructure Construction

The speed and scale of engineering works in the region poses a threat to the authenticity of cultural heritage and its context. Major infrastructure works can impact heritage resources directly by damaging or destroying fabric, setting and buffer zones. Works that radically modify the landscape and environment can also do indirect damage to sites in many ways: for example by altering drainage and hydrology; increasing erosion, sedimentation and risk of land slips; changing visual envelopes and destroying symbolic connections between places and places and their settings.

4. Cultural Tourism

In the process of standardizing, modifying and commodifying cultural assets for use in cultural tourism there is a serious risk of loss of authenticity. The problem is that too often the "packaging and presentation" of heritage is carried out by the tourism industry for the benefit of its members and not by those responsible for the safeguarding of cultural heritage. As a result, both the physical fabric of a heritage property and its intangible aspects are trivialized and compromised.

When we promote culture for tourism we tend to make the mistake of promoting simple repetition or replication of cultural forms. The same dance is performed over and over again, repeated night after night for changing audiences of tourists. This repetition is not transmission and it results in the interruption of the process and the atrophy of cultural forms into marketable products.

5. Decontextualization and the Loss of Unique Sense of Place

We de-contextualize our culture when we build theme parks around our historic monuments and we treat them as garden ornaments. We also do it with our intangible heritage when we put on dinner dance shows and treat these expressions of art and ritual as some kind of desert for trivial consumption. This de-contextualization of our culture is a very serious problem because it destroys the authenticity of the cultural expression. Policies of preservation that have led us to look upon our cultural resources as tourism products are the reason for our relative lack of success in conservation. This is an attitude we must correct if we are ever going to succeed in placing culture where it rightfully belongs, as the foundation of development.

G. PREREQUISITES FOR CONSERVATION OF ALL SITES

1. Site investigation and conservation

Many issues concerning the identification and maintenance of authenticity are common to all types of heritage sites, in all parts of the world. These include issues regarding site investigation and conservation such as:

- The need for assessment of site carrying capacity
- Rapid appraisal of site condition and the use of non-invasive techniques
- Design and enforcement of defensive regulations to protect heritage
- The need for planning to manage processes of change
- Creative financing and incentive mechanisms to aid conservation
- The implementation of cultural heritage impact assessment as a protective measure

2. Heritage sites and society

Universal issues concerning the relationship between heritage sites and society which must be addresses at all types of heritage properties include:

- Defining social aspirations for heritage
- Enhancement, empowerment and enabling of communities to participate in conservation

- Socialization of the conservation process
- Localization of conservation stewardship
- Inculcating awareness and education among: community, politicians, planners contractors/builders, tourism industry
- Highlighting of the benefits and dangers of cultural tourism

3. Cultural heritage impact assessment

The rich and irreplaceable cultural heritage of Asia is increasingly forced to compete for space and resources against infrastructure, urban expansion and other forms of development. The ideal may be to preserve heritage while improving the built and social environment and reducing poverty, however, the desired balance is often difficult to achieve.

Cultural Heritage Impact Assessment (CHIA) can play a pivotal role in meeting these goals: protecting cultural assets from destruction or irreversible damage by a rigorous methodology of data collection, assessment of significance and potential impacts and design of mitigation. The result can be successful preservation of the regions heritage within a context of sustainable development and social enrichment.

The consideration of authenticity and its preservation is fundamental to the CHIA process. The first stage of screening is pivotal in this regard; all proposed development projects must be reviewed to decide whether they could directly impact on the fabric of any known or potential cultural heritage. Possible affects of the project on the wider setting, sight lines and general context of heritage must also be considered as all such impacts will result in a loss of integrity and will compromise the authenticity of a heritage property. If impacts are predicted then the need for a CHIA is highlighted early in the project cycle.

Scoping of the CHIA involves setting detailed requirements, limits and methodology for the implementation of the impact assessment. It takes into consideration the values of known cultural heritage and the expected significance of resources which, although currently unrecorded, are predicted to exist in or near the project area. The methodologies designed for the CHIA focus on collecting all the baseline information needed to understand the authenticity of the resources. The methodologies provide an opportunity to understand the study area in a holistic manner and to generate the data required to retain its integrity and authenticity.

When the CHIA is opened for tender practitioners will respond with detailed quotations for time and costs. These will reflect the emphasis and methods proposed by each tenderer and will allow selection of the bid that offers the best and fullest approach to understanding and retaining the authenticity of cultural heritage in the project area.

The selected practitioner will follow and expand on the methodology set out in the project scope. Thorough and detailed collection of baseline data about cultural heritage will provide the credible and truthful sources of information which are fundamental to understanding and preserving authenticity. The process of impact assessment involves generating a statement of significance for all the identified resources, relating the integrity and authenticity of a resource to its overall cultural significance. All the potential impacts, direct and indirect, that may arise from the proposed project are then evaluated in light of these assessments of significance. This process allows detailed analysis of a wide range of consequences of development on heritage, including: encroachment, disturbance, inappropriate intervention and use, de-contextualization, dismemberment and destruction.

In each case, measures are designed to mitigate any negative impacts on the primary and essential condition of heritage resources. Measures balance relative significance with overall public benefit created by the project, always giving priority to avoidance of the impacts and total retention of maximum heritage stock in its authentic form. At all times throughout the process

public consultation allows for integrating feedback on community perceptions of authenticity and significance of their heritage.

The strength of CHIA for safeguarding heritage in its authentic form lies in its combination of rigorous and systematic data collection with direct examination of the nature and extent of threats. It considers all types of heritage, from intangible arts and knowledge bases to monuments and underground deposits; and systematically identifies and measures all forms of impact, from inappropriate behaviour to total destruction. In addition, it requires the modeling of a number of preservation options as part of the mitigation design process. CHIA considers a range of possible solutions to conflicts between preservation and development and identifies the one which is both practicable and most effective in retaining the integrity and authenticity of heritage in the face of development.

H. ASIAN ISSUES

There are, however, some issues which, although applicable to all kinds of sites, are specific to or particularly relevant to the Asian situation.

- Many countries of Asia are custodians of important heritage sites reflecting religions different from those of the modern state. It is not unusual, for example, for Islamic nations to have within their borders valuable Hindu and Buddhist sites. The Nara Document on Authenticity states that cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. It is therefore incumbent on modern states to preserve and protect the heritage of other religions with the same standards and rigor which they apply to their own.
- Similarly, modern Asian states often incorporate indigenous and minority cultures with their own rich and valuable heritage. As stated in the Nara Document on Authenticity, in cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties. States have a universal responsibility to conserve this heritage, with the cooperation of its owners. They must ensure that it is interpreted in a way that provides minorities with a sense of their inclusion and the rest of the world with a full and correct understanding of its sources.
- Education for conservation professionals and site managers falls short of requirements throughout most of Asia. Staff attempt to preserve the heritage of the region with enthusiasm and good intentions but without adequate background and training. Attention must focus on developing programmes relevant to Asia, with flexible duration, regional exchange and learning by best practice examples.
- The expansion of road networks and other infrastructure works associated with development in rural areas of Asia is impacting on archaeological sites, cultural landscapes and heritage monuments. It is important that a system of cultural impact assessments be developed for Asia and the Pacific to precede such developments in order to identify threats to heritage and find ways to mitigate damage.
- Similarly, unrestricted traffic within urban historic areas poses serious threats in terms of pollution, access, encroachment and physical damage to heritage resources. When an area is defined as an historical urban assemblage a transport study should be undertaken by professionals to integrate conservation with infrastructure and urban planning.

- The Asia region is vulnerable to a range of potential natural and man-made disasters which can impact severely on all forms of cultural heritage, including living or intangible heritage. In addition, experience has shown that post disaster recovery can pose just as great a threat to heritage. Many post disaster reconstruction measures have irretrievably compromised the authenticity of cultural heritage. Risk preparedness as proposed by the Kobe/Tokyo Declaration on Risk Preparedness for Cultural Heritage of 1997 and developed by the ICCROM manual and training kit must be integrated into the cultural resource management policies of the region. These methods should be based on sustainable techniques and financial mechanisms that are sensitive to local skills and indigenous knowledge systems and incorporate community participation.
- Rapid modernization and urbanization in the region has resulted in the decline and, in some cases, loss of traditional building crafts, artisan skills and materials production. The traditional master-apprentice teaching system is breaking down throughout the region. There is an urgent need to provide support in these areas through training, institutional support and innovative approaches. Support should involve bringing these two groups together on site and in traditional teaching environments and learning spaces.
- Custodianship of heritage sites should stay in the hands of traditional custodians who should be empowered and assisted to carry out authentic conservation.
 "Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it." [Nara Document on Authenticity, 8]

I. SITE SPECIFIC METHODOLOGIES FOR ASIA

I. CULTURAL LANDSCAPES

1. Definitions

A cultural landscape is a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, person or exhibiting other cultural or aesthetic values.

There are three general types of cultural landscapes, not mutually exclusive: The most easily identifiable is the clearly defined landscape designed and created intentionally by human beings. This embraces garden and parkland landscapes constructed for aesthetic reasons, which are often, but not always, associated with religious buildings and ensembles.

The second category is the organically evolved landscape, a relic or living landscape that results from an initial social, economic, administrative, and/or religious imperative and has developed its present form by association with and in response to its natural environment. Such landscapes reflect that process of evolution in their form and component features.

The final category is the associative cultural landscape. The value of such landscapes is by virtue of the powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.

2. Framing Concepts

The Experts consider that Cultural Landscapes arise from a long, continual process of interaction between humans and the natural environment. As such, they reflect organizing philosophies and perspectives of different cultures which must be understood and preserved.

Cultural landscapes are not static. Rather than protect the status quo, the conservation objective should be to identify, understand and manage, in a responsible and sustainable manner, the dynamics of those processes which influence their evolution.

Cultural Landscapes in Asia are influenced by and imbued with value systems and abstract frameworks, such as cosmology, geomancy and feng shui, animism, as well as traditional, technological and economic systems. These systems must be identified and understood for conservation to be effective.

3. Threats to Preservation

- (1) The risks to Cultural Landscapes in Asia are often different from other parts of the world; they reflect a combination of specific environmental/climatic impacts, local pressures to upgrade the built and rural environment, and commercial development pressures.
- (2) Conservation of Cultural Landscapes must negotiate between the needs of authenticity and the economic imperative and potential realities of Asia.
- (3) It must also understand the implications of the particularly Asian combination of extreme weather and environmental conditions with existing levels of administrative preparedness, political will and technical know-how.

4. Tools for the preservation of authenticity

4.1 Identification and Documentation

- (1) Identification and inventory of the components of Cultural Landscapes should include intangible aspects as essential elements, which in Asia are often integral to authentic meaning and sense of place. Documentation should combine historical research with intensive field investigation in order to fully record existing conditions within a landscape. The result should be a clear statement of what makes a landscape significant and how it can be preserved.
- (2) Methodology for documentation and approaches to cultural landscape preservation and management are presented in detail in such documents as NPS Preservation Brief 36: Protecting Cultural Landscapes, ICOMOS Florence Charter on Historic Gardens, Institute for Cultural Landscape Studies, Harvard. Asia-Pacific Regional Workshop on Associative Cultural Landscapes, Oxford Declaration on Landscape and UNESCO recommendations concerning the safeguarding of the Beauty and Character of landscapes and sites (1962). There is, however, a pressing need for adaptation of international standards to more closely fit the needs of Asian cultural landscape conservation.
- (3) Cultural Landscapes are comprised of multiple elements in a meaningful balance; decisions regarding conservation must aim to identify and preserve this complex and delicate balance and not destroy authenticity by stressing one component at the expense of others. A Cultural Landscape can include monuments; but whether with or without them, the landscape is the essential element requiring conservation.

(4) Accurate and meaningful mapping of Cultural Landscapes is a crucial step in the conservation process, particularly where the term is not well understood or there are inadequate legal mechanisms for their protection. Whichever landscape mapping technique is adopted, collection and correlation of data requires a multi-disciplinary approach and will include, as a minimum, consideration of earth sciences, biodiversity, visual and sensory perception, historical time mapping and cultural contexts.

4.2 Safeguarding Authenticity

- After documentation, it is essential that a Preservation or Treatment Plan be designed which takes cognizance of those heritage values which give the cultural landscape significance. Preservation planning is required to ensure that the authenticity of cultural landscapes is preserved. A programme should be designed and implemented which includes the following components: historical research including period plans; inventory and documentation of existing conditions with plans; site analysis and evaluation of significance and integrity; development of a cultural landscape management plan; strategy for on going maintenance and preparation of a record of treatment and future research recommendations.
- (2) Management of risks must acknowledge and employ often inadequate / under-developed administrative and legal mechanisms for conservation existing in the region. Integration with existing statutory planning tools can therefore often be one of the most effective ways to safeguard Cultural Landscapes, or at least to ensure notification of potential destructive or damaging development proposals.
- (3) Dismemberment must be discouraged by practical means. Alternatives shall be explored to minimize the effect of existing dismemberment, including such methods as replication, reconstruction, relocation etc. and the introduction of legislation to control the appearance, scale and style of future building within a landscape.
- (4) Re-use of Cultural Landscapes must be limited to uses that do not compromise any of the components which make them authentic.
- (5) The diversity of Asian Cultural Landscapes requires multi-disciplinary and inter-sectoral conservation initiatives, therefore, all plans for conservation of Cultural Landscapes should arise from and involve the pertinent communities.
- (6) Science and technologies employed should include Asia specific methods such as community ideas of natural balance and replication of cosmologies in the landscape.
- (7) Because it is a destructive tool, archaeological excavation should be carried out only after in depth research and baseline study. It should be carefully designed to answer specific questions about a landscape. Overuse of small scale testing is destructive and should be discouraged as a research tool.
- (8) Emphasis should be placed on the use of non-invasive tools in the study, management and conservation of cultural landscapes, including the development of GIS programmes, remote sensing, aerial photographic analysis and cultural impact assessment.

4.3 Safeguarding the Authenticity of Intangible Aspects of Cultural Landscapes

(1) Documenting associations: In Asia it must be recognized that many components of Cultural Landscapes are intangible and/or impermanent. As such, it is necessary to document and understand the organic relationships between the physical components of

- the landscape and the intangible practices and values which impart cultural significance to a landscape.
- (2) Local Credibility: Sources of information must be credible at the local level and include material which is locally generated and is manifested in varied forms and media, such as myth, oral history, village records etc.
- (3) Issues of definition: The spatial integrity of a cultural landscape cannot always be sharply defined and can change over time. The landscape recognized as relevant by its inhabitants is that which reflects the negotiated balance between environmental and cultural realms. This fact must be accommodated in planning management and legal protection.

4.4 Heritage Authenticity and the Community

- (1) The concept of Cultural Landscape is relatively new to the heritage world as a whole and particularly to Asia. As such, public education programmes are essential to Cultural Landscape conservation.
- (2) The listing of World Heritage sites is just one aspect of engaging public awareness of cultural landscape issues. Ultimately, the idea of cultural heritage is rooted in a sense of place and a sense of self-identity. These should be promoted even in areas without World Heritage sites.
- (3) Cultural tourism development of Cultural Landscapes is unavoidable; an important part of the preservation process is to inform visitors of the value of the landscape, the features which make it authentic and the responsibility of visitors to safeguard it. On-site education must be more than just historical narrative.
- (4) Asian Cultural Landscapes are frequently inhabited and or worked by local populations; it is important that many of the tasks of conservation be given to these communities, with appropriate training and supervision, in order that they can consolidate their own heritage.
- (5) The intention in conserving Cultural Landscapes is to safeguard them, not just as historical evidence, but as living systems and possible future templates for cultural development. Working landscapes should continue to be economically viable within the framework of authenticity.

Major Threats to Authenticity	Indicators	Action
Encroachment	Inappropriate elements and scale; attrition to incompatible land use (ex. modern commercial or residential complexes, large scale agriculture etc.)	Impact assessment, planning enforcement, community action
Loss of function	Erosion of important features due to lack of maintenance (ex. Bunds, terrace walls, canals etc.)	Management Planning, training, national and international technical assistance
Dismemberment	Division by linear infrastructure or built elements (ex. roads, rail lines, drainage channels etc.)	Impact assessment

II. ARCHAEOLOGICAL SITES

1. Definitions

An archaeological site comprises any combination of structural remains, artefacts and ecofacts within a culturally modified soil matrix. A site may lie entirely beneath the surface or appear partially above it. It may be fully or partially excavated or it may be known only through textual reference or subsoil or remote sensing.

2. Framing Concepts

Archaeological sites are comprised of many components with conflicting preservation requirements held in a delicate balance by a soil matrix. There is also inevitable uncertainty regarding the nature and extent of buried archaeological deposits. Multiple definitions of and perspectives on authenticity are therefore required. Authenticity of archaeological sites can be measured in terms of:

- the degree of our understanding of the probable limit and extent of the site;
- the degree of our understanding of the chronology of the site through stratigraphy and dating;
- the extent to which the site has been encroached upon or damaged by agriculture, natural erosion, partial archaeological excavation and/or construction; and how accessible the site is to researchers and the public.

3. Threats to preservation

- (1) The exact location and limits of archaeological sites are, by definition, often not clearly visible; as a result, sites are particularly at risk of encroachment and dismemberment with an inevitable loss of authenticity.
- (2) Archaeological sites are often located in places which had value in the past and are still regarded as valuable. This means there are often continuing and long-term pressures for use, often inappropriate, of these locations. Examples include places of strategic military value, religious or cult value and coastal areas with development potential.
- (3) There is a danger that the inherent value and significance of an archaeological site will be judged on the basis of what can be seen above the surface of the ground. Under valuing of archaeology without a built or monumental element fails to recognize that authenticity and value can equally lie in the potential for a site to inform us about the past.
- (4) Archaeology can be a destructive science. Although it has the power to inform us about the past, it also has the power to rob us of evidence and deny us a second look. This potentially damaging aspect of archaeological practice must be acknowledged and understood by those who design, implement and authorize field programmes.
- (5) The traditional agricultural practices of Asia can impact negatively in many ways on archaeological sites. Excavation of soil from one area for use in other fields can destroy archaeological deposits and relocate material resulting in loss of context. Similarly, the construction of terraces, bunds and channels as part of paddy field or other field preparation may have direct impacts on buried remains, particularly on shallow

archaeological sites. The regular alternation of wet and dry cycles associated with rice cultivation may also adversely affect archaeological deposits, particularly if they occur close to the surface. Artefacts may shift position, the soil matrix in which they occur can chemically change and the fabric of ceramics in particular can degrade. The effects on archaeological material of chemical fertilizers and insecticides is not fully understood; corrosion and decomposition of metal and ceramic fabrics may result.

4. Tools for Preservation of Authenticity

4.1 Identification and Documentation

- (1) Regional and local survey methods which give as complete a picture as possible of the location and extent of archaeological sites are an essential first step in managing and preserving the archaeological record. Survey reconnaissance methodology is highly developed in many countries and yet still underutilized in Asia as a whole. This is due, in part, to the special requirements of survey in the tropics and semi-tropics where overseas methods cannot be employed. There is a need for a consensus on methods and standards for the region in order to expand the archaeological baseline for Asia.
- (2) The use of GIS (Geographical Information System) is highly recommended as it provides the ideal tool for collection, manipulation and interpretation of such baseline mapping data.
- (3) Non-invasive techniques such as aerial photograph analysis, remote sensing, chemical soil studies and photogrammetry should be employed whenever possible to acquire data regarding the nature and extent of archaeological sites without loss of site integrity.
- (4) Research, site documentation and archives written in Asian languages should wherever possible be made available in translation to make data available to a wide audience. Similarly, western scholars and researchers should aim to translate as much of their work as possible into the relevant local language.
- (5) In order to maintain authenticity in conservation of an archaeological site it is important to build up sample collections of all building materials such as bricks, tiles, mortars and stone. These should be properly labeled, catalogued and stored in local museums or other designated locations.

4.2 Safeguarding Authenticity

- Support should be given to the introduction of comprehensive legislation on the preservation of archaeological sites. Such legislation must be predicated on an assumption of preservation in situ yet have the flexibility to integrate change and advanced research when required
- 2 Protective zoning of archaeological sites as areas of special scientific and/or heritage interest within existing planning legislation is another tool which, if enforced, can help protect sites and their buffer areas.
- As stated above, GIS is a valuable conservation and site management tool. It has the additional advantage that it can be used to integrate archaeology into regional development frameworks. This allows archaeological potential to be mapped as a development variable.

- Within sites, the concept of zoning can play an important role. The use of a hierarchical system of zones with different levels of protection acknowledges the different need of the varied elements of a site such as heritage and landscape protection zones, environment conservation zones, archaeological research zones and monument management zones.
- Archaeological impact assessment should be a requirement when any type of infrastructure development is proposed near an archaeological site or in an area of archaeological potential. The assessment should focus not only on direct impacts which could adversely affect the site, but also on indirect impacts which can alter the microenvironment of the soil in which a site lies. Assessment should use a package of research and field techniques appropriate for the region in order to identify sites and to assess the impacts which development will have on them. Assessment should then recommend measures to mitigate unacceptable impacts, including, if necessary, complete preservation in situ.
- A multidisciplinary approach is needed for a comprehensive reconstruction of the past from archaeological sites. Conventional archaeological methodology should be augmented with input from as wide a range of specialists as is applicable. Effective preservation of the authenticity of our archaeological sites will be assisted by having a broad understanding of the resources.
- Custodians of archaeological sites must develop work plans, with the assistance of specialists, designed to preserve, maintain and present sites to the public. Work plans should include implementation schedules and designate those responsible for specific tasks. Detailed records should be kept of all interventions and processes carried out in accordance with the work plan.
- There may be circumstances when reburial of archaeological sites is necessary in order to protect them from the elements and/or vandalism. Full documentation should be carried out before reburial and the lateral limits of site components must be clearly surveyed and marked on the new ground surface.
- Support should be given in whatever way possible to the local and overseas training of staff from local cultural and museum institutions. Training should inculcate an understanding of the concept of authenticity and its relevance to local archaeological sites. Ways in which this authenticity can be preserved at a grass roots level should be at the core of training programmes.
- Looting and illegal excavation of archaeological sites to feed the illicit market for antiquities is a constant problem facing site managers. The planning for every archaeological site must include assessment of security needs and a commitment to a protective strategy based on community involvement, education and regular inspection.

4.3 Safeguarding the Authenticity of Intangible Aspects of Archaeological Sites

- 1. Associations: The authenticity of Archaeological sites is directly correlated to its capacity to retain cultural memory of events, ideas, beliefs, or artistic and literary works of outstanding universal significance.
- 2 Narrative potential: Most of any archaeological site is buried beneath the ground and only a partial excavated record is on view. Managers of sites must devise ways to preserve the "readability" of such remains and to maximize their potential to present an historical time-line to visitors, linking the past to the present.

3. *Time depth:* The multi-period stratigraphy of soils, debris and building periods presents a complex palimpsest of time which must not be over-simplified by, for example, the reconstruction of a site to one period ignoring all others.

4.4 Heritage Authenticity and the Community

- 1 Emphasis should be placed on the educational function of local museum or cultural offices in increasing the interest of the local community.
- The trend in Asia for army base or related military compounds and structures to be established on archaeological sites must be reversed.
- Many archaeological sites in Asia have a continuing religious function with shrines, temples, pilgrims and festivals. Ways must be found to accommodate such uses within a conservation framework.
- Archaeological sites can pose dangers to the public if they are not properly managed. It is important that potential risks and fragile elements be fenced or otherwise made inaccessible in order to protect visitors to the site and the integrity of the site itself.

Major Threats to Authenticity	Indicators	Action
Destruction or disturbance of archaeological deposits and remains	Intrusive activities such as construction, excavating for utilities, traditional agricultural practices and modern tools and chemicals etc. causing direct disturbance of archaeological deposits Above and below ground works (roads, pipelines, drainage and river works etc.) through areas of archaeological importance	Planning regulations + Impact assessment
Inadequate protection	Unrestricted access and lack of monitoring of sites allowing looting of sites; vandalism	Legal protection + enforcement
Deterioration	Erosion and decomposition due to weathering and pollutants	Conservation and maintenance planning

III. UNDERWATER SITES

1. Definitions

Underwater Cultural Heritage comprises all cultural, historical or archaeological vestiges of human existence which have been preserved partially or totally under water either periodically or continuously. The range of resources is large, from artifacts and wooden structural remains to aircraft, vessels and their cargo. It also includes remains of sites which were originally on land but

have been inundated over time. All have been preserved by the matrix of water, sand and mud which ultimately overtook them or in which they came to rest.

2. Framing Concepts

It is acknowledged that the physical context in which underwater archaeology is embedded means that particular and exacting approaches and methodologies are needed to ensure retention of authenticity in situ and during excavation and presentation.

3. Threats to Preservation

- Underwater sites are at risk from actions which affect the matrix in which they are held, altering the delicate balance that enables preservation. These actions can be natural (storms) or anthropogenic (dredging, river diversion changing inlet dynamics); and can result in chemical change / aerobic change or physical disturbance of archaeological remains.
- 2. Damage may be caused by uninformed recreational divers who unintentionally interfere with archaeological deposits or alter the fragile environment at sites.
- 3. Underwater sites are at great risk from organized looting whether by individuals or commercial salvage companies seeking antiquities to sell on the international market.
- 4. Direct impacts on archaeological sites result from development off shore involving dredging, piling and other site formation works or for sand and gravel extraction.
- 5. Adjacent on-shore activities and development can also pose threats to underwater cultural heritage by releasing sediment, burying sites under dumped dredging spoil, altering the chemical environment and/or introducing pollutants.
- 6. The commercial fishing industry threatens underwater archaeological deposits by trawlers scraping the sea floor.

4. Tools for Preservation of Authenticity

4.1 Identification and Documentation

- GIS is a particularly valuable tool for recording and protecting underwater heritage site. It
 allows archaeologists and managers to record and assess the development of the
 programme and to monitor the status of sites. It gives excellent visual representation of
 numerical and visual data which can be of special value on underwater sites with limited
 access and visibility.
- 2. Limited use should be made of intrusive investigative methods, with an emphasis on survey over recovery. Sampling techniques employed must have minimal impacts and follow the ethic of least damage and reversibility of procedures. This is achievable, if expensive, with the substantial advancements being made in remote sensing technology.
- 3. The urgency is to document and protect, not to remove underwater cultural heritage; the goal is *in situ* preservation to maintain the delicate equilibrium of heritage resources in their matrix.

- 4. Underwater archaeologists must be the only persons authorized to plan and carry out underwater archaeological investigations. Oceanographers, salvage operators, dive tour operators, treasure hunters and others may have varying roles to play in discovering sites and managing them, but not in their recording and excavation.
- 5. The intertidal zone comprises the area between the levels of high and low water which is subjected repeatedly to periods of exposure and submergence. The occurrence of archaeological material in this area includes inundated land sites, hulks, remains associated with the wharfage of vessels and shipbuilding and deposits of artifacts lost during landings and unloading. Special methodologies must be adopted to locate and document these sites which are alternately land and underwater archaeology.
- 6. The recruitment of oil exploration companies to assist governments to locate underwater cultural heritage sites in conjunction with their work will be an important objective

4.2 Safeguarding Authenticity

- 1. Special reference should be made to the *Annex* of the *Convention on the Protection of the Underwater Cultural Heritage* to ensure the maintenance of authenticity during and resulting from archaeological excavation.
- 2. When an important underwater site is identified there is often an issue of whether or not to disclose its precise location to the public. Disclosure can result in looting and unintentional damage by amateur archaeologists and commercial divers. If site locations are going to be made public there must be some way to restrict access.
- Cultural material removed from the seabed poses special conservation problems due to the matrix in which it has been preserved. Planning is needed at the earliest stages to provide controlled environments and the necessary processing to ensure that the information encoded in these finds is not lost.
- 4. The provision of professional training courses for marine archaeologists, including the many amateur divers who make important contributions, is regarded of great importance if investigations are to be carried out in a way that extracts the most information in an environmentally responsible manner.
- 5. Management and maintenance of underwater sites is necessary to preserve their significance. Mechanisms should be put in place in the form of an advisory committee or management board to control access to the site before and during investigations.
- 6. Management will include assuring the stability and integrity of exposed material and the release of information to the public; maintaining a surveillance system, actively monitoring the site, and mitigating threats to the site by stabilizing or recovering artifacts and archaeological information. Exploratory site testing may continue. After fieldwork is completed decisions will need to be made regarding the best way to "seal" the site.
- 7. In situ preservation consists of covering exposed portions of the site to diminish deterioration and the likelihood of damage from storms and human interference. Occasional site monitoring would be needed.
- 8. The financial advantages of proper investigation and creative museum display of underwater finds can be substantial. When this potential is shown by example, the community at large can see the long term and widespread benefits of preservation as

- opposed to the immediate benefits to only a few which result from the sale of looted antiquities.
- 9. A dive permit system is one option for controlling the impacts of divers on underwater cultural resources. It is a legally endorsed "user pays" system that generates revenue for conservation but denies free access to identified sites on the seabed. Experience has shown that this type of control is more appropriate when most of the community is made up of non-local tourist divers.
- 10. Charter owners, who might otherwise work against preservation efforts, have been enlisted as official heritage inspectors. This strengthens efforts by providing another group authorized to administer legislation. They provide feed-back on sites and are empowered to prosecute those breaking the law.
- 11. A well designed public information programme yields long term benefits. Interest in on going exploration and best practice recovery plus the results of analysis of previous data means that the public continues to return year after year to learn more about underwater heritage. Release of information stimulates further interest leading to an informed and eager public.
- 12. Investigation of the underwater archaeological potential of an area should be part of the Cultural Heritage Impact Assessment system. Any development or works planned for offshore, intertidal or coastal areas should be assessed for impacts that may occur on archaeology. This includes desk based background studies, geophysical survey to identify seabed anomalies, dive inspection to clarify anomalies, assessment of potential impacts and recommendations to mitigate impacts.
- 13. Preservation of underwater cultural heritage requires planning and land use zoning tools. The extension of existing coastal protection zones should include intertidal and off shore areas. The creation of zoning designations for sites of underwater cultural heritage significance should also be considered. Other planning tools include the application of restrictions on land use in areas adjacent to underwater sites; areas where site formation, major engineering works would impact on the stability of underwater environments.
- 14. Underwater wrecks often have an international dimension due to the origins of vessels and their cargoes. Projects should be developed between colonies and former colonial powers and between historic trading partners that relate to this shared underwater cultural heritage.
- 15. PADI programmes such as Nautical Archaeological Society (NAS) Course should be supported to inculcate safeguarding values in the diving public.
- 16. Declaration of legally enforced "Protection Zones" around wreck sites or other underwater archaeological sites, marked by buoys, piles or floats, to restrict the number of visitors to sites, prevent accidental damage and discourage looting.
- 4.3 Safeguarding the Authenticity of Intangible Aspects of Underwater Heritage

1. *Memorial Heritage:* A distinction can be made between underwater archaeological sites and memorial sites. The latter is defined as a relatively recent site where the dead still have immediate descendents who would consider excavation as invasive. Such sites should be maintained and made available for viewing but should not be excavated.

4.4 Heritage Authenticity and the Community

- 1. There is a widespread perception that maritime archaeology is the realm of the academic world only, with little benefit filtering down from the academic to the public sector. It is incumbent on heritage professionals to make underwater archaeology accessible to the public.
- 2. The stakeholders in underwater cultural heritage are a particularly wide and diverse group, often with conflicting interests that need to be resolved:
 - The general non—diving public who feel unable to understand their underwater heritage but are keen to have it meaningfully interpreted
 - The local diving community who are often unwilling to cooperate because they may be gaining from sale of artifacts and/or dislike of authorities interfering
 - The recreational diving tourist who wants maximum experience in minimum time period
 - Commercial salvage companies whose aims conflict with preservation
 - Commercial dive charter and tourism operators who need to see that there can be commercial advantages and long term benefits from preservation of underwater cultural heritage
 - NGOs who
 - Government sector agencies the greater the inter-governmental cooperation that exists, the greater the public service profile
 - Archaeologists whose main concern is to document, interpret and preserve.
- 4. The idea of offering rewards to recreational divers for revealing the locations of underwater sites can be looked into. Rewards could be gauged on the state of preservation of the site in order to discourage looting before reporting.
- 5. Public display of findings is important to raise community interest. Exhibitions should be not only in museums, but also in tourist venues such as hotels to create a wider forum for all stakeholders to see the results of underwater research.
- 6. Display and interpretation of underwater cultural heritage needs to be approached on both land and underwater. Coastal wreck trails with lookout points and information boards can increase awareness and concern for maritime heritage. This type of remote visitation is to be encouraged. Underwater wreck trails should be laid out with waterproof information sheets available and site markers with information about sites and correct on site behaviour.

Major Threats to Authenticity	Indicators	Action
Destruction	Planned development or engineering works impacting directly on the seabed and deposits and/or their preservation environments	Impact assessment
Removal of material from its archaeological context	Looting by recreational divers and commercial salvage and appearance of material on illegal market	Enforcement of laws; international pressure

IV. HISTORIC URBAN SITES AND HERITAGE GROUPS

1. Definitions

An Historic Urban Site or Heritage Group is made up of a number of related and spatially adjacent, or at least proximate, resources, all of which are individually of heritage value and/or which contribute to the overall heritage significance of the group.

2. Framing Concepts

The Experts share the conviction that our historic urban sites form a rapidly dwindling resource under threat from economic development and change. Urgent action is needed to reconcile development and heritage and to integrate culture and sustainable development in a manner that retains the authenticity of historic urban cores. In this process attention must be paid to the special qualities, both concrete and abstract, which characterize the Asian urban tradition and to their authentic preservation.

3. Threats to preservation

- Threats to the preservation of Historic Urban Areas of Asian cities and towns come from various quarters. In particular, they face the loss of historic structures and replacement with new buildings as a result of economic pressures to develop valuable property.
- Heritage resources in urban areas also face the slow decay of structural fabric due to lack of maintenance; as a result of shortages of funding, lack of interest and failure of owner/occupiers to appreciate the value of what may be humble components of a valuable urban assemblage.
- There is a steady onslaught of pollution including chemical action on historical building materials, damage from vibration and settlement, changes in water levels and moisture etc. in the urban environment.

- Heavy, uncontrolled traffic and polluting vehicles within and around historic urban areas pose a serious and immediate threat to the integrity of heritage groups. Planning to reroute traffic, designate pedestrian areas, impose clean air policies and enforce a range of transport solutions should be a conservation priority.
- The loss of traditional occupations and of the traditional economic residential mix of the community which gave urban areas their authentic flavour. This includes the loss of artisan skills associated with traditional building construction and repair.

4. Tools for Conservation of Authenticity

4.1 Identification and Documentation

- Detailed documentation of urban morphology is a fundamental task. It must include recording and analysis of both the areas physical structure and its patterns of use, taking special care to distinguish both the palimpsest of historical patterns which make it significant and the current pattern. Documentation should also include details of access, infrastructure and transport within and near the heritage area.
- Documentation should recognize the total ensemble including less significant vernacular architecture and not give priority to monuments and listed buildings. In this exercise, the type and credibility of sources of information of authenticity will be especially important to consider.
- The temptation to separate small picturesque architectural ensembles from their larger context should be avoided; the process should aim to demarcate larger contiguous entities for conservation using historical social and economic contexts to define these entities.
- Inventory at a minimum "core" level of all components of the heritage group, both physical and social, as well as all details of each component, recognizing that the specific "personality" of the site is to be found in the details. Several techniques of inventory may be employed including building survey, photogrammetry and GIS. The archive of this inventory constitutes one of the sources of information on authenticity of the site, informing conservation work.

4.2 Safeguarding Authenticity

- 1 "Defensive" mechanisms such as planning zones or designation of historic precincts or special conservation zones with moratoria, or at least restrictions, on redevelopment can aid conservation of the integrity of historic areas.
- Overall management plans are needed for historic areas to integrate conservation with urban planning and the provision of utilities and infrastructure. It is important to protect and safeguard the local sensibilities and Asian value systems of the inhabitants of these areas while planning for their conservation and upgrading.
- Wherever possible, existing historic building stock should be conserved, up-graded and re-used in sympathetic ways. The focus should be on assisting residents of properties to continue residential use. Continued residential use may not always be feasible or desirable, and former housing stock may need to be adapted for commercial or

- community use. This must not be done at the cost of displacement of populations and homogenization or commercialization of originally diverse precincts.
- An historic assemblage is an organic entity and it will often comprise of buildings representing different periods. No attempt should be made to restore all buildings to a single historic period; instead it is recommended that changes over time be made clearly visible so that the visitor can recognize the multiple layers and read the history of the group.
- 5. Heavy CBD (Central Business District) requirements should be directed into new development areas; no attempt should be made to try to cram such modern functions into historical areas beyond their carrying capacity.
- It is important to identify and actively promote traditional and endangered local trades. The pattern of bazaars which makes up the ancient quarters of many Asian cities is in itself a valuable heritage component. Planning and conservation must facilitate their continuing viability, where possible, in original buildings and locations.
- The historic urban areas of most Asian cities have already experienced attrition; quarters or rows of historical buildings are interrupted by modern unsightly structures that compromise the heritage value of the assemblage. However, the replacement of modern intrusions with replicas of historical buildings or infill -buildings in traditional styles should be carefully considered.
- 8 Unlike discrete monuments or archaeological sites, living urban assemblages often have no institutional custodian. It is therefore important that an administrative and decision-making body be formed which combines local government, business and community representation with professional conservation and planning expertise. The function of this body is to plan long-term integrated conservation and urban improvement and to establish sustainable financing incentives and mechanisms.
- Tourism offers opportunities for income generation for conservation efforts and for poverty alleviation within historic urban areas, if adequately managed. Tourism plans should be prepared which retain a mix of commercial and other uses, including residential, and do not allow tourist shops and facilities to dominate the historical precinct.
- Any major infrastructure or development projects planned for urban historic areas or their environs should be preceded by a Cultural Impact Assessment, in order to identify any negative and cumulative impacts which may result.

4.3 Safeguarding the Authenticity of Intangible Aspects of Historic Urban Sites and Heritage Groups

- 1. *Mental planning template:* The elements that make the urban area recognizable, coherent and authentic are texture, streets, squares, blocks and buildings, in other words, the structure of space. Therefore, it is this structure of space which must be preserved as the skeleton of the conservation plan. Urban textures are the basic material for building a city and thus conserving a city. They include: regularity of proportion, density, repetitiveness, grain and directionality.
- 2. Public space for interaction, both structured and non: The structure of space in an Asian urban setting is hierarchical: streets are ritual paths, squares are sacred of cultural places. In this structure of space the edges are linear elements which constitute the physical boundary of historic towns and frame the continuity of the entire urban fabric.

Gates and sometimes buildings act as openings into this urban wall. The authenticity of both buildings and entire blocks is therefore paramount.

- 3. Community domestic life: The historic urban fabric has evolved over centuries and is a reflection of the distinctive culture and value system of its residents. If the lifestyles and traditional characteristics are destroyed the conservation of the buildings will be nothing but a theatre prop, devoid of the flavour and value system that produced the special attributes of historic cities. In view of the needs of contemporary living and the evolving character of living cities, the focus on striking a balance will be paramount. Thus ongoing discussions and discourse transfer of the community's value system from one generation to another will be an important ingredient of the conservation strategy.
- 4. Continuity of transmission/ City as marketplace of ideas: Preservation of the intangible cultural heritage of traditional towns requires that knowledge be transmitted from teacher to pupil and from master to audience. It is therefore important that authentic spaces and venues for transmission be set aside and protected; ritual spaces, institutions, schools, performance venues and other such spaces.
- 5. Continuity of trades and occupation: The traditional trades and inherited occupations of historic towns imbue the built environment and its spaces with life. These economic activities are integrally linked to social and familial groupings and create a pattern of intangible life styles, tools and work environments which are reflected in the shape, plan and layout of the townscape. They should be documented, studied and supported as essential components of cultural authenticity.

4.4 Heritage Authenticity and the Community

- A high level of public awareness regarding the importance of historic urban heritage areas is a prerequisite for ensuring their safeguarding. The authenticity and integrity of such areas will be safer in the hands of those with a sense of pride as custodians and owners of unique heritage buildings.
- 2 Decision making regarding the conservation of historical urban areas should involve a wide range of stakeholders from administrative and political levels, the community, business and the profession in order to socialize an appreciation of heritage values.
- The economic future of urban historic areas is integrally tied to development of managed tourism. Cultural tourism creates new pressures on these areas which can only be mitigated by effective public-private cooperation between stakeholders. The UNESCO Lijiang Models of Cooperation for the Development of Sustainable Tourism in Asia and the Pacific supply an effective and regionally appropriate tool for engendering this cooperation.
- 4. Historic urban centres are living entities and those whose lives lend them vigour should be supported and enriched by the conservation process. Conservation professionals should work with community programmes and activists to educate the public about the value of their heritage and the ways in which they can be involved in and benefit from its preservation.

Major Threats to Authenticity	Indicators	Action
Dismemberment	Loss of historical structures and spaces and replacement with inappropriate building styles	Impact assessment, Management Planning
Scale	Construction of buildings of incorrect scale in or in environs of historical precinct	Impact assessment and enforcement of planning law
Neglect and decay	Structural failure and collapse, erosion of decorative elements, damage from insect infestation, vegetation growth and uncontrolled water movement	Management Planning
De-contextualization	Inappropriate / inauthentic activities and uses of historical environment	Impact assessment, Management Planning, community action

V. MONUMENTS, BUILDINGS AND STRUCTURES

1. Definitions

This category encompasses individual built heritage resources and architectural complexes in their setting which are deemed to possess heritage significance and have been or will be listed or declared for protection and conservation.

2. Framing Concepts

The authenticity of monuments, buildings and structures is integrally linked to the temporal narrative embedded in their fabric. Understanding the chronological development of a monument and the multiple and complex structural, spatial and decorative layers which result is essential to the conservation of authenticity.

The experts hold that successful and authentic conservation of monuments, buildings and sites can best be achieved by giving them a contemporary context. They should be accessible to the community, both physically and in terms of interpretation and display.

3. Threats to Preservation

Individual monuments and complexes face numerous threats to preservation and authenticity including demolition or dismemberment in the face of development, structural decay due to disinterest and neglect and erosion of fabric as a result of pollution and environmental impacts.

- 2 Unintentional threats to authenticity result from inappropriate and misguided conservation efforts. The urge to beautify and improve the appearance of a building can lead to the removal of original elements and their replacement with new ones in comparable modern materials. The result can be, for all intents and purposes, a completely new and unauthentic structure.
- The integrity of a monument can be challenged by loss of or damage to its historical setting. Encroachment by modern Asian cities on their monuments must be controlled by the implementation of planning legislation and byelaws. Similarly, the original setting of rural monuments should be documented and their boundaries researched and enforced to prevent their gradual erosion.
- 4. Renovation and reconstruction of monuments and historical buildings in order to legitimize regimes and to substantiate ethnic or religious claims is an unacceptable use of conservation efforts.

4. Tools for Preservation of Authenticity

4.1 Identification and Documentation

- Detailed historical research, documentation of past interventions and present condition of a building or monument should culminate in a statement of its significance, ie, a description of those irreplaceable values which give it heritage meaning and must be preserved throughout any subsequent interventions.
- It is important to establish appropriate data bases to serve as a baseline for use in the implementation of conservation projects which maintain authenticity. These data sets should include the following:
 - Environmental information
 - Grounds / soils information
 - Geological and seismic data
 - Historical information
 - Ownership details
 - Architectural details
 - Functions analysis
 - Stylistic analysis and description
 - Structural assessments(status, damage, mechanisms)
 - Materials assessments (characterization, decay, causes)
 - Archaeological materials
 - History of past interventions
- All interventions carried out on monuments and buildings should be fully documented. All photographs, drawings and all notes, reports, analyses and diagnoses and other data gathered for a conservation project should be archived. Ideally, the final conservation report should be published in an authoritative scientific journal.
- Samples of all original materials of the monuments such as bricks and roofing tiles, from well documented and dated contexts should be collected for consultation when new materials are required for building conservation. Any new materials and mixtures used in conservation should be archived, with details of their use.
- Minutes of all progress meetings held at the site should be archived along with monitoring records and any other accounts of works undertaken.

Decisions regarding the type and extent of intervention carried out as part of a conservation plan should only be taken after extensive research, expert discussion and weighing of conservation options. Intervention should be the minimum required to ensure the preservation of the heritage values and authenticity of a monument or building.

4.2 Safeguarding Authenticity

- 1. Special reference should be made to the Burra Charter; this document is particularly relevant and meaningful with regard to maintenance of authenticity as part of the conservation of buildings, monuments and structures. The guidelines regarding preservation, restoration and reconstruction should serve as a basis for the decision making process.
- 2. Conservation of buildings and monuments should be carried out following a Conservation Plan designed to maintain the authenticity and integrity of the heritage resource. There are some basic components of such a Plan: :
 - The principle coordinator of a Conservation Project should be a conservation architect.
 - An expert team should be assembled (conservators, art historians, architects, archaeologists, material specialists, surveyors, soil specialists, engineers, laboratory experts, geo-technicians, etc.)
 - The work to be carried should be clearly defined and scheduled with responsible parties identified.
 - Investigation, analysis, diagnosis and design require the following: drawings, photographs, samples, laboratory tests, on-site testing and controlling, monitoring, working drawings, specifications, construction details, mixtures, execution control, etc.
 - Complete documentation of the building or monument is fundamental, including a detailed history of interventions.
- 3. A clear understanding is needed of the different levels of intervention available to conservation professionals and the criteria for selecting the appropriate minimum level in specific circumstances.
- 4. Restoration of a monument to a specific period or reconstruction should only be carried out in exceptional circumstances when it is required to reveal or recover the heritage value of a site. It must be based on careful research and not conjecture.
- 5. Relocation of a monument should only be considered as a last resort if preservation in situ is impossible. It should only be undertaken if a new location can be found which is sympathetic to the buildings period, form and function. The dismantling process should be overseen by a qualified conservation architect after exhaustive photographic, cartographic and materials documentation. The new site must be prepared before dismantling begins.
- 6. Reconstruction of lost buildings on the basis of existing physical evidence, of similarity to other buildings and historical research should only be considered in exceptional circumstances and with expert consensus. The result can only be new buildings in the form of old, with a resultant loss of authenticity.
- 7. Retention of historical building facades or features for incorporation into a modern structure should be discouraged as a conservation approach. The authenticity of a heritage site will rarely survive this sort of dislocation and alteration of setting.

- 8. Particular care must be taken if conservation involves introduction of new materials. Compatibility in the use of new materials is fundamental to maintaining authenticity. Several types of compatibility must be considered to ensure that new materials do not impact negatively on a monument:
 - Chemical compatibility: the two materials should not react chemically (i.e. cement and sulfate) causing expansive phenomena
 - Physical compatibility: (I) the new and the old material cannot have differential movement due to dilations under temperature variation. (ii) the ferocity of new materials should not be much different from that of existing materials
 - Mechanical compatibility: Strength and stiffness of the new material should be equal to or lower than that of the original material.
- 9. All new materials and construction must be identifiable as such and not presented as original. In order to achieve this all added new materials should be stamped with the date of use and all newly constructed parts of a structure should be clearly differentiated from the original.
- 10. Practitioners should aim to establish regional guidelines for best practice in conservation of specifically Asian building materials and methods; such as earth building, local brick, carved wood, marble carving and inlay, mirror inlay, mural painting etc. These should conform to international charters accepted by UNESCO, ICOMOS, etc. but focus on Asian needs. Support of traditional building crafts and guilds is an integral part of this process.
- 11. For much of Asia, moisture is a serious conservation issue. Conservation Projects should establish moisture controls including measurement of moisture content and distribution and should undertake the design of measures to reduce moisture resulting from rain from above and absorption from below ground.

4.3 Safeguarding the Authenticity of Intangible Aspects of Monuments, Buildings and Structures

- 1. The historical palimpsest: Traces of the intangible heritage of the past which are embedded in a monument can only be deciphered and read if we understand the "language" or "code". It is the responsibility of heritage managers to explicate this historical palimpsest to visitors in a way that reflects the authentic values of the site.
- 2. Environs of monuments: A monument creates or defines a sense of place simply by virtue of its presence; an otherwise unexceptional landscape takes on special meaning by association. It is important that conservation planning includes this associated space and does not neglect the environs of monuments and important buildings.
- 3. The symbolic aspect: The religious activity and/or sacred elements associated with many monuments, buildings and structures contribute to their authenticity. These symbolic aspects may have guided the original design of a monument and be built quite literally into its fabric. Or the structure may have acted as a stage or backdrop for a range of sacred activity which changed through history. These associations must be identified through research and reflected in the conservation of the site.
- 4. Associated use: In a similar manner, the dedicated use(s) for which a monument or building was originally designed play an important part of our understanding of its authenticity. We must identify these uses and how they impacted on the design and plan of a monument and ensure that this information is reflected in conservation and interpretation.

5. Traditional Knowledge: Knowledge and practices concerning nature and the universe are built into the fabric and design of a monument. A building can therefore be read as a book of knowledge and traditional craftsmanship and skills. Interpretation of a monument should describe these knowledge forms and not merely focus on the finished products.

4.4 Heritage Authenticity and the Community

- 1. A sense of ownership should be inculcated within the local communities living in and around heritage properties. If residents come to understand the qualities which make their monument both significant and special, they will prize this authenticity and support efforts to preserve it.
- While many monuments have continuing religious, community or other uses which give them a sense of authentic purpose, there are many which lie dormant after conservation is completed. Creative ways should be founds to re-use monuments and historical buildings which are economically viable and yet sensitive to the preservation of authentic features and settings. A special focus is needed to show that social benefit can result from conservation by finding uses that bring the community into close rapport with historical properties.
- 3. A pool of artisans with skills in a wide variety of traditional building and decorative techniques is required for the conservation and continuing maintenance of monuments and historical buildings. Although the range of specific skills will vary across the region, many places share a serious shortage of such talent and many crafts and specialist skills are dying out. Efforts must be made to support these crafts and to supply training and apprenticeship opportunities at the local and national level if authentic workmanship and design is to be part of conservation efforts.

Major Threats to Authenticity	Indicators	Action
Neglect	Structural failure and collapse, erosion of decorative elements, damage from insect infestation, vegetation growth and uncontrolled water movement	Management Planning
Environmental	Chemical weathering from pollutants, acid	Expert technical assessment and
decay	rain, stone cancer etc.	action
Misguided conservation	Loss of original fabric and replacement with "new versions of the past"; the urge to make a site look "as good as new".	Conservation planning and training
Loss of setting	Prohibited construction and land use	Impact assessment, Planning
/encroachment	within designated buffer zones	controls and community action

保护历史城镇与城区宪章(华盛顿宪章)

(1987年10月在华盛顿召开的国际古迹遗址理事会全体大会第八届会议通过)

序言与定义

- 一、所有城市社区,不论是长期逐渐发展起来的,还是有意创建的,都是历史上社会多样性的表现。
- 二、本《宪章》涉及历史城区,不论大小,其中包括城市、城镇以及历史中心或居住区,也包括其自然的和人造的环境。除了它们的历史文献作用之外,这些地区体现着传统的城市文化的价值。今天,由于社会到处实行工业化导致城镇迅速发展,许多此类地区正面临着威胁,遭受物理退化、破坏甚至毁灭。
- 三、面对这种经常导致不可逆转的文化、社会甚至经济损失的极端变化,国际古迹遗址理事会认为有必要为历史城镇和城区起草一个国际宪章,作为"国际古迹保护与修复宪章"(通常称之为"威尼斯宪章")的补充。这个新文本规定了保护历史城镇和城区的原则、目标和方法。它也试图促进此类地区中个人与公共生活的和谐,并鼓励对这些文化遗产的保护。这些文化资源无论其规模多小,外观多平凡,均构成人类的记忆。

四、正如联合国教科文组织 1976 年华沙-内罗毕会议"关于历史地区保护及其当代作用的建议"以及其它相关国际文件中规定的,"保护历史城镇与城区"意味着历史城镇和城区的保护、保存、修复及使其发展并和谐地适应现代生活的各种步骤。

原则和目标

- 一、为了最大程度的发挥效果,对历史城镇和其它历史城区的保护应成为经济与社会发展整体政策的必要组成部分,并列入各级城市与地区规划。
- 二、需要保护的特性包括历史城镇与城区的特征以及体现这种特征的一切物质、精神元素, 特别是:
 - (一) 地块与街巷表明的城市形制与格局;
 - (二)建筑物与绿地和开放空间的关系;
- (三)由规模、尺度、风格、建构、材料、色彩以及装饰定义的建筑物的外观,包括内部的和外部的:
 - (四)该城镇和城区与周边环境的关系,包括自然的和人工的;
 - (五)长期以来该城镇和城区所发展的各种功能。

任何对上述特性的威胁, 都将损害历史城镇和城区的原真性。

- 三、居民的参与对保护工作的成功起着至关重要的作用,应加以鼓励。历史城镇和城区的保护首先涉及居民。
 - 四、历史城镇和城区的保护需要认真、谨慎以及系统的方法与学科研究,同时必须避免僵化,

因为需面对的问题会因具体案例情况不同而不同。

方法和手段

五、在为保护历史城镇和城区作规划之前必须进行多学科的研究。

保护规划必须考虑到所有相关因素,包括考古、历史、建筑、技术、社会学以及经济学。

保护规划的主要目标以及达到目标所需的法律、行政和财政手段都应明确说明。

保护规划应确保各历史城区和城镇整体的和谐关系。

保护规划应该决定哪些建筑物必须保存,哪些在一定条件下应该保存以及哪些在极其例外的 情况下可以拆毁。

在进行任何干预措施之前,应对该地区的现状作出全面的记录。

保护规划应得到该历史地区居民的支持。

六、在正式的保护规划完成之前,任何必要的保护活动都应根据本《宪章》和《威尼斯宪章》 的原则和目标开展。

七、持续的维护对历史城镇和城区的有效保护至关重要。

八、新的功能和活动应该与历史城镇和城区的固有特征相协调、适应。为使这些地区适应当 代生活需要,应认真仔细地安装或改进公共设施。

九、住房的改进应是保护的基本目标之一。

十、当需要修建新建筑物或对现有建筑物改建时,应该尊重现有的空间布局,特别是在规模 和地块尺度上。

与周围环境和谐的现代因素的引入不应一味打击,因为这些新的元素对历史城区也会是一种丰富。

- 十一、对历史城镇和城区的了解应通过考古调查和正确的保护考古发现而不断地加深和拓展。
- 十二、历史城镇和城区内的交通必须加以控制,合理规划设计停车场,以免对历史建筑及其环境造成破坏。
- 十三、城市或区域规划中作出修建主要公路的规定时,这些公路不得穿过历史城镇或城区,但应改善交通,使进出历史城区更加便利。

十四、为了确保遗产价值完整和居民的安居乐业,应保护历史城镇免受自然灾害、污染和噪音的危害。

不管影响历史城镇或城区的灾害的性质如何,必须针对具体遗产的具体特性采取相应的预防 和维修措施。

十五、为了鼓励全体居民参与保护,应组织各种活动,为他们提供系统的信息,从学龄儿童 开始。

十六、对一切与保护相关的专业应提供专门培训。

CHARTER FOR THE CONSERVATION OF HISTORIC TOWNS AND URBAN AREAS

(Washington Charter - 1987)

Adopted by ICOMOS General Assembly in Washington D.C., October 1987

PREAMBLE AND DEFINITIONS

All urban communities, whether they have developed gradually over time or have been created deliberately, are an expression of the diversity of societies throughout history.

This charter concerns historic urban areas, large and small, including cities, towns and historic centres or quarters, together with their natural and man-made environments. Beyond their role as historical documents, these areas embody the values of traditional urban cultures. Today many such areas are being threatened, physically degraded, damaged or even destroyed, by the impact of the urban development that follows industrialisation in societies everywhere.

Faced with this dramatic situation, which often leads to irreversible cultural, social and even economic losses, the International Council on Monuments and Sites (ICOMOS) deems it necessary to draw up an international charter for historic towns and urban areas that will complement the "International Charter for the Conservation and Restoration of Monuments and Sites," usually referred to as "The Venice Charter." This new text defines the principles, objectives, and methods necessary for the conservation of historic towns and urban areas. It also seeks to promote the harmony of both private and community life in these areas and to encourage the preservation of those cultural properties, however modest in scale, that constitute the memory of mankind.

As set out in the UNESCO "Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas" (Warsaw - Nairobi, 1976), and also in various other international instruments, "the conservation of historic towns and urban

areas" is understood to mean those steps necessary for the protection, conservation and restoration of such towns and areas as well as their development and harmonious adaptation to contemporary life.

PRINCIPLES AND OBJECTIVES

- **1.** In order to be most effective, the conservation of historic towns and other historic urban areas should be an integral part of coherent policies of economic and social development and of urban and regional planning at every level.
- **2.** Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially:
- a) Urban patterns as defined by lots and streets;
- **b)** Relationships between buildings and green and open spaces;
- **c)** The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration;
- **d)** The relationship between the town or urban area and its surrounding setting, both natural and man-made; and
- **e)** The various functions that the town or urban area has acquired over time.

 Any threat to these qualities would compromise the authenticity of the historic town or urban area.
- **3.** The participation and the involvement of the residents are essential for the success of the conservation programme and should be encouraged. The conservation of historic towns and urban areas concerns their residents first of all.
- **4.** Conservation in a historic town or urban area demands prudence, a systematic approach and discipline. Rigidity should be avoided since individual cases may present specific problems.

METHODS AND INSTRUMENTS

5. Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies.

Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics.

The principal objectives of the conservation plan should be clearly stated as should the legal, administrative and financial measures necessary to attain them.

The conservation plan should aim at ensuring a harmonious relationship between the historic urban areas and the town as a whole.

The conservation plan should determine which buildings must be preserved, which should be preserved under certain circumstances and which, under quite exceptional circumstances, might be expendable.

Before any intervention, existing conditions in the area should be thoroughly documented.

The conservation plan should be supported by the residents of the historic area.

- **6.** Until a conservation plan has been adopted, any necessary conservation activity should be carried out in accordance with the principles and the aims of this Charter and the Venice Charter.
- **7.** Continuing maintenance is crucial to the effective conservation of a historic town or urban area.
- **8.** New functions and activities should be compatible with the character of the historic town or urban area.

Adaptation of these areas to contemporary life requires the careful installation or improvement of public service facilities.

9. The improvement of housing should be one of the basic objectives of

conservation.

10. When it is necessary to construct new buildings or adapt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size.

The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an area.

- **11.** Knowledge of the history of a historic town or urban area should be expanded through archaeological investigation and appropriate preservation of archaeological findings.
- **12.** Traffic inside a historic town or urban area must be controlled and parking areas must be planned so that they do not damage the historic fabric or its environment.
- **13.** When urban or regional planning provides for the construction of major motorways, they must not penetrate a historic town or urban area, but they should improve access to them.
- **14.** Historic towns should be protected against natural disasters and nuisances such as pollution and vibrations in order to safeguard the heritage and for the security and well-being of the residents.

Whatever the nature of a disaster affecting a historic town or urban area, preventative and repair measures must be adapted to the specific character of the properties concerned.

- **15.** In order to encourage their participation and involvement, a general information programme should be set up for all residents, beginning with children of school age.
- **16.** Specialised training should be provided for all those professions concerned with conservation.

乡土建筑遗产宪章

(1999)

前言

乡土建筑遗产是引发人类各民族情感与成就感的一种重要因素。它已经被当作一种特殊而颇 具吸引力的社会产品而为人们所接受。它外观不甚正规,但排布井然有序;它以实用为目的,但 却富有情趣和美感;它是当代生活的产物,但同时记录了社会历史;它是人类的杰作,同时也是 时间的积淀。这些传统而和谐的建筑物构成了人类自身存在的核心,如果我们不对它进行妥善保 护,那将是人类的失职。

作为群体文化与土地之间关系的基本表现, 乡土建筑遗产是十分重要的, 同时它也是世界文 化多样性的表现。

乡土建筑是群体居民赖以安居的传统与自然的方式。它是一项持续的过程,包括了必要的改变以及针对社会与环境限制而进行的不断调整。这种传统遗存在经济、文化及建筑趋同化力量的影响下,正面临着全球性的威胁。如何面对这些影响是一个基本问题,必须由群体、政府、规划师、建筑师、保护人士与众多跨领域的专家来共同关注。

由于文化同化趋势与全球社会经济转型,世界各地的乡土建筑物都变得十分脆弱,面临着被废弃以及内部均衡与整合方面的严重问题。

因此,除了《威尼斯宪章》之外,必须要建立关注和保护乡土建筑遗产的准则。

基本课题

- 一、可通过以下途径对乡土性进行识别:
 - —— 一个群体所共有的建筑方式;
 - —— 一种与其环境相适应的,可以辨识的地方或地域特色;
 - —— 式样、形式与外观上的一致性,或对已确立的传统建筑类型的运用:
 - —— 非正式传承的设计与构造的传统技术工艺;
 - —— 对于功能、社会与环境限制的有效的适应;
 - —— 对传统构造系统与工艺的有效应用。
- 二、对乡土建筑遗产的重视与成功的保护取决于群体的参与和支持,以及持续的利用与保养。
- 三、政府与负责的主管当局必须认识到各类群体维持其生活传统的权利,进而借助于切实可 行的立法、行政与财政手段来加以保护,使之传承至未来之世代。

维护原则

一、乡土建筑遗产的保护必须由横跨各学科领域的专家来执行,同时应该认识到无法避免的

改变与发展, 以及尊重区域群体已经确立的文化认同的必要性。

- 二、当前乡土建筑、群体与居住地的保护工作必须尊重其文化价值与传统特色。
- 三、乡土遗产很少由单一的建筑物来展陈,最好是通过维持与保存每一区域内具代表特色的 建筑群与居住地来加以维护。
- 四、乡土建筑遗产是构成文化景观整体不可或缺的一部分,二者的关系必须在制定保护规划时就纳入考虑。
- 五、乡土性包含的不只是物质形式以及建筑物、结构与空间的组合,也包括对其进行使用与 理解的方式,及其承载的传统和无形的思想。

实践指导方针

一、研究与记录

对乡土建筑物实施任何实质性工程必须慎重,且必须先对它的形式和结构进行完整的分析。 分析报告必须存放于对公众开放的档案处。

二、择址、景观与建筑群

对于乡土建筑物的干预措施必须要以尊重并维持其完整性为原则,这种完整性包括原址、与 其物质及文化环境之间的关系,以及各个建筑物相互之间的关系。

三、传统营建系统

与乡土性相关的传统营建系统与工艺技巧的延续性对于乡土表现形式来说至关重要,对这些构造物的修缮与修复也是极为重要的。必须对这些技巧进行保留、记录,并且通过教育与培训向下一代的匠师与建筑师传授。

四、材料与构件的置换

在针对当代的使用需求对乡土建筑遗产进行合法改变时,使用的材料应可以维持贯穿于其构造的原有意境、外观、质地和形式的一致性以及建材上的一致性。

五、改造

对乡土建筑遗产进行改造与再利用时,应尊重其结构、特色与形式的整体性,并与适当的生活标准相结合。对于仍在延续使用中的乡土形式,可将区域群体中的道德规范用作干预的工具。

六、变化与断代修复

应当重视长期形成的变化,并了解它乃乡土建筑的重要特点。一般来说,使建筑各部分依从 同一时段的特点不应成为乡土建筑遗产修复工作的目标。

七、培训

为了维护乡土表现形式的文化价值,各级政府、主管部门以及相关组织和团体必须强调下列事项:

- a) 为从事保护工作的人员制定乡土原则教育计划;
- b) 协助区域群体保留传统营建系统、材料与工艺制定培训计划:
- c) 为推动公共、特别是青年对乡土建筑遗产的认识创建信息工程;

用于乡土建筑专业知识与经验交流建立区域网络。

CHARTER ON THE BUILT VERNACULAR HERITAGE

(1999)

Ratified by the ICOMOS 12th General Assembly, in Mexico, October 1999

INTRODUCTION

The built vernacular heritage occupies a central place in the affection and pride of all peoples. It has been accepted as a characteristic and attractive product of society. It appears informal, but nevertheless orderly. It is utilitarian and at the same time possesses interest and beauty. It is a focus of contemporary life and at the same time a record of the history of society. Although it is the work of man it is also the creation of time. It would be unworthy of the heritage of man if care were not taken to conserve these traditional harmonies which constitute the core of man's own existence.

The built vernacular heritage is important; it is the fundamental expression of the culture of a community, of its relationship with its territory and, at the same time, the expression of the world's cultural diversity.

Vernacular building is the traditional and natural way by which communities house themselves. It is a continuing process including necessary changes and continuous adaptation as a response to social and environmental constraints. The survival of this tradition is threatened world-wide by the forces of economic, cultural and architectural homogenisation. How these forces can be met is a fundamental problem that must be addressed by communities and also by governments, planners, architects, conservationists and by a multidisciplinary group of specialists.

Due to the homogenisation of culture and of global socio-economic transformation, vernacular structures all around the world are extremely vulnerable, facing serious problems of obsolescence, internal equilibrium and integration.

It is necessary, therefore, in addition to the Venice Charter, to establish principles for the care and protection of our built vernacular heritage.

GENERAL ISSUES

- 1. Examples of the vernacular may be recognised by:
 - a) A manner of building shared by the community;
 - b) A recognisable local or regional character responsive to the environment;
 - **c)** Coherence of style, form and appearance, or the use of traditionally established building types;
 - **d)** Traditional expertise in design and construction which is transmitted informally;
 - e) An effective response to functional, social and environmental constraints;
 - **f)** The effective application of traditional construction systems and crafts.
- **2.** The appreciation and successful protection of the vernacular heritage depend on the involvement and support of the community, continuing use and maintenance.
- **3.** Governments and responsible authorities must recognise the right of all communities to maintain their living traditions, to protect these through all available legislative, administrative and financial means and to hand them down to future generations.

PRINCIPLES OF CONSERVATION

- **1.** The conservation of the built vernacular heritage must be carried out by multidisciplinary expertise while recognising the inevitability of change and development, and the need to respect the community's established cultural identity.
- **2.** Contemporary work on vernacular buildings, groups and settlements should respect their cultural values and their traditional character.
- **3.** The vernacular is only seldom represented by single structures, and it is best conserved by maintaining and preserving groups and settlements of a

representative character, region by region.

- **4.** The built vernacular heritage is an integral part of the cultural landscape and this relationship must be taken into consideration in the development of conservation approaches.
- **5.** The vernacular embraces not only the physical form and fabric of buildings, structures and spaces, but the ways in which they are used and understood, and the traditions and the intangible associations which attach to them.

GUIDELINES IN PRACTICE

1. Research and documentation

Any physical work on a vernacular structure should be cautious and should be preceded by a full analysis of its form and structure. This document should be lodged in a publicly accessible archive.

2. Siting, landscape and groups of buildings

Interventions to vernacular structures should be carried out in a manner which will respect and maintain the integrity of the siting, the relationship to the physical and cultural landscape, and of one structure to another.

3. Traditional building systems

The continuity of traditional building systems and craft skills associated with the vernacular is fundamental for vernacular expression, and essential for the repair and restoration of these structures. Such skills should be retained, recorded and passed on to new generations of craftsmen and builders in education and training.

4. Replacement of materials and parts

Alterations which legitimately respond to the demands of contemporary use should be effected by the introduction of materials which maintain a consistency of expression, appearance, texture and form throughout the structure and a consistency of building materials.

5. Adaptation

Adaptation and reuse of vernacular structures should be carried out in a manner which will respect the integrity of the structure, its character and form while being compatible with acceptable standards of living. Where there is no break in the continuous utilisation of vernacular forms, a code of ethics within the community can serve as a tool of intervention.

6. Changes and period restoration

Changes over time should be appreciated and understood as important aspects of vernacular architecture. Conformity of all parts of a building to a single period, will not normally be the goal of work on vernacular structures.

7. Training

In order to conserve the cultural values of vernacular expression, governments, responsible authorities, groups and organisations must place emphasis on the following:

- a) Education programmes for conservators in the principles of the vernacular;
- b) Training programmes to assist communities in maintaining traditional building systems, materials and craft skills;
- c) Information programmes which improve public awareness of the vernacular especially amongst the younger generation.
- d) Regional networks on vernacular architecture to exchange expertise and experiences.

考古遗产保护与管理宪章

(1990)

前言

有关人类社会起源与发展的知识与理解对于验证人类文化与社会根源具有根本的重要性,这一点已得到广泛的认知。

考古遗产构成了过去人类活动的基本记录。对它进行保护和正确的管理可以使考古学家与其他学者从当前利益和未来世代的利益出发进行研究与诠释工作,因而是必不可少的。

保护这类遗产不能仅仅基于考古技术的应用,还要求有更广泛的专业与科学知识和技能作为基础。有些考古遗产的元素是建筑结构的组成部分,在这种情况下其保护必须依据 1964 年《威尼斯古迹遗址保护与修复宪章》中制定的有关建筑物保护的标准。其它考古遗产的元素构成了当地居民生活传统的一部分,因而对于这些古迹遗址的保护和保存,地方文化团体的参与是十分必要的。

由于上述及其它一些原因,考古遗产的保护必须基于不同领域多种学科专家之间有效的合作。 同时还要求在政府主管当局、学者、公私企业以及普通民众之间开展合作。为此,本《宪章》制定 下列与考古遗产管理各方面相关的准则。其中包括了政府部门与立法机构的责任,以及与专业清 查、测量、挖掘、记录、研究、维护、保护、保存、重建、信息、展陈、公众参观及遗产利用等 过程中相关的原则,以及涉及考古遗产保护的专业资格。

作为指南性文件,本宪章受《威尼斯宪章》成功的启发,并借鉴了它在政府、专家和学者政策 与实践方面的理念。

本《宪章》必须要反映全世界通用的基本原则与指导方针,因而无法涵盖地域或国家性的特殊问题及各种潜在的可能性。因此在应用中,须附以区域与国家层次上的更进一步的原则与指导方针来满足所需。

第一条 定义与引言

"考古遗产"是通过考古方式来提供主要信息的一种物质遗产。它包含人类存在的所有痕迹,是由所有证明人类活动的地方、被废弃的建筑物以及所有类别的遗迹(包括地下与水下遗址)所组成,并且还包括与它们相关的所有可移动文物。

第二条 综合保护政策

考古遗产是一种容易受损而且无法更新的文化资源。为了使对考古遗产的破坏降到最低,必 须控制土地使用和发展。

考古遗产保护政策应包含土地使用、发展和规划等相关政策,以及文化、环境及教育政策。 应对考古遗产保护政策进行不断的检验,以便随时保持更新。这些政策应包括考古保护区的设立。 考古遗产保护应该在国际、国家、区域及地方的规划政策中体现。

普通民众的积极参与必须成为考古遗产保护政策的组成部分。这在涉及到居民的本土遗产时 是必要的。这种参与必须基于对决策有关知识的必要了解,因而向普通民众提供相关信息是实现 综合保护的要素之一。

第三条 法与经济

应当将考古遗产保护作为全人类的道德义务,它也是一项集体的公众责任。这一点必须通过适当的立法来确认,同时应提供足够的资金来支持实现有效管理所需的辅助工作。

考古遗产为人类社会所共同拥有,因此确保为考古遗产保护提供足够的资金是每一个国家的义务。

每个国家应当根据各自需求、历史和传统为考古遗产保护立法,以进行现场保护并满足研究的需要。

立法必须基于将考古遗产作为全人类与各群体共同遗产的理念,而不应将其局限于任何个人或单一的国家。

立法应当禁止未经相关考古部门批准而改变考古遗址、古迹或其周边环境,进而导致遗产损坏、恶化或改变的行为。

如果对考古遗产的破坏是经授权后发生的,立法原则上要求对于此类个案进行全面的考古调查与记录。

立法应该同时要求对考古遗产提供适当的维护、管理与保护。对违反考古遗产立法的行为应当确定适当的法律处罚。

假如立法只保护那些选择性清单中的考古遗产,那么在进行考古遗产价值评估以前,应该对尚未被保护或新近发现的古迹遗址提供临时性的保护。

发展计划是对考古遗产最大的实质威胁之一。在发展计划执行以前,开发者有责任确保对考 古遗产所将受到的影响进行研究。因此立法中应当对该责任进行恰当的表述,并同时明确这些研 究费用将包括在工程开支中。发展计划的设计应当遵循对考古遗产造成影响最小化的原则。

第四条 清查

考古遗产的保护必须建立在对遗产的范围和性质的完整的认知基础上。因此对考古资源的普遍清查是设计实施考古遗产保护策略的必要工具。考古调查也因此成为考古遗产保护与管理的一项基本职责。

同时,各种清单名录构成了科学研究的主要资料库。因此清单名录的编撰也应该被视为一个 连续的动态过程。清单中应该包含重要性与可信度不尽相同的信息,因为一些保护措施甚至可以 是从表面的知识开始。

第五条 调查研究

考古知识主要建基于对考古遗产的科学调查。这种调查涵盖了从非破坏性技术、采样到完全

发掘的所有方法。

收集考古信息的最高原则是绝对不能在满足保护或科研目标的要求之外再破坏更多的考古证据。因此只要有可能,非破坏性技术、空中或地面勘察以及采样都比彻底发掘更应得到鼓励。

考古发掘通常意味着对需要收集和保护的考古资料做出选择,这就必然导致其他信息的流失。 甚至可能导致文物古迹的完全毁坏,因而在开始考古发掘以前必须慎重考虑。

发掘的对象应该是那些受到开发、土地用途变更、劫掠或自然衰败威胁的遗址。在特殊情况下,为了解决研究上的问题或是更有效的诠释它们以便更好地展示给公众,那些没有受到威胁的遗址也可以发掘。为此,在发掘之前必须就遗址的重要性进行全面的科学评估。发掘应该是局部的,保留一部分不受干扰以为后续研究。

必须向科学界提交一份符合认定标准的报告,并在发掘结束后的一段时间内,将其列入发掘 清单。

发掘必须遵循联合国教科文组织于 1956 年颁布的《国际考古挖掘应用原则建议文》的具体原则来进行,同时需依据国际与国家的专业标准。

第六条 保养与保护

考古遗产管理的整体目标应该是原地保存文物与古迹遗址,包括对遗产的长期保护及对相关记录与收藏品的监护。任何将遗产元素迁移到新址的举措都将违反遗产原地保存的原则。这个原则强调了合理保养、保护与管理。该原则同时主张在发掘后无法确保合理保养与管理遗址的情况下,不应该因发掘或在发掘后让遗址处于暴露状态。

当地的积极合作与参与是推动考古遗产保护的重要手段。这个原则在处理当地居民或当地文 化团体的遗产时尤为重要。在某些情况下,由当地居民负责古迹遗址的保护与管理可能较为合适。

由于可用资源必定有限,所以积极的保养必须有选择地进行。因此应在依据其重要意义与代表性所做出的科学评估的基础上选取一系列不同的古迹遗址实行保护,而不要把目光局限在较为著名或醒目的古迹遗址上。

古迹遗址的保养和保护工作需遵循 1956 年联合国建议文中的相关原则。

第七条 展示、资讯、重建

考古遗产的公众展示,是推动了解现代社会起源与发展的必要方法。同时,它也是促进公众 理解遗产保护的最重要手段。

展示与资讯应被视为对现有知识的通俗诠释,因此需要不断地进行修正。应该考虑到从多个角度对过去进行认识。

重建有两项重要的功能:实验研究与诠释。然而重建的开展应高度谨慎,以避免对现存考古证据的干扰破坏,同时应该综合考虑各种考古证据,保证资料的真实性。在可能及适当的情况下,不应该直接在考古遗址上进行重建工作,同时重建部分应可以辨识。

第八条 专业资格

考古遗产的管理需采用众多不同学术领域中的高标准。在相关专业中培养足够数量的合格的 专业人员是每一个国家教育政策中的重要目标。在某些高度特殊领域中发展专业需要国际合作。 此外还需建立与保持专业培训与专业活动的标准。

学术考古培训的目标应该重视保护政策从"发掘"到"现场保护"的重心转移。同时也要认识到在考古遗产的保护与理解过程中,对原住民历史的研究与对那些优秀古迹遗址的研究同样重要。

考古遗产的保护是一项动态发展的过程。因此必须要给这个领域的专业人员提供时间,使他们的知识能够与时俱进。研究生的培训计划的开发应把重点放在考古遗产的保护与管理上。

第九条 国际合作

考古遗产是人类共同的遗产。因此,如要在遗产的管理中建立与维护一系列标准,国际合作 是至关重要的。

迫切需要在从事考古遗产管理的专业人员之间建立资讯与经验交流的国际机制。因而需要在 全球与地区范围上组织会议、研讨会、研习班等,同时在地区内建立研究生级的教研中心。国际 古迹遗址理事会应通过其下属各专业组织长期推动这方面的计划。

专业人员的国际交流应该成为提升考古遗产管理标准的手段。

应该在国际古迹遗址理事会的支持下发展考古遗产管理领域中的技术援助计划。

本《宪章》由国际古迹遗址理事会考古遗产管理国际委员会撰写,经由 1990 年 10 月于瑞士 洛桑召开的会员大会通过并实施。

OF THE ARCHAEOLOGICAL HERITAGE

(1990)

Prepared by the International Committee for the Management of Archaeological Heritage (ICAHM) an approved by the 9th General Assembly in Lausanne in 1990.

INTRODUCTION

It is widely recognised that a knowledge and understanding of the origins and development of human societies is of fundamental importance to humanity in identifying its cultural and social roots.

The archaeological heritage constitutes the basic record of past human activities. Its protection and proper management is therefore essential to enable archaeologists and other scholars to study and interpret it on behalf of and for the benefit of present and future generations.

The protection of this heritage cannot be based upon the application of archaeological techniques alone. It requires a wider basis of professional and scientific knowledge and skills. Some elements of the archaeological heritage are components of architectural structures and in such cases must be protected in accordance with the criteria for the protection of such structures laid down in the 1966 Venice Charter on the Conservation and Restoration of Monuments and Sites. Other elements of the archaeological heritage constitute part of the living traditions of indigenous peoples, and for such sites and monuments the participation of local cultural groups is essential for their protection and preservation.

For these and other reasons the protection of the archaeological heritage must be based upon effective collaboration between professionals from many disciplines. It also requires the co-operation of government authorities, academic researchers, private or public enterprise, and the general public. This charter therefore lays down principles relating to the different aspects of archaeological heritage

management. These include the responsibilities of public authorities and legislators, principles relating to the professional performance of the processes of inventorisation, survey, excavation, documentation, research, maintenance, conservation, preservation, reconstruction, information, presentation, public access and use of the heritage, and the qualification of professionals involved in the protection of the archaeological heritage.

The charter has been inspired by the success of the Venice Charter as guidelines and source of ideas for policies and practice of governments as well as scholars and professionals.

The charter has to reflect very basic principles and guidelines with global validity. For this reason it cannot take into account the specific problems and possibilities of regions or countries. The charter should therefore be supplemented at regional and national levels by further principles and guidelines for these needs.

DEFINITION AND INTRODUCTION

Article 1

The "archaeological heritage" is that part of the material heritage in respect of which archaeological methods provide primary information. It comprises all vestiges of human existence and consists of places relating to all manifestations of human activity, abandoned structures, and remains of all kinds (including subterranean and underwater sites), together with all the portable cultural material associated with them.

INTEGRATED PROTECTION POLICIES

Article 2.

The archaeological heritage is a fragile and non-renewable cultural resource. Land use must therefore be controlled and developed in order to minimise the destruction of the archaeological heritage.

Policies for the protection of the archaeological heritage should constitute an

integral component of policies relating to land use, development, and planning as well as of cultural, environmental and educational policies. The policies for the protection of the archaeological heritage should be kept under continual review, so that they stay up to date. The creation of archaeological reserves should form part of such policies.

The protection of the archaeological heritage should be integrated into planning policies at international, national, regional and local levels.

Active participation by the general public must form part of policies for the protection of the archaeological heritage. This is essential where the heritage of indigenous peoples is involved. Participation must be based upon access to the knowledge necessary for decision-making. The provision of information to the general public is therefore an important element in integrated protection.

LEGISLATION AND ECONOMY

Article 3.

The protection of the archaeological heritage should be considered as a moral obligation upon all human beings; it is also a collective public responsibility. This obligation must be acknowledged through relevant legislation and the provision of adequate funds for the supporting programmes necessary for effective heritage management.

The archaeological heritage is common to all human society and it should therefore be the duty of every country to ensure that adequate funds are available for its protection.

Legislation should afford protection to the archaeological heritage that is appropriate to the needs, history, and traditions of each country and region, providing for in situ protection and research needs.

Legislation should be based on the concept of the archaeological heritage as the heritage of all humanity and of groups of peoples, and not restricted to any individual person or nation.

Legislation should forbid the destruction, degradation or alteration through changes of any archaeological site or monument or to their surroundings without the consent of the relevant archaeological authority.

Legislation should in principle require full archaeological investigation and documentation in cases where the destruction of the archaeological heritage is authorised.

Legislation should require, and make provision for, the proper maintenance, management and conservation of the archaeological heritage. Adequate legal sanctions should be prescribed in respect of violations of archaeological heritage legislation.

If legislation affords protection only to those elements of the archaeological heritage which are registered in a selective statutory inventory, provision should be made for the temporary protection of unprotected or newly discovered sites and monuments until an archaeological evaluation can be carried out.

Development projects constitute one of the greatest physical threats to the archaeological heritage. A duty for developers to ensure that archaeological heritage impact studies are carried out before development schemes are implemented, should therefore be embodied in appropriate legislation, with a stipulation that the costs of such studies are to be included in project costs. The principle should also be established in legislation that development schemes should be designed in such a way as to minimise their impact upon the archaeological heritage.

SURVEY

Article 4.

The protection of the archaeological heritage must be based upon the fullest possible knowledge of its extent and nature. General survey of archaeological resources is therefore an essential working tool in developing strategies for the protection of the archaeological heritage. Consequently archaeological survey

should be a basic obligation in the protection and management of the archaeological heritage.

At the same time, inventories constitute primary resource databases for scientific study and research. The compilation of inventories should therefore be regarded as a continuous, dynamic process. It follows that inventories should comprise information at various levels of significance and reliability, since even superficial knowledge can form the starting point for protectional measures.

INVESTIGATION

Article 5.

Archaeological knowledge is based principally on the scientific investigation of the archaeological heritage. Such investigation embraces the whole range of methods from non-destructive techniques through sampling to total excavation.

It must be an overriding principle that the gathering of information about the archaeological heritage should not destroy any more archaeological evidence than is necessary for the protectional or scientific objectives of the investigation. Non-destructive techniques, aerial and ground survey, and sampling should therefore be encouraged wherever possible, in preference to total excavation.

As excavation always implies the necessity of making a selection of evidence to be documented and preserved at the cost of losing other information and possibly even the total destruction of the monument, a decision to excavate should only be taken after thorough consideration.

Excavation should be carried out on sites and monuments threatened by development, land-use change, looting, or natural deterioration.

In exceptional cases, unthreatened sites may be excavated to elucidate research problems or to interpret them more effectively for the purpose of presenting them to the public. In such cases excavation must be preceded by thorough scientific evaluation of the significance of the site. Excavation should be partial, leaving a portion undisturbed for future research.

A report conforming to an agreed standard should be made available to the scientific community and should be incorporated in the relevant inventory within a reasonable period after the conclusion of the excavation.

Excavations should be conducted in accordance with the principles embodied in the 1956 UNESCO Recommendations on International Principles Applicable to Archaeological Excavations and with agreed international and national professional standards.

MAINTENANCE AND CONSERVATION

Article 6.

The overall objective of archaeological heritage management should be the preservation of monuments and sites in situ, including proper long-term conservation and curation of all related records and collections etc. Any transfer of elements of the heritage to new locations represents a violation of the principle of preserving the heritage in its original context. This principle stresses the need for proper maintenance, conservation and management. It also asserts the principle that the archaeological heritage should not be exposed by excavation or left exposed after excavation if provision for its proper maintenance and management after excavation cannot be guaranteed.

Local commitment and participation should be actively sought and encouraged as a means of promoting the maintenance of the archaeological heritage. This principle is especially important when dealing with the heritage of indigenous peoples or local cultural groups. In some cases it may be appropriate to entrust responsibility for the protection and management of sites and monuments to indigenous peoples.

Owing to the inevitable limitations of available resources, active maintenance will have to be carried out on a selective basis. It should therefore be applied to a sample of the diversity of sites and monuments, based upon a scientific assessment of their significance and representative character, and not confined to the more notable and visually attractive monuments.

The relevant principles of the 1956 UNESCO Recommendations should be applied in respect of the maintenance and conservation of the archaeological heritage.

PRESENTATION, INFORMATION, RECONSTRUCTION

Article 7.

The presentation of the archaeological heritage to the general public is an essential method of promoting an understanding of the origins and development of modern societies. At the same time it is the most important means of promoting an understanding of the need for its protection.

Presentation and information should be conceived as a popular interpretation of the current state of knowledge, and it must therefore be revised frequently. It should take account of the multifaceted approaches to an understanding of the past.

Reconstructions serve two important functions: experimental research and interpretation. They should, however, be carried out with great caution, so as to avoid disturbing any surviving archaeological evidence, and they should take account of evidence from all sources in order to achieve authenticity. Where possible and appropriate, reconstructions should not be built immediately on the archaeological remains, and should be identifiable as such.

PROFESSIONAL QUALIFICATIONS

Article 8.

High academic standards in many different disciplines are essential in the management of the archaeological heritage. The training of an adequate number of qualified professionals in the relevant fields of expertise should therefore be an important objective for the educational policies in every country. The need to develop expertise in certain highly specialised fields calls for international co-operation. Standards of professional training and professional conduct should be established and maintained.

The objective of academic archaeological training should take account of the shift in conservation policies from excavation to in situ preservation. It should also take into account the fact that the study of the history of indigenous peoples is as important in preserving and understanding the archaeological heritage as the study of outstanding monuments and sites.

The protection of the archaeological heritage is a process of continuous dynamic development. Time should therefore be made available to professionals working in this field to enable them to update their knowledge. Postgraduate training programmes should be developed with special emphasis on the protection and management of the archaeological heritage.

INTERNATIONAL CO-OPERATION

Article 9.

The archaeological heritage is the common heritage of all humanity. International co-operation is therefore essential in developing and maintaining standards in its management.

There is an urgent need to create international mechanisms for the exchange of information and experience among professionals dealing with archaeological heritage management. This requires the organisation of conferences, seminars, workshops, etc. at global as well as regional levels, and the establishment of regional centres for postgraduate studies. ICOMOS, through its specialised groups, should promote this aspect in its medium- and long-term planning.

International exchanges of professional staff should also be developed as a means of raising standards of archaeological heritage management.

Technical assistance programmes in the field of archaeological heritage management should be developed under the auspices of ICOMOS.

古迹、建筑群及遗址的记录工作原则

(1996)

(本原则文字经国际古迹遗址理事会 1996 年 10 月 5 日至 9 日在 保加利亚索非亚举行的第十一届大会批准通过)

鉴于文化遗产是人类成就的一种独特表现形式,但长期以来处于一种持续的危险之中;也鉴于记录工作是赋予文化遗产意义和理解、定义以及认识其价值的现行的主要方式之一;又鉴于保护和保养文化遗产不仅是遗产所有者的义务,同时也是专业保护人员、管理人员、政治家、各级政府管理者,以及公众的责任;也鉴于《威尼斯宪章》第16条的规定,由相关负责的组织与个人对文化遗产的类型状态进行记录是重要的基础工作。

本文件的宗旨是阐述文化遗产记录工作的主要原因、职责、规划措施、内容、管理以及各项共识。

本文件所用词汇的定义:

文化遗产指具有遗产价值的,构成历史或建筑环境的古迹、建筑群及遗址。

记录工作是指在不同时间对古迹、建筑群及遗址的物理构造、状况以及使用的信息予以记录, 它是保护程序中重要的基础步骤。

古迹、建筑群及遗址的记录可以包括物质的以及非物质的证据,它们构成了有助于理解遗产 及其相关价值的档案的一部分。

记录工作的原因

- 1. 对文化遗产的记录工作对于达到下列目的至关重要:
 - a) 获取知识, 以促进对文化遗产及其价值与发展演进过程的理解:
 - b) 通过传播记录中的信息促进民众对遗产保护的兴趣与参与;
 - c) 使得有关方面能在知晓相关信息的情况下对文化遗产进行管理,并对建筑工程以及对遗产进行的所有改变进行控制;
 - d) 确保对遗产的保养和保护充分顺应其物理形态、材料、构造以及其历史和文化意义。
- 2. 记录工作应达到一定的详细程度以便:
 - a) 为遗产的认定、理解、阐释以及介绍展示提供信息,并促进公众参与;
 - b) 为可能以任何形式或在自然灾害或人为活动影响下遭遇破坏和改变的所有古迹、建筑群及遗址提供永久的记录;
 - c) 为国家、区域或地方各级的行政管理者与规划者提供信息,以便制定合理的规划与发展 控制政策及决定;

- d) 为确定正确及可持续的使用方式并规划行之有效的研究、管理和保养项目以及建设工程 提供信息。
- 3. 文化遗产的记录工作应被视为享有优先地位,尤其应在下列情况中进行:
 - a. 编撰国家级、地区级或本地清单名录的时候;
 - b. 作为研究和保护工作不可缺少的一部分;
 - c. 在维修、改变或其他干涉行为发生之前、之中和之后,以及在这些工作过程中其历史证据被发现的时候:
 - d. 在预期将要发生破坏、毁灭、废弃或迁移的时候,或者在该遗产有遭受人为或自然外力破坏的危险时:
 - e. 当文化遗产处于意外和不可预见的破坏过程之中以及之后;
 - f. 当使用状况发生改变或管理或监控责任发生变化的时候。

记录工作的职责

- 1. 国家级的遗产保护责任必须连带同等的记录工作责任。
- 2. 记录工作和阐释程序的复杂性需要调度对相关工作具有足够技能、知识以及意识的人员。 实现这一目标可能需要开展培训项目。
- 3. 典型情况下,记录工作会由不同的技术人员协同工作,包括专业的遗产记录师、勘察师、保护工作者、建筑师、工程师、研究人员、建筑历史学者、地上及地下考古学者,以及其他专业顾问。
- 4. 所有文化遗产的管理者都有责任确保开展合乎要求的记录工作,并对记录的质量及更新负责。

记录工作的规划

- 1. 在准备新的记录之前,应找到现有的信息资源并检查其是否足够。
 - a. 包含此种信息的一类记录应该在与该古迹、建筑群及遗址由来和历史相关的勘查报告、 绘图、照片、出版过及尚未出版的记叙描述以及相关文件中寻找。近期和古旧的记录 同等重要。
 - b. 应在下列各处寻找现有的记录:如国家和地方的公共档案馆,专业、机关和私人档案库,库存与收藏,以及图书馆或博物馆;
 - c. 应通过向下列人员咨询以寻找记录信息: 如曾经拥有、占用、记录、修建、保护或研究过该古迹、建筑群及遗址,或对其有相关了解的个人或组织。
- 2. 鉴于以上分析,为记录工作选定合适的规模、级别和方法有如下的要求:
 - a. 记录的方法和所生产的文件类型都应该与遗产的性质、记录的目的、文化环境以及可用资金或其他资源的状况相适应。上述资源的限制可能会要求采取分期阶段法开展记

录工作。记录方式包括:文字描述和分析、照相(航拍或地面拍摄),建筑校正摄影、摄影测量、地球物理勘查、地图、测量平面图、绘画和草图、复制拷贝或其他传统及现代技术;

- b. 记录方法应该尽可能的使用非侵入式技术,而不应对被记录物造成损害;
- c. 应清晰陈述计划规模的依据以及记录的方法;
- d. 编撰最终记录所用到的材料必须得到可靠的档案管理。

记录的内容

- 1. 每一项记录都应通过下列各项相区别:
 - a. 古迹、建筑群或遗址的名称;
 - b. 独有的参考编号;
 - c. 记录编撰的日期;
 - d. 记录实施组织的名称;
 - e. 为相关建筑记录和报告、照片、图像、文字或文献目录文件,以及考古和环境记录提供的参照索引。
- 2. 必须提供古迹、建筑群或遗址的方位及范围的详细信息;这可能通过文字描述、地图、平面图或航拍照片的形式提供。在一些农村地区地图参考和三角测量法可能是可以采用的唯一方式。在城区,地址和街道参考可能就足够了。
 - 3. 新记录应该注意所有并非从古迹、建筑群或遗址本身直接获得的信息来源。
 - 4. 记录中应包含下列信息的部分或全部:
 - a. 古迹、建筑群或遗址的类型、外形以及尺寸;
 - b. 古迹、建筑群或遗址的内部和外部特征;
 - c. 遗产的性质、质量及其文化、艺术和科学意义,以及下列诸项的文化、艺术和科学意义:
 - -材料、构件与结构、装潢、饰物或题刻
 - -设施、装置和运作系统
 - -附属建筑物、园林、景观以及该遗产的文化、地形及自然特征:
 - d. 修建和保养过程中使用的传统及现代技术;
 - e. 帮助确认始建年代、建造者、主人身份、原始设计、范围、用途和装饰的证据;
 - f. 帮助确认后来使用历史、相关事件、结构和装饰上的变更以及人为或自然外力造成的 影响等证据;
 - g. 管理、保养和维修的历史;
 - h. 具有代表性的成分构件或建筑及现场材料的样本;
 - i. 遗产现有状况的评估;

- i. 遗产与其背景环境在视觉和功能上的关系的评估:
- k. 人为或自然因素以及环境污染或临近土地使用等情况造成的冲突与风险评估。
- 5. 鉴于记录的原因有所不同(参见前述 1.2 中内容),要求达到的详细程度也不尽相同。上述的各种信息,即使仅是略有提及,也为当地的规划以及建筑控制与管理提供了重要的资料。遗址或建筑所有人、管理者或使用者的保护、保养以及使用等工作通常要求得到更详尽的信息。

记录的管理、传播及共享

- 1. 原始记录应保存于安全的档案管理处,档案管理的环境应能按国际公认标准确保信息资料的永久保存且不受腐蚀损毁之威胁。
 - 2. 该记录应有一套完成备份,存于另一可靠处。
- 3. 这些记录的副本应能供立法机构、相关专业人士以及在适当的时候供公众参考,以便在研究、开发控制以及其他行政管理及法律程序中得以使用。
- 4. 更新的记录可能的话应在现场随时备用,以便开展对遗产的研究、管理、保养和减灾等工作。
- 5. 记录的格式应标准化,并且尽可能地建立索引,以便在地方、国家以及国际的层面上实现信息的交流和获取。
 - 6. 记录信息的有效收集、管理以及转播要求尽可能地理解并合理使用最新的信息技术。
 - 7. 记录存放的位置应该公开。
 - 8. 所有记录工作的主要成果报告应在合适的时候发布和出版。

PRINCIPLES FOR THE RECORDING OF MONUMENTS, GROUPS OF BUILDINGS AND SITES

(1996)

(Text ratified by the 11th ICOMOS General Assembly, held in Sofia, Bulgaria, from 5 to 9 October 1996)

As the cultural heritage is a unique expression of human achievement; and as this cultural heritage is continuously at risk; and as recording is one of the principal ways available to give meaning, understanding, definition and recognition of the values of the cultural heritage; and as the responsibility for conserving and maintaining the cultural heritage rests not only with the owners but also with conservation specialists and the professionals, managers, politicians and administrators working at all levels of government, and with the public; and as article 16 of the Charter of Venice requires, it is essential that responsible organisations and individuals record the nature of the cultural heritage.

The purpose of this document is therefore to set out the principal reasons, responsibilities, planning measures, contents, management and sharing considerations for the recording of the cultural heritage.

Definitions of words used in this document:

Cultural Heritage refers to monuments, groups of buildings and sites of heritage value, constituting the historic or built environment.

Recording is the capture of information which describes the physical configuration, condition and use of monuments, groups of buildings and sites, at points in time, and it is an essential part of the conservation process.

Records of monuments, groups of buildings and sites may include tangible as well as intangible evidence, and constitute a part of the documentation that can contribute to an understanding of the heritage and its related values.

THE REASONS FOR RECORDING

1. The recording of the cultural heritage is essential:

- a) to acquire knowledge in order to advance the understanding of cultural heritage, its values and its evolution;
- b) to promote the interest and involvement of the people in the preservation of the heritage through the dissemination of recorded information;
- c) to permit informed management and control of construction works and of all change to the cultural heritage;
- d) to ensure that the maintenance and conservation of the heritage is sensitive to its physical form, its materials, construction, and its historical and cultural significance.
- 2. Recording should be undertaken to an appropriate level of detail in order to:
- a) provide information for the process of identification, understanding, interpretation and pre-sentation of the heritage, and to promote the involvement of the public;
- b) provide a permanent record of all monuments, groups of buildings and sites that are to be destroyed or altered in any way, or where at risk from natural events or human activities;
- c) provide information for administrators and planners at national, regional or local levels to make sensitive planning and development control policies and decisions;
- d) provide information upon which appropriate and sustainable use may be identified, and the effective research, management, maintenance programmes and construction works may be planned.
- 3. Recording of the cultural heritage should be seen as a priority, and should be undertaken especially:
- a) when compiling a national, regional, or local inventory;
- b) as a fully integrated part of research and conservation activity;

- c) before, during and after any works of repair, alteration, or other intervention, and when evidence of its history is revealed during such works;
- d) when total or partial demolition, destruction, abandonment or relocation is contemplated, or where the heritage is at risk of damage from human or natural external forces:
- e) during or following accidental or unforeseen disturbance which damages the cultural heritage;
- f) when change of use or responsibility for management or control occurs.

RESPONSIBILITY FOR RECORDING

- 1. The commitment at the national level to conserve the heritage requires an equal commitment towards the recording process.
- 2. The complexity of the recording and interpretation processes requires the deployment of individuals with adequate skill, knowledge and awareness for the associated tasks. It may be necessary to initiate training programmes to achieve this.
- 3. Typically the recording process may involve skilled individuals working in collaboration, such as specialist heritage recorders, surveyors, conservators, architects, engineers, researchers, architectural historians, archaeologists above and below ground, and other specialist advisors.
- 4. All managers of cultural heritage are responsible for ensuring the adequate recording, quality and updating of the records.

PLANNING FOR RECORDING

- 1. Before new records are prepared, existing sources of information should be found and examined for their adequacy.
- a) The type of records containing such information should be searched for in surveys, drawings, photographs, published and unpublished accounts and descriptions, and related documents pertaining to the origins and history of the

building, group of buildings or site. It is important to search out recent as well as old records;

- b) Existing records should be searched for in locations such as national and local public archives, in professional, institutional or private archives, inventories and collections, in libraries or museums;
- c) Records should be searched for through consultation with individuals and organisations who have owned, occupied, recorded, constructed, conserved, or carried out research into or who have knowledge of the building, group of buildings or site.
- 2. Arising out of the analysis above, selection of the appropriate scope, level and methods of recording requires that:
- a) The methods of recording and type of documentation produced should be appropriate to the nature of the heritage, the purposes of the record, the cultural context, and the funding or other resources available. Limitations of such resources may require a phased approach to recording. Such methods might include written descriptions and analyses, photographs (aerial or terrestrial), rectified photography, photo-grammetry, geophysical survey, maps, measured plans, drawings and sketches, replicas or other traditional and modern technologies;
- b) Recording methodologies should, wherever possible, use non- intrusive techniques, and should not cause damage to the object being recorded;
- c) The rational for the intended scope and the recording method should be clearly stated;
- d) The materials used for compiling the finished record must be archivally stable.

CONTENT OF RECORDS

- 1. Any record should be identified by:
- a) the name of the building, group of buildings or site;
- b) a unique reference number;
- c) the date of compilation of the record;

- d) the name of the recording organisation;
- e) cross-references to related building records and reports, photographic, graphic, textual or biblio-graphic documentation, archaeological and environmental records.
- 2. The location and extent of the monument, group of buildings or site must be given accurately; this may be achieved by description, maps, plans or aerial photographs. In rural areas a map reference or triangulation to known points may be the only methods available. In urban areas an address or street reference may be sufficient.
- 3. New records should note the sources of all information not obtained directly from the monument, group of buildings or site itself.
- 4. Records should include some or all of the following information:
- a) the type, form and dimensions of the building, monument or site;
- b) the interior and exterior characteristics, as appropriate, of the monument, group of buildings or site;
- c) the nature, quality, cultural, artistic and scientific significance of the heritage and its components and the cultural, artistic and scientific significance of:
- the materials, constituent parts and construction, decoration, ornament or inscriptions,
- services, fittings and machinery,
- ancillary structures, the gardens, landscape and the cultural,topographical and natural features of the site;
- d) the traditional and modern technology and skills used in construction and maintenance;
- e) evidence to establish the date of origin, authorship, ownership, the original design, extent, use and decoration;
- f) evidence to establish the subsequent history of its uses, associated events, structural or decorative alterations, and the impact of human or natural external forces;

- g) the history of management, maintenance and repairs;
- h) representative elements or samples of construction or site materials;
- i) an assessment of the current condition of the heritage;
- j) an assessment of the visual and functional relationship between the heritage and its setting;
- k) an assessment of the conflicts and risks from human or natural causes, and from environmental pollution or adjacent land uses.
- 5. In considering the different reasons for recording (see Section 1.2 above) different levels of detail will be required. All the above information, even if briefly stated, provides important data for local planning and building control and management. Information in greater detail is generally required for the site or building owner's, manager's or user's purposes for conservation, maintenance and use.

MANAGEMENT, DISSEMINATION AND SHARING OF RECORDS

- 1. The original records should be preserved in a safe archive, and the archive's environment must ensure permanence of the information and freedom from decay to recognised international standards.
- 2. A complete back-up copy of such records should be stored in a separate safe location.
- 3. Copies of such records should be accessible to the statutory authorities, to concerned professionals and to the public, where appropriate, for the purposes of research, development controls and other administrative and legal processes.
- 4. Up-dated records should be readily available, if possible on the site, for the purposes of research on the heritage, management, maintenance and disaster relief.
- 5. The format of the records should be standardised, and records should be indexed wherever possible to facilitate the exchange and retrieval of information at a local, national or international level.

6. The effective assembly, management and distribution of recorded information requires, wherever possible, the understanding and the appropriate use of upto-date information technology.

7. The location of the records should be made public.

8. A report of the main results of any recording should be disseminated and published, when appropriate.

© ICOMOS

http://http://www.international.icomos.org/

centre-doc-icomos@unesco.org

古迹、建筑群及遗址保护中的教育与培训准则

国际古迹遗址理事会(ICOMOS)于 1993年7月30日至8月7日在斯里兰卡科伦坡举行的第十届会议,

考虑到涵盖于"古迹、建筑群及遗址"这一概念下的遗产的广度;

考虑到保护这些遗产资源所需的多种行动与方法间的差异,以及为其制定统一准则的必要性; 承认多种不同的专业在保护工作的过程中需要在统一的原则与秩序内协同工作,并且有必要 接受正规的教育及培训,以确保在保护工作中获得良好的交流以及协调的行动;

注意到《威尼斯宪章》以及 ICOMOS 文件的相关规定,同时意识到有必要为参与开发制定培训方案的各方提供参考,以及有必要协助界定和创建适当的标准和规范,以期符合各群体和各地区的特定的文化和技术要求;

通过如下准则,并建议将其广泛传达至各相关机构、组织及行政机关。

准则的目标

1. 本文件的目标是为 1972 年世界遗产公约中所界定的古迹、建筑群和遗址的保护中进行的教育和培训工作促进制定标准与原则。它们包括了历史建筑、历史区域和城镇、考古遗址及其内所发现之物,以及历史与文化景观。对它们的保护目前是,而且今后也会一直是人们的当务之急。

保 护

- 2. 文化遗产的保护现在已被公认为环境与文化发展的总体领域内的重要问题。充分考虑到文 化遗产因素的可持续发展管理策略要求人们将保护的态度与当代的经济与社会发展目标相结合, 这包括了旅游业的发展。
- 3. 保护的目的旨在延长文化遗产的生命,并同时在可能的情况下弄清其中蕴含的艺术及历史信息,而不让其在真实性和意义上遭受损失。保护工作是一种文化的、艺术的、技术的和公益的活动,它建基于人文与科学的研究以及系统调研之上。保护工作必须重视文化背景。

教育与培训计划及课程

4. 我们有必要发展一种基于文化多元主义与文化多样性的整体观方法来看待我们的遗产,这应得到专业人士、工匠和管理者们的重视。保护工作要求我们具有观察、分析与综合的能力。保护工作者需要把握一种灵活而务实的工作方式,它建基于文化意识之上,并将贯穿于所有实践工作之中。此外,保护工作者还应接受正规的教育与培训,具有良好的判断力,以及在充分理解当地群体各种需要的同时建立的一种对分寸的把握。多种专业与工艺技能都被囊括在这一项跨专业的工作中。

- 5. 保护工作只能委派给那些能够胜任这项专业工作的人员。在来自各专业的人员中,通过教育和培训应该培养出具有以下能力的保护工作者:
 - a. 了解一处古迹、建筑群或遗址并能认识到它在情感上、文化上以及功用上的意义。
 - b. 理解古迹、建筑群或遗址所包含的历史与技术信息,以便确定它们的年代身份,制定保护规划并且阐释其研究成果;
 - c. 理解一处古迹、建筑群或遗址的背景环境、其内部涵括以及与其他建筑、园林景观相 关的外部环境;
 - d. 寻找并吸收与所研究的古迹、建筑群或遗址相关的所有信息资源:
 - e. 把古迹、建筑群和遗址与内外部刺激间产生的互动作为复杂的系统进行理解与分析;
 - f. 诊断造成衰败的内因与外因, 为采取正确的行动打好基础;
 - g. 考查并针对古迹、建筑群或遗址编制非专业读者可以看懂的报告,并辅以草图和照片等图解:
 - h. 知悉、理解并运用联合国教科文组织(Unesco)的各公约及倡议,以及国际古迹遗址 理事会及其他被公认的宪章、条例和准则:
 - i. 在共同的伦理准则下做出审慎的判断,并对文化遗产的良好状态得以长期保持担负起责任:
 - j. 准确地意识到何时有必要寻求意见,并且认定需要由不同专业的专家进行研究的领域, 例如壁画、雕塑以及具有艺术和历史价值的物品,或对材料和系统展开研究;
 - k. 分别在保养策略、管理政策以及环境保护和古迹、建筑群及遗址保护的政策框架制定等方面提供专家意见:
 - 1. 对所执行的工作进行记录存档,并备查;
 - m. 在采用合理方法的多专业团队中工作;
 - n. 能够与居民、管理者和规划者们协同工作以解决冲突并根据当地需要、能力和资源发展保护策略;

课程目标

- 6. 有必要向所有有可能直接或间接影响文化遗产的人士灌输关于保护态度和方法的知识。
- 7. 保护实践是跨专业学科;因此课程也自然应该是多专业学科的。专业人员,包括已取得正规资格的学术人员和专门工匠,都必须接受再培训,以成为专业保护工作者;那些希望能胜任历史性领域工作的人员也同样需要接受培训。
- 8. 保护工作者必须确保在古迹、建筑群或遗址中工作的所有工匠和员工都能重视其工作对象的重要性。
- 9. 课程必须包括关于灾害预防的培训内容,以及学习如何通过加强和改善防火与其他安全措施以减少文化遗产所遭受的损害。

10. 传统工艺是宝贵的文化资源。已具有较高手艺的工匠仍需继续接受保护工作培训,得到的指导包括该项工艺的历史、具有历史意义的细节以及实践,以及涉及记录存档必要性的保护工作理论。大量的历史性技艺都必须被记录和振兴。

教育和培训的组织

- 11. 接受教育和培训有许多种可行的、合乎要求的方式。它们会视当地的传统和法律情况而有所不同,同时还取决于每个文化地区的行政和经济环境。在国家机构之间和在国际层面上关于教育和培训的意见及建议的交流应该得到鼓励。建立起个人以及机构间的协作网络对于形成这种交流是至关重要的。
- 12. 教育与保护意识的培养应始于学校并一直延续到大学以及之后。这些教育机构在提升形象与文化上的感知能力——即提高解读与理解我们文化遗产的各组成元素的能力——以及在为日后的专业人员接受教育与培训之前提供必需的文化基础方面至关重要。手工艺工作中的动手实践应该得到鼓励。
- 13. 继续专业发展的课程可在专业人员的初级教育与培训的基础上进一步开发。长期、非全日制的课程在较高阶段的教育中颇具价值,且在较大的人口集中地区行之有效。短期课程可以培养保护观念,但无法传授技能和灌输对保护工作更深入的理解。它们会有助于介绍在建筑与自然环境及其内部物件的管理中所运用的保护理念与技术。
- 14. 专业人员培训课程的参与者应具有较高能力,通常已经接受过正规的教育和培训,并具有实践工作经验。专业人员课程应为多专业学科式,设有面向所有参加者的核心课程,同时还设有选修课程,用以扩展技能以及填补过去所受教育与培训中留下的空白环节。为了更好的完成保护人员教育与培训课程,建议学员进行实习以便获得实践经验。
- 15. 每一国家和地区都应建立至少一个包含组织门类较齐全的教育培训机构,负责教育及培训工作,并开设专业人员课程。建立一套完善的保护体系可能会要数十年的时间,因此可能需要采取特殊的短期措施,包括将一些创新的计划与原有的项目相结合,以便形成一些成熟的新项目。在国家层面、地区层面以及国际层面上的教师、专家以及学生的交换应该得到提倡。此外,还有必要在各地同行之间经常开展培训项目的评估活动。

资源

- 16. 专业人员培训课程所需的资源包括如下各项:
 - a. 人数在 15-25 人之间的达到一定水平要求的学员;
 - b. 一名得到足够管理支持的全职协调员;
 - c. 在保护工作及教学上具有扎实理论基础和实践经验的培训师们;
 - d. 齐全的教学装备,包括配有音像器材和录放像设备的讲座场地、实验室、工作室、讨论课教室、以及教职员办公室;

- e. 图书馆和档案中心提供参考文献并为协调开展研究提供帮助,同时还能提供计算机网络信息服务;
- f. 位于合理范围内的一系列古迹、建筑群和遗址。
- 17. 理解古迹、建筑群和遗址及其各自的背景环境所必须的足够的档案记录是保护工作的基础。每个国家都应有一个专门的研究和档案机构来记录本国的文化遗产以及所有相关的保护工作。 这一培训课程应该在国家一级所认定的档案研究职责范围内进行开展。
- 18. 对在职的学员可能需要在学费和生活费用的资助上做一些特殊的安排,因为他们可能已经有一些个人的责任负担了。

GUIDELINES FOR EDUCATION AND TRAINING IN THE CONSERVATION OF MONUMENTS, ENSEMBLES AND SITES

The General Assembly of the International Council on Monuments and Sites, ICOMOS, meeting in Colombo, Sri Lanka, at its tenth session from July 30 to August 7, 1993;

Considering the breadth of the heritage encompassed within the concept of monuments, ensembles and sites;

Considering the great variety of actions and treatments required for the conservation of these heritage resources, and the necessity of a common discipline for their guidance;

Recognizing that many different professions need to collaborate within the common discipline of conservation in the process and require proper education and training in order to guarantee good communication and coordinated action in conservation;

Noting the <u>Venice Charter</u> and related ICOMOS doctrine, and the need to provide a reference for the institutions and bodies involved in developing training programmes, and to assist in defining and building up appropriate standards and criteria suitable to meet the specific cultural and technical requirements in each community or region;

Adopts the following guidelines, and Recommends that they be diffused for the information of appropriate institutions, organizations and authorities.

AIM OF THE GUIDELINES

1. The aim of this document is to promote the establishment of standards and guidelines for education and training in the conservation of monuments, groups of buildings ("ensembles") and sites defined as cultural heritage by the <u>World Heritage Convention</u> of 1972. They include historic buildings, historic areas and towns, archaeological sites, and the contents therein, as well as historic and

cultural landscapes. Their conservation is now, and will continue to be a matter of urgency.

CONSERVATION

- **2.** Conservation of cultural heritage is now recognized as resting within the general field of environmental and cultural development. Sustainable management strategies for change which respect cultural heritage require the integration of conservation attitudes with contemporary economic and social goals including tourism.
- **3.** The object of conservation is to prolong the life of cultural heritage and, if possible, to clarify the artistic and historical messages therein without the loss of authenticity and meaning. Conservation is a cultural, artistic, technical and craft activity based on humanistic and scientific studies and systematic research. Conservation must respect the cultural context.

EDUCATIONAL AND TRAINING PROGRAMMES AND COURSES

- **4.** There is a need to develop a holistic approach to our heritage on the basis of cultural pluralism and diversity, respected by professionals, craftspersons and administrators. Conservation requires the ability to observe, analyze and synthesize. The conservationist should have a flexible yet pragmatic approach based on cultural consciousness which should penetrate all practical work, proper education and training, sound judgement and a sense of proportion with an understanding of the community's needs. Many professional and craft skills are involved in this interdisciplinary activity.
- **5.** Conservation works should only be entrusted to persons competent in these specialist activities. Education and training for conservation should produce from a range of professionals, conservationists who are able to:
 - a. read a monument, ensemble or site and identify its emotional, cultural and use significance;
 - understand the history and technology of monuments, ensembles or sites in order to define their identity, plan for their conservation, and interpret the results of this research;

- c. understand the setting of a monument, ensemble or site, their contents and surroundings, in relation to other buildings, gardens or landscapes;
- d. find and absorb all available sources of information relevant to the monument, ensemble or site being studied;
- e. understand and analyze the behaviour of monuments, ensembles and sites as complex systems;
- f. diagnose intrinsic and extrinsic causes of decay as a basis for appropriate action;
- g. inspect and make reports intelligible to non-specialist readers of monuments, ensembles or sites, illustrated by graphic means such as sketches and photographs;
- h. know, understand and apply Unesco conventions and recommendations, and ICOMOS and other recognized Charters, regulations and guidelines;
- i. make balanced judgements based on shared ethical principles, and accept responsibility for the long-term welfare of cultural heritage;
- j. recognize when advice must be sought and define the areas of need of study by different specialists, e.g. wall paintings, sculpture and objects of artistic and historical value, and/or studies of materials and systems;
- k. give expert advice on maintenance strategies, management policies and the policy framework for environmental protection and preservation of monuments and their contents, and sites;
- I. document works executed and make same accessible;
- m. work in multi-disciplinary groups using sound methods;
- n. be able to work with inhabitants, administrators and planners to resolve conflicts and to develop conservation strategies appropriate to local needs, abilities and resources;

AIMS OF COURSES

- **6.** There is a need to impart knowledge of conservation attitudes and approaches to all those who may have a direct or indirect impact on cultural property.
- **7.** The practice of conservation is interdisciplinary; it therefore follows that courses should also be multidisciplinary. Professionals, including academics and specialized craftspersons, who have already received their normal qualification will need

further training in order to become conservationists; equally those who seek to act competently in historic environment.

- **8.** Conservationists should ensure that all artisans and staff working on a monument, ensemble or site respect its significance.
- **9.** Training in disaster preparedness and in methods of mitigating damage to cultural property, by strengthening and improving fire prevention and other security measures, should be included in courses.
- **10.** Traditional crafts are a valuable cultural resource. Craftspersons, already with high level manual skills, should be further trained for conservation work with instruction in the history of their craft, historic details and practices, and the theory of conservation with the need for documentation. Many historic skills will have to be recorded and revived.

ORGANIZATION OF EDUCATION AND TRAINING

- **11.** Many satisfactory methods of achieving the required education and training are possible. Variations will depend on traditions and legislation, as well as on administrative and economic context of each cultural region. The active exchange of ideas and opinions on new approaches to education and training between national institutes and at international levels should be encouraged. Collaborative network of individuals and institutions is essential to the success of this exchange.
- **12.** Education and sensitization for conservation should begin in schools and continue in universities and beyond. These institutions have an important role in raising visual and cultural awareness improving ability to read and understand the elements of our cultural heritage and giving the cultural preparation needed by candidates for specialist education and training. Practical hands-on training in craft work should be encouraged.
- **13.** Courses for continuing professional development can enlarge on the initial education and training of professionals. Long-term, part-time courses are a valuable method for advanced teaching, and useful in major population centres. Short courses can enlarge attitudes, but cannot teach skills or impart profound understanding of conservation. They can help introduce concepts and techniques

of conservation in the management of the built and natural environment and the objects within it.

- **14.** Participants in specialist courses should be of a high calibre normally having had appropriate education and training and practical working experience. Specialist courses should be multidisciplinary with core subjects for all participants, and optional subjects to extend capacities and/or to fill the gaps in previous education and training. To complete the education and training of a conservationist an internship is recommended to give practical experience.
- **15.** Every country or regional group should be encouraged to develop at least one comprehensively organized institute giving education and training and specialist courses. It may take decades to establish a fully competent conservation service. Special short-term measures may therefore be required, including the grafting of new initiatives onto existing programmes in order to lead to fully developed new programmes. National, regional and international exchange of teachers, experts and students should be encouraged. Regular evaluation of conservation training programmes by peers is a necessity.

RESOURCES

- **16.** Resources needed for specialist courses may include e.g.:
 - a. an adequate number of participants of required level ideally in the range of 15 to 25;
 - b. a full-time co-ordinator with sufficient administrative support;
 - c. instructors with sound theoretical knowledge and practical experience in conservation and teaching ability;
 - d. fully equipped facilities including lecture space with audio-visual equipment, video, etc. studios, laboratories, workshops, seminar rooms, and staff offices;
 - e. library and documentation centre providing reference collections, facilities for coordinating research, and access to computerized information networks;

- f. a range of monuments, ensembles and sites within a reasonable radius.
- **17.** Conservation depends upon documentation adequate for understanding of monuments, ensembles or sites and their respective settings. Each country should have an institute for research and archive for recording its cultural heritage and all conservation works related thereto. The course should work within the archive responsibilities identified at the national level.
- **18.** Funding for teaching fees and subsistence may need special arrangements for mid-career participants as they may already have personal responsibilities.

建筑遗产分析、保护与结构修复准则(2003)

2003年10月于津巴布韦,维多利亚瀑布举行的国际古迹遗址理事会14届大会上正式通过

文件宗旨

由于建筑遗产的特性与历史发展(在材料和建构形式上),对其结构的分析与修复存在许多困难与挑战,也限制着现代法律法规和建造标准的实际应用。因而我们需要也应该出台相应的建议,以发展适用于各文化背景的理性的分析和修复方法。这些建议旨在对保护修复问题的解决有所帮助,但不能取代其它任何文化、科学文本上的已有知识。该完整文本中列出的建议分为两个部分:一准则,明确保护的基本理念,二指南,探讨设计师应该遵循的规则和方法。其中只有准则具有国际古迹遗址理事会通过文件的地位。

准则

1. 总体标准

- 1.1 建筑遗产的保护、加固与修复需要跨学科的做法。
- 1.2 对建筑遗产的价值和原真性的认识不能取决于死板的标准;出于对各文化的尊重,对物质遗产的理解必须结合对其所处的文化的考虑。
- 1.3 建筑遗产的价值不仅仅在于其外观,也在于其各部分构成的整体如何体现了其所在历史时期特定的建造技术。尤其是那些完全清除内部结构而仅留建筑外表面的做法是不符合保护标准的。
- 1.4 如有任何有关改变建筑原有用途或功能的设想, 所有的保护要求和安全条件都应先经过 全面认真的考虑。
 - 1.5 建筑遗产的结构修复本身不是目标,而是达到目标的一个途径,最终的目标是整个建筑。
- 1.6 遗产结构的特殊性,其历史的复杂性,要求研究设计组织的严谨精确,与医学中的分析研究步骤相似。病历查阅、诊断、治疗和控制分别对应着建筑保护中的寻找重要数据信息、破坏损毁原因的逐一明确、选择解决方法和干预措施效果控制。为合理利用有限资金,获得最大的收效和对建筑遗产最小的负面影响,通常有必要循环重复以上步骤。
- 1.7 如不能确定对建筑遗产可能产生的正面、负面影响,则不应盲目采取任何行动,除非特殊情况如必要的紧急维护措施避免结构的坍塌(如地震破坏后);这些紧急措施也应尽可能避免给遗产实体带来无法逆转的改变。

2 研究与分析诊断

2.1 通常根据问题的类型和规模,应组织一个跨学科的小组,共同进行研究工作,如遗产地

初步调查和研究项目的准备。

- 2.2 应首先大致处理已有数据和信息,以根据结构真正面临的问题建立一个更综合系统的行动计划。
- 2.3 对建筑结构和材料特点的全面了解是保护实践所必需的。如建筑遗产建成时和早期的结构、建造时使用的工艺技术、历史发展中出现的变化及其影响、已发生的各种现象以及它的现状,这些信息都是至关重要的。
- 2.4 考古遗址面临特殊问题,因为遗产结构必须在发掘的同时也就是对其了解还不够全面的时候进行加固。对此类"重新发现"的建筑的结构对策可能与一个"已暴露"的建筑遗产完全不同。在发掘时加固结构的应急现场对策也不应危及建筑形式功能的整体概念。
- 2.5 分析诊断分为历史、质化和量化三个角度; 质化途径主要通过对结构和材料损坏情况的 直接观察及历史和考古研究, 而量化途径则主要依赖材料和结构测试、监测和结构分析。
 - 2.6 在决定结构干预措施之前,首先必须确定破坏和损毁的原因,继而评定结构的安全水平。
- 2.7 安全评估作为分析诊断的最后一步,也是决定最终干预措施的阶段,应该综合质化、量化分析:直接的观察、历史研究、结构分析和必要时的实验和测试。
- 2.8 应用与新建筑设计采用的安全水平即使可能,也需要采取特殊的做法。通过特别分析和 有针对性的特殊考虑采取不同的安全处理措施。
- 2.9 所得信息的各方面、安全评估等综合判断和最终干预决策都必须在一个"解释性报告中" 得到详尽阐述。

3 治疗方法和控制

- 3.1"治疗"应找根源而不是只看表面症状。
- 3.2 最好的"治疗"是预防性维护。
- 3.3 安全评估和对结构价值的整体理解应该是保护和加固措施的基础。
- 3.4 任何干预措施必须在证实其必要性之后实施。
- 3.5 任何干预措施必须与整体安全目标协调,以保证最小程度的干预、对遗产价值最小的危害,确保安全与持久。
- 3.6 干预措施的设计应建立在全面理解造成破坏和衰败的原因以及干预后对结构的分析活动的基础上,因为这些是设计的基础。
- 3.7 "传统"和"创新"技术的选择应具体问题具体分析,并首选那些与遗产价值最协调、造成最小影响的作法,始终考虑安全和持久性的需要。
- 3.8 有时由于评估安全性和干预可能带来收效的实际困难会让我们选择"观察法",也就是循序渐进,开始采取最小程度的干预,而后逐步实施一系列补充和更正措施。
- 3.9 任何措施都应尽可能是"可逆转"的,在掌握新知识后能够使用更合适的方法将其去除或取代。如果不是完全可逆转的,该措施不应对之后可能的干预造成限制。
 - 3.10 用于修复工作的材料的特质(尤其是新材料)及其与原有材料的兼容性应该得到全面的

研究,包括长期影响,这样才可以避免副作用的出现。

- 3.11 不得破坏建筑遗产及其环境原有或早期的突出特质。
- 3.12 任何干预措施都应尽可能尊重建筑遗产原有或早期的设计理念、技术工艺、历史价值, 并保留未来可以识别的证据。
 - 3.13 干预过程应该是一个重视建筑、结构、安装、功能等各方面的整体综合规划的结果。
 - 3.14 尽可能避免任何对历史材料和突出建筑特色的减损和改变。
 - 3.15 破损的遗产建筑和结构应尽可能得到修复而不是拆换。
 - 3.16 有些缺憾和改动如已经成为遗产建筑结构历史的一部分,则应保留而不致危及安全需要。
- 3.17 仅在其他方式保护不可行或有害的情况下,才可以根据结构材料的条件要求采取拆卸和 重新组装的方法。
- 3.18 在干预过程中采用的临时性保护措施必须目的明确、有针对性,并不得对遗产价值造成任何破坏。
 - 3.19 任何干预建议在进行过程中必须伴以尽可能详细的控制计划。
 - 3.20 在实施过程中无法控制的措施不得采用。
 - 3.21 在干预期间和之后应进行检查和监测以掌握实施效果。
 - 3.22 所有监测和检查工作都应得到详细记录并保存作为遗产历史的一部分。

PRINCIPLES FOR THE ANALYSIS, CONSERVATION AND STRUCTURAL RESTORATION OF ARCHITECTURAL HERITAGE

(2003)

Ratified by the ICOMOS 14th General Assembly, in Vicoria Falls, Zimbabwe, October 2003

PRINCIPLES

PURPOSE OF THE DOCUMENT

Structures of architectural heritage, by their very nature and history (material and assembly), present a number of challenges in diagnosis and restoration that limit the application of modern legal codes and building standards. Recommendations are desirable and necessary to both ensure rational methods of analysis and repair methods appropriate to the cultural context.

These Recommendations are intended to be useful to all those involved in conservation and restoration problems, but cannot in anyway replace specific knowledge acquired from cultural and scientific texts.

The Recommendations presented in the complete document are in two sections: Principles, where the basic concepts of conservation are presented; Guidelines, where the rules and methodology that a designer should follow are discussed. Only the Principles have the status of an approved/ratified ICOMOS document.

The **guidelines** are available in English in a separate document.

PRINCIPLES

1 General criteria

- 1.1 Conservation, reinforcement and restoration of architectural heritage requires a multi-disciplinary approach.
- 1.2 Value and authenticity of architectural heritage cannot be based on fixed criteria because the respect due to all cultures also requires that its physical heritage be considered within the cultural context to which it belongs.
- 1.3 The value of architectural heritage is not only in its appearance, but also in the integrity of all its components as a unique product of the specific building technology of its time. In particular the removal of the inner structures maintaining only the façades does not fit the conservation criteria.
- 1.4 When any change of use or function is proposed, all the conservation requirements and safety conditions have to be carefully taken into account.
- 1.5 Restoration of the structure in Architecture Heritage is not an end in itself but a means to an end, which is the building as a whole.
- 1.6 The peculiarity of heritage structures, with their complex history, requires the organisation of studies and proposals in precise steps that are similar to those used in medicine. Anamnesis, diagnosis, therapy and controls, corresponding respectively to the searches for significant data and information, individuation of the causes of damage and decay, choice of the remedial measures and control of the efficiency of the interventions. In order to achieve cost effectiveness and minimal impact on architectural heritage using funds available in a rational way; it is usually necessary that the study repeats these steps in an iterative process.
- 1.7 No action should be undertaken without having ascertained the achievable benefit and harm to the architectural heritage, except in cases where urgent safeguard measures are necessary to avoid the imminent collapse of the structures (e.g. after seismic damages); those urgent measures, however, should when possible avoid modifying the fabric in an irreversible way.

2 Researches and diagnosis

- 2.1 Usually a multidisciplinary team, to be determined in relation to the type and the scale of the problem, should work together from the first steps of a study as in the initial survey of the site and the preparation of the investigation programme.
- 2.2 Data and information should first be processed approximately, to establish a more comprehensive plan of activities in proportion to the real problems of the structures.
- 2.3 A full understanding of the structural and material characteristics is required in conservation practice. Information is essential on the structure in its original and earlier states, on the techniques that were used in the construction, on the alterations and their effects, on the phenomena that have occurred, and, finally, on its present state.
- 2.4 In archaeological sites specific problems may be posed because structures have to be stabilised during excavation when knowledge is not yet complete. The structural responses to a "rediscovered" building may be completely different from those to an "exposed" building. Urgent site-structural-solutions, required to stabilise the structure as it is being excavated, should not compromise the complete building's concept form and use.
- 2.5 Diagnosis is based on historical, qualitative and quantitative approaches; the qualitative approach being mainly based on direct observation of the structural damage and material decay as well as historical and archaeological research, and the quantitative approach mainly on material and structural tests, monitoring and structural analysis.
- 2.6 Before making a decision on structural intervention it is indispensable to determine first the causes of damage and decay, and then to evaluate the safety level of the structure.
- 2.7 The safety evaluation, which is the last step in the diagnosis, where the need for treatment measures is determined, should reconcile qualitative with quantitative analysis: direct observation, historical research, structural analysis and, if it is the case, experiments and tests.

- 2.8 Often the application of the same safety levels as in the design of new buildings requires excessive, if not impossible, measures. In these cases specific analyses and appropriate considerations may justify different approaches to safety.
- 2.9 All aspects related to the acquired information, the diagnosis including the safety evaluation, and the decision to intervene should be described in an "explanatory report".

3 Remedial measures and controls

- 3.1 Therapy should address root causes rather than symptoms.
- 3.2 The best therapy is preventive maintenance
- 3.3 Safety evaluation and an understanding of the significance of the structure should be the basis for conservation and reinforcement measures.
- 3.4 No actions should be undertaken without demonstrating that they are indispensable.
- 3.5 Each intervention should be in proportion to the safety objectives set, thus keeping intervention to the minimum to guarantee safety and durability with the least harm to heritage values.
- 3.6 The design of intervention should be based on a clear understanding of the kinds of actions that were the cause of the damage and decay as well as those that are taken into account for the analysis of the structure after intervention; because the design will be dependent upon them.
- 3.7 The choice between "traditional" and "innovative" techniques should be weighed up on a case-by-case basis and preference given to those that are least invasive and most compatible with heritage values, bearing in mind safety and durability requirements.

- 3.8 At times the difficulty of evaluating the real safety levels and the possible benefits of interventions may suggest "an observational method", i.e. an incremental approach, starting from a minimum level of intervention, with the possible subsequent adoption of a series of supplementary or corrective measures.
- 3.9 Where possible, any measures adopted should be "reversible" so that they can be removed and replaced with more suitable measures when new knowledge is acquired. Where they are not completely reversible, interventions should not limit further interventions.
- 3.10 The characteristics of materials used in restoration work (in particular new materials) and their compatibility with existing materials should be fully established. This must include long-term impacts, so that undesirable side-effects are avoided.
- 3.11 The distinguishing qualities of the structure and its environment, in their original or earlier states, should not be destroyed.
- 3.12 Each intervention should, as far as possible, respect the concept, techniques and historical value of the original or earlier states of the structure and leaves evidence that can be recognised in the future.
- 3.13 Intervention should be the result of an overall integrated plan that gives due weight to the different aspects of architecture, structure, installations and functionality.
- 3.14 The removal or alteration of any historic material or distinctive architectural features should be avoided whenever possible.
- 3.15 Deteriorated structures whenever possible should be repaired rather than replaced.
- 3.16 Imperfections and alterations, when they have become part of the history of the structure, should be maintained so far so they do not compromise the safety requirements.

- 3.17 Dismantling and reassembly should only be undertaken as an optional measure required by the very nature of the materials and structure when conservation by other means impossible, or harmful.
- 3.18 Provisional safeguard systems used during the intervention should show their purpose and function without creating any harm to heritage values.
- 3.19 Any proposal for intervention must be accompanied by a programme of control to be carried out, as far as possible, while the work is in progress.
- 3.20 Measures that are impossible to control during execution should not be allowed.
- 3.21 Checks and monitoring during and after the intervention should be carried out to ascertain the efficacy of the results.
- 3.22 All the activities of checking and monitoring should be documented and kept as part of the history of the structure.

关于保护遗产地精神的魁北克宣言

2008年10月4日国际古迹遗址理事会第16届大会(加拿大魁北克)通过

前言

2008年9月29日至10月4日,应国际古迹遗址理事会(以下简称ICOMOS)加拿大国家委员会之邀,在ICOMOS第16届大会和魁北克建城400周年庆典之际,与会者在加拿大这座历史名城通过了下述宣言。该宣言通过保护有形和无形遗产,为保存地方精神提出各项原则和建议,被视作确保世界和社会可持续发展的一个创新、高效的途径。

宣言是 ICOMOS 在过去 5 年间为保护和推广遗产地精神,即遗产地的生存、社会和精神本质所采取的一系列措施及行动的一部分。2003 年,ICOMOS 将其第 14 届大会科学研讨会的主题定位于保护古迹遗址的社会无形价值。在随后的《肯伯雷宣言》里,ICOMOS 承诺,按照 1972 年《世界遗产公约》,重视考虑无形价值(记忆、信仰、传统知识、对遗产地的情感)以及在古迹遗址的管理和保护上扮演前述价值守护者的当地社区。2005 年的 ICOMOS《西安宣言》提请注意,在保护世界古迹遗址与促进这项事业的发展时,要重视遗产地背景环境的保护,既包括实体、视觉和自然层面,也包括社会和信仰实践、风俗、传统知识与其它无形的方式和表现形式。宣言还呼吁采取跨学科的手段,实现信息来源多元化,以便更好地理解、管理和保护古迹遗址的环境。ICOMOS 美洲地区委员会于 2008 年拟定的《Foz Do Iguaçu 宣言》阐明,遗产的有形和无形元素,对已经创造并传承具有文化和历史意义的遗产地社区的特性的保护是不可或缺的。ICOMOS 新的有关文化线路和遗产阐释与展示的宪章经过广泛磋商后拟定,并呈报 ICOMOS 第 16 届大会批准,其中也认可了遗产无形层面和遗产地精神价值的重要性。由于有形和无形遗产的不可分割性,以及无形遗产赋予实物和遗产地的意义、价值和环境,ICOMOS 正考虑通过针对古迹遗址的无形遗产特别拟定的新宪章。为此,我们鼓励通过开展讨论和辩论,制订出适用于遗产地精神本体变化的新概念语汇。

第 16 届大会,更具体说就是青年论坛、原住民论坛和科学研讨会,为进一步探索有形和无形遗产,以及遗产地精神的社会内部和文化机制间的关系提供了机会。遗产地精神被界定为有形(建筑物、遗址、景观、线路、实物)和无形元素(记忆、口述、书面文献、仪式、庆典活动、传统知识、价值、质地、颜色、气味等),即赋予遗产地意义、价值、情感和神秘性的物质和精神元素。我们没有将精神与遗产地、有形与无形割裂开、视为对立的事物,而是探查两者相互影响、相辅相成的多种方式。遗产地精神由各种社会行动者——不仅它的建造者、管理者还有它的使用者——共同构建而成,这些人积极持续的努力,共同赋予了遗产地精神以意义。被看作一种关系概念的遗产地精神具有多元、动态的特征,能够拥有多重意义和特点,并随时间推移而变化,同时属于不同群体。这种动态的方法也更加适应今日以跨国人口流动、人口迁移、跨文化交流、多元社会,以及对遗产地的多种认同感为特征的全球化的世界。

遗产地精神有助于大家更加全面地了解古迹、遗址和文化景观当下的和永恒的特性。它为认识文化遗产提供了更加丰富、动态的全方位视野。遗产地精神以不同形式存在于全世界所有的文化之中,是人类为适应其社会需求创造的。在遗产地内居住的社会群体,特别是传统社区,应将其与所在遗产地记忆、生命力、延续性和精神的保护密切联系。

因此, ICOMOS 第 16 届大会的与会者,向各政府和非政府组织、国家和地方当局,以及所有机构和专家提出以下原则和建议的宣言,希望他们能够通过立法、制定政策、规划程序和管理等手段更好地保护与宣传遗产地精神。

遗产地精神的再思考

- 1. 认识遗产地精神由有形(遗址、建筑物、景观、线路、可移动文物)和无形元素(记忆、口述历史、书面文献、仪式、庆典活动、传统知识、价值、质地、颜色、气味等)构成。这些元素对遗产地的形成和赋予遗产地精神有着重大的贡献。我们宣布,无形文化遗产给予了遗产整体更加丰富、完整的意义,必须将其考虑在所有的文化遗产相关立法,以及古迹、遗址、景观、线路和藏品的保护与修复工作中。
- 2. 由于遗产地精神复杂且形式多样,为更好地理解、保护和传承遗产地精神,我们敦促各国政府和利益相关者,向跨学科研究团队和传统从业人员请教专业知识和技能。
- 3. 由于遗产地精神的形成是应社区变化和持续发展之需而不断重构的过程,我们认为,遗产 地精神会根据社会群体的记忆习惯、随着时间推移和文化变化而改变;同时,一个遗产地可以拥 有数种精神,并由不同群体共享。

认清对遗产地精神的威胁

- 1. 由于气候变化、大规模旅游、军事冲突和城市开发导致社会变迁和解体,我们需要更加全面地理解这些威胁,以提出预防措施和可持续的解决方案。我们建议政府和非政府机构、地方和国家遗产组织,制定长期战略计划,预防遗产地精神及其环境的恶化。此外,还应向居民和地方当局宣传遗产地精神保护,使他们对不断变迁的世界带来的威胁做好更充分的准备。
- 2. 由于不同群体共享遗产地会为其带来多种不同的精神,也增加了竞争和冲突的风险,我们认识到,这些遗产地需要特定的管理规划和策略,以适应现代多文化社会的多元环境。因为对遗产地精神的威胁在少数群体中尤其突出,无论他们是本土居民或外来者,我们都建议,这些群体应当受到特定政策和措施的最优先和首要的照顾。

遗产地精神的保护

1. 由于当今世界在大部分国家中,遗产地精神、特别是其无形元素,并未从正规教育或立法 保护中获益,我们建议,建立论坛,咨询不同背景的专家和来自当地社区的掌握丰富知识技能的

- 人,制定培训计划和法律政策,以更好地保护和宣传遗产地精神。
- 2. 考虑到现代数字技术(数据库、网站)能够低成本、高效率地开发整合遗产有形和无形元素的多媒体信息,为了更好地保护、宣传和促进遗产地及其精神,我们强烈建议广泛运用此类技术。它将推动遗产地精神记录的多样性发展和持续更新。

遗产地精神的传承

- 1. 认识到遗产地精神主要由人类传承,而传承又是保护它的重要组成部分,我们强调,通过 互动交流和相关社区的参与,遗产地精神能够得到最有效的保护、使用和巩固。交流是保持遗产 地精神生生不息的最佳途径。
- 2. 鉴于遗产地所在社区,尤其是传统文化群体,通常最能够理解遗产地精神,因而我们认为,他们最适合保护遗产地精神,且应与所有保护和传承遗产地精神的努力密切相关。应鼓励采取各种非正式(口述、仪式、表演、传统经验和实践等)和正式(教育项目、数字数据库、网站、教学工具、多媒体演示等)的传承方法,因为它们不仅能够确保遗产地精神的保护,更重要的是能够保护社区的可持续性社会发展。
- 3. 认识到跨世代和跨文化传承在持续宣传和保护遗产地精神方面所扮演的重要角色,我们建议,年轻一代以及和遗产地有关的不同文化群体在遗产地精神的政策制定和管理上能够增进合作并参与其中。

QUÉBEC DECLARATION ON THE PRESERVATION OF THE SPIRIT OF PLACE

Adopted at Québec, Canada, October 4th 2008

Preamble

Meeting in the historic city of Québec (Canada), from 29 September to 4 October 2008, at the invitation of ICOMOS Canada, on the occasion of the 16th General Assembly of ICOMOS and the celebrations marking the 400th anniversary of the founding of Québec, the participants adopt the following Declaration of principles and recommendations to preserve the spirit of place through the safeguarding of tangible and intangible heritage, which is regarded as an innovative and efficient manner of ensuring sustainable and social development throughout the world.

This Declaration is part of a series of measures and actions undertaken by ICOMOS over the course of the past five years to safeguard and promote the spirit of places, namely their living, social and spiritual nature. In 2003, ICOMOS focused the scientific symposium of its 14th General Assembly on the theme of the preservation of social intangible values of monuments and sites. In the ensuing Kimberly Declaration, ICOMOS committed itself to taking into account the intangible values (memory, beliefs, traditional knowledge, attachment to place) and the local communities that are the custodians of these values in the management and preservation of monuments and sites under the World Heritage Convention of 1972. The ICOMOS Xi'an Declaration of 2005 draws attention to the conservation of context, defined as the physical, visual and natural aspects as well as social and spiritual practices, customs, traditional knowledge and other intangible forms and expressions, in the protection and promotion of world heritage monuments and sites. It also calls upon a multidisciplinary approach and diversified sources of information in order to better understand, manage and conserve context. The Declaration of Foz Do Iquaçu, drawn up in 2008 by ICOMOS Americas, specifies that the tangible and intangible components of heritage are essential in the preservation of the identity of communities that have created and transmitted spaces of cultural and historical significance. The new ICOMOS charters on Cultural Routes and on Interpretation and Presentation, formulated after extensive consultations and presented for ratification at the present 16th ICOMOS General Assembly, also recognize the importance of intangible dimensions of heritage and the spiritual value of place. Because of the indivisible nature of tangible and intangible heritage and the meanings, values and context intangible heritage gives to objects and places, ICOMOS is currently considering the adoption of a new charter dedicated specifically to the intangible heritage of monuments and sites. In this regard, we encourage discussion and debates in order to develop a new conceptual vocabulary that takes into account the ontological changes of the spirit of place.

The 16th General Assembly, and more specifically the Youth Forum, the Aboriginal Forum and the Scientific Symposium, have provided an opportunity to further explore the relationship between tangible and intangible heritage, and the internal social and cultural mechanisms of the spirit of place. Spirit of place is defined as the tangible (buildings, sites, landscapes, routes, objects) and the intangible elements (memories, narratives, written documents, rituals, festivals, traditional knowledge, values, textures, colors, odors, etc.), that is to say the physical and the spiritual elements that give meaning, value, emotion and mystery to place. Rather than separate spirit from place, the intangible from the tangible, and consider them as opposed to each other, we have investigated the many ways in which the two interact and mutually construct one another. The spirit of place is constructed by various social actors, its architects and managers as well as its users, who all contribute actively and concurrently to giving it meaning. Considered as a relational concept, spirit of place takes on a plural and dynamic character, capable of possessing multiple meanings and singularities, of changing through time, and of belonging to different groups. This more dynamic approach is also better adapted to today's globalized world, which is characterized by transnational population movements, relocated populations, increased intercultural contacts, pluralistic societies, and multiple attachments to place.

The spirit of place offers a more comprehensive understanding of the living and, at the same time, permanent character of monuments, sites and cultural landscapes. It provides a richer, more dynamic, and inclusive vision of cultural heritage. Spirit of place exists, in one form or another, in practically all the cultures of the world, and is constructed by human beings in response to their social needs. The communities that inhabit place, especially when they are traditional societies, should be intimately associated in the safeguarding of its memory, vitality, continuity and spirituality.

The participants of the 16th General Assembly of ICOMOS therefore address the following Declaration of principles and recommendations to intergovernmental and non-governmental organizations, national and local authorities and all institutions and specialists in a position to contribute through legislation, policies, planning processes and management to better protecting and promoting the spirit of place.

Rethinking the Spirit of Place

- I. Recognizing that the spirit of place is made up of tangible (sites, buildings, landscapes, routes, objects) as well as intangible elements (memories, narratives, written documents, festivals, commemorations, rituals, traditional knowledge, values, textures, colors, odors, etc.), which all significantly contribute to making place and to giving it spirit, we declare that intangible cultural heritage gives a richer and more complete meaning to heritage as a whole and it must be taken into account in all legislation concerning cultural heritage, and in all conservation and restoration projects for monuments, sites, landscapes, routes and collections of objects.
- 2. Because the spirit of place is complex and multiform, we demand that governments and other stakeholders call upon the expertise of multidisciplinary research teams and traditional practitioners in order to better understand, preserve and transmit the spirit of place.
- 3. Since the spirit of place is a continuously reconstructed process, which responds to the needs for change and continuity of communities, we uphold that it can vary in time and from one culture to another according to their practices of memory, and that a place can have several spirits and be shared by different groups.

Identifying the Threats to the Spirit of Place

- 4. Since climatic change, mass tourism, armed conflict and urban development lead to the transformation and disruption of societies, we need to better understand these threats in order to establish preventive measures and sustainable solutions. We recommend that governmental and non-governmental agencies, and local and national heritage organizations develop long term strategic plans to prevent the degradation of the spirit of place and its environment. The inhabitants and local authorities should also be made aware of the safeguarding of the spirit of place so that they are better prepared to deal with the threats of a changing world.
- 5. As the sharing of places invested with different spirits by several groups increases the risk of competition and conflict, we recognize that these sites require specific management plans and strategies, adapted to the pluralistic context of modern multicultural societies. Because the threats to the spirit of place are especially high amongst minority groups, be they natives or newcomers, we recommend that these groups benefit first and foremost from specific policies and practices.

Safeguarding the Spirit of Place

- **6.** Because in most countries of the world today the spirit of place, in particular its intangible components, do not currently benefit from formal educational programs or legal protection, we recommend the setting up of forums and consultations with experts from different backgrounds and resource persons from local communities, and the development of training programs and legal policies in order to better safeguard and promote the spirit of place.
- **7.** Considering that modern digital technologies (digital databases, websites) can be used efficiently and effectively at a low cost to develop multimedia inventories that integrate tangible and intangible elements of heritage, we strongly recommend their widespread use in order to better preserve, disseminate and promote heritage places and their spirit. These technologies facilitate the diversity and constant renewal of the documentation on the spirit of place.

Transmitting the Spirit of Place

- **8.** Recognizing that spirit of place is transmitted essentially by people, and that transmission is an important part of its conservation, we declare that it is through interactive communication and the participation of the concerned communities that the spirit of place is most efficiently safeguarded, used and enhanced. Communication is the best tool for keeping the spirit of place alive.
- **9.** Given that local communities are generally in the best position to comprehend the spirit of place, especially in the case of traditional cultural groups, we maintain that they are also best equipped to safeguard it and should be intimately associated in all endeavors to preserve and transmit the spirit of place. Non-formal (narratives, rituals, performances, traditional experience and practices, etc.) and formal (educational programs, digital databases, websites, pedagogical tools, multimedia presentations, etc.) means of transmission should be encouraged because they ensure not only the safeguarding of the spirit of place but, more importantly, the sustainable and social development of the community.
- **IO.** Recognizing that intergenerational and transcultural transmission plays an important role in the sustained dissemination and the preservation of the spirit of place, we recommend the association and involvement of younger generations, as well as different cultural groups associated with the site, in policy-making and the management of the spirit of place.

关于文化线路的宪章

国际古迹遗址理事会文化线路科学委员会编撰 2008 年 10 月 4 日国际古迹遗址理事会第 16 届大会(加拿大魁北克)通过

序言

随着文化遗产保护科学的发展,文化线路这一新概念显示出对文化遗产前景思考的演变,以及对其背景环境和相关区域中相关价值日益增加的重视,同时也显现出遗产在不同层面的宏观结构。这个概念提出一种新的遗产保护模式,它将这些价值看作超越国界的共同遗产并呼吁联合努力、共同保护。在尊重每个独立要素固有价值的同时,文化线路指出并强调其所有要素作为整体的一个组成部分的价值。它还有助于说明当代文化遗产价值的社会性,它是促进社会、经济可持续发展的重要资源。

更加全面的遗产概念,需要在更广阔的背景中用新思路来对待,以更准确地描述并保护文化 遗产与自然、文化和历史环境间直接的重要关系。在这一整体发展趋势中,文化线路的概念是创新的、丰富复杂并涉及多个方面的。它带来并代表了文化遗产保护理论与实践中一个革命性的新思路。

文化线路反映了人类不同文化间联系互动的动态发展的过程,呈现出不同民族对文化遗产贡献的丰富多样性。

从历史上来看,文化线路有的形成于和平交往,有的源自敌对冲突;然而在今天,它们的许 多共同特质,已超越其原始用途,而为一种和平文化的生长提供了非凡的环境。这种和平文化基 于共同的历史联系,也基于宽容、尊重和对涉及的多社区文化多样性的理解。

将文化线路看成一个新的概念或范畴,并不与文化遗产现有的范畴或类型互相冲突或重叠,如已有的古迹遗址、城镇、文化景观和工业遗产等,也可能存在于特定文化线路之内。文化线路只是将这些个体包含在一个联合系统中,提升它们的价值。这种综合、跨学科和共享的架构,以创新的科学观点建立起个体间新的关联,提供了一个多边的、更加完整和准确的历史图景。这一思路将增加世界人民间的了解与沟通,还将促进文化遗产保护中的合作。

文化线路这一概念所传达的创新思路,展示了人类迁徙和交流这一特定现象的遗产内容,这些线路最初被用于或是有意识地服务于特定的目的,而使人口流动和文化往来成为可能并不断发展。一条文化线路可能是一条为此目的特别修建的道路,或整体或部分地利用已有的原本服务于其它用途的道路。但是,除了作为交通运输的道路功能之外,文化线路的存在和意义只能体现如下:在相当长一段历史时期内服务于特定目的,并生成与之相关的遗产价值与文化资源,作为一个具有内在独特动态机制的结果,反映了不同文化群体的相互影响。

因此,文化线路不仅仅是包含个体文化资源、连接不同民族的交通运输之路,更是独特的历 史现象,它不是由人的想象或主观意愿而创建,而是一系列恰巧具有共同特征的文化遗产联合的 沉淀。

文化线路有时是因前人意志而起,并因这一意志足够强大而得以实现一个特定的目的(例如,印加和罗马帝国线路)。在其它情况下,文化线路也可以是长期演变的结果,其中不同人为因素的共同干预相互作用,被导向一个共同的目的(诸如圣地亚哥之路,非洲沙漠商旅线路或是丝绸之路)。以上两种情况,都是人类追求特定目标的意志的体现。

鉴于直接决定文化线路存在的内在关系和特色文化资源的丰富与多样(诸如历史建筑、考古遗存、历史城镇、乡土建筑、无形遗产、工业和技术遗产、公共工程、文化和自然景观、运输工具和其它特殊知识与技能应用的实例),对其研究和管理就需要一个多学科的思路,对科学假设进行调查和说明,并不断丰富相关历史、文化、技术和艺术知识。

宪章目标

- 针对文化线路这一特殊遗产类型,制定区别于现有文化遗产范畴的基本研究原则和方法。
- 提出文化线路评估、保护、保存和管理相关知识发展的基本机制。
- 将文化线路作为社会和经济可持续发展的资源,为其合理利用确立基本方针、原则和标准, 并尊重其真实性、完整性、正确的保护与历史意义。
- 建立国家和国际合作的基础,这对研究、保护和发展文化线路相关项目至关重要。对为这些活动筹集资金也同样重要。

定义

任何交通线路,或陆上,或水上,或其它类型,有清晰的物理界限和自身特殊的动态机制和 历史功能,以服务于一个特定的明确界定的目的,且必须满足以下条件:

- A) 必须来自并反映人类的互动,和跨越较长历史时期的民族、国家、地区或大陆间的多维、持续、互惠的货物、思想、知识和价值观的交流;
 - B) 必须在时空上促进涉及的所有文化间的交流互惠, 并反映在其物质和非物质遗产中:
 - C) 必须将相关联的历史关系与文化遗产有机融入一个动态系统中。

定义要素: 背景、内容、作为一个整体的跨文化意义、动态特性和环境

- **背景**: 文化线路产生于自然和/或文化背景中并对其产生影响,作为互动过程的一部分赋予 其特征并以新的维度丰富其内容。
- **内容**: 文化线路必须具备必要的物质要素作为文化遗产的见证并为其存在提供实体证明。 所有非物质要素也给予构成整体的各元素以支持和意义。
- 1. 决定一条文化线路存在的必不可少的物质元素首先是道路本身,它或作为工具服务于一个主观设计行动,或产生于实现特定目标的人类活动过程中。
- 2. 其它基本要素是与其历史线路功能相关的物质遗产(补给站、边境哨所、仓库、休息和寄宿地、医院、市场、码头、要塞、桥梁、交通工具、工业矿业设施,以及反映不同时代科技和社

会进步的其它生产和贸易设施、历史城镇、文化景观、宗教圣地、礼拜和祈祷场所等)同时还包括见证了沿线涉及民族间交流和对话过程的非物质遗产。

- **作为整体的跨文化意义**: 文化线路的概念暗示了作为整体的价值,要比单个部分简单相加的价值更大并赋予线路真正的意义。
- 1. 文化线路构成一笔文化财富,得到各种文化的营养,并且通过提供大量共有的特性和价值 系统从总体价值上超越它们。
 - 2. 在统一身份中,各部分的价值存在于它们共有、共享和多面的意义。
 - 3. 它在更大规模上使不同民族、国家、地区和大陆间的文化联系成为可能。
- 4. 考虑到其领土和对包含的各种遗产要素的综合管理,尺度宽泛是重要的,同时其中包含的 文化多样性也为文化提供了与单一同化相反的发展可能。
- **动态特性**:除了与文化遗产要素共同展现历史道路的实际证据,文化线路还包含一个动态要素,发挥着导线或渠道的作用,使相互的文化影响得以传递。
- 1. 文化线路的动态并不遵循自然法则或是偶然现象,而完全是人类行为过程和兴趣,所以只有将其看成一个文化现象才能理解它。
- 2. 活跃的文化流动不仅以物质或有形的遗产得以体现,还有构成文化线路非物质遗产的精神和传统的见证。
- 3. 通过把文化线路理解为不同民族不同人群间一系列文化交流的动态要素,我们才能将其遗产资源置于真实的空间和历史范畴去理解,这也就促成将线路作为整体保护的一种全面、可持续性强的思路。
 - 背景环境: 文化线路与周围环境密切相关,是其不可分割的一部分。
- 1. 地理环境对文化线路的形成起着重要作用,或决定其实际形状、路线,或随着时间的推移不断影响着它的发展。
- 2. 区域环境(自然或文化「城市或乡村」环境)提供了文化线路的框架,以物质和非物质元素和价值为特点,赋予它独特的氛围。这对文化线路的理解、保护和享用都是至关重要的。
- 3. 文化线路把多样的地理和遗产资源联接起来,形成独特的整体。文化线路及其环境与不同的自然和文化景观相关联,构成文化线路的各部分,并由于经过地区和区域的不同而展示出各自独特的风格和特征。这些不同地段丰富多样的景观也塑造了文化线路整体的多样性特色。
- 4. 有些路段与自然的关系非常敏感;有些路段,则是与城市或乡村的环境的关系非常敏感。 在有古迹存在的地区,如果古迹相对孤立(如小教堂、寺院、喷泉、桥梁、边界线等等),则古迹 与周边环境景观的关系非常重要,因为这会决定文化线路这一段的性质。
- 5. 要保存和保护文化线路,需要具备关于其周围环境的历史、自然和文化特征的广博知识。 任何必要的干预都必须与背景环境相适应,促进对它的认识和理解,尊重其特征,而不能扭曲传统景观,不管这种景观是自然或文化的,抑或二者混合型。
- 6. 必须明确文化线路的背景环境,清楚标记已明确界定的缓冲区,使其中物质和非物质文化价值的真实性和完整性得以保存。保护范围必须包括不同景观的价值,这些多样的景观共同构成

了文化线路, 并赋予它独特的魅力。

具体指标

作为用于文化线路范畴的基本识别指标,应该考虑以下方面:线路的结构及其地层基础;为特定功能服务的历史数据;与线路使用功能相关的结构;交通元素和线路中表现共享文化(如习俗、传统、风俗和共有的宗教、仪式、语言、节日、饮食等实践)的遗存;在诸如音乐、文学、建筑、美术、手工艺、科技发展方面的相互影响,以及其它源自线路自身历史功能的物质与非物质文化遗产。

文化线路的类型

文化线路可以划分如下:

- 根据地域规模: 地方性、全国性、地区性、洲际和国际性。
- 根据文化范围: 在特定的文化区域内或拓展到不同的地理区域,其文化价值的形成和发展都受到相互影响。
 - 根据目标和功能: 社会、经济、政治或文化的。这些特性可以在一个多维背景中共享。
- 根据延续时间:已不再使用的与那些在社会、经济、政治和文化交流影响下仍在发展的线路的对比。
 - 根据它们的结构特点: 直线的、环型的、十字型的、放射状的或网状的。
 - 根据它们的自然环境: 陆地、水上、混合或其它物理环境。

辨识、完整性和真实性

● 初步指标

为了方便识别和评估,以下几个方面可作为初步的、非结论性的证据,说明文化线路的存在:

- 一 带来相邻区域不同文化群体之间交流的动态的社会、经济、政治和文化进程的表现;
- 一 被历史纽带联系起来的不同地理和文化地区之间共享的鲜明的特征;
- 各民族或不同文化的少数民族群体的迁徙及相互关系的证据:
- 一 植根于不同社区传统文化的具体文化特色:
- 一 文化遗存和文化习俗,比如典礼、节日和宗教庆典等,代表了与线路意义和功能相关的某个文化和历史地区内不同社区共享的价值。

● 辨识程序

识别文化线路有必要考虑以下多个方面:满足明确目的的具体功能,文化相互促进所带来的遗产的物质和非物质价值,结构构成、地理和历史环境、自然和文化环境(城市或农村)、相应的特色环境价值,与景观的关系、存续时间、象征和精神意义,所有这些都有助于识别文化和理解

它的意义。

文化线路的非物质遗产是理解其意义和相关遗产价值的基础,因此对物质要素的研究应与其它非物质要素相结合。

为方便比较评估,还应考虑文化线路上不同地段相对于整个线路而言的存续时期和历史意义。 对于仍在使用的文化线路,应维持使其存在并赋予其基本意义、与具体目的相关的动态功能 和关系,即使随着时间的推移,历史元素发生了变化,新的元素被加入,这些新元素应该置于文 化线路功能性关系的大框架内加以评估。有时候,有些具有重大价值的遗产本身不能被视为文化 线路的一部分,因为它并不是文化线路的构成部分。

● 真实性

每一条文化线路都要满足真实性标准的要求。无论在自然还是文化环境中,真实地展现自身的价值,包括它的关键元素、物质和非物质的突出特点:

- 一 这些标准应当应用在研究的线路中的每个部分,评估它在历史发展过程中相对于线路整体 意义的重要性,并通过道路的遗迹来证实结构布局的真实性。
- 一 真实性应当在分析评估的文化线路上各地段的自然和文化环境中看到,并表现在其历史功能和背景环境包括的其它物质和非物质遗产要素中。
- 即使文化线路有些地段的物质痕迹没有得到切实保存,但可以通过史料文献、非物质元素,证明该地段是文化线路不可分割的组成部分的非实体信息来源,来证明其存在的真实性。
- 一 保护、保存和管理文化线路的技术和方法,不论是传统还是新型的,都必须尊重真实性标准。

● 完整性

文化线路完整性的确认,必须基于物质和非物质证据和因素的充分代表性,这些证据和因素 证明该文化线路的整体意义和价值,确保一条文化线路的特征及历史进程的意义可以得到完整呈 现。

历史关系和动态功能对形成文化线路突出特色至关重要,因此相关证据必须得到保存。此外,还必须考虑其物质构成和/或显著特色保存现状是否完好,破坏进程是否得到有效控制,文化线路是否反映出发展、遗弃或忽略导致的副作用。

方法论

文化线路的概念需要有一套特殊的研究、保护、评估、使用和管理的方法。鉴于文化线路涵 盖范围广、作为整体的价值以及涉及的多个地域层面,这个方法论需要建立由相互协调、整体管 理的多种活动构成的体系。

有必要从整体和部分出发对线路进行识别,列出构成线路的遗产清单,分析当前的保存状况,这 将有助于制定详细的战略保护方案。该方案有必要包括提升公众意识的措施,激发公众和私人领域内 对文化线路的兴趣。还应有针对性的制定特殊法律手段和联合行动措施,结合线路的整体价值和意义, 合理保护、使用和管理线路内的各构成元素。

1. 研究

文化线路的研究可能扩展到不同的地理区域,并很可能彼此相隔甚远。因此最好成立几个研究小组驻扎在研究线路有代表性的主要地点。

研究方法,以及用来合理评估和保护文化线路不同地段遗产价值的实践和指标,必须将线路 看作是一个整体,以避免丢失线路的任何意义和历史价值。

从事这一类型文化遗产工作的工作组,应当由多学科构成并具合作性。共同的工作标准应当建立在从局部展开调查的原则基础上,但时刻不能忘记对项目整体的把握。也应当将共同的方法论工具——事先进行标准化——应用于数据的采集。项目计划中应包括协调机制,以利于研究者之间的交流与合作,使每个工作组都可以将自己工作成果的数据进行传递。

研究者应当注意到文化线路上会出现不同类型的文化遗产,但这并不意味着它们一定是线路 的构成部分,或是与之相关的研究对象。在对文化线路进行科学调查时,唯一需要重点强调的是 与线路明确用途和源自其功能性动态影响相关的元素。

2. 经费

鉴于认识和宣传一条绵长的文化线路的价值所需要的庞大的工作量,经费应该分期到位以平衡和协调研究项目,以及与文化线路各段相关的保护、使用和管理等项目。最好是对需要保存的价值进行联合评估,以便决定所应采取行动的优先性和落实相关战略的范围。这就要求经费来自双边或多边合作协议,也可以通过设立专门研究线路价值的机构来获取。在线路沿线,当地区性机构的负责范围与文化线路的历史道路完全或部分重合,应决定如何最多地获得相关国家的关注并获得合作。吸引慈善机构和私人捐款也同样重要。

3. 守卫 - 评估 - 保存 - 保护

文化线路及其环境要求有新的分析、保护和评估工具。只是部分或随机地保护线路上具体的遗产要素是不够的。应该编制准确的文物清单,并评估这些文物的真实性和完整性,以此来确定其对文化线路价值和意义的影响。有必要控制本体恶化进程,并制定战略,避免因开发和缺乏维护带来的负面影响。所有这些都需要建立一个完善的系统,包括互为关联、相互作用的法律措施、适当的手段,以确保文化线路能从整体得以保存,它的价值和意义也能得以整体呈现。理解遗产价值是基本前提,任何可能影响/改变文化线路意义的干预措施都应以它为基础。

4. 可持续利用——与旅游活动的关系

考虑到文化线路的使用,它可以被用于促进社会和经济效益的活动,这对于稳定发展具有非凡的意义。

特别要注意避免将旅游线路(包括有文化意义的旅游线路)和文化线路相混淆。但也应承认文化线路对增强地方凝聚力和可持续发展有重要意义的现实。因此,应当在加强对文化线路认识的同时,适当和可持续地发展旅游,并采取措施规避风险。为此,保护和发展文化线路,既应为旅游活动、参观路线、信息咨询、阐释和展示等建设配套基础设施,又要做到不危害文化线路历史价值的内涵、真实性和完整性,这些是要传达给参观者的最基本信息。

应以环境影响评估结果,以及公众使用和社区参与规划为依据,采取旨在遏止旅游负面影响 的控制和监督措施,合理管理旅游参观活动。

以发展旅游为目的的文化线路开发,在任何情况下必须优先考虑当地社区参与和当地及该地区的旅游公司。应尽力防止国际大公司和沿线较发达国家大公司的垄断。

鉴于文化线路是合作与理解的工具,能全面呈现组成线路的文化和文明之间的互动与交流, 我们也不应忽视文化线路各部分所具有的独立的重要性,而任一部分的积极发展都能提升公众对 整个文化线路的兴趣,使其它部分同样受益。

5. 管理

"理解文化线路的意义"是文化线路保护的基本原则。这意味着必须以协调、和谐的方式,来 开展所有文化线路的研究、评估及社会传播活动。同时也要求全面的协调,确保文化线路的保护、 保存、地区组织、可持续发展、使用和旅游等相关政策的整合。因此,必须形成联合项目,确保 国家范围(在省级、地区、当地)和国际范围内的可持续发展,同时要研发改进管理手段以保护 线路免受自然灾害的影响,并规避其它各种可能影响文化线路完整性和真实性的风险。

6. 公众参与

对于文化线路的保存、保护、盲传和管理、需要激发公众意识以及沿线社区居民的参与。

国际合作

有许多历史路径途经多个国家的文化线路的例子。因此,国际合作对于研究、评估和保护国际文化线路遗产非常重要。

当文化线路存在于经济发达程度不同的国家时,建议较发达的国家提供经济、技术手段和合作组织准备,以及信息、经验和专家交流方面的援助。

强烈建议联合国教科文组织和其它国际组织建立(财政、技术和物流方面的)合作机制来帮助发展和实施涉及多国利益的文化线路项目。

文化线路应当被看成民族团结的象征。沿着文化线路不同的民族曾经分享特定价值和知识, 这条历史的纽带,也应该能够促进今天民族和社区间新的合作项目的开展。



THE ICOMOS CHARTER ON CULTURAL ROUTES

CHARTE ICOMOS DES ITINERAIRES CULTURELS

Prepared by the International Scientific Committee on Cultural Routes (CIIC) of ICOMOS

Elaboré par le Comité scientifique international des itinéraires culturels (CIIC) de l'ICOMOS

Ratified by the 16th General Assembly of ICOMOS, Québec (Canada), on 4 October 2008 Ratifiée par la 16^e Assemblée Générale de l'ICOMOS, Québec (Canada), le 4 octobre 2008

Preamble

As a result of the development of the sciences of conservation of cultural heritage, the new concept of Cultural Routes shows the evolution of ideas with respect to the vision of cultural properties, as well as the growing importance of values related to their setting and territorial scale, and reveals the macrostructure of heritage on different levels. This concept introduces a model for a new ethics of conservation that considers these values as a common heritage that goes beyond national borders, and which requires joint efforts. By respecting the intrinsic value of each individual element, the Cultural Route recognizes and emphasizes the value of all of its elements as substantive parts of a whole. It also helps to illustrate the contemporary social conception of cultural heritage values as a resource for sustainable social and economic development.

This more extensive notion of cultural heritage requires new approaches to its treatment within a much wider context in order to describe and protect its significant relationships directly associated with its natural, cultural and historical setting. Within this advance, the concept of the Cultural Route is innovative, complex and multidimensional. It introduces and represents a qualitatively new approach to the theory and practice of conservation of the cultural heritage.

Cultural Routes represent interactive, dynamic, and evolving processes of human intercultural links that reflect the rich diversity of the contributions of different peoples to cultural heritage.

Though Cultural Routes have resulted historically from both peaceful and hostile encounters, they present a number of shared dimensions which transcend their original functions, offering an exceptional setting for a culture of peace based on the ties of shared history as well as the tolerance, respect, and appreciation for cultural diversity that characterize the communities involved.

The consideration of Cultural Routes as a new concept or category does not conflict nor overlap with other categories or types of cultural properties—monuments, cities, cultural landscapes, industrial heritage, etc.—that may exist within the orbit of a given Cultural Route. It simply includes them within a joint system which enhances their significance.

Préambule

Comme résultat du développement des sciences reliées à la conservation du Patrimoine Culturel la nouvelle catégorie patrimoniale représentée par les Itinéraires Culturels rend compte de l'évolution des idées concernant le concept du patrimoine culturel, du rôle croissant des valeurs attribués à son milieu et à sa signification à l'échelle territoriale et révèle sa macrostructure à des niveaux différents. Cette catégorie lance le modèle d'une nouvelle morale de conservation qui envisage les valeurs culturelles comme un patrimoine commun, ouvert, au-delà des frontières et exigeant des efforts unifiés. En respectant la valeur inhérente à chacun de ses éléments, l'Itinéraire Culturel enrichisse le message spirituel du passé de tous ceux qui le composent comme des pièces appartenant à un ensemble qui renforce leur sens. Il illustre également la conception contemporaine des valeurs du patrimoine pour la société en tant que ressource d'un développement social et économique durable.

Cette notion élargie du patrimoine suggère aussi de nouvelles approches de traitement à l'intérieur d'un contexte beaucoup plus ample afin d'expliquer et de sauvegarder les relations significatives directement associées à son milieu culturel et historique, ainsi qu'à son environnement naturel ou créé par l'homme. Dans ce contexte, le concept d'Itinéraire Culturel est innovateur, complexe et multidimensionnel. Il introduit et représente un apport qualitatif à la notion du patrimoine et à sa conservation.

Les Itinéraires Culturels représentent des processus évolutifs, interactifs et dynamiques des relations humaines interculturelles détachant la riche diversité des apports des différents peuples au patrimoine culturel.

Bien qu'ils soient le résultat de confrontations historiques ou de rencontres pacifiques entre des peuples, aujourd'hui les ltinéraires Culturels présentent une pluralité de dimensions partagées qui au-delà de leur fonction primitive, offrent un cadre privilégié pour construire une culture de paix inspirée non seulement dans les liens communs, mais aussi dans l'esprit de tolérance, le respect et l'estime de la diversité culturelle des différents communautés humaines qui ont contribué à leur existence.

La considération des Itinéraires Culturels comme nouvelle catégorie patrimoniale s'harmonise avec les autres catégories consacrées et reconnues. Elle les reconnaît et les met en valeur, en enrichissant leur signification dans un cadre intégrateur, multidisciplinaire et partagé. Elle ne se confond pas non plus avec d'autres catégories et types de

This integrated, interdisciplinary and shared framework creates new relationships among them by means of an innovative scientific perspective that provides a multilateral, more complete, and more accurate vision of history. This approach stimulates not only understanding and communication among the peoples of the world, but also increases cooperation to preserve cultural heritage.

The innovation introduced by the concept of "Cultural Routes" reveals the heritage content of a specific phenomenon of human mobility and exchange that developed via communication routes that facilitated their flow and which were used or deliberately served a concrete and peculiar purpose. A Cultural Route can be a road that was expressly created to serve this purpose or a route that takes advantage either totally of partially of preexisting roads used for different purposes. But beyond its character as a way of communication or transport, its existence and significance as a Cultural Route can only be explained by its use for such specific purpose throughout a long period of history and by having generated heritage values and cultural properties associated to it which reflect reciprocal influences between different cultural groups as a result of its own peculiar dynamics.

Therefore, Cultural Routes are not simple ways of communication and transport which may include cultural properties and connect different peoples, but special historic phenomena that cannot be created by applying one's imagination and will to the establishment of a set of associated cultural assets that happen to possess features in common.

Cultural Routes have sometimes arisen as a project planned a priori by the human will which had sufficient power to undertake a specific purpose (for example, the Incan and the Roman Empire Routes). On other occasions, they are the result of a long evolutionary process in which the collective interventions of different human factors coincide and are channeled towards a common purpose (such as in the Route to Santiago, the African trade caravan routes, or the Silk Route). In both cases, they are processes arising from the human will to achieve a specific objective.

Given the cultural richness and variety of both the interrelationships and the characteristic assets directly associated with the reason for the existence of Cultural Routes (such as monuments, archaeological remains, historic towns, vernacular architecture, intangible, industrial and technological heritage, public works, cultural and natural landscapes, transportation means and other examples of the application of specific knowledge and technical skills), their study and management requires a multidisciplinary approach that illustrates and reinvigorates scientific hypotheses and stimulates increased historic, cultural, technical and artistic knowledge.

Objectives of the Charter

 To establish the basic principles and methods of research specific to the category of Cultural Route as they relate to other previously established and studied categories of cultural heritage assets. biens (monuments, villes, paysages culturels, patrimoine industriel, etc.) qui peuvent exister dans son sein. Elle les relie au sein d'un système uni et les met en rapport dans une perspective scientifique qui apporte une vision plurielle, plus complète et juste de l'histoire. Elle favorise non seulement la compréhension et la communication entre les peuples, mais aussi la coopération pour la conservation du patrimoine.

Le concept d'Itinéraire Culturel nous découvre le contenu patrimonial d'un phénomène spécifique de mobilité et d'échanges humains qui s'est développé à travers les voies de communication qui ont facilité son expansion et qui ont été utilisées ou délibérément mises au service d'un but concret et déterminé. Il peut s'agir d'un chemin qui fut tracé expressément pour atteindre cette fin ou d'une voie qui a utilisé, entièrement ou en partie, des chemins déià existants et qui ont servi à des fins diverses. Mais au-delà de sa fonction comme voie de communication ou de transport, son existence et son sens en tant qu'Itinéraire Culturel proprement dit s'explique uniquement par son utilisation historique pour une telle fin concrète et déterminée et pour avoir favorisé la création des éléments patrimoniaux associés à celle-ci et qui, étant le résultat de sa propre et singulière dynamique, reflètent l'existence d'influences réciproques entre des groupes culturels divers pendant une longue période de l'histoire.

Donc, les Itinéraires Culturels ne sont pas des simples voies historiques de communication qui possèdent des éléments patrimoniaux ou qui servent comme liaison entre ceux-ci, mais des phénomènes historique singuliers qui ne peuvent pas être crées avec l'imagination ou la volonté d'établir ensembles de biens à travers d'une association d'éléments ayant des caractéristiques communes.

Parfois, les Itinéraires Culturels ont surgi comme un projet tracé a priori par la volonté humaine qui a compté sur un pouvoir suffisant pour atteindre un but déterminé (par exemple, le Chemin des Inca ou les Chaussées de l'Empire Romain). D'autres fois, ils sont le résultat d'un long processus évolutif dans lequel interviennent de façon collective différents facteurs humains qui coïncident et se dirigent vers un même but (cas du Chemin de Santiago, les routes caravanières commerciales d'Afrique ou la Route de la Soie). Dans les deux cas, il s'agit de processus surgis délibérément de la volonté humaine pour accomplir un but spécifique.

Etant donné la richesse et la variété que peuvent offrir les relations mutuelles ainsi que les différents éléments directement associés à la raison d'être des Itinéraires Culturels (comme les monuments, sites archéologiques, villes historiques, architecture vernaculaire, patrimoine intangible, industriel et technologique, travaux publics, paysages culturels et naturels, moyens de transport, savoir faire et application des techniques traditionnelles spécifiques, etc.), leur étude et traitement exigent une approche pluridisciplinaire capable d'illustrer et renouveler les hypothèses scientifiques et de permettre l'accroissement des connaissances historiques, culturelles, techniques, et artistiques.

Objectifs de la Charte :

 Etablir les fondements conceptuels et la méthodologie de la recherche propres de la catégorie "Itinéraire Culturel" par rapport aux autres catégories des biens antérieurement étudiées et reconnues.

- To propose the basic mechanisms for the development of knowledge about, evaluation, protection, preservation, management and conservation of Cultural Routes
- To define the basic guidelines, principles and criteria for correct use of Cultural Routes as resources for sustainable social and economic development, respecting their authenticity and integrity, appropriate preservation and historical significance.
- To establish the bases for national and international cooperation that will be essential for undertaking research, conservation and development projects related to Cultural Routes, as well as the financing required for these efforts.

Definition

Any route of communication, be it land, water, or some other type, which is physically delimited and is also characterized by having its own specific dynamic and historic functionality to serve a specific and well-determined purpose, which must fulfill the following conditions:

- It must arise from and reflect interactive movements of people as well as multi-dimensional, continuous, and reciprocal exchanges of goods, ideas, knowledge and values between peoples, countries, regions or continents over significant periods of time;
- b. It must have thereby promoted a cross-fertilization of the affected cultures in space and time, as reflected both in their tangible and intangible heritage:
- c) It must have integrated into a dynamic system the historic relations and cultural properties associated with its existence.

Defining elements of Cultural Routes: context, content, cross-cultural significance as a whole, dynamic character, and setting.

- Context: Cultural Routes occur in a natural and /or cultural context upon which they exert an influence and which they help to characterize and enrich with new dimensions as part of an interactive process.
- Content: A Cultural Route must necessarily be supported by tangible elements that bear witness to its cultural heritage and provide a physical confirmation of its existence. Any intangible elements serve to give sense and meaning to the various elements that make up the whole.
 - The indispensable physical element that determines the existence of a Cultural Route is the communication route itself as an instrument serving a project designed or arising through human activity to accomplish specific goals.
 - Other basic substantive elements are the tangible heritage assets related to its functionality as a historic route (staging posts, customs offices, places for storage, rest, and lodging, hospitals, markets, ports, defensive fortifications, bridges, means of communication and transport; industrial, mining or other establishments, as well as those linked to

- Présenter les mécanismes fondamentaux pour développer la connaissance, la mise en valeur, la protection, la conservation et la gestion des Itinéraires Culturels.
- Définir les orientations, les principes et les critères principaux pour une correcte utilisation des Itinéraires Culturels en tant que ressource d'un développement social et économique durable, en respectant leur authenticité et intégrité, leur conservation adéquate et leur sens historique.
- Consigner les bases de la coopération nationale et internationale indispensable à la réalisation des projets de recherche, sauvegarde, conservation et développement relatifs aux Itinéraires Culturels, ainsi que des orientations concernant l'établissement des mécanismes pour le financement de ces projets.

Définition

Un Itinéraire Culturel est une voie de communication terrestre, aquatique, mixte ou autre, déterminée matériellement, et possédant une dynamique et des fonctions historiques propres au service d'un but concret et déterminé. L'Itinéraire Culturel doit aussi réunir les conditions suivantes :

- a) apporter le témoignage de mouvements interactifs de personnes et d'échanges pluridimensionnels continus et réciproques des biens, des idées, des connaissances et des valeurs sur des périodes significatives entre peuples, pays, régions ou continents;
- avoir apporté une fécondation mutuelle, dans l'espace et dans le temps, des cultures impliquées, qui se manifeste tant dans son patrimoine tangible comme intangible.
- avoir intégré dans un système dynamique les liaisons historiques et les biens culturels associés à son existence.

Eléments définitoires : Contexte, contenu, valeur d'ensemble partagé, caractère dynamique et milieu des Itinéraires Culturels

- Contexte naturel: Les Itinéraires Culturels s'inscrivent dans un contexte naturel dans lequel ils ont une influence et qu'ils contribuent à caractériser et à enrichir de dimensions nouvelles, dans le cadre d'un processus interactif.
- Contenu: Ils doivent s'appuyer nécessairement sur des éléments patrimoniaux tangibles qui constituent les témoins et la confirmation physique de leur existence. Les éléments intangibles donnent à l'ensemble des éléments concrets, un sens et une signification.
 - L'élément physique indispensable qui détermine l'existence d'un Itinéraire Culturel est la voie de communication en soi comme instrument matériel au service d'un projet dessiné ou résultant de l'activité humaine pour accomplir un but spécifique.
 - 2. D'autres éléments substantifs sont les manifestations patrimoniales tangibles relatives à sa fonctionnalité en tant que route historique – tels que relais, douanes, entrepôts, auberges, points de ravitaillement, hôpitaux, marchés, ports, constructions défensives, ponts, moyens de communication et de transport, établissements industriels, miniers ou de toute autre nature,

manufacturing and trade, that reflect the technical, scientific and social applications and advances in its various eras; urban centers, cultural landscapes, sacred sites, places of worship and devotion, etc.) as well as intangible heritage elements that bear witness to the process of exchange and dialogue between the peoples involved along its path.

- Cross-cultural significance as a whole: The concept of Cultural Route implies a value as a whole which is greater than the sum of its parts and gives the Route its meaning.
 - The cultural route constitutes a cultural asset enriched by the different cultures it has fertilized and which transcends them in overall value by offering a substantial number of shared characteristics and value systems.
 - Within its overall identity, the value of its parts resides in their common, shared, multi-faceted significance.
 - Its wider scale permits a cultural linking of peoples, countries, regions, and continents.
 - 4. This breadth of scale is important from the point of view of both the territory included and of the comprehensive management of the various heritage elements included in it. At the same time the cultural diversity it implies provides an alternative to a process of cultural homogenization.
- 4. Dynamic character: In addition to presenting physical evidences of its historic path, along with cultural heritage elements, Cultural Routes include a dynamic factor that acts as a conductor or channel through which the reciprocal cultural influences have flowed.
 - The dynamic of a Cultural Route does not obey natural laws or casual phenomena, but rather exclusively human processes and interests, and is therefore understandable only as a cultural phenomenon.
 - This vital fluid of culture is manifested not only in material or tangible aspects, but also in the spirit and traditions making up the intangible heritage of Cultural Routes.
 - By understanding a Cultural Route as a set of dynamic elements of cultural communication between peoples, its cultural heritage assets can be appreciated in their true spatial and historical dimensions, which allows for a comprehensive and sustainable approach to the conservation of the Route as a whole.
- Setting: The Cultural Route is closely linked to its setting and forms an inseparable part of it.
 - The geographical setting has helped to shape the Cultural Route, either determining its path or

comme ceux liés à la production et au commerce, reflétant les applications et les avancées techniques, scientifiques et sociales de leurs différentes époques, centres urbains, paysages culturels, des lieux de dévotion, lieux cultuels et sacrés, etc. – ainsi que des éléments culturels intangibles qui témoignent du processus de communication et dialogue entre les peuples résidant au long de leurs parcours.

- Valeur d'ensemble partagé: Le concept Itinéraire Culturel se réfère à un ensemble d'une valeur supérieure à la somme des éléments qui le constituent et qui lui donne son sens.
 - Un Itinéraire Culturel constitue un bien culturel enrichi par diverses cultures auxquelles s'ajoute une valeur d'ensemble présentant une série substantielle de caractéristiques et d'échelles de valeur partagées.
 - Au sein de son identité globale, la valeur de ses contenus réside en son intérêt commun, plural et participatif.
 - Sa transcendance d'échelle permet un lien culturel entre les peuples, les pays, les régions et les continents.
 - 4. Cette ampleur est importante du point de vue territorial et du traitement intégral des divers éléments patrimoniaux qui le composent mais, à son tour, la diversité des cultures qu'il représente constitue une alternative aux processus d'homogénéisation culturelle.
- 4. Caractère dynamique: En plus de s'affirmer à travers d'un tracé historique de caractère physique et d'éléments patrimoniaux , les Itinéraires Culturels impliquent un facteur de dynamisme qui agit comme un fil conducteur ou un cours à travers duquel ont agi les influences culturelles réciproques.
 - La dynamique de la route ne répond pas aux lois naturelles ou à des phénomènes fortuits, sinon au processus et aux intérêts proprement humains, par conséquent compréhensibles seulement en tant que phénomènes culturels.
 - Près des biens patrimoniaux de caractère matériel ou tangible, ce flux vital de la culture se manifeste dans l'esprit et les traditions qui constituent le patrimoine intangible des Itinéraires Culturels.
 - 3. A travers les Itinéraires Culturels entendus en tant qu'éléments dynamiques de la communication culturelle entre les peuples, le patrimoine peut être considéré dans son authentique dimension spatiale et historique, ce qui contribue à la conservation intégrale et durable de l'ensemble.
- Milieu : L'Itinéraire Culturel est étroitement lié à son milieu, dont il fait inséparablement partie.
 - Le milieu géographique a contribué à l'élaboration du tracé de l'Itinéraire Culturel en le conditionnant

influencing its development over time.

- 2. The territorial setting, whether natural or cultural (urban or rural), provides the framework of the Cultural Route, gives it its particular atmosphere, characterized by elements and values of both physical and intangible nature, and is fundamental for the comprehension, conservation and enjoyment of the route.
- 3. A Cultural Route connects and interrelates geography and very diverse heritage properties, forming a unified whole. Cultural Routes and their setting are related to their different landscapes, natural or cultural, which are but just one of their components and have their own distinctive characteristics and identity depending on the different areas and regions they pass through in their course. The different landscapes contribute to characterize the diverse sections of the Route as a whole, enriching it with their diversity.
- 4. The relationship with nature is especially sensitive in some sections, in others it is the relationship with the urban or rural environment, and in the areas with monuments that are isolated from other buildings (such as chapels, monasteries, fountains, bridges, boundary crosses, etc.), it is the relationship of these monuments with their landscape setting which shapes the nature of that section of the Cultural Route.
- 5. The protection and conservation of the Cultural Routes requires a profound knowledge of the historic, natural and cultural characteristics of their surroundings. Any interventions that may be necessary must fit in with this context and respect its defining features by facilitating their understanding and not distorting the traditional landscape, whether it is natural, cultural or combined.
- 6. A delineation of the setting must be provided for the Cultural Route, clearly marking the boundaries of a well-defined, regulated buffer zone, which should allow the material and immaterial cultural values included in it to be preserved in their full authenticity and integrity. Such protection must include the values of the different landscapes forming part of the Cultural Route and providing its characteristic atmosphere.

Specific indicators

As basic differentiating indicators applicable to the category of Cultural Route, the following should be considered: the structure of the route and its physical substratum as well as historical data about its use to accomplish a specific goal; any physical structures associated with the concrete purpose and functionality of the Cultural Route; communication elements, and the existence of cultural manifestations of shared origin along (or at given points of) the route such as practices, traditions, customs, and common uses of a religious, ritual, linguistic, festival, culinary, or similar nature; reciprocal influences in music,

et en l'influençant au cours des âges.

- Le milieu territorial, qu'il soit naturel ou culturel (urbain ou rural), encadre l'itinéraire Culturel, lui fournit une ambiance particulière, caractérisée par des éléments et des valeurs de nature physique et immatérielle, et est fondamental pour sa compréhension, sa conservation et sa jouissance.
- 3. Un Itinéraire Culturel connecte et relie la géographie et des biens patrimoniaux très divers, pour former un tout unitaire. Les Itinéraires Culturels et leur milieu incluent plusieurs paysages naturels ou culturels qui ne sont que l'une des nombreuses composantes de l'Itinéraire et ne doivent pas être confondus avec lui. Les différents paysages, qui présentent des caractéristiques spécifiques et distinctives selon les différentes zones, régions et contrées, contribuent à caractériser les différents tronçons de l'ensemble de l'Itinéraire pour l'enrichir par leur diversité.
- 4. La relation avec la nature est tout particulièrement sensible sur certains tronçons; sur d'autres, c'est l'ambiance urbaine ou rurale du milieu qui prédomine; et dans les zones possédant des monuments à l'écart d'autres constructions (comme des ermitages, monastères, fontaines, ponts, symboles commémoratifs, etc.), c'est la relation entre ceux-ci et le milieu paysager qui forme le caractère de ce tronçon de l'Itinéraire Culturel.
- 5. La protection et la conservation des Itinéraires Culturels exigent une connaissance approfondie des caractéristiques historiques, naturelles et culturelles de leur milieu. Les interventions à réaliser doivent s'inscrire dans ce contexte en respectant leurs caractères définitoires et faciliter leur lecture sans déformer le paysage traditionnel, qu'il soit naturel, culturel ou mixte.
- 6. Il convient de procéder à la délimitation du milieu de l'Itinéraire Culturel, en marquant clairement les limites d'une zone tampon, bien définie et réglementée, qui permette de préserver, dans leur authenticité et intégrité, les valeurs culturelles, matérielles et immatérielles qu'elle contient. Cette protection doit inclure les valeurs des différents paysages qui font partie de l'Itinéraire Culturel et qui lui confèrent une ambiance caractéristique.

Indicateurs spécifiques

Quant aux indicateurs fondamentaux et différenciés applicables à la catégorie d'Itinéraire Culturel, on doit considérer la structure du réseau routier et son substrat matériel ainsi que les renseignements historiques de son usage au service de l'Itinéraire, l'existence de manifestations culturelles d'origine partagée au cours (ou en certains points) de la voie et les constructions associées à son utilisation pour accomplir un but spécifique, les pratiques, traditions, les us et coutumes partagés de caractère religieux, rituel, linguistique, de festivité, culinaire, etc., l'influence réciproque dans des domaines comme la musique, la littérature,

literature, architecture, fine arts, handicrafts, scientific advances, technical and technological skills, and other material and immaterial cultural assets whose full understanding derives from the historic function of the Cultural Route.

l'architecture, les arts plastiques, l'artisanat, la science, la technique, la technologie, et d'autres biens matériels et immatériels dont la pleine compréhension ait une relation avec la fonction historique de l'Itinéraire.

Types of Cultural Routes

Cultural routes can be classified as follows:

- According to their territorial scope: local, national, regional, continental, or intercontinental.
- According to their cultural scope: within a given cultural region or extended across different geographical areas that have shared or continue to share a process of reciprocal influences in the formation or evolution of cultural values.
- According to their goal or function: social, economic, political, or cultural. These characteristics can be found shared across a multi-dimensional context.
- According to their duration in time: those that are no longer used versus those that continue to develop under the influence of socio-economic, political, and cultural exchanges.
- According to their structural configuration: linear, circular, cruciform, radial or network.
- According to their natural environment: land, aquatic, mixed, or other physical setting.

Identification, Integrity and Authenticity

Prima facie indicators

For identification and assessment purposes, the following aspects may initially be considered as *prima facie*, non-conclusive evidence of the existence of a Cultural Route:

- Expressions of dynamic social, economic, political, and cultural processes which have generated exchanges between different cultural groups of related areas:
- Distinguishing characteristics that are shared by different geographical and cultural areas connected by historical bonds;
- Evidences of mobility and of relationships forged between peoples or ethnic groups of different cultures;
- Specific cultural features rooted in the traditional life of different communities;
- Heritage elements and cultural practices—such as ceremonies, festivals and religious celebrations representative of shared values for different communities within (a) specific cultural and historic area(s)—related to the significance and functionality of the Route.

• Identification process

The process for identifying a Cultural Route will necessarily take into account its specific functionality to serve a concrete and well-determined purpose, the tangible and intangible values of its heritage dynamically generated as a results of reciprocal cultural influences, its structural configuration, its whole geographic and historic context, its natural and cultural setting, whether the latter is urban or rural, and its

Classification des Itinéraires Culturels

Les Itinéraires Culturels peuvent être classés de la façon suivante:

- En tenant compte de leur dimension territoriale: local, national, régional, continental ou intercontinental.
- En accord avec leur dimension culturelle: dans une région culturelle déterminée ou au cours de diverses zones géographiques qui ont partagé ou qui continuent à partager un processus d'influences réciproques dans la formation ou l'évolution de leurs valeurs culturelles.
- Par leur objectif ou fonction: social, économique, politique ou culturel. Ces caractéristiques peuvent avoir une nature partagée dans un contexte multidimensionnel.
- Pour leur durée temporelle: ceux qui ne s'utilisent plus, ou ceux qui continuent à se développer sous les influences des échanges socio-économiques, politiques et culturels
- Quant à leur configuration structurale : linéaire, circulaire, cruciforme, radiale, ou celle d'un réseau routier.
- Quant à leur cadre naturel: terrestre, aquatique, mixte ou d'une autre nature physique.

Identification, Authenticité et Intégrité.

• Orientations préliminaires

En vue de l'identification et la valorisation d'un Itinéraire Culturel, les indications suivantes seront retenues comme des orientations préliminaires, bien que non concluantes :

- Expressions de processus dynamiques sociaux, économiques, politiques et culturels qui aient favorisé l'existence d'échanges entre des groupes culturels divers ayant des liens entre eux;
- Caractéristiques distinctives et partagées en différentes zones géographiques et culturelles ayant des relations historiques;
- Manifestations de mobilité et relations entre peuples ou groupes ethniques de différentes cultures;
- Traits culturels spécifiques intégrés dans la vie traditionnelle de différentes communautés;
- Biens culturels et pratiques culturelles telles que des cérémonies, festivals et célébrations religieuses représentatives de valeurs partagées entre différentes communautés dans une ou diverses régions culturelles et historiques - en rapport avec le sens et la fonction du propre Itinéraire.

Identification

Dans le processus d'identification d'un Itinéraire Culturel, il sera nécessaire de prendre en compte sa fonctionnalité au service d'un but concret et déterminé, les valeurs patrimoniales tangibles et intangibles générées par sa dynamique en tant que résultat des influences culturelles réciproques, sa configuration structurelle, son contexte géographique et historique, son milieu naturel et culturel, qu'il soit urbain ou rural, et ses valeurs

corresponding characteristic environmental values, its relationships to the landscape, its duration in time, and its symbolic and spiritual dimension, all of which will contribute to its identification and to the understanding of its significance.

The intangible assets of a Cultural Route are fundamental for understanding its significance and its associative heritage values. Therefore, material aspects must always be studied in connection with other values of an intangible nature.

For the purpose of its comparative evaluation, the temporal duration and historic significance of the different sections of the Route in relation to the whole should also be taken into account.

In the case of a living Cultural Route, the relationships and dynamic functions associated with the specific and well-determined purpose that gave rise to its existence and serves to define and identify the route should be maintained, even if the historic processes have undergone change over time and new elements have been incorporated. These new elements should be evaluated within the framework of their functional relationship to the Cultural Route, and the case may occur where properties that have heritage values in themselves cannot be considered as components of the Cultural Route because they do not form part of it.

Authenticity

Every Cultural Route should fulfill authenticity criteria demonstrably and credibly expressing its value in terms of both its natural and cultural environment, and concerning both its defining elements and its distinctive features of a material and immaterial nature:

- These criteria should be applied to each section under study to assess its significance in relation to the overall meaning of the Route throughout its historical development, and to verify the authenticity of its structural layout through the vestiges of its path.
- Authenticity should also be evident in the natural and cultural context of each stretch of the Route subject to analysis and assessment, as well as in the other tangible and intangible heritage elements included within its historic functionality and its setting.
- Even if in certain sections the material traces of a Cultural Route are not clearly preserved, its existence in these areas could be shown through historiography, intangible elements and immaterial sources of information that prove their real meaning as integral components of that Route and evidence its authenticity.
- The techniques and methodologies used for the protection, conservation and management of the Cultural Routes, whether traditional or newly implemented, must respect the authenticity criteria.

Integrity

The verification of the integrity of a Cultural Route must necessarily be based on a sufficiently representative set of both tangible and intangible evidences and elements that witness to its global significance and values as a whole and ensure the complete representation of the environnementales caractéristiques, ses relations avec le paysage, sa durée temporelle, et sa dimension symbolique et spirituelle, ce qui contribuera à identifier et expliquer sa signification.

Les aspects intangibles des Itinéraires Culturels sont fondamentaux pour comprendre leur signification et leurs valeurs patrimoniales associatives. De ce fait, les aspects matériels doivent être considérés comme étant toujours en relation avec d'autres valeurs de nature intangible.

Du point de vue comparatif, on devra tenir compte également de la durée dans le temps et de l'importance historique que comprennent ses différents tronçons par rapport à l'ensemble de l'Itinéraire.

Dans le cas d'un Itinéraire Culturel vivant, les relations et les fonctions dynamiques au service de l'objectif concret et déterminé ayant donné lieu à son existence et servant à le caractériser et à l'identifier doivent avoir persisté au cours du temps et être toujours évidentes aujourd'hui, même dans le cas où les processus lui ayant donné lieu ont subit une évolution par l'incorporation de nouvelles composantes. Ces nouvelles composantes devront être évaluées dans le cadre de leur relation fonctionnelle avec l'Itinéraire Culturel, et il est possible que des biens possédant une valeur patrimoniale en soi ne puissent pas être considérés comme des composantes de l'Itinéraire Culturel parce qu'ils n'en font pas partie.

Authenticité

Tout Itinéraire Culturel doit répondre aux critères d'authenticité, qui expriment sa valeur de façon véridique et crédible, dans son milieu naturel et bâti, et tant en ce qui concerne ses éléments définitoires que ses composantes distinctives d'ordre matériel et immatériel :

- Ces critères doivent être appliqués à démontrer la signification acquise par chaque tronçon en étude par rapport au sens global de l'Itinéraire au cours de son développement historique, ainsi qu'à vérifier l'authenticité de sa configuration structurale à travers des vestiges matériels de son tracée.
- L'authenticité doit aussi être évidente dans le contexte naturel et culturel de chaque tronçon de l'Itinéraire faisant l'objet d'analyse et d'évaluation et dans les autres éléments patrimoniaux tangibles et intangibles insérés dans le cadre de la fonctionnalité historique de l'ensemble et leur milieu.
- Même si quelques tronçons matériels de l'Itinéraire Culturel ne semblent pas clairement conservés, son existence dans ces zones peut être évidente à travers la documentation historiographique, les sources et les éléments immatériels conservés s'ils servent à démontrer la signification de ces tronçons dans le sens global de l'Itinéraire et leur authenticité.
- Les techniques et les méthodes employées pour la protection, la conservation et la gestion des Itinéraires Culturels, qu'ils soient traditionnels ou d'implantation nouvelle, doivent respecter les critères d'authenticité.

• Intégrité

La constatation de l'intégrité d'un Itinéraire Culturel doit être fondée nécessairement sur un ensemble d'évidences et d'éléments tangibles et intangibles qui représentent un témoignage suffisant et représentatif du features and importance of the historic processes which generated the Cultural Route.

Evidences of the historic relationships and dynamic functions essential to the distinctive character of the Cultural Route should be maintained. In addition, regard must be had for whether its physical fabric and/or its significant features are in good condition and the impact of deterioration processes controlled, and whether or not the Route reflects any possible side effects of development, abandonment or neglect.

Methodology

The concept of Cultural Route requires a specific methodology for its research, assessment, protection, preservation, conservation, use and management. Given its breadth and its value as a whole, as well as its territorial dimensions, this methodology requires the establishment of a system of coordinated and integrally managed activities.

It is essential to start with the identification both of the Route as a whole and of its individual sections, along with an inventory of the assets that comprise it and an analysis of their state of conservation which will facilitate the elaboration of a strategic plan for its preservation. This plan should necessarily include measures for raising awareness of the Route and creating interest in it among public and private entities. It also requires the formulation of coordinated measures and specific legal instruments for the protection, use and management of all of its elements as substantive parts of the value and significance of the Route as a whole.

1. Research

The study of cultural routes may extend across different geographical areas, possibly widely separated from each other. It is therefore advisable to set up several research teams located at the main characteristic points of the Route under study.

The research methodology, along with the adoption of practices and the attachment of indicators for proper identification and assessment of the heritage values in the different sections of a Cultural Route, should never lose sight of the meaning of the Route as a whole, in order to avoid any loss in the meaning or historic significance of the route.

Research teams working on this cultural heritage category should be of a multidisciplinary and cooperative nature. Common working criteria should be established based on the principle of starting with an investigation of the parts, but without losing sight of the project as a whole. Similarly, common methodological instruments—standardized in advance—should be used for the collection of data. The project plan should include coordinating mechanisms that will facilitate communication and cooperation among the researchers in order to make it possible to transmit data about the work and achievements of each team.

sens global de l'Itinéraire, permettant une représentation complète des caractéristiques et de l'importance des processus historiques l'ayant généré, et transmettant la totalité des valeurs que représente l'Itinéraire.

Il est également nécessaire d'observer si le témoignage des relations et des fonctions dynamiques essentielles à son caractère distinctif est maintenu, si son tissu physique et / ou ses caractéristiques significatives sont conservées en bon état, et si l'impact des processus de détérioration est contrôlé ou si l'Itinéraire souffre les éventuels effets négatifs du développement, de l'abandon et de la négligence.

Méthodologie

Le nouveau concept d'Itinéraires Culturels exige une nouvelle méthodologie de leur recherche, valorisation, préservation, conservation, usage et gestion. Etant donné leur nature d'envergure et leur valeur d'ensemble, ainsi que leurs dimensions territoriales, la méthodologie présuppose un système d'activités liées entre elles et gérées dans leur intégrité.

Il est fondamental commencer par l'identification globale de l'Itinéraire et ses différents tronçons et par la confection d'un inventaire des biens qu'il comprenne accompagné d'un rapport préliminaire sur leur état de conservation et protection qui puisse servir à l'élaboration ultérieure d'un diagnostique et à établir un plan stratégique de sauvegarde et conservation. Ce plan doit inclure nécessairement des mesures adressées à promouvoir la connaissance de l'Itinéraire et la sensibilisation sociale et des institutions publiques. Il doit exister aussi des mécanismes qui garantissent la coordination des actions et des instruments légaux spécifiques pour la protection, le bon usage et la gestion de tous les éléments comme parts substantives de la valeur et le sens global de l'Itinéraire.

1. Recherche

L'étude des Itinéraires Culturels peut comprendre des divers points géographiques, même s'ils sont très séparés entre eux. Pour cela, l'organisation de plusieurs équipes de recherche est nécessaire dans les principaux endroits caractérisant la route.

La méthodologie de la recherche, ainsi que le développement des mesures et la définition d'indicateurs pour l'identification et l'estimation des valeurs d'un Itinéraire Culturel dans leurs différents tronçons, ne devra pas perdre de vue son valeur d'ensemble, évitant ainsi de perdre le sens et la signification historique de l'Itinéraire.

Les équipes de recherche qui travaillent sur cette catégorie patrimoniale doivent être de nature multidisciplinaire et participative. On doit fixer des règles communes de travail, sous le principe de mettre en marche les différentes parties de la recherche sans perdre de vue la totalité du projet. De même, on devra utiliser des instruments méthodologiques en commun, normalisés au préalable, pour le recueil des renseignements. Il doit exister des mécanismes de coordination qui facilitent la communication et la coopération des différents chercheurs afin de rendre possible la transmission de renseignements sur la marche des travaux de chaque équipe.

Researchers should keep in mind that the presence of various types of cultural heritage properties along the path of a Cultural Route does not, in and of itself, imply that they are necessarily integral components of that route or are appropriate objects of study in relation to it. The only elements that should be highlighted in the scientific investigation of a Cultural Route are those related to the specific goal of the Route and any influences arising from its functional dynamic.

Funding

Given the scope of the tasks involved in identifying and highlighting the value of a vast Cultural Route, funding should be obtained in stages that will allow for balanced, coordinated progress in the research projects as well as the preservation, use, and management projects related to its various sections. It is advisable to establish a joint estimation of the values to be preserved so as to allow the setting of a scale of priorities for action and the implementation of the corresponding strategies. This requires that funding be obtained through bilateral or multilateral cooperation agreements, as well as through the creation of bodies specifically devoted to researching and highlighting the value of the Route. Along the same lines, regional bodies whose jurisdictions coincide totally or partially with the historic path of a Cultural Route should determine how they can best gain the interest of the States involved and obtain their cooperation. It is also important to attract, if possible, the cooperation of philanthropic institutions and private donors.

3. <u>Protection – Assessment – Preservation</u> <u>Conservation</u>

Cultural Routes and their setting require new instruments for their assessment, protection, conservation and evaluation. It is not sufficient to guarantee protection of their heritage elements on a partial or random basis. The preparation of rigorous inventories of these elements, as well as an assessment of their authenticity and integrity should take place in order to identify impacts on the values of the Cultural Route and therefore impacts on its significance. It is also necessary to control the impact of deterioration processes, and to develop a strategy to prevent the adverse effects of development and neglect. All of this requires the establishment of a system of coordinated legal measures and appropriate instruments that guarantee that the Route will be preserved and its value and significance highlighted in a holistic fashion. Understanding heritage values is fundamental prior to any intervention on Cultural Routes that may impact/change their significance.

4. <u>Sustainable Use – Relationship to Tourist Activities</u>

With regard to its use, a Cultural Route can be used to promote an activity of social and economic interest of extraordinary importance for stable development.

Les chercheurs doivent être conscients que le fait qu'il existe une diversité de classes de biens patrimoniaux sur le tracé d'un Itinéraire Culturel ne veut pas dire que ceux-ci, en soi, fassent partie intégrante de ce dernier et doivent faire l'objet spécifique de leur recherche. Les seuls éléments que l'on doit détacher dans la recherche scientifique concernant un Itinéraire Culturel sont ceux qui sont liés à sa finalité spécifique et les influences surgies de sa dynamique fonctionnelle historique.

Financement

Etant donné l'ampleur des travaux nécessaires pour la correcte identification et la mise en valeur des Itinéraires Culturels d'une vaste extension. leur financement doit se faire par étapes, ce qui permettrait d'obtenir un niveau similaire dans la progression des recherches sur leurs différents tronçons ainsi que dans les projets relatifs à leur conservation, utilisation et gestion. Il est conseillé d'établir une base estimative conjointe des valeurs à conserver permettant d'élaborer une échelle de priorités d'action et de mettre en œuvre les stratégies correspondantes. Cela exige d'établir des mécanismes de financement à travers d'accords de coopération bilatérale ou multilatérale, ainsi que la création d'organismes spécifiquement consacrés à leur recherche et mise en valeur. Les organismes d'intégration régionale dont les juridictions coïncident totalement ou partiellement avec le tracé historique d'un Itinéraire Culturel devraient étudier aussi la façon de provoquer l'intérêt des Etats impliqués afin d'obtenir leur collaboration. On doit chercher aussi la coopération des institutions philanthropiques et des personnes qui puissent contribuer à ce but.

3. <u>Valorisation – protection – conservation</u>

L'Itinéraire Culturel exige de nouveaux instruments de valorisation, de protection et de préservation. Il ne suffit pas d'assurer seulement une protection de ses composantes patrimoniales de façon partielle ou aléatoire. Encore faut-il réaliser des inventaires rigoureux de ces éléments, ainsi que constater leur authenticité et intégrité, afin de pouvoir identifier d'éventuels impacts négatifs sur les valeurs de l'Itinéraire Culturel qui constitueraient également un impact sur sa signification. Il est également nécessaire de contrôler les processus de détérioration et de développer une stratégie contre les effets adverses du développement et de la négligence. Tout ceci exige l'établissement d'un système coordonné de mesures légales et d'instruments adéquats qui garantissent la conservation et valorisation de sa structure intégrale et de son système de valeurs authentiques dans leur ensemble. Il est fondamental de comprendre les valeurs patrimoniales avant de réaliser des interventions susceptibles de produire des impacts négatifs sur les Itinéraires Culturels ou de changer leur signification.

4. <u>Usage durable – relation avec l'activité touristique</u>

Au cours de son utilisation, l'Itinéraire Culturel peut promouvoir une activité d'intérêt social et économique d'une importance exceptionnelle pour le développement stable.

Special care should be taken to avoid confusion between the concepts of tourist routes—even including those of cultural interest-and Cultural Routes. However, it should also be recognized that a Cultural Route is a reality that can have great importance for territorial cohesion and sustainable development. From this point of view, efforts should be made to promote knowledge about Cultural Routes, along with their appropriate and sustainable use for tourism purposes, always with the adoption of appropriate measures aimed at eliminating risks. For this purpose, protection and promotion of a Cultural Route should harmoniously integrate a supplementary infrastructure - for tourist activities, access routes, information, interpretation and presentation - with the essential condition that it does not jeopardize the meaning, authenticity and integrity of the historic values of the Cultural Route as key elements to be conveyed to visitors.

Tourist visits should be managed on a rational basis in accordance with prior environmental impact studies and with plans for public use and community participation, as well as control and monitoring measures intended to prevent the negative impacts of tourism.

The development of a Cultural Route for tourism purposes should guarantee in any case that priority is given to the participation of the local community and to local and regional tourist companies. Every effort should be made to prevent the creation of monopolies by large international companies or by powerful companies based in the more developed countries through which the historic path of the Cultural Route passes.

Given the fact that a Cultural Route is an instrument for cooperation and understanding which provides a holistic reading of the encounter of cultures and civilization that form that Route, we should also keep in mind that independently of the relative importance of each one of its parts, the promotion of positive developments in each one, leads to increased interest on the Route and benefits for the other parts.

5. Management

"Understanding of Cultural Routes Significance" becomes the basic / fundamental principle associated to management of cultural routes. This implies ensuring that all activities related to their research, assessment and social dissemination of knowledge about them are carried out in a coordinated and harmonious manner. This also requires a cross coordination that guarantees the combination of policies relating to protection, preservation, conservation, territorial organization, sustainable development, use and tourism. Therefore, joint projects need to be prepared that ensure sustainable development on a national (at the provincial, regional, local level, etc.) and international scale, as well as the establishment of management tools designed to protect the Route against natural disasters and all kinds of risks which could impact on the integrity and authenticity of the Cultural Route and therefore on its significance.

On doit apporter une attention spéciale pour éviter la confusion conceptuelle entre routes touristiques, même celles d'intérêt culturel, et les Itinéraires Culturels. Cependant, il faut reconnaître aussi que l'Itinéraire Culturel est une réalité qui peut avoir une très grande importance pour la cohésion territoriale et pour le développement durable. De ce point de vue, on doit encourager la connaissance, ainsi que le bon et durable usage des Itinéraires Culturels, en adoptant des mesures relatives à l'élimination des risques et la bonne préparation de la visite touristique. A cette fin, la protection et la promotion de l'Itinéraire Culturel doivent intégrer de façon harmonieuse une infrastructure supplémentaire - touristique, routière, d'information, d'interprétation et de présentation - à la condition essentielle de ne pas porter atteinte à l'authenticité, l'intégrité, et le sens des valeurs historiques et culturelles de l'Itinéraire, comme les éléments essentiels à transmettre aux visiteurs.

La visite touristique devra être administrée rationnellement en accord avec des études préalables d'impact environnemental, et d'une réglementation d'usage public et de participation sociale, ainsi qu'avec des mesures de contrôle et de suivi destinées à éviter les impacts négatifs du tourisme.

La promotion touristique d'un Itinéraire Culturel devra assurer en tout cas la participation prioritaire de la population locale et des compagnies touristiques locales et régionales. On doit éviter que son exploitation touristique soit gérée exclusivement par des grandes entreprises multinationales ou des pays développés concernés par le tracé historique de l'Itinéraire.

En tenant compte qu'un Itinéraire Culturel est un instrument de coopération et compréhension qui nous apporte une vision assez complète sur la rencontre des cultures et des civilisations qui sont représentées dans son sein, on doit considérer que, au-delà de l'importance relative des éléments qui forment l'ensemble, la promotion de projets positives de développement dans quelqu'une de ses parts contribue à augmenter l'intérêt envers l'Itinéraire et produit un effet multipliant sur le reste.

5. <u>Gestion</u>

« Comprendre la signification des Itinéraires Culturels » est le principe fondamental sur lequel doit reposer leur aestion. Ce qui implique d'assurer le développement harmonieux de toutes les activités évoquées pour sa recherche et sa valorisation, ainsi que de celles relatives à la diffusion publique de sa connaissance. La gestion des Itinéraires Culturels exige également une coordination transversale afin de garantir l'intégrité des politiques dans le domaine de la protection, la préservation, l'usage et la conservation, l'aménagement du territoire et du tourisme. Il est donc nécessaire d'élaborer des projets concertés et visant le développement durable sur le plan national - dans le cadre local, départemental, provincial, etc. - ou international, ainsi que des plans spécifiques de gestion, adaptés à la protection contre les désastres naturels et tous les risques susceptibles de causer des impacts négatifs sur l'authenticité et l'intégrité des valeurs de l'Itinéraire Culturel et donc sur sa signification.

6. Public participation

The protection, conservation/preservation, promotion and management of a Cultural Route calls for the stimulation of public awareness, and the participation of the inhabitants of the areas which share the Route.

International cooperation

There are notable examples of Cultural Routes whose historic paths involve various countries. For this reason, international cooperation is essential for research, assessment, and preservation of the assets that make up international Cultural Routes.

When Cultural Routes exist which involve countries with different degrees of development, it is recommended that the more developed countries provide the means for economic, technical, and logistic cooperation as well as assistance in the exchange of information, experience, and researchers.

It is highly desirable that UNESCO and other international organizations should establish mechanisms of cooperation (financial, technical, and logistic) to help foster and implement projects related to Cultural Routes that are of interest to more than one country.

Cultural Routes should be seen as symbols of union between peoples. The historic ties developed along Cultural Routes can serve to promote projects based on renewed cooperation between peoples who shared certain values and knowledge in the past.

6. Participation publique

La protection, la préservation, la conservation, la promotion et la gestion des Itinéraires Culturels exigent la sensibilisation et la participation des habitants des zones comprises dans l'Itinéraire

Coopération internationale

Il existe dans le monde des exemples d'Itinéraires qui, sur leur parcours historique, impliquent de nombreux pays. Pour cette raison, la coopération internationale est fondamentale dans la recherche, valorisation et conservation des biens qui forment les Itinéraires Culturels internationaux.

Quand il existe des Itinéraires Culturels qui concernent des pays ayant divers degrés de développement, il est recommandable que les plus développés apportent des moyens de coopération économique, technique et logistique et aident à l'échange d'information, d'expériences et de professionnels.

Il serait souhaitable que l'UNESCO et autres organismes internationaux établissent des mécanismes de coopération (financiers, techniques et logistiques) pour favoriser la mise en marche et le développement postérieur de projets relatifs aux Itinéraires Culturels d'intérêt pour plus d'un pays.

Les Itinéraires Culturels doivent être vus comme des symboles d'union entre les peuples. Les liens historiques matérialisés à travers des Itinéraires Culturels peuvent servir à promouvoir des projets de coopération qui aient comme fondement la rencontre des peuples qui partagèrent des valeurs déterminées et des connaissances dans leur passé.

文化遗产阐释与展示宪章

国际古迹遗址理事会(ICOMOS)
ICOMOS 阐释与展示科学委员会协助编撰
2008 年 10 月 4 日国际古迹遗址理事会第 16 届大会(加拿大魁北克)通过

序言

作为致力于文化遗产地的研究、记录和保护的国际遗产专家组织,国际古迹遗址理事会(以下简称 ICOMOS)自 1965 年成立以来努力在其所有工作中发扬遗产保护的职业道德,促进公众对人类物质文化遗产的所有形式和多样性的理解。

正如《威尼斯宪章》(1964)中提到的,"有必要在国际范围内协商和制定指导古建筑保护和修复的原则,并由各个国家负责在本国文化和传统的框架内实施。"此后的 ICOMOS 宪章继承了这一使命,针对具体保护问题建立了专业指导准则,并鼓励在世界各地有效地宣传遗产保护的重要性。

这些 ICOMOS 宪章强调公众交流(也称"传播"、"推广"、"展示"和"阐释")的重要性 在于它是更大规模的保护程序的必要组成部分。这些宪章也间接地说明,各种遗产保护行为(在 世界所有文化传统中),本质上都是交流行为。

在众多保存下来的物质遗存和昔日社会与文明的无形价值的广阔范围中,选择保护什么、如何保护以及如何向公众展示,这些都是遗产阐释的要素。这些要素体现了各代人对什么是有意义的、什么是重要的,以及为什么要将过去的物质遗存传承于后世等方面的不同见解。

因此,为遗产"阐释与展示"制定明确的理论依据、标准术语和广泛认可的专业准则的必要性显而易见。近年来,许多文化遗产地阐释工作的巨大发展,高精尖阐释技术的引进,以及宣传和经营文化遗产地而引入的新经济策略,都带来了新的复杂性,并对世界范围内文化遗产保护与公众理解这两个目标提出了以下核心问题:

- ——关于文化遗产地阐释与展示的公认的、可接受的目标是什么?
- ——哪些原则有助于确定什么样的技术方式和方法适用于特定的文化和遗产背景?
- ——哪些道德和专业考虑有助于根据各种特定的形式和技术进行"阐释与展示"?

因此,本宪章的目的是定义"阐释与展示"的基本原则。这些基本原则是遗产保护工作的必要组成部分,也是增进公众对文化遗产地理解的一个方法。4

定义

就本宪章而言,

⁴ 虽然本宪章的原则和目标同样适用于场外阐释,但主要用于遗产地或其周边地区的阐释与展示

<u>阐释</u>:指一切可能的、旨在提高公众意识、增进公众对文化遗产地理解的活动。这些可包含印刷品和电子出版物、公共讲座、现场及场外设施、教育项目、社区活动,以及对阐释过程本身的持续研究、培训和评估。

展示:尤其指在文化遗产地通过对阐释信息的安排、直接的接触,以及展示设施等有计划地传播阐释内容。可通过各种技术手段传达信息,包括(但不限于)信息板、博物馆展览、精心设计的游览路线、讲座和参观讲解、多媒体应用和网站等。

展示设施:指专门用于阐释与展示,包括通过创新技术和现有技术进行的支持阐释的、在文化遗产地或与之相连的区域内的实物装置、设施和空间。

<u>遗产地讲解员</u>:指文化遗产地长期或临时的职员或志愿者,负责向大众讲解遗产地的价值和 重要性。

<u>文化遗产地</u>:指被公认为具有重要历史和文化意义而通常受到法律保护的遗迹、区域、自然景观、居民区、建筑群、考古遗址或建筑结构。

目标

在认识到阐释与展示是文化遗产保护和管理整个过程的组成部分的情况下,本宪章尝试建立 七项主要原则,根据特定情况所采取的适当的、无论何种形式或媒介的阐释与展示,都应以此为 基础。

原则1:接触渠道和理解

原则 2: 信息源

原则 3: 重视背景环境和文脉

原则 4: 保持真实性

原则 5: 可持续性规划

原则 6: 关注覆盖面

原则 7: 研究、培训和评估的重要性

根据这七项原则,得出本宪章的目标是:

- 1. 促进对文化遗产地的理解和欣赏,培养文化遗产保护所需的公众意识及公众参与。
- 2. 认真记录从公认的科学和学术方法,以及从现存的文化传统中识别的遗产地的价值,并 向各方受众**宣传**文化遗产地的**意义和内涵**。
- 3. 保护文化遗产地在其自然和文化背景以及社会环境下的有形和无形价值。
- 4. 通过向公众展示文化遗产地的历史结构和文化价值,并通过保护使其免受有害的展示设施、旅游压力、不准确或不恰当的阐释等带来的不利影响,达到**尊重**文化遗产地**真实性**的目的。
- 5. 通过促进公众对现行保护工作的理解、参与,并通过对展示设施的长期维护和阐释内容 的定期检查,**促进**文化遗产地的**可持续保护**。

- 6. 在阐释项目的设计和实施过程中,促进利益相关者和相关团体的参与,**增进**文化遗产地 阐释的**覆盖面**。
- **7. 制定遗产阐释与展示的技术与专业指导原则**,包括技术、研究和培训。这些指导方针必须符合其社会背景并具可持续性。

原则

原则1:接触渠道和理解

阐释与展示项目应促进公众接触文化遗产本体和相关知识。

- 1.1 有效的阐释与展示应能增强个人体验,提高公众对文化遗产地的尊重和理解,宣传对其保护的重要性。
- 1.2 阐释与展示应鼓励个人和团体反思自身对遗产地的认识,帮助他们建立有意义的联系。目的是激发更深层次的兴趣、学习、体验和探索。
- 1.3 阐释与展示项目应从人口统计和文化方面识别并分析其受众,力求向各方受众宣讲遗产地的价值和意义。
 - 1.4 展示基础设施应当考虑到参观者以及遗产地相关社区语言的多样性。
 - 1.5 阐释与展示活动应形式多样,并能够实实在在地接近公众。
- 1.6 若由于保护需要、文化敏感性、改造再利用或安全考虑限制参观,则应提供场外的阐释与 展示。

原则 2: 信息源

阐释与展示应以通过公认的科学和学术方法以及从现行的文化传统中搜集的证据为依据。

- 2.1 阐释应说明口头和书面信息、物质遗存、传统和遗产地意义等的范围。信息来源应进行记录、归档,并提供给公众。
- 2.2 阐释应以对遗产地及其周边环境所进行的详尽的多学科研究为基础。也应当认识到,客观目有意义的阐释也有必要反映其它历史假设、当地传统和民间传说。
- 2.3 如果文化遗产地的传统故事或历史参与者的回忆,为展现遗产地价值提供了重要的信息来源,阐释活动则应包含这些口头证据。可通过展示设施间接进行,也可通过相关社区成员作为讲解员在现场直接参与。
- 2.4 对遗产地的视觉再现,无论是由艺术家、建筑师或计算机模拟实现,都应以对环境、考古、建筑以及历史数据的详细系统分析为基础,包括对书面、口头、图像材料和照片的分析。应准确记录这些视觉表现所依据的信息来源。如果能够获取基于相同证据构建的其它影像,也应用做比较。
 - 2.5 阐释与展示方案及活动也应全面记录并存档,用于将来的参考和反思。

原则 3: 环境和背景

文化遗产地的阐释与展示应结合其广泛的社会、文化、历史以及自然环境和背景。

- 3.1 阐释应当探讨遗产地在其历史、政治、精神和艺术等多层面背景中的意义。应考虑遗产 地文化、社会和环境等所有方面的意义和价值。
- 3.2 向公众进行文化遗产地阐释应当清晰地指出遗产地发展演变过程中经历的各个阶段和影响,并注明时间。应尊重各个时期在遗产地价值形成中做出的贡献。
 - 3.3 遗产阐释也应当考虑到对遗产地历史和文化重要性有贡献的所有群体。
- 3.4 遗产地周边景观、自然环境和地理背景都是遗产地历史文化价值的必要组成部分,因此, 也应在阐释时加以考虑。
- 3.5 遗产的无形元素如:文化和精神传统、传说、音乐、舞蹈、戏剧、文学、视觉艺术、当 地风俗和烹饪传统等,在遗产地阐释过程中都应加以考虑。
- 3.6 遗产地在跨文化方面的重要性以及以学术研究、历史记录和现行传统为基础的各种认识 角度,都应在制定阐释方案时加以考虑。

原则 4: 真实性

文化遗产地的阐释与展示必须遵守《奈良文件》(1994)中关于真实性的基本原则。

- 4.1 文化遗产的真实性既关乎物质遗存,也关乎所在社区。在设计遗产地阐释项目时,应当尊重遗产地的传统社会职能、以及当地居民和相关社区的文化实践及尊严。
- 4.2 阐释与展示应通过宣传文化遗产地的价值帮助保护其真实性,避免对其文化价值造成不利影响、或给遗产结构本身带来不可逆转的变化。
- 4.3 所有展示设施(如问讯亭、步行路线和信息板等)必须在易于辨认的同时,与遗产地的 整体特点、背景环境、以及遗产地的文化和自然价值相协调。
- 4.4 现场音乐会、戏剧表演和其它的阐释活动,必须经过精心策划,以保护遗产地的价值和 周边环境,并使对当地居民的干扰最小化。

原则 5: 可持续性

文化遗产地的阐释规划必须尊重遗产地的自然和文化环境, 其核心目标应包括社会、经济和 环境的可持续性。

- 5.1 阐释与展示项目的设计和实施应当是文化遗产地总体规划、预算和管理过程的必要组成部分。
- 5.2 在遗产影响评估研究中,必须全面考虑到阐释设施和游客数量对遗产地的文化价值、外部特征、完整性和自然环境的潜在影响。
- 5.3 阐释与展示应广泛地为保护、教育和文化目标服务。阐释性项目的成功与否不应单纯的 以游客人数和旅游收入来衡量。
- 5.4 阐释与展示应是遗产保护过程不可缺少的组成部分,它能够增进公众对遗产地面临的特定保护问题的认识,并向公众更好地解释为保护遗产地完整性和真实性所做的努力。
- 5.5 被确定为遗产地展示基础设施中永久性组成部分的任何技术要素,都应以适当的方式进行设计和构建,以保证有效的定期维护。
 - 5.6 阐释性项目的目标应为:通过提供教育、培训和就业机会,为遗产地所有的利益相关者

带来公平持续的经济、社会和文化利益。

原则 6: 覆盖面

文化遗产地的阐释与展示必须是遗产专家、遗产地负责机构和相关社区,以及其它利益相关 者共同的有意义的合作的结果。

- 6.1 在阐释与展示项目的制定过程中,应当整合学者、社区成员、遗产保护专家、政府机构、遗产地管理者和讲解员、旅游经营者和其它专业人士的多学科专业知识。
- 6.2 在策划遗产地阐释与展示项目时,应当注意并尊重所有者、使用者和相关社区的传统权利、责任和利益。
- 6.3 阐释与展示项目的扩展和修订计划应接纳公众意见,鼓励参与。发表意见和观点是每个 人的权利和责任。
- 6.4 由于知识产权和传统文化权益的问题与遗产阐释过程及其传播媒介(如现场多媒体展示、数字媒体和印刷材料)关系密切,因此,图像、文字以及其它阐释性材料的法定所有权和使用权均应在设计规划过程中探讨、明确并达成共识。

原则 7: 研究、培训和评估

不断进行研究、培训和评估是文化遗产地阐释工作必不可少的组成部分。

- 7.1 文化遗产地阐释工作不应随着具体展示设施的完工而告结束。持续的研究和咨询对增进 人们对遗产地价值的理解和正确评价起着重要作用。定期审查应当是每个遗产地阐释项目必不可 少的要素。
 - 7.2 阐释性项目和基础设施的设计和建造应便于对阐释内容的不断修订和/或扩展。
- 7.3 应当持续监测和评估阐释与展示项目对遗产地的影响,并根据科学和学术分析以及公众的反馈信息,作定期调整。参观者、所在社区成员以及遗产专家都应参与到此评估过程中。
- 7.4 每个阐释项目都应成为各年龄层次的公众教育资源。项目的设计应考虑其应用在学校课程、非正式和终生学习项目、通信和信息媒体、特殊活动、大型活动中的可能性,以及季节性志愿者的参与。
- 7.5 在遗产地阐释与展示各个专门领域,如内容创建、管理、技术、导游和教育等领域培养 合格的专业人员是一个关键目标。此外,在遗产保护专业教学基础课中应设置阐释与展示的课程。
- 7.6 现场的培训项目和课程,应当以向相关社区、各级遗产保护和阐释工作者宣传该领域新的发展和创新成果为目标。
- 7.7 国际合作以及经验分享对于制定和保持阐释方法与技术的高标准是非常必要的。为此,应鼓励召开国际会议、专业人员的研讨和交流,以及全国和地方会议。这些都将为定期分享各地区和文化背景下多种阐释方法和经验提供机会。



THE ICOMOS CHARTER FOR THE INTERPRETATION AND PRESENTATION OF CULTURAL HERITAGE SITES

Prepared under the Auspices of the ICOMOS International Scientific Committee on Interpretation and Presentation of Cultural Heritage Sites

Ratified by the 16th General Assembly of ICOMOS, Québec (Canada), on 4 October 2008

CHARTE ICOMOS POUR L'INTERPRETATION ET LA PRESENTATION DES SITES CULTURELS PATRIMONIAUX

Préparée sous les auspices du Comité scientifique de l'ICOMOS sur l'interprétation et la présentation des sites patrimoniaux

Ratifiée par la 16^e Assemblée Générale de l'ICOMOS, Québec (Canada), le 4 octobre 2008

PREAMBLE

Since its establishment in 1965 as a worldwide organisation of heritage professionals dedicated to the study, documentation, and protection of cultural heritage sites, ICOMOS has striven to promote the conservation ethic in all its activities and to help enhance public appreciation of humanity's material heritage in all its forms and diversity.

As noted in the Charter of Venice (1964) "It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions." Subsequent ICOMOS charters have taken up that mission, establishing professional guidelines for specific conservation challenges and encouraging effective communication about the importance of heritage conservation in every region of the world.

These earlier ICOMOS charters stress the importance of public communication as an essential part of the larger conservation process (variously describing it as "dissemination," "popularization," "presentation," and "interpretation"). They implicitly acknowledge that every act of heritage conservation—within all the world's cultural traditions - is by its nature a communicative act.

From the vast range of surviving material remains and intangible values of past communities and civilisations, the choice of what to preserve, how to preserve it, and how it is to be presented to the public are all elements of site interpretation. They represent every generation's vision of what is significant, what is important, and why material remains from the past should be passed on to generations yet to come.

The need for a clear rationale, standardised terminology, and accepted professional principles for Interpretation and Presentation* is evident. In recent years, the dramatic expansion of interpretive activities at many cultural heritage sites and the introduction of elaborate interpretive technologies and new economic strategies for the marketing and management of cultural heritage sites have created new complexities and aroused basic questions that

PREAMBULE

Depuis sa création en 1965, en tant que association mondiale de professionnels du patrimoine qui se consacre à l'étude, la documentation et à la protection des sites du patrimoine culturel, ICOMOS se consacre à la promotion de l'éthique de la conservation dans toutes ses activités et à augmenter l'appréciation publique du patrimoine mondial dans toutes ses formes et diversité.

Conformément à la Charte de Venise (1964) « Il est essentiel que les principes qui doivent présider à la conservation et à la restauration des monuments soient dégagés en commun et formulés sur un plan international, tout en laissant à chaque nation le soin d'en assurer l'application dans le cadre de sa propre culture et de ses traditions. » Les Chartes ICOMOS adoptées par la suite ont respecté cette mission, établissant des directives professionnelles destinées à faire face aux défis de la conservation et encourageant une communication efficace sur l'importance de la conservation du patrimoine au niveau mondial.

Ces Chartes soulignent l'importance de la communication vers le public en tant qu'élément essentiel du processus de conservation (on parlera indifféremment de «dissémination», «popularisation», «Présentation» et «interprétation»). Elles reconnaissent implicitement que chaque acte de conservation du patrimoine — parmi toutes les traditions culturelles du monde — est par nature, un acte de communication.

Parmi la vaste gamme des vestiges des communautés et valeurs intangibles des civilisations du passé, les choix en matière de préservation, de modes de préservation et de présentation au public sont tous des éléments d'interprétation de sites. Ils représentent la vision de chaque génération de ce qui est significatif, de ce qui est important et de ce qui vaut d'être transmis aux générations futures.

Le besoin d'une terminologie raisonnée et standardisée et de principes professionnels acceptés en matière d'Interprétation et de Présentation* est évident. Ces dernières années, l'expansion dramatique d'activités d'interprétation dans de nombreux sites patrimoniaux, l'introduction de technologies élaborées d'interprétation de même que de nouvelles stratégies économiques en matière de marketing et de gestion des sites patrimoniaux ont créé de nouvelles

^{*} See definitions on page 3.

Voir les définitions en page 3

are central to the goals of both conservation and the public appreciation of cultural heritage sites throughout the world:

- What are the accepted and acceptable goals for the Interpretation and Presentation of cultural heritage sites?
- What principles should help determine which technical means and methods are appropriate in particular cultural and heritage contexts?
- What general ethical and professional considerations should help shape Interpretation and Presentation in light of its wide variety of specific forms and techniques?

The purpose of this Charter is therefore to define the basic principles of Interpretation and Presentation as essential components of heritage conservation efforts and as a means of enhancing public appreciation and understanding of cultural heritage sites*.

DEFINITIONS

For the purposes of the present Charter,

Interpretation refers to the full range of potential activities intended to heighten public awareness and enhance understanding of cultural heritage site. These can include print and electronic publications, public lectures, on-site and directly related off-site installations, educational programmes, community activities, and ongoing research, training, and evaluation of the interpretation process itself.

<u>Presentation</u> more specifically denotes the carefully planned communication of interpretive content through the arrangement of interpretive information, physical access, and interpretive infrastructure at a cultural heritage site. It can be conveyed through a variety of technical means, including, yet not requiring, such elements as informational panels, museum-type displays, formalized walking tours, lectures and guided tours, and multimedia applications and websites.

Interpretive infrastructure refers to physical installations, facilities, and areas at, or connected with a cultural heritage site that may be specifically utilised for the purposes of interpretation and presentation including those supporting interpretation via new and existing technologies.

<u>Site interpreters</u> refers to staff or volunteers at a cultural heritage site who are permanently or temporarily engaged in the public communication of information relating to the values and significance of the site.

<u>Cultural Heritage Site</u> refers to a place, locality, natural landscape, settlement area, architectural complex, archaeological site, or standing structure that is recognized and often legally protected as a place of historical and cultural significance.

problématiques et soulevé des questions élémentaires de première importance quant aux finalités de la conservation et l'appréciation du public des sites patrimoniaux à travers le monde:

- Quels sont les objectifs acceptables et acceptés pour l'Interprétation et la

Présentation des sites patrimoniaux ?

- Quels principes devraient aider à déterminer quels moyens techniques et quelles méthodes sont appropriées dans des contextes culturels et patrimoniaux particuliers?
- Quelles considérations éthiques et professionnelles pourraient aider à façonner l'interprétation et la présentation quelles que soient leurs formes et techniques spécifiques?

L'objectif de cette Charte est donc de définir les principes de base de l'interprétation et de la présentation en tant à la fois qu'éléments essentiels des efforts de conservation du patrimoine et outils essentiels à l'appréciation et à la compréhension par le public des sites culturels patrimoniaux.*

DEFINITIONS

Pour la rédaction de la présente Charte,

<u>L'interprétation</u> renvoie à l'ensemble des activités potentielles destinées à augmenter la conscience publique et à renforcer sa compréhension du site culturel patrimonial. Ceci peut inclure des publications, des conférences, des installations sur site, des programmes éducatifs, des activités communautaires ainsi que la recherche, la formation et l'évaluation permanente du processus même d'interprétation.

<u>La présentation</u> concerne plus spécifiquement une communication planifiée du contenu interprétatif par l'agencement d'informations de même nature, au moyen d'un accès physique au site culturel patrimonial. Elle peut être transmise par une variété de moyens techniques, comprenant indifféremment des éléments tels que des panneaux informatifs, une présentation de type muséale, des sentiers fléchés, des conférences, des visites guidées et des applications multimédia.

<u>Les équipements et services d'interprétation</u> renvoient à toutes installations physiques, équipements et espaces du site culturel patrimonial qui peuvent être utilisés spécifiquement pour les besoins de l'interprétation et de la présentation.

<u>Les interprètes du site</u> renvoient au personnel ou aux volontaires œuvrant sur le site culturel patrimonial qu'ils soient engagés de façon permanente ou temporaire pour la communication au public d'information concernant la valeur et la signification du site.

<u>Un site culturel patrimonial</u> renvoie à une localité, un paysage, une aire d'établissement, un complexe architectural, un site archéologique, ou une structure existante, reconnus ou souvent protégés légalement en tant que site de signification historique et culturelle.

_

^{*} Although the principles and objectives of this Charter may equally apply to off-site interpretation, its main focus is interpretation and presentation at, or in the immediate vicinity of, cultural heritage sites.

^{*} Voir les définitions en page 3

OBJECTIVES

In recognizing that interpretation and presentation are part of the overall process of cultural heritage conservation and management, this Charter seeks to establish seven cardinal principles, upon which Interpretation and Presentation—in whatever form or medium is deemed appropriate in specific circumstances—should be based.

Principle 1: Access and Understanding

Principle 2: Information Sources

Principle 3: Attention to Setting and Context Principle 4: Preservation of Authenticity Principle 5: Planning for Sustainability Principle 6: Concern for Inclusiveness

Principle 7: Importance of Research, Training, and

Evaluation

Following from these seven principles, the objectives of this Charter are to:

- Facilitate understanding and appreciation of cultural heritage sites and foster public awareness and engagement in the need for their protection and conservation.
- Communicate the meaning of cultural heritage sites to a range of audiences through careful, documented recognition of significance, through accepted scientific and scholarly methods as well as from living cultural traditions.
- Safeguard the tangible and intangible values of cultural heritage sites in their natural and cultural settings and social contexts.
- 4. Respect the authenticity of cultural heritage sites, by communicating the significance of their historic fabric and cultural values and protecting them from the adverse impact of intrusive interpretive infrastructure, visitor pressure, inaccurate or inappropriate interpretation.
- Contribute to the sustainable conservation of cultural heritage sites, through promoting public understanding of, and participation in, ongoing conservation efforts, ensuring long-term maintenance of the interpretive infrastructure and regular review of its interpretive contents.
- Encourage inclusiveness in the interpretation of cultural heritage sites, by facilitating the involvement of stakeholders and associated communities in the development and implementation of interpretive programmes.
- Develop technical and professional guidelines for heritage interpretation and presentation, including technologies, research, and training. Such guidelines must be appropriate and sustainable in their social contexts.

OBJECTIFS

En reconnaissant que l'interprétation et la présentation sont partie intégrante du processus général de conservation et de gestion du patrimoine culturel, cette Charte vise à établir sept principes cardinaux sur lesquels l'interprétation et la présentation devraient être basés, quels que soient les moyens et formes les plus appropriés selon les circonstances.

Principe 1 : Accès et compréhension Principe 2 : Sources d'information

Principe 3 : Attention portée au contexte et à

l'environnement

Principe 4 : Préservation de l'authenticité Principe 5 : Organisation de la durabilité Principe 6 : Attention portée à la participation

Principe 7: Importance de la recherche, de la formation et

de l'évaluation

Comme suite à ces sept principes, les objectifs de cette charte sont :

- Faciliter la compréhension et l'appréciation des sites culturels patrimoniaux et promouvoir la prise de conscience publique et l'engagement de la nécessité de leur protection et de leur conservation.
- 2. Communiquer le sens des sites culturels patrimoniaux à des audiences diverses par une reconnaissance approfondie et bien documentée de la signification, au moyen de méthodes reconnues d'analyses scientifiques et les recherches ainsi que des traditions culturelles vivantes.
- Sauvegarder les valeurs matérielles et immatérielles propres aux sites culturels patrimoniaux dans leur environnement culturel, naturel et leur contexte social.
- 4. Respecter l'authenticité des sites culturels patrimoniaux en communiquant l'importance de leurs matériaux historiques et la portée de leurs valeurs culturelles et en les protégeant contre les effets adverses d'infrastructures d'interprétation mal venues, des pressions venant du public, d'une interprétation imprécise et inadéquate.
- 5. Contribuer à la conservation durable des sites culturels patrimoniaux par la promotion de la compréhension et de la participation du public des efforts de conservation en cours, en assurant la maintenance à long terme des équipements et services d'interprétation et une révision régulière de son contenu interprétatif.
- 6. Encourager la participation dans l'interprétation des sites culturels patrimoniaux en facilitant l'implication active des acteurs et communautés associées dans le développement et l'implémentation de programmes d'interprétation.
- 7. Développer des normes techniques et professionnelles pour l'interprétation et la présentation du patrimoine, incluant les technologies, la recherche et la formation. De tels normes doivent être appropriées et durables dans leur contexte social.

PRINCIPLES

Principle 1: Access and Understanding

Interpretation and presentation programmes should facilitate physical and intellectual access by the public to cultural heritage sites.

- Effective interpretation and presentation should enhance personal experience, increase public respect and understanding, and communicate the importance of the conservation of cultural heritage sites.
- Interpretation and presentation should encourage individuals and communities to reflect on their own perceptions of a site and assist them in establishing a meaningful connection to it. The aim should be to stimulate further interest, learning, experience, and exploration.
- Interpretation and presentation programmes should identify and assess their audiences demographically and culturally. Every effort should be made to communicate the site's values and significance to its varied audiences.
- The diversity of language among visitors and associated communities connected with a heritage site should be taken into account in the interpretive infrastructure.
- Interpretation and presentation activities should also be physically accessible to the public, in all its variety.
- 6. In cases where physical access to a cultural heritage site is restricted due to conservation concerns, cultural sensitivities, adaptive re-use, or safety issues, interpretation and presentation should be provided off-site.

Principle 2: Information Sources

Interpretation and presentation should be based on evidence gathered through accepted scientific and scholarly methods as well as from living cultural traditions.

- Interpretation should show the range of oral and written information, material remains, traditions, and meanings attributed to a site. The sources of this information should be documented, archived, and made accessible to the public.
- Interpretation should be based on a well researched, multidisciplinary study of the site and its surroundings. It should also acknowledge that meaningful interpretation necessarily includes reflection on alternative historical hypotheses, local traditions, and stories.
- At cultural heritage sites where traditional storytelling or memories of historical participants provide an

PRINCIPES

Principe 1 : Accès et Compréhension

Les programmes d'interprétation et de présentation devraient faciliter l'accès physique et intellectuel des sites culturels patrimoniaux auprès du public.

- Une interprétation et une présentation efficaces devraient enrichir l'expérience personnelle et accroître le respect et la compréhension du public et mettre en évidence l'importance de la bonne conservation du site culturel patrimonial.
- 2. L'interprétation et la présentation devraient inciter les personnes individuelles et les communautés à réfléchir sur leurs propres perceptions du site et sur leur relation avec lui. Elle cherche à stimuler un prolongement de l'intérêt, de l'étude, de l'expérience et de l'exploration.
- 3. Les programmes d'interprétation et de présentation devraient identifier et analyser leur public du point de vue démographique et culturel. Tous les efforts sont à déployer pour que l'interprétation et la présentation du patrimoine culturel communiquent effectivement avec les divers auditoires d'un site.
- 4. La diversité des langues parlées par les visiteurs et les communautés en relation avec le site patrimonial devrait être prise en considération dans les équipements et les services d'interprétation.
- 5. Les programmes d'interprétation et de présentation devraient être accessibles à un large public, dans toute sa diversité, y compris les personnes à mobilité réduite.
- 6. Au cas où l'accès physique à un site culturel patrimonial est limité, pour des raisons de conservation, de sensibilités culturelles, d'aménagements adaptés ou d'exigences de sécurité, une interprétation et une présentation devraient être proposées en dehors du site

Principe 2 : Sources d'Information

L'interprétation et la présentation devraient reposer sur les preuves recueillies par les méthodes scientifiques et de recherche communément admises ainsi que sur les traditions culturelles vivantes.

- L'interprétation devrait présenter l'éventail des informations orales et écrites, des vestiges matériels, des traditions et des sens attribués à un site. Les sources de cette information devraient être documentées, archivées, et rendues accessibles au public.
- 2. L'interprétation devrait être basée sur une étude multidisciplinaire approfondie du site et de son environnement. L'interprétation devrait également reconnaître et inclure les hypothèses historiques alternatives, les traditions et les histoires locales.
- Dans les sites patrimoniaux où des récits ou les souvenirs d'acteurs historiques fournissent une

important source of information about the significance of the site, interpretive programmes should incorporate these oral testimonies—either indirectly, through the facilities of the interpretive infrastructure, or directly, through the active participation of members of associated communities as on-site interpreters.

- Visual reconstructions, whether by artists, architects, or computer modelers, should be based upon detailed and systematic analysis of environmental, archaeological, architectural, and historical data, including analysis of written, oral and iconographic sources, and photography. The information sources on which such visual renderings are based should be clearly documented and alternative reconstructions based on the same evidence, when available, should be provided for comparison.
- Interpretation and presentation programmes and activities should also be documented and archived for future reference and reflection.

Principle 3: Context and Setting

The Interpretation and Presentation of cultural heritage sites should relate to their wider social, cultural, historical, and natural contexts and settings.

- Interpretation should explore the significance of a site in its multi-faceted historical, political, spiritual, and artistic contexts. It should consider all aspects of the site's cultural, social, and environmental significance and values.
- 2. The public interpretation of a cultural heritage site should clearly distinguish and date the successive phases and influences in its evolution. The contributions of all periods to the significance of a site should be respected.
- Interpretation should also take into account all groups that have contributed to the historical and cultural significance of the site.
- 4. The surrounding landscape, natural environment, and geographical setting are integral parts of a site's historical and cultural significance, and, as such, should be considered in its interpretation.
- Intangible elements of a site's heritage such as cultural and spiritual traditions, stories, music, dance, theater, literature, visual arts, local customs and culinary heritage should be considered in its interpretation.
- 6. The cross-cultural significance of heritage sites, as well as the range of perspectives about them based on scholarly research, ancient records, and living traditions, should be considered in the formulation of interpretive programmes.

- importante source d'information à propos de la signification du site, les programmes d'interprétation devraient inclure ces témoignages oraux, soit indirectement, dans les équipements et les services d'interprétation, soit directement, par la participation active de membres des communautés associées en tant que quides de sites.
- 4. Les reconstructions visuelles, par dessins d'artistes, par des architectes ou par ordinateur, devraient être basés sur une analyse détaillée et systématique des données environnementales, archéologiques, architecturales et historiques, en ce compris l'analyse des sources écrites, orales, iconographiques et photographiques. Ces sources d'information sur base desquelles les éléments visuels sont basés devraient être clairement documentées et les reconstructions alternatives basées sur les mêmes preuves, lorsqu'elles sont disponibles, devraient être fournies afin de permettre la comparaison.
- 5. Les programmes et les activités d'interprétation et de présentation devraient également être documentées et archivées pour servir de référence et de réflexion dans le futur.

Principe 3 : Le Contexte et l'Environnement

L'interprétation et la présentation des sites patrimoniaux devraient mettre en lumière la relation plus large des sites avec leur contexte et leur environnement social, culturel, historique et naturel.

- L'interprétation devrait explorer la signification d'un site sous tous ses aspects: historique, politique, spirituel et artistique. Elle devrait prendre en considération toutes les valeurs culturelles, sociales et environnementales du site.
- 2. L'interprétation publique d'un site culturel patrimonial devrait dater avec précision et faire la distinction entre les phases successives et les influences subies au cours de son évolution. Les différents apports historiques à la signification d'un site devraient être respectés.
- L'interprétation devrait également prendre en considération tous les groupes qui ont contribué à la signification historique et culturelle du site.
- 4. Les paysages alentours, l'environnement naturel et le cadre géographique font partie intégrante des valeurs historiques et culturelles d'un site et, en tant que tels, devraient être pris en considération dans son interprétation.
- Les éléments immatériels d'un site patrimonial, tels que les traditions culturelles et spirituelles, les récits, la musique, la danse, le théâtre, la littérature, les arts visuels, les coutumes locales et le patrimoine culinaire devraient être pris en compte dans son interprétation.
- 6. La signification transculturelle des sites patrimoniaux ainsi que la coexistence des différents points de vue qui s'appuient sur la recherche, des faits anciens ou sur des traditions vivantes devraient se retrouver dans la formulation des programmes interprétatifs.

Principle 4: Authenticity

The Interpretation and presentation of cultural heritage sites must respect the basic tenets of authenticity in the spirit of the Nara Document (1994).

- Authenticity is a concern relevant to human communities as well as material remains. The design of a heritage interpretation programme should respect the traditional social functions of the site and the cultural practices and dignity of local residents and associated communities.
- Interpretation and presentation should contribute to the conservation of the authenticity of a cultural heritage site by communicating its significance without adversely impacting its cultural values or irreversibly altering its fabric.
- All visible interpretive infrastructures (such as kiosks, walking paths, and information panels) must be sensitive to the character, setting and the cultural and natural significance of the site, while remaining easily identifiable.
- 4. On-site concerts, dramatic performances, and other interpretive programmes must be carefully planned to protect the significance and physical surroundings of the site and minimise disturbance to the local residents.

Principle 5: Sustainability

The interpretation plan for a cultural heritage site must be sensitive to its natural and cultural environment, with social, financial, and environmental sustainability among its central goals.

- The development and implementation of interpretation and presentation programmes should be an integral part of the overall planning, budgeting, and management process of cultural heritage sites.
- The potential effect of interpretive infrastructure and visitor numbers on the cultural value, physical characteristics, integrity, and natural environment of the site must be fully considered in heritage impact assessment studies.
- Interpretation and presentation should serve a wide range of conservation, educational and cultural objectives. The success of an interpretive programme should not be evaluated solely on the basis of visitor attendance figures or revenue.
- 4. Interpretation and presentation should be an integral part of the conservation process, enhancing the public's awareness of specific conservation problems encountered at the site and explaining the efforts being taken to protect the site's physical integrity and authenticity.
- Any technical or technological elements selected to become a permanent part of a site's interpretive infrastructure should be designed and constructed in

Principe 4 :

L'interprétation et la présentation des sites patrimoniaux doivent respecter leur authenticité dans l'esprit de la Déclaration de Nara (1994)

- L'authenticité concerne aussi bien les communautés humaines que les vestiges matériels. La conception d'un programme d'interprétation patrimoniale devrait respecter les fonctions sociales traditionnelles d'un site, les pratiques culturelles et la dignité des résidents et des communautés associées.
- 2. L'interprétation et la présentation devraient contribuer à la conservation de l'authenticité d'un site culturel patrimonial par la communication de sa signification, sans avoir d'incidences adverses sur ses valeurs culturelles ou des altérations physiques irréversibles.
- 3. Tous les équipements et services d'interprétation visibles (tels que kiosques, sentiers, panneaux d'information) doivent s'intégrer harmonieusement dans le site, respecter son caractère, son environnement et ses valeurs culturelles et naturelles, tout en étant facilement repérables.
- 4. Les concerts in situ, les représentations théâtrales et autres programmes d'interprétation doivent être planifiés avec prudence pour protéger la signification du site et l'environnement physique et de minimiser les troubles à l'encontre des résidents voisins.

Principe 5 : Caractère durable

Le plan d'interprétation d'un site patrimonial doit être attentif à son environnement culturel et naturel. Son caractère durable à long terme est un objectif majeur, aux plans sociaux, financiers et environnementaux.

- L'élaboration et la mise en œuvre d'un programme d'interprétation et de présentation devraient relever à part entière du plan général de programmation et de gestion d'un site patrimonial.
- L'incidence possible d'un équipement d'interprétation et d'une fréquentation par de nombreux visiteurs sur les valeurs culturelles, les caractéristiques physiques, l'intégrité et l'environnement naturel d'un site fera l'objet d'études préalables approfondies.
- 3. L'interprétation et la présentation devraient servir un large éventail d'objectifs éducatifs et culturels. L'accroissement du nombre de visiteurs et des recettes de fréquentation ne devrait pas être le seul critère de succès d'un programme d'interprétation.
- 4. L'interprétation et la présentation devraient faire partie intégrante du processus de conservation, accroissant la conscience du public pour les problèmes de conservation rencontrés sur le site et expliquant les efforts faits pour protéger l'intégrité physique du site.
- 5. Tout élément technique ou technologique choisi pour être un élément permanent de l'infrastructure d'interprétation d'un site devrait être conceptualisé et construit de manière à assurer une maintenance

- a manner that will ensure effective and regular maintenance.
- 6. Interpretive programmes should aim to provide equitable and sustainable economic, social, and cultural benefits to all stakeholders through education, training and employment opportunities in site interpretation programmes.

Principle 6: Inclusiveness

The Interpretation and Presentation of cultural heritage sites must be the result of meaningful collaboration between heritage professionals, host and associated communities, and other stakeholders.

- multidisciplinary expertise scholars. of community members, conservation experts. governmental authorities, site managers and and interpreters, tourism operators, other professionals should be integrated in the formulation of interpretation and presentation programmes.
- The traditional rights, responsibilities, and interests of property owners and host and associated communities should be noted and respected in the planning of site interpretation and presentation programmes.
- Plans for expansion or revision of interpretation and presentation programmes should be open for public comment and involvement. It is the right and responsibility of all to make their opinions and perspectives known.
- 4. Because the question of intellectual property and traditional cultural rights is especially relevant to the interpretation process and its expression in various communication media (such as on-site multimedia presentations, digital media, and printed materials), legal ownership and right to use images, texts, and other interpretive materials should be discussed, clarified, and agreed in the planning process.

Principle 7: Research, Training, and Evaluation

Continuing research, training, and evaluation are essential components of the interpretation of a cultural heritage site.

- 1. The interpretation of a cultural heritage site should not be considered to be completed with the completion of a specific interpretive infrastructure. Continuing research and consultation are important to furthering the understanding and appreciation of a site's significance. Regular review should be an integral element in every heritage interpretation programme.
- The interpretive programme and infrastructure should be designed and constructed in a way that facilitates ongoing content revision and/or expansion.
- Interpretation and presentation programmes and their physical impact on a site should be continuously

efficace et régulière.

6. Les programmes d'interprétation devraient chercher à apporter un bénéfice juste et durable aux acteurs à travers l'éducation, la formation et la création d'emploi dans des programmes d'interprétation de sites.

Principe 6 : Participation

L'interprétation et la présentation des sites culturels patrimoniaux doivent être le résultat d'une collaboration efficace entre professionnels du patrimoine, communautés associées et autres acteurs.

- 1. L'expertise pluridisciplinaire des chercheurs, des experts en conservation, des autorités publiques, des gestionnaires et des interprètes de sites, des opérateurs touristiques et autres professionnels devraient être intégrée dans la formulation de programmes d'interprétation et de présentation.
- Les droits traditionnels, les responsabilités et les intérêts des propriétaires et des communautés associées devraient être pris en compte et respectés dans l'élaboration des programmes d'interprétation et de présentation des sites.
- 3. Les projets d'expansion ou de révision des programmes d'interprétation et de présentation devraient être ouverts aux commentaires et à une implication du public. Chacun a le droit et la responsabilité de faire connaître ses opinions et ses perspectives.
- 4. En raison de l'importance de la propriété intellectuelle et des droits culturels traditionnels dans les démarches d'interprétation et du recours aux divers media (tels que les présentations multi media in situ, les supports électroniques et les imprimés), la propriété légale et le droit d'usage des images, textes et autres documents d'interprétation devraient être discutés, clarifiés et approuvés dans le processus de programmation.

Principe 7 : Recherche, Formation et Evaluation

L'interprétation des sites patrimoniaux est une entreprise progressive et évolutive de compréhension et d'explication, qui requiert des activités continues de recherche, de formation et d'évaluation.

- 1. L'interprétation d'un site ne devrait pas être considérée comme aboutie au moment de la mise en fonction d'un équipement et de services d'interprétation spécifiques. Il importe qu'une recherche et des consultations continues fassent progresser la compréhension et l'appréciation des valeurs d'un site : elles devraient être des activités inhérentes à tout programme d'interprétation du patrimoine.
- Les programmes et les équipements d'interprétation devraient être conçus et réalisés de manière à faciliter la révision de leur contenu et / ou leur expansion.
- . Un suivi permanent et une évaluation continue sont nécessaires pour analyser les programmes

monitored and evaluated, and periodic changes made on the basis of both scientific and scholarly analysis and public feedback. Visitors and members of associated communities as well as heritage professionals should be involved in this evaluation process.

- 4. Every interpretation programme should be considered as an educational resource for people of all ages. Its design should take into account its possible uses in school curricula, informal and lifelong learning programmes, communications and information media, special activities, events, and seasonal volunteer involvement.
- 5. The training of qualified professionals in the specialised fields of heritage interpretation and presentation, such as content creation, management, technology, guiding, and education, is a crucial objective. In addition, basic academic conservation programmes should include a component on interpretation and presentation in their courses of study.
- 6. On-site training programmes and courses should be developed with the objective of updating and informing heritage and interpretation staff of all levels and associated and host communities of recent developments and innovations in the field.
- 7. International cooperation and sharing of experience are essential to developing and maintaining standards in interpretation methods and technologies. To that end, international conferences, workshops and exchanges of professional staff as well as national and regional meetings should be encouraged. These will provide an opportunity for the regular sharing of information about the diversity of interpretive approaches and experiences in various regions and cultures.

- d'interprétation et de présentation et leur incidence physique, sur base d'une analyse scientifique et des réactions du public. Les visiteurs et les membres des communautés associées, aussi bien que les professionnels du patrimoine, devraient être associés à ces démarches d'évaluation.
- 4. Chaque programme d'interprétation et de présentation devrait être considéré comme une ressource éducative pour personne de tout âge. Sa conception devrait être prise en considération dans son usage possible dans les programmes scolaires, dans des programmes d'études informelles et des programmes d'éducation et de formation tout au long de la vie dans les média de communication incluant l'Internet, les activités spécifiques, les événements et l'implication saisonnière des volontaires.
- La formation de professionnels qualifiés dans les domaines spécialisés de l'interprétation patrimoniale, comme la création de contenus, la gestion, les nouvelles technologies, les visites guidées et l'éducation, est un objectif essentiel. Par ailleurs, les programmes académiques de base en matière de conservation devraient inclure des modules de formation à l'interprétation et la présentation.
- Des programmes de cours et de formation devraient être proposés, sur le site même, en vue de la formation continue et du perfectionnement du personnel chargé de la gestion du site et de son interprétation ainsi que des communautés associées et locales, ceci, afin de suivre les progrès et les innovations dans le domaine.
- 7. La coopération internationale et le partage d'expérience sont essentiels à l'élaboration et au maintien de normes dans les méthodes et les techniques d'interprétation. A ces fins, il conviendrait d'encourager l'organisation de conférences internationales, d'ateliers, de réunions au niveau national et local et l'échange des professionnels. Ceci afin d'offrir la possibilité d'un partage régulier d'informations sur la diversité des approches et des expériences d'interprétation dans les diverses régions et cultures du monde.

中华人民共和国文物保护法(2002年版)

2002 年 10 月 28 日第九界全国人民代表大会常务委员会第三十次会议通过, 国家主席江泽民签署第 76 号主席令公布

发文单位:全国人民代表大会常务委员会

发文时间: 2002-10-28 生效日期: 2002-10-28

第一章 总则

第一条 为了加强对文物的保护,继承中华民族优秀的历史文化遗产,促进科学研究工作,进行爱国主义革命传统教育,建设社会注意精神文明和物质文明,根据宪法,制定本法。

第二条 在中华人民共和国境内,下列文物受国家保护:

- (一) 具有历史、艺术、科学价值的古文化遗址、古墓葬、古建筑、石窟寺和石刻、壁画;
- (二)与重大历史事件、革命运动或者著名人物有关的以及具有重要纪念意义、教育意义或者 史料价值的近代现代重要史迹、实物、代表性建筑;
 - (三) 历史上各时代珍贵的艺术品、工艺美术品:
 - (四) 历史上各时代重要的文献资料以及具有历史、艺术、科学价值的丰稿和图书资料等:
 - (五) 反映历史上各时代、各民族社会制度、社会生产、社会生活的代表性实物。

文物认定的标准和办法由国务院文物行政部门制定,并报国务院批准。

具有科学价值的古脊椎动物化石和古人类化石同文物一样受国家保护。

第三条 古文化遗址、古墓葬、古建筑、石窟寺、石刻、壁画、近代现代重要史迹和代表性建筑等不可移动文物,根据它们的历史、艺术、科学价值,可以分别确定为全国重点文物保护单位,省级文物保护单位,市、县级文物保护单位。

历史上各时代重要实物、艺术品、文献、手稿、图书资料、代表性实物等可移动文物,分为 珍贵文物和一般文物,珍贵文物分为一级文物、二级文物、三级文物。

第四条 文物工作贯彻保护为主、抢救第一、合理利用、加强管理的方针。

第五条 中华人民共和国境内地下、内水和领海中遗存的一切文物,属于国家所有。

古文化遗址、古墓葬、石窟寺属于国家所有。国家指定保护的纪念建筑物、古建筑、石刻、壁画、近代现代代表性建筑等不可移动文物,除国家另有规定的以外,属于国家所有。

国有不可移动文物的所有权不因其所依附的土地所有权或者使用权的改变而改变。

下列可移动文物,属于国家所有:

- (一) 中国境内出土的文物, 国家另有规定的除外;
- (二)国有文物收藏单位以及其他国家机关、部队和国有企业、事业组织等收藏、保管的文物:

- (三)国家征集、购买的文物:
- (四)公民、法人和其他组织捐赠给国家的文物;
- (五) 法律规定属于国家所有的其他文物。

属于国家所有的可移动文物的所有权不因其保管、收藏单位的终止或者变更而改变。

国有文物所有权受法律保护,不容侵犯。

第六条 属于集体所有和私人所有的纪念建筑物、古建筑和祖传文物以及依法取得的其他文物,其所有权受法律保护。文物的所有者必须遵守国家有关文物保护的法律、法规的规定。

第七条 一切机关、组织和个人都有依法保护文物的义务。

第八条 国务院文物行政部门主管全国文物保护工作。

地方各级人民政府负责本行政区域内的文物保护工作。县级以上地方人民政府承担文物保护 工作的部门对本行政区域内的文物保护实施监督管理。

县级以上人民政府有关行政部门在各自的职责范围内,负责有关的文物保护工作。

第九条 各级人民政府应当重视文物保护,正确处理经济建设、社会发展与文物保护的关系,确保文物安全。

基本建设、旅游发展必须遵守文物保护工作的方针,其活动不得对文物造成损害。

公安机关、工商行政管理部门、海关、城乡建设规划部门和其他有关国家机关,应当依法认真履行所承担的保护文物的职责,维护文物管理秩序。

第十条 国家发展文物保护事业。县级以上人民政府应当将文物保护事业纳入本级国民经济和社会发展规划,所需经费列入本级财政预算。

国家用于文物保护的财政拨款随着财政收入增长而增加。

国有博物馆、纪念馆、文物保护单位等的事业性收入,专门用于文物保护,任何单位或者个 人不得侵占、挪用。

国家鼓励通过捐赠等方式设立文物保护社会基金,专门用于文物保护,任何单位或者个人不得侵占、挪用。

第十一条 文物是不可再生的文化资源。国家加强文物保护的宣传教育,增强全民文物保护的意识,鼓励文物保护的科学研究,提高文物保护的科学技术水平。

第十二条 有下列事迹的单位或者个人,由国家给予精神鼓励或者物质奖励:

- (一)认真执行文物保护法律、法规,保护文物成绩显著的;
- (二)为保护文物与违法犯罪行为作坚决斗争的;
- (三) 将个人收藏的重要文物捐献给国家或者为文物保护事业作出捐赠的:
- (四)发现文物及时上报或者上交,使文物得到保护的;
- (五) 在考古发掘工作中作出重大贡献的;
- (六)在文物保护科学技术方面有重要发明创造或者其他重要贡献的:
- (七) 在文物面临破坏危险时, 抢救文物有功的;
- (八)长期从事文物工作,作出显著成绩的。

第二章 不可移动文物

第十三条 国务院文物行政部门在省级、市、县级文物保护单位中,选择具有重大历史、艺术、科学价值的确定为全国重点文物保护单位,或者直接确定为全国重点文物保护单位,报国务院核定公布。

省级文物保护单位,由省、自治区、直辖市人民政府核定公布,并报国务院备案。

市级和县级文物保护单位,分别由设区的市、自治州和县级人民政府核定公布,并报省、自治区、直辖市人民政府备案。

尚未核定公布为文物保护单位的不可移动文物,由县级人民政府文物行政部门予以登记并公布。

第十四条 保存文物特别丰富并且具有重大历史价值或者革命纪念意义的城市,由国务院核定公布为历史文化名城。

保存文物特别丰富并且具有重大历史价值或者革命纪念意义的城镇、街道、村庄,由省、自治区、直辖市人民政府核定公布为历史文化街区、村镇,并报国务院备案。

历史文化名城和历史文化街区、村镇所在地的县级以上地方人民政府应当组织编制专门的历 史文化名城和历史文化街区、村镇保护规划,并纳入城市总体规划。

历史文化名城和历史文化街区、村镇的保护办法,由国务院制定。

第十五条 各级文物保护单位,分别由省、自治区、直辖市人民政府和市、县级人民政府划定必要的保护范围,作出标志说明,建立记录档案,并区别情况分别设置专门机构或者专人负责管理。全国重点文物保护单位的保护范围和记录档案,由省、自治区、直辖市人民政府文物行政部门报国务院文物行政部门备案。

县级以上地方人民政府文物行政部门应当根据不同文物的保护需要,制定文物保护单位和未 核定为文物保护单位的不可移动文物的具体保护措施,并公告施行。

- **第十六条** 各级人民政府制定城乡建设规划,应当根据文物保护的需要,事先由城乡建设规划部门会同文物行政部门商定对本行政区域内各级文物保护单位的保护措施,并纳入规划。
- 第十七条 文物保护单位的保护范围内不得进行其他建设工程或者爆破、钻探、挖掘等作业。但是,因特殊情况需要在文物保护单位的保护范围内进行其他建设工程或者爆破、钻探、挖掘等作业的,必须保证文物保护单位的安全,并经核定公布该文物保护单位的人民政府批准,在批准前应当征得上一级人民政府文物行政部门同意;在全国重点文物保护单位的保护范围内进行其他建设工程或者爆破、钻探、挖掘等作业的,必须经省、自治区、直辖市人民政府批准,在批准前应当征得国务院文物行政部门同意。
- **第十八条** 根据保护文物的实际需要,经省、自治区、直辖市人民政府批准,可以在文物保护单位的周围划出一定的建设控制地带,并予以公布。 在文物保护单位的建设控制地带内进行建设工程,不得破坏文物保护单位的历史风貌; 工程设计方案应当根据文物保护单位的级别,经相应的文物行政部门同意后,报城乡建设规划部门批准。
 - 第十九条 在文物保护单位的保护范围和建设控制地带内,不得建设污染文物保护单位及其

环境的设施,不得进行可能影响文物保护单位安全及其环境的活动。对已有的污染文物保护单位 及其环境的设施,应当限期治理。

第二十条 建设工程选址,应当尽可能避开不可移动文物;因特殊情况不能避开的,对文物保护单位应当尽可能实施原址保护。

实施原址保护的,建设单位应当事先确定保护措施,根据文物保护单位的级别报相应的文物 行政部门批准,并将保护措施列入可行性研究报告或者设计任务书。

无法实施原址保护,必须迁移异地保护或者拆除的,应当报省、自治区、直辖市人民政府批准;迁移或者拆除省级文物保护单位的,批准前须征得国务院文物行政部门同意。全国重点文物保护单位不得拆除;需要迁移的,须由省、自治区、直辖市人民政府报国务院批准。

依照前款规定拆除的国有不可移动文物中具有收藏价值的壁画、雕塑、建筑构件等,由文物行政部门指定的文物收藏单位收藏。

本条规定的原址保护、迁移、拆除所需费用,由建设单位列入建设工程预算。

第二十一条 国有不可移动文物由使用人负责修缮、保养;非国有不可移动文物由所有人负责修缮、保养。非国有不可移动文物有损毁危险,所有人不具备修缮能力的,当地人民政府应当给予帮助;所有人具备修缮能力而拒不依法履行修缮义务的,县级以上人民政府可以给予抢救修缮,所需费用由所有人负担。

对文物保护单位进行修缮,应当根据文物保护单位的级别报相应的文物行政部门批准;对未 核定为文物保护单位的不可移动文物进行修缮,应当报登记的县级人民政府文物行政部门批准。

文物保护单位的修缮、迁移、重建,由取得文物保护工程资质证书的单位承担。

对不可移动文物进行修缮、保养、迁移,必须遵守不改变文物原状的原则。

- 第二十二条 不可移动文物已经全部毁坏的,应当实施遗址保护,不得在原址重建。但是,因特殊情况需要在原址重建的,由省、自治区、直辖市人民政府文物行政部门征得国务院文物行政部门同意后,报省、自治区、直辖市人民政府批准;全国重点文物保护单位需要在原址重建的,由省、自治区、直辖市人民政府报国务院批准。
- 第二十三条 核定为文物保护单位的属于国家所有的纪念建筑物或者古建筑,除可以建立博物馆、保管所或者辟为参观游览场所外,如果必须作其他用途的,应当经核定公布该文物保护单位的人民政府文物行政部门征得上一级文物行政部门同意后,报核定公布该文物保护单位的人民政府批准;全国重点文物保护单位作其他用途的,应当由省、自治区、直辖市人民政府报国务院批准。国有未核定为文物保护单位的不可移动文物作其他用途的,应当报告县级人民政府文物行政部门。
- **第二十四条** 国有不可移动文物不得转让、抵押。建立博物馆、保管所或者辟为参观游览场 所的国有文物保护单位,不得作为企业资产经营。
 - 第二十五条 非国有不可移动文物不得转让、抵押给外国人。

非国有不可移动文物转让、抵押或者改变用途的,应当根据其级别报相应的文物行政部门备案;由当地人民政府出资帮助修缮的,应当报相应的文物行政部门批准。

第二十六条 使用不可移动文物,必须遵守不改变文物原状的原则,负责保护建筑物及其附

属文物的安全,不得损毁、改建、添建或者拆除不可移动文物。

对危害文物保护单位安全、破坏文物保护单位历史风貌的建筑物、构筑物,当地人民政府应 当及时调查处理,必要时,对该建筑物、构筑物予以拆迁。

第三章 考古发掘

第二十七条 一切考古发掘工作,必须履行报批手续;从事考古发掘的单位,应当经国务院 文物行政部门批准。

地下埋藏的文物,任何单位或者个人都不得私自发掘。

- **第二十八条** 从事考古发掘的单位,为了科学研究进行考古发掘,应当提出发掘计划,报国务院文物行政部门批准;对全国重点文物保护单位的考古发掘计划,应当经国务院文物行政部门审核后报国务院批准。国务院文物行政部门在批准或者审核前,应当征求社会科学研究机构及其他科研机构和有关专家的意见。
- **第二十九条** 进行大型基本建设工程,建设单位应当事先报请省、自治区、直辖市人民政府 文物行政部门组织从事考古发掘的单位在工程范围内有可能埋藏文物的地方进行考古调查、勘探。

考古调查、勘探中发现文物的,由省、自治区、直辖市人民政府文物行政部门根据文物保护的要求会同建设单位共同商定保护措施;遇有重要发现的,由省、自治区、直辖市人民政府文物行政部门及时报国务院文物行政部门处理。

第三十条 需要配合建设工程进行的考古发掘工作,应当由省、自治区、直辖市文物行政部门在勘探工作的基础上提出发掘计划,报国务院文物行政部门批准。国务院文物行政部门在批准前,应当征求社会科学研究机构及其他科研机构和有关专家的意见。

确因建设工期紧迫或者有自然破坏危险,对古文化遗址、古墓葬急需进行抢救发掘的,由省、 自治区、直辖市人民政府文物行政部门组织发掘,并同时补办审批手续。

- **第三十一条** 凡因进行基本建设和生产建设需要的考古调查、勘探、发掘,所需费用由建设单位列入建设工程预算。
- **第三十二条** 在进行建设工程或者在农业生产中,任何单位或者个人发现文物,应当保护现场,立即报告当地文物行政部门,文物行政部门接到报告后,如无特殊情况,应当在二十四小时内赶赴现场,并在七日内提出处理意见。文物行政部门可以报请当地人民政府通知公安机关协助保护现场;发现重要文物的,应当立即上报国务院文物行政部门,国务院文物行政部门应当在接到报告后十五日内提出处理意见。

依照前款规定发现的文物属于国家所有,任何单位或者个人不得哄抢、私分、藏匿。

- **第三十三条** 非经国务院文物行政部门报国务院特别许可,任何外国人或者外国团体不得在中华人民共和国境内进行考古调查、勘探、发掘。
- **第三十四条** 考古调查、勘探、发掘的结果,应当报告国务院文物行政部门和省、自治区、直辖市人民政府文物行政部门。

考古发掘的文物,应当登记造册,妥善保管,按照国家有关规定移交给由省、自治区、直辖

市人民政府文物行政部门或者国务院文物行政部门指定的国有博物馆、图书馆或者其他国有收藏 文物的单位收藏。经省、自治区、直辖市人民政府文物行政部门或者国务院文物行政部门批准, 从事考古发掘的单位可以保留少量出土文物作为科研标本。

考古发掘的文物,任何单位或者个人不得侵占。

第三十五条 根据保证文物安全、进行科学研究和充分发挥文物作用的需要,省、自治区、直辖市人民政府文物行政部门经本级人民政府批准,可以调用本行政区域内的出土文物;国务院 文物行政部门经国务院批准,可以调用全国的重要出土文物。

第四章 馆藏文物

第三十六条 博物馆、图书馆和其他文物收藏单位对收藏的文物,必须区分文物等级,设置藏品档案,建立严格的管理制度,并报主管的文物行政部门备案。

县级以上地方人民政府文物行政部门应当分别建立本行政区域内的馆藏文物档案;国务院文物行政部门应当建立国家一级文物藏品档案和其主管的国有文物收藏单位馆藏文物档案。

第三十七条 文物收藏单位可以通过下列方式取得文物:

- (一) 购买:
- (二)接受捐赠;
- (三) 依法交换:
- (四) 法律、行政法规规定的其他方式。

国有文物收藏单位还可以通过文物行政部门指定保管或者调拨方式取得文物。

第三十八条 文物收藏单位应当根据馆藏文物的保护需要,按照国家有关规定建立、健全管理制度,并报主管的文物行政部门备案。未经批准,任何单位或者个人不得调取馆藏文物。

文物收藏单位的法定代表人对馆藏文物的安全负责。国有文物收藏单位的法定代表人离任时, 应当按照馆藏文物档案办理馆藏文物移交手续。

第三十九条 国务院文物行政部门可以调拨全国的国有馆藏文物。省、自治区、直辖市人民政府文物行政部门可以调拨本行政区域内其主管的国有文物收藏单位馆藏文物;调拨国有馆藏一级文物,应当报国务院文物行政部门备案。

国有文物收藏单位可以申请调拨国有馆藏文物。

第四十条 文物收藏单位应当充分发挥馆藏文物的作用,通过举办展览、科学研究等活动,加强对中华民族优秀的历史文化和革命传统的宣传教育。

国有文物收藏单位之间因举办展览、科学研究等需借用馆藏文物的,应当报主管的文物行政部门备案,借用馆藏一级文物,应当经国务院文物行政部门批准。

非国有文物收藏单位和其他单位举办展览需借用国有馆藏文物的,应当报主管的文物行政部门批准;借用国有馆藏一级文物,应当经国务院文物行政部门批准。

文物收藏单位之间借用文物的最长期限不得超过三年。

第四十一条 已经建立馆藏文物档案的国有文物收藏单位,经省、自治区、直辖市人民政府

文物行政部门批准,并报国务院文物行政部门备案,其馆藏文物可以在国有文物收藏单位之间交换,交换馆藏一级文物的,必须经国务院文物行政部门批准。

第四十二条 未建立馆藏文物档案的国有文物收藏单位,不得依照本法第四十条、第四十一条的规定处置其馆藏文物。

第四十三条 依法调拨、交换、借用国有馆藏文物,取得文物的文物收藏单位可以对提供文物的文物收藏单位给予合理补偿,具体管理办法由国务院文物行政部门制定。

国有文物收藏单位调拨、交换、出借文物所得的补偿费用,必须用于改善文物的收藏条件和 收集新的文物,不得挪作他用,任何单位或者个人不得侵占。

调拨、交换、借用的文物必须严格保管,不得丢失、损毁。

第四十四条 禁止国有文物收藏单位将馆藏文物赠与、出租或者出售给其他单位、个人。

第四十五条 国有文物收藏单位不再收藏的文物的处置办法,由国务院另行制定。

第四十六条 修复馆藏文物,不得改变馆藏文物的原状;复制、拍摄、拓印馆藏文物,不得对馆藏文物造成损害。具体管理办法由国务院制定。

不可移动文物的单体文物的修复、复制、拍摄、拓印,适用前款规定。

第四十七条 博物馆、图书馆和其他收藏文物的单位应当按照国家有关规定配备防火、防盗、防自然损坏的设施,确保馆藏文物的安全。

第四十八条 馆藏一级文物损毁的,应当报国务院文物行政部门核查处理。其他馆藏文物损毁的,应当报省、自治区、直辖市人民政府文物行政部门核查处理;省、自治区、直辖市人民政府文物行政部门应当将核查处理结果报国务院文物行政部门备案。

馆藏文物被盗、被抢或者丢失的,文物收藏单位应当立即向公安机关报案,并同时向主管的文物行政部门报告。

第四十九条 文物行政部门和国有文物收藏单位的工作人员不得借用国有文物,不得非法侵占国有文物。

第五章 民间收藏文物

第五十条 文物收藏单位以外的公民、法人和其他组织可以收藏通过下列方式取得的文物:

- (一) 依法继承或者接受赠与;
- (二) 从文物商店购买:
- (三) 从经营文物拍卖的拍卖企业购买:
- (四)公民个人合法所有的文物相互交换或者依法转让;
- (五) 国家规定的其他法方式。

文物收藏单位以外的公民、法人和其他组织收藏的前款文物可以依法流通。

第五十一条 公民、法人和其他组织不得买卖下列文物:

- (一) 国有文物, 但是国家允许的除外;
- (二) 非国有馆藏珍贵文物:

- (三)国有不可移动文物中的壁画、雕塑、建筑构件等,但是依法拆除的国有不可移动文物中的壁画、雕塑、建筑构件等不属于本法第二十条第四款规定的应由文物收藏单位收藏的除外;
 - (四)来源不符合本法第五十条规定的文物。
- 第五十二条 国家鼓励文物收藏单位以外的公民、法人和其他组织将其收藏的文物捐赠给国 有文物收藏单位或者出借给文物收藏单位展览和研究。

国有文物收藏单位应当尊重并按照捐赠人的意愿,对捐赠的文物妥善收藏、保管和展示。 国家禁止出境的文物,不得转让、出租、质押给外国人。

第五十三条 文物商店应当由国务院文物行政部门或者省、自治区、直辖市人民政府文物行政部门批准设立,依法进行管理。

文物商店不得从事文物拍卖经营活动,不得设立经营文物拍卖的拍卖企业。

第五十四条 依法设立的拍卖企业经营文物拍卖的,应当取得国务院文物行政部门颁发的文物 拍卖许可证。

经营文物拍卖的拍卖企业不得从事文物购销经营活动,不得设立文物商店。

第五十五条 文物行政部门的工作人员不得举办或者参与举办文物商店或者经营文物拍卖的 拍卖企业。

文物收藏单位不得举办或者参与举办文物商店或者经营文物拍卖的拍卖企业。

禁止设立中外合资、中外合作和外商独资的文物商店或者经营文物拍卖的拍卖企业。

除经批准的文物商店、经营文物拍卖的拍卖企业外,其他单位或者个人不得从事文物的商业经营活动。

第五十六条 文物商店销售的文物,在销售前应当经省、自治区、直辖市人民政府文物行政 部门审核,对允许销售的,省、自治区、直辖市人民政府文物行政部门应当作出标识。

拍卖企业拍卖的文物,在拍卖前应当经省、自治区、直辖市人民政府文物行政部门审核,并 报国务院文物行政部门备案;省、自治区、直辖市人民政府文物行政部门不能确定是否可以拍卖 的,应当报国务院文物行政部门审核。

第五十七条 文物商店购买、销售文物,拍卖企业拍卖文物,应当按照国家有关规定作出记录,并报原审核的文物行政部门备案。

拍卖文物时,委托人、买受人要求对其身份保密的,文物行政部门应当为其保密;但是,法律、行政法规另有规定的除外。

第五十八条 文物行政部门在审核拟拍卖的文物时,可以指定国有文物收藏单位优先购买其中的珍贵文物。购买价格由文物收藏单位的代表与文物的委托人协商确定。

第五十九条 银行、冶炼厂、造纸厂以及废旧物资回收单位,应当与当地文物行政部门共同 负责拣选掺杂在金银器和废旧物资中的文物。拣选文物除供银行研究所必需的历史货币可以由人 民银行留用外,应当移交当地文物行政部门。移交拣选文物,应当给予合理补偿。

第六章 文物出境进境

第六十条 国有文物、非国有文物中的珍贵文物和国家规定禁止出境的其他文物,不得出境; 但是依照本法规定出境展览或者因特殊需要经国务院批准出境的除外。

第六十一条 文物出境,应当经国务院文物行政部门指定的文物进出境审核机构审核。经审核允许出境的文物,由国务院文物行政部门发给文物出境许可证,从国务院文物行政部门指定的口岸出境。

任何单位或者个人运送、邮寄、携带文物出境,应当向海关申报;海关凭文物出境许可证放行。

- **第六十二条** 文物出境展览,应当报国务院文物行政部门批准;一级文物超过国务院规定数量的,应当报国务院批准。
 - 一级文物中的孤品和易损品,禁止出境展览。

出境展览的文物出境,由文物进出境审核机构审核、登记。海关凭国务院文物行政部门或者国务院的批准文件放行。出境展览的文物复进境,由原文物进出境审核机构审核查验。

第六十三条 文物临时进境,应当向海关申报,并报文物进出境审核机构审核、登记。

临时进境的文物复出境,必须经原审核、登记的文物进出境审核机构审核查验;经审核查验 无误的,由国务院文物行政部门发给文物出境许可证,海关凭文物出境许可证放行。

第七章 法律责任

第六十四条 违反本法规定,有下列行为之一,构成犯罪的,依法追究刑事责任:

- (一) 盗掘古文化遗址、古墓葬的:
- (二) 故意或者过失损毁国家保护的珍贵文物的;
- (三)擅自将国有馆藏文物出售或者私自送给非国有单位或者个人的;
- (四)将国家禁止出境的珍贵文物私自出售或者送给外国人的:
- (五)以牟利为目的倒卖国家禁止经营的文物的;
- (六) 走私文物的:
- (七) 盗窃、哄抢、私分或者非法侵占国有文物的;
- (八)应当追究刑事责任的其他妨害文物管理行为。

第六十五条 违反本法规定,造成文物灭失、损毁的,依法承担民事责任。

违反本法规定,构成违反治安管理行为的,由公安机关依法给予治安管理处罚。

违反本法规定,构成走私行为,尚不构成犯罪的,由海关依照有关法律、行政法规的规定给 予处罚。

第六十六条 有下列行为之一,尚不构成犯罪的,由县级以上人民政府文物主管部门责令改正,造成严重后果的,处五万元以上五十万元以下的罚款;情节严重的,由原发证机关吊销资质证书:

(一) 擅自在文物保护单位的保护范围内进行建设工程或者爆破、钻探、挖掘等作业的;

- (二)在文物保护单位的建设控制地带内进行建设工程,其工程设计方案未经文物行政部门同意、报城乡建设规划部门批准,对文物保护单位的历史风貌造成破坏的;
 - (三)擅自迁移、拆除不可移动文物的;
 - (四)擅自修缮不可移动文物,明显改变文物原状的;
 - (五)擅自在原址重建已全部毁坏的不可移动文物,造成文物破坏的;
 - (六)施工单位未取得文物保护工程资质证书,擅自从事文物修缮、迁移、重建的。

刻划、涂污或者损坏文物尚不严重的,或者损毁依照本法第十五条第一款规定设立的文物保护单位标志的,由公安机关或者文物所在单位给予警告,可以并处罚款。

第六十七条 在文物保护单位的保护范围内或者建设控制地带内建设污染文物保护单位及其环境的设施的,或者对已有的污染文物保护单位及其环境的设施未在规定的期限内完成治理的,由环境保护行政部门依照有关法律、法规的规定给予处罚。

第六十八条 有下列行为之一的,由县级以上人民政府文物主管部门责令改正,没收违法所得,违法所得一万元以上的,并处违法所得二倍以上五倍以下的罚款;违法所得不足一万元的,并处五千元以上二万元以下的罚款;

- (一)转让或者抵押国有不可移动文物,或者将国有不可移动文物作为企业资产经营的;
- (二) 将非国有不可移动文物转让或者抵押给外国人的:
- (三)擅自改变国有文物保护单位的用途的。

第六十九条 历史文化名城的布局、环境、历史风貌等遭到严重破坏的,由国务院撤销其历史文化名城称号;历史文化城镇、街道、村庄的布局、环境、历史风貌等遭到严重破坏的,由省、自治区、直辖市人民政府撤销其历史文化街区、村镇称号;对负有责任的主管人员和其他直接责任人员依法给予行政处分。

第七十条 有下列行为之一,尚不构成犯罪的,由县级以上人民政府文物主管部门责令改正,可以并处二万元以下的罚款,有违法所得的,没收违法所得:

- (一) 文物收藏单位未按照国家有关规定配备防火、防盗、防自然损坏的设施的;
- (二)国有文物收藏单位法定代表人离任时未按照馆藏文物档案移交馆藏文物,或者所移交的馆藏文物与馆藏文物档案不符的:
 - (三)将国有馆藏文物赠与、出租或者出售给其他单位、个人的;
 - (四)违反本法第四十条、第四十一条、第四十五条规定处置国有馆藏文物的;
 - (五) 违反本法第四十三条规定挪用或者侵占依法调拨、交换、出借文物所得补偿费用的。

第七十一条 买卖国家禁止买卖的文物或者将禁止出境的文物转让、出租、质押给外国人, 尚不构成犯罪的,由县级以上人民政府文物主管部门责令改正,没收违法所得,违法经营额一万 元以上的,并处违法经营额二倍以上五倍以下的罚款;违法经营额不足一万元的,并处五千元以 上二万元以下的罚款。

第七十二条 未经许可,擅自设立文物商店、经营文物拍卖的拍卖企业,或者擅自从事文物的商业经营活动,尚不构成犯罪的,由工商行政管理部门依法予以制止,没收违法所得、非法经营的文物,违法经营额五万元以上的,并处违法经营额二倍以上五倍以下的罚款,违法经营额不

足五万元的,并处二万元以上十万元以下的罚款。

- **第七十三条** 有下列情形之一的,由工商行政管理部门没收违法所得、非法经营的文物,违 法经营额五万元以上的,并处违法经营额一倍以上三倍以下的罚款;违法经营额不足五万元的, 并处五千元以上五万元以下的罚款;情节严重的,由原发证机关吊销许可证书:
 - (一) 文物商店从事文物拍卖经营活动的;
 - (二)经营文物拍卖的拍卖企业从事文物购销经营活动的;
 - (三) 文物商店销售的文物、拍卖企业拍卖的文物, 未经审核的:
 - (四) 文物收藏单位从事文物的商业经营活动的。
- **第七十四条** 有下列行为之一,尚不构成犯罪的,由县级以上人民政府文物主管部门会同公安机关追缴文物;情节严重的,处五千元以上五万元以下的罚款;
 - (一) 发现文物隐匿不报或者拒不上交的:
 - (二)未按照规定移交拣选文物的。

第七十五条 有下列行为之一的,由县级以上人民政府文物主管部门责令改正:

- (一) 改变国有未核定为文物保护单位的不可移动文物的用途,未依照本法规定报告的;
- (二)转让、抵押非国有不可移动文物或者改变其用途,未依照本法规定备案的:
- (三)国有不可移动文物的使用人拒不依法履行修缮义务的:
- (四)考古发掘单位未经批准擅自进行考古发掘,或者不如实报告考古发掘结果的;
- (五)文物收藏单位未按照国家有关规定建立馆藏文物档案、管理制度,或者未将馆藏文物档案、管理制度备案的;
 - (六)违反本法第三十八条规定,未经批准擅自调取馆藏文物的;
- (七)馆藏文物损毁未报文物行政部门核查处理,或者馆藏文物被盗、被抢或者丢失,文物收藏单位未及时向公安机关或者文物行政部门报告的:
- (八) 文物商店销售文物或者拍卖企业拍卖文物,未按照国家有关规定作出记录或者未将所作记录报文物行政部门备案的。
- **第七十六条** 文物行政部门、文物收藏单位、文物商店、经营文物拍卖的拍卖企业的工作人员,有下列行为之一的,依法给予行政处分,情节严重的,依法开除公职或者吊销其从业资格;构成犯罪的,依法追究刑事责任:
- (一) 文物行政部门的工作人员违反本法规定,滥用审批权限、不履行职责或者发现违法行为不予查处,造成严重后果的;
 - (二) 文物行政部门和国有文物收藏单位的工作人员借用或者非法侵占国有文物的:
 - (三) 文物行政部门的工作人员举办或者参与举办文物商店或者经营文物拍卖的拍卖企业的;
 - (四)因不负责任造成文物保护单位、珍贵文物损毁或者流失的;
 - (五) 贪污、挪用文物保护经费的。

前款被开除公职或者被吊销从业资格的人员,自被开除公职或者被吊销从业资格之日起十年 内不得担任文物管理人员或者从事文物经营活动。

第七十七条 有本法第六十六条、第六十八条、第七十条、第七十一条、第七十四条、第七

十五条规定所列行为之一的,负有责任的主管人员和其他直接责任人员是国家工作人员的,依法 给予行政处分。

第七十八条 公安机关、工商行政管理部门、海关、城乡建设规划部门和其他国家机关,违 反本法规定滥用职权、玩忽职守、徇私舞弊,造成国家保护的珍贵文物损毁或者流失的,对负有 责任的主管人员和其他直接责任人员依法给予行政处分;构成犯罪的,依法追究刑事责任。

第七十九条 人民法院、人民检察院、公安机关、海关和工商行政管理部门依法没收的文物 应当登记造册,妥善保管,结案后无偿移交文物行政部门,由文物行政部门指定的国有文物收藏 单位收藏。

第八章 附则

第八十条 本法自公布之日起施行。

Law of the People's Republic of China on Protection of Cultural Relics

发文单位:全国人民代表大会常务委员会

发文时间: 2002-10-28 生效日期: 2002-10-28

(Adopted at the 25th Meeting of the Standing Committee of the Fifth National People's Congress on November 19,1982,revised in accordance with the Decision of the Standing Committee of the National People's Congress Regarding the Revision of Article 30 and Article 31 of the Law of the People's Republic of China on Protection of Cultural Relics at the 20th Meeting of the Standing Committee of the Seventh National People's Congress on June 29,1991, and revised again at the 30th Meeting of the Standing Committee of the Ninth National People's Congress on October 28,2002)

Contents

Chapter I General Provisions

Chapter II Immovable Cultural Relics

Chapter III Archaeological Excavations

Chapter IV Cultural Relics in the Collection of Cultural Institutions

Chapter V Cultural Relics in People's Collection

Chapter VI Taking or Bringing Cultural Relics out of or into China

Chapter VII Legal Liabilities

Chapter VII Supplementary Provisions

Chapter I

General Provisions

Article 1 This Law is enacted in accordance with the Constitution, with a view to strengthening the protection of cultural relics, inheriting the splendid historical and cultural legacy of the Chinese nation, promoting scientific research, conducting education in patriotism and in the revolutionary tradition, and building a socialist society with cultural, ideological and material progress.

Article 2 The State places under its protection the following cultural relics within the boundaries

of the People's Republic of China:

- (1)sites of ancient culture, ancient tombs, ancient architectural structures, cave temples, stone carvings and murals that are of historical, artistic or scientific value;
- (2)important modern and contemporary historic sites, material objects and typical buildings that are related to major historical events, revolutionary movements or famous personalities and that are highly memorable or are of great significance for education or for the preservation of historical data:
- (3) valuable works of art and handicraft articles dating from various historical periods;
- (4)important documents dating from various historical periods, and manuscripts, books and materials, etc.that are of historical, artistic or scientific value; and
- (5)typical material objects reflecting the social system, social production or the life of various nationalities in different historical periods.

The criteria and measures for the verification of cultural relics shall be formulated by the administrative department for cultural relics under the State Council and submitted to the State Council for approval.

Fossils of paleovertebrates and paleoanthropoids of scientific value shall be protected by the State in the same way as cultural relics.

Article 3 Immovable cultural relics, such as sites of ancient culture, ancient tombs, ancient architectural structures, cave temples, stone carvings and murals as well as important modern and contemporary historic sites and typical buildings, may, depending on their historical, artistic and scientific value, be designated respectively as major sites to be protected for their historical and cultural value at the national level, sites to be protected for their historical and cultural value at the provincial level, and sites to be protected for their historical and cultural value at the city or county level.

Movable cultural relics, such as important material objects, works of art, documents, manuscripts, books, materials, and typical material objects dating from various historical periods, shall be divided into valuable cultural relics and ordinary cultural relics; and the valuable cultural relics shall be subdivided into grade-one cultural relics, grade-two cultural relics and grade-three cultural relics.

- **Article 4** In the work concerning cultural relics, the principle of giving priority to the protection of cultural relics, attaching primary importance to their rescue, making rational use of them and tightening control over them shall be carried out.
- **Article 5** All cultural relics remaining underground or in the inland waters or territorial seas within the boundaries of the People's Republic of China are owned by the State.

Sites of ancient culture, ancient tombs and cave temples are owned by the State. Such immovable cultural relics as memorial buildings, ancient architectural structures, stone carvings, murals and typical architectural structures of the modern and contemporary times, designated for protection by the State,

except where otherwise provided for by regulations of the State, are owned by the State.

The ownership of State-owned immovable cultural relics shall remain unchanged when ownership or the right to use of the land to which such relics are attached changes.

The following movable, cultural relics are owned by the State:

- (1) cultural relics unearthed within the territories of the People's Republic of China, except where otherwise provided for by regulations of the State;
- (2) cultural relics collected and preserved by institutions for the collection of State-owned cultural relics and by other State organs, armed forces, State-owned enterprises, public institutions, etc.;
 - (3) cultural relics collected and purchased by the State;
 - (4) cultural relics donated to the State by citizens, legal persons and other organizations; and
 - (5) other cultural relics owned by the State as provided for by laws.

Ownership of movable cultural relics owned by the State shall remain unchanged when institutions for their preservation or collection cease to exist or are replaced.

Ownership of the State-owned cultural relics shall be protected by laws and shall brook no infringement.

Article 6 Ownership of memorial buildings, ancient architectural structures, cultural relics handed down from ancestors and other cultural relics obtained in accordance with laws, which belong to collectives or individuals, shall be protected by laws. Owners of the cultural relics shall abide by State laws and regulations on the protection of cultural relics.

Article 7 All government department, public organizations and individuals shall have the obligation to protect the cultural relics in accordance with laws.

Article 8 The administrative department for cultural relics under the State Council shall take charge of the work concerning the protection of cultural relics throughout the country.

Local People's governments at various levels shall take charge of the work concerning the protection of cultural relics within their own administrative areas. Departments in charge of the work concerning the protection of cultural relics under local People's governments at or above the county level shall exercise supervision and control over the protection of cultural relics within their own administrative areas.

The relevant administrative departments under People's governments at or above the county level shall, within the scope of their own functions and duties, take charge of the work concerning the protection of cultural relics.

Article 9 People's governments at various levels shall attach importance to the protection of cultural relics and correctly handle the relations between economic and social development and the protection of cultural relics so as to ensure safety of the cultural relics.

Capital construction and the development of tourism shall be governed by the principle for the work

concerning the protection of cultural relics, and such activities may not cause damage to cultural relics.

Public security organs, administrative departments for industry and commerce, the Customs, departments for urban and rural construction planning and the relevant State organs shall, in accordance with law, conscientiously perform their functions and duties for the protection of cultural relics and maintain the order of the control over cultural relics.

Article 10 The State develops the undertaking of the protection of cultural relics. People's governments at or above the county level shall incorporate the undertaking of the protection of cultural relics into their own plans for national economic and social development and the expenses entailed shall be listed in their own budgets.

Budgetary appropriations made by the State for the protection of cultural relics shall increase along with the increase of revenues.

Incomes earned by the undertakings of the State-owned museums, memorial halls, sites protected for their historical and cultural values, etc. shall exclusively be used for the protection of cultural relics, and no units or individuals may take them into their own possession or misappropriate them.

The State encourages, through such forms as donations, the establishment of social funds for the protection of cultural relics, which shall exclusively be used for the protection of cultural relics. No units or individuals may take such funds into their own possession or misappropriate them.

- **Article 11** Cultural relics are unrenewable cultural resources. The State devotes great efforts to the publicity and education in the need to protect cultural relics, enhances the awareness of the entire people of the need, and encourages scientific research in this field in order to raise the scientific and technological level for the protection of the cultural relics.
- **Article 12** The State gives moral encouragement or material rewards to units and individuals for any of the following deeds:
- (1) conscientiously implementing laws and regulations on the protection of cultural relics and making remarkable achievements in protecting cultural relics;
 - (2) resolutely fighting against criminal acts, in the interest of protecting cultural relics;
- (3) donating important cultural relics in one s own collection to the State or making donations for the undertaking of protection of cultural relics;
- (4) immediately reporting or delivering to the authority when discovering cultural relics, which facilitates their protection;
 - (5) making major contributions to the work of archaeological excavations;
- (6) making important inventions and innovations in the science and techniques for the protection of cultural relics, or other important contributions in this respect;
- (7) rendering meritorious service in rescuing cultural relics that are in danger of being destroyed; and

(8) having been engaged in the work concerning cultural relics over long years and having made outstanding achievements in this field.

Chapter II

Immovable Cultural Relics

Article 13 The administrative department for cultural relics under the State Council shall select sites from among the ones protected for their significant historical, artistic or scientific value at the provincial, city or county level and designate them as major sites to be protected for their historical and cultural value at the national level, or shall directly designate such major sites, and report them to the State Council for verification and announcement.

Sites to be protected for their historical and cultural value at the provincial level shall be verified and announced by the People's governments of provinces, autonomous regions, or municipalities directly under the Central Government, and be reported to the State Council for the record.

Sites to be protected for their historical and cultural value at the city or county level shall be verified and announced respectively by the People's governments of cities divided into districts, of autonomous prefectures and of counties, and be reported to the People's governments of provinces, autonomous regions, or municipalities directly under the Central Government for the record.

Immovable cultural relics of sites to be protected for their historical and cultural value that have not yet been verified and announced as such shall be registered and announced by the administrative department for cultural relics under the People's government at the county level.

Article 14 Cities with an unusual wealth of cultural relics of important historical value or high revolutionary memorial significance shall be verified and announced by the State Council as famous cities of historical and cultural value.

Towns, neighborhoods or villages with an unusual wealth of cultural relics of important historical value or high revolutionary memorial significance shall be verified and announced by the People's governments of provinces, autonomous regions, or municipalities directly under the Central Government as famous neighborhood, villages or towns of historical and cultural value, and reported to the State Council for the record.

Local People's governments at or above the county level in places where famous cities of historical and cultural value, or famous neighborhoods, villages or towns of historical and cultural value are located shall take charge of drawing up special plans for their protection and include such plans in their overall urban plans.

Measures for the protection of famous cities, famous neighborhoods, villages and towns of historical and cultural value shall be formulated by the State Council.

Article 15 People's governments of provinces, autonomous regions, and municipalities directly under the Central Government and of cities and counties shall respectively delimit the necessary area of protection, put up signs and notices, and establish records and files for the historical and cultural sites protected at the corresponding levels and shall, in the light of different circumstances, establish special organs or assign fulltime persons to be responsible for control over these sites. The area of protection and records and files for the major historical and cultural sites protected at the national level shall be reported by the administrative department for cultural relics under the People's governments of provinces, autonomous regions, or municipalities directly under the Central Government to the administrative department for cultural relics under the State Council for the record.

The administrative departments for cultural relics under the local People's governments at or above the county level shall, on the basis of the requirements for the protection of different cultural relics, formulate specific protective measures for the immovable cultural relics of the sites protected for their historical and cultural value and of the sites that have not yet been verified as such, and announce the measures for implementation.

Article 16 When drawing up plans for urban and rural construction, the People's governments at various levels shall, on the basis of the requirements for the protection of cultural relics, see to it that protective measures for the historical and cultural sites protected at different levels within their own administrative areas are first formulated through consultation between the departments for urban and rural construction planning and the administrative departments for cultural relics and include such measures in their plans.

Article 17 No construction of additional projects or such operations as blasting, drilling and digging may be conducted within the area of protection for a historical and cultural site. However, where under special circumstances it is necessary to conduct construction of additional projects or such operations as blasting, drilling and digging within the area of protection for such a site, its safety shall be guaranteed, and the matter shall be subject to approval by the People's government which originally verified and announced the site and which, before giving approval, shall ask consent of the administrative department for cultural relics under the People's government at the next higher level; and where construction of additional projects or such operations as blasting, drilling and digging are to be conducted within the area of protection for a major historical and cultural site protected at the national level, the matter shall be subject to approval by the People's government of the relevant province, autonomous region, or municipality directly under the Central Government, which, before giving approval, shall ask consent of the administrative department for cultural relics under the State Council.

Article 18 On the basis of the actual needs for the protection of cultural relics and with the approval of the People's government of the relevant province, autonomous region, or municipality directly under the Central Government, a certain area for control of construction may be delimited

around a site protected for its historical and cultural value, and such an area shall be announced.

No construction of a project conducted in an area for control of construction may deform the historical features of the site protected for its historical and cultural value; and the design for the project shall, in correspondence with the protection level of the site protected for its historical and cultural value, be subject to consent by the appropriate administrative department for cultural relics before it is submitted to the department for urban and rural construction planning for approval.

Article 19 No facilities that pollute the sites protected for their historical and cultural value or their environment may be put up within the area of protection for these sites or the area for control of construction, and no activities that may adversely affect the safety and environment of these sites may be conducted. Where there are already facilities that pollute the sites and their environment, they shall be brought under control within a specified time limit.

Article 20 While choosing a place for a construction project, the construction unit shall try its best to get around the site of immovable cultural relics; where it is impossible to do so under special circumstances, it shall do everything it can to protect the original site protected for its historical and cultural value.

Where the original site is to be protected, the construction unit shall first work out protective measures and, in correspondence with the level of protection for the site, submit the measures to the appropriate administrative department for cultural relics for approval, and include the measures in its feasibility study report or in the design, in which the task of protection is specified.

Where it is impossible to protect the original site or the site needs to be moved to another place or dismantled, the matter shall be reported to the People's government of the relevant province, autonomous region, or municipality directly under the Central Government for approval; where a site protected for its historical and cultural value at the provincial level needs to be moved to another place or dismantled, consent of the administrative department for cultural relics under the State Council shall be obtained prior to approval. No major historical and cultural sites protected at the national level may be dismantled; where such a site needs to be moved to another place, the matter shall be reported by the People's government of the relevant province, autonomous region, or municipality directly under the Central Government to the State Council for approval.

Among the State-owned immovable cultural relies to be dismantled in accordance with the provisions of the preceding paragraph, the murals, carvings, building components, etc. which are worthy of collecting shall be collected by the institution for the collection of cultural relics designated by the administrative department for cultural relics.

The expenses required for protecting, moving to another place or dismantling an original site as provided for by this Article shall be included in the budget of the construction unit for the construction project.

Article 21 Users of State-owned immovable cultural relics shall be responsible for their repairs and maintenance; and the owners of the immovable cultural relics not owned by the State shall be responsible for their repairs and maintenance. Where the immovable cultural relics not owned by the State are in danger of damage and the owner cannot afford their repairs, the local People's government shall offer the owner assistance; and where the owner can afford their repairs but refuses to perform his obligation to repair them as required by law, the People's government at or above the county level may make emergency repairs and the expenses entailed shall be borne by the owner.

Repairs to be made for sites protected for their historical and cultural value shall, in correspondence with their different levels of protection, be subject to approval by the appropriate administrative department for cultural relics; and repairs to be made for the immovable cultural relics of the sites that are not yet verified as ones protected for their historical and cultural value shall be subject to approval by the administrative departments for cultural relics under the People's governments at the county level with which the sites are registered.

The repairs, removal, or reconstruction of a site protected for its historical and cultural value shall be undertaken by the unit that has obtained the qualification certificate for projects designed to protect cultural relics.

In the repairing, maintaining and removing immovable cultural relics, the principle of keeping the cultural relics in their original state shall be adhered to.

Article 22 Where immovable cultural relics are totally damaged, the ruins shall be protected and the damaged relics may not be rebuilt on the original site. However, where under special circumstances it is necessary to have such relics rebuilt on the original site, the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government shall ask consent of the administrative department for cultural relics under the State Council before submitting the matter to the People's government of the relevant province, autonomous region, or municipality directly under the Central Government for approval; and where major site protected for its historical and cultural value at the national level needs to be rebuilt on the original site, the matter shall be submitted by the People's government of the relevant province, autonomous region, or municipality directly under the Central Government to the State Council for approval.

Article 23 Where it is necessary to use a memorial building or an ancient architectural structure owned by the State at a place verified as a site protected for its historical and cultural value for purposes other than the establishment of a museum, a cultural relics preservation institute or a tourist site, the administrative department for cultural relics under the People's government that originally verified and announced it as such a site shall first ask consent of the administrative department for cultural relics at the next higher level and then submit a report to the said People's government for approval; and where a

major site protected for its historical and cultural value at the national level is to be used for other purposes, the People's government of the relevant province, autonomous region, or municipality directly under the Central Government shall submit a report to the State Council for approval. Where the State-owned immovable cultural relics of a site not verified as one protected for its historical and cultural value are to be used for other purposes, the matter shall be reported to the administrative department for cultural relics under the People's government at the county level.

Article 24 No immovable cultural relics owned by the State may be transferred or mortgaged. No State-owned sites protected for their historical and cultural value, which are established as museums or cultural relics preservation institutes or used as tourist sites may be made enterprise assets for business operation.

Article 25 No immovable cultural relics not owned by the State may be transferred or mortgaged to foreigners.

The transfer and mortgage of the immovable cultural relics not owned by the State, or the change in their use shall, in correspondence with their different grades, be reported to the appropriate administrative departments for cultural relics for the record; and where their repairs are to be financed by the local People's government, the matter shall be submitted to the appropriate administrative departments for cultural relics for approval.

Article 26 The principle of keeping the immovable cultural relics in their original state shall be adhered to in their use, and the users shall be responsible for the safety of the structures and the cultural relics attached to them, see to it that the immovable cultural relics are not damaged, rebuilt or dismantled and that no additional structures are built on the site.

With regard to the buildings or structures that threaten the safety of the sites protected for their historical and cultural value or damage their historical features, the local People's government shall, without delay, investigate and handle the matter, and when necessary, it may have such buildings or structures dismantled or moved to other places.

Chapter III

Archaeological Excavations

Article 27 The procedure of submitting reports for approval shall be performed for all archaeological excavations; all institutions engaged in archaeological excavations shall be subject to approval by the administrative department for cultural relics under the State Council.

No units or individuals may, without permission, conduct excavation of the cultural relics buried underground.

Article 28 The institutions engaged in archaeological excavations that need to conduct

archaeological excavations for the purpose of scientific research shall submit their excavation plans to the administrative department for cultural relics under the State Council for approval; plans for archaeological excavations relating to the major sites protected for their historical and cultural value at the national level shall be submitted to the administrative department for cultural relics under the State Council for examination and verification before they are forwarded to the State Council for approval. Before giving approval to or examining and verifying such plans, the administrative department for cultural relics under the State Council shall consult with the research institutes of social sciences, other scientific research institutes and the experts concerned.

Article 29 Before launching a large-scale capital construction project, the construction unit shall first request in a report the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government to make arrangements for institutions engaged in archaeological excavations to conduct archaeological investigation and prospecting at places where cultural relics may be buried underground within the area designated for the project.

Where cultural relics are discovered in the course of investigation and prospecting, the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government shall, in compliance with the requirements for protection of cultural relics, decide on the protective measures through consultations with the construction unit. In case of important discoveries, the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government shall immediately submit a report to the administrative department for cultural relics under the State Council for handling.

Article 30 With regard to archaeological excavations which have to be carried out along with a construction project, the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government shall submit an excavation plan based on the result of prospecting to the administrative department for cultural relics under the State Council for approval. Before giving approval to the plan, the administrative department for cultural relics under the State Council shall consult with research institutes of social sciences, other scientific research institutes and the experts concerned.

In cases where the pressing time limit for the completion of the project or the danger of natural damage makes it truly urgent to rescue and excavate the sites of ancient culture or ancient tombs, the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government may make arrangements for proceeding with the excavation, while going through the formalities of examination and approval.

Article 31 The expenses needed for archaeological investigation, prospecting, or excavation,

which have to be carried out because of capital construction or construction for productive purposes, shall be included in the budget of the construction unit for the construction project.

Article 32 In the course of construction of a project or agricultural production, all units and individuals that discover cultural relics shall keep the scene intact and immediately report to the local administrative department for cultural relics; after receiving the report, the department shall, except under special circumstances, rush to the scene within 24 hours and put forth its proposals on the handling of the matter within seven days. The administrative department for cultural relics may report to the local People's government; requesting it to inform the public security organ of the matter and to seek its assistance in keeping the scene intact; and where important cultural relics are discovered, the matter shall immediately be reported to the administrative department for cultural relics under the State Council, which shall put forth its proposal on the handling of the matter within 15 days after receiving the report.

The cultural relics discovered in such a manner as mentioned in the preceding paragraph belong to the State, and no unit or individual may plunder, privately divide or conceal them.

Article 33 Without submitting a report to the administrative department for cultural relics under the State Council for special permission by the State Council, no foreigner or foreign organization may conduct archaeological investigation, prospecting or excavation within the boundaries of the People's Republic of China.

Article 34 The results of archaeological investigation, prospecting and excavation shall be reported to the administrative department for cultural relics under the State Council and to the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government.

Excavated archaeological relics shall be registered, preserved properly and, in accordance with the relevant regulations of the State, turned over for collection to the administrative department for cultural relics under the People's government of the relevant province, autonomous region, or municipality directly under the Central Government or to the State-owned museums, libraries or other State-owned institutions for the collection of cultural relics designated by the administrative department for cultural relics under the State Council. Upon approval by the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government, or under the State Council, institutions engaged in archaeological excavation may retain a small amount of unearthed cultural relics as samples for scientific research.

No units or individuals may take excavated archaeological relics into their own possession.

Article 35 To meet the need of ensuring the safety of cultural relics, conducting scientific research and making full use of cultural relics, the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government may, upon approval by the People's government at the corresponding level, transfer and use

the cultural relics unearthed within their own administrative areas; and the administrative department for cultural relics under the State Council may, upon approval by the State Council, transfer major cultural relics unearthed anywhere in the country.

Chapter IV

Cultural Relics in the Collection of Cultural Institutions

Article 36 Museums, libraries and other institutions for the collection of cultural relics shall classify the cultural relics in their collection into different grades, compile files for the relics kept by them, establish a strict system of control, and submit them to the competent administrative department for cultural relics for the record.

The administrative department for cultural relics under the People's governments at or above the county level shall compile files for the cultural relics in the collection of cultural institutions in their own administrative areas; and the administrative department for cultural relics under the State Council shall compile files for grade-one cultural relics of the State and for the cultural relics in the collection of State-owned cultural institutions under its charge.

Article 37 Institutions for the collection of cultural relics may obtain cultural relics by the following means:

- (1)purchasing;
- (2)accepting donations;
- (3) exchanging according to law; or
- (4)other means as provided for by laws and administrative rules and regulations.

Institutions for the collection of State-owned cultural relics may also obtain cultural relics through designation by the administrative department for cultural relics for preserving the relics or through transfer by the department.

Article 38 Institutions for the collection of cultural relics shall, in light of the need for protection of cultural relics in their collection and in accordance with the relevant regulations of the State, establish a sound system of control and report it to the competent administrative department for cultural relics for the record. Without approval, no unit or individual may, through transfer, obtain cultural relics in the collection of cultural institutions.

Legal representatives of the institutions for the collection of cultural relics shall be responsible for the safety of the cultural relics in their collection. Before leaving their posts, the legal representatives of the institutions for the collection of State-owned cultural relics shall, on the basis of the files of the cultural relics in the collection of the cultural institutions, go through the formalities of handing over the cultural relics in the collection of the institutions.

Article 39 The administrative department for cultural relics under the State Council may transfer the cultural relics in the collection of the State-owned cultural institutions anywhere in the country. The administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government may transfer the cultural relics in the collection of the State-owned cultural institutions, which are under its charge and are located in its administrative area; and where grade-one cultural relics in the collection of State-owned cultural institutions are transferred, the matter shall be reported to the administrative department for cultural relics under the State Council for the record.

State-owned institutions for the collection of cultural relics may apply for transfer of the cultural relics in the collection of State-owned cultural institutions.

Article 40 Institutions for the collection of cultural relics shall give full play to the cultural relics in their collection and, through holding exhibitions, conducting scientific research, etc., help enhance publicity and education in the splendid history and culture and the revolutionary tradition of the Chinese nation.

Where State-owned cultural institutions for the collection of cultural relics, for purposes of holding exhibitions, conducting scientific research, etc., need to borrow from each other cultural relics in their collection, the matter shall be reported to the competent administrative department for cultural relics for the record; and where grade-one cultural relics in the collection of cultural institutions are to be borrowed, the matter shall be subject to approval by the administrative department for cultural relics under the State Council.

Where institutions for the collection of cultural relics not owned by the State and other institutions, for purposes of holding exhibitions, need to borrow cultural relics in the collection of the State-owned cultural institutions, the matter shall be subject to approval by the competent administrative department for cultural relics; and where grade-one cultural relics in the collection of State-owned cultural institutions are to be borrowed, the matter shall be subject to approval by the administrative department for cultural relics under the State Council.

The maximum period of time for the borrowing of cultural relics between the institutions for the collection of cultural relics may not exceed three years.

Article 41 Cultural relics in institutions for the collection of State-owned cultural relics that have compiled files of the cultural relics in their collection may be exchanged among such institutions upon approval by the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government, and the matter shall be reported to the administrative department for cultural relics under the State Council for the record; and where grade-one cultural relics in their collection are to be exchanged, the matter shall be

subject to approval by the administrative department for cultural relics under the State Council.

Article 42 No institutions for the collection of State-owned cultural relics that have not compiled files of the cultural relics in their collection may handle the cultural relics in their collection in accordance with the provisions in Articles 40 and 41 of this Law.

Article 43 The institution for the collection of the cultural relics that obtains cultural relics through lawful transfer, exchange or borrowing of the cultural relies in the collection of State-owned cultural institutions may give a reasonable sum of compensation to the institution for the collection of cultural relics that provides it with the cultural relics. The specific administrative measures in this respect shall be formulated by the administrative department for cultural relics under the State Council.

The amount of compensation gained by the institutions for the collection of State-owned cultural relics from the transfer, exchange or lending of cultural relics shall be used for the improvement of the conditions for the collection of cultural relics or for the collection of new cultural relics, but not for other purposes; and no unit or individual may take it into its/his own possession.

The cultural relics transferred, exchanged or borrowed shall be kept in good care, and none of then may be lost or damaged.

- **Article 44** No institutions for the collection of State-owned cultural relics may donate, lease or sell the cultural relics in their collection to other units or individuals.
- **Article 45** Measures for disposition of the cultural relics which institutions for the collection of the State-owned cultural relics no longer keep shall be formulated separately by the State Council.
- **Article 46** No repairs of cultural relics in the collection of cultural institutions may change their original state; and when duplicating, taking photos or making rubbings of cultural relics in the collection of cultural institutions, one shall take care not to damage the cultural relics. Specific administrative measures in this respect shall be formulated by the State Council.

The provisions of the preceding paragraph shall be applicable to repairs, duplication, photo-taking and rubbing of all-in-one cultural relics of immovable cultural relics.

- **Article 47** Museums, libraries and other institutions for the collection of cultural relics shall, in accordance with the relevant regulations of the State, be installed with facilities against fire, robbery and natural damages so as to ensure safety of the cultural relics in their collection.
- Article 48 Where grade-one cultural relics in the collection of cultural institutions are damaged, the matter shall be reported to the administrative department for cultural relics under the State Council for examination, verification and handling. Where other cultural relics in the collection of cultural institutions are damaged, the matter shall be reported to the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government for examination, verification and handling; and the said department under the relevant People's government shall submit the results of such examination, verification and handling

to the administrative department for cultural relics under the State Council for the record.

Where cultural relics in the collection of a cultural institution are stolen, robbed or missing, the institution hall immediately report the case to a public security organ and at the same time to the competent administrative department for cultural relics.

Article 49 No workers of the administrative department for cultural relics and the institution for the collection of State-owned cultural relics may borrow State-owned cultural relics or illegally take them into their own possession.

Chapter V

Cultural Relics in People's Collection

- **Article 50** Citizens, legal persons and other organizations, except institutions for the collection of cultural relics, may collect cultural relics obtained through the following channels:
 - (1) lawfully inheriting or accepting as gifts;
 - (2) purchasing from cultural relics stores;
 - (3) purchasing from auction enterprises engaged in auction of cultural relics;
- (4) mutually exchanging or transferring in accordance with law the cultural relics lawfully owned by individual citizens; or
 - (5) other lawful channels prescribed by the State.

Cultural relics, as specified in the preceding paragraph, which are in the collection of citizens, legal persons and other organizations, except the institutions for the collection of cultural relics, may be circulated according to law.

- **Article 51** No citizens, legal persons or other organizations may purchase or sell the following cultural relics:
 - (1) state-owned cultural relics, except ones with the approval of the State;
 - (2) valuable cultural relics in the collection of the cultural institutions not owned by the State;
- (3) such of the State-owned irremovable cultural relics as murals, carvings and components of buildings, except such of the State-owned irremovable cultural relics as murals, carvings and components of buildings that are dismantled according to law but are not collected by the institutions for the collection of cultural relics and therefore are not governed by the provisions in the fourth paragraph of Article 20 in this Law; or
 - (4) cultural relics not obtained through the channels provided for in Article 50 of this Law.
- Article 52 The State encourages citizens, legal persons and other organizations, except the institutions for the collection of cultural relics, to donate the cultural relics in their collection to the institutions for the collection of State-owned cultural relics or to lend them to institutions for the

collection of cultural relics for exhibition and research.

Institutions for the collection of State-owned cultural relics shall honor and comply with the wishes of donors and keep the donated relics in proper collection and preservation and make appropriate display of them.

No cultural relics that the State prohibits from leaving the country may be transferred, leased or pledged to foreigners.

Article 53 The establishment of cultural relics stores shall be subject to approval by the administrative department for cultural relics under the State Council or by the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government, and the stores shall be administered according to law.

No cultural relics stores may engage in auction of cultural relics or set up auction enterprises for the purpose.

Article 54 Auction enterprises established according to law for the auction of cultural relics are required to obtain license for auction of cultural relics issued by the administrative department for cultural relics under the State Council.

No auction enterprises engaged in auction of cultural relics may conduct business activities of purchasing or selling cultural relics or set up cultural relics stores.

Article 55 No workers of the administrative departments for cultural relics may establish or participate in the establishment of cultural relics stores or auction enterprises engaged in auction of cultural relics.

No institutions for the collection of cultural relics may establish or participate in the establishment of cultural relics stores or auction enterprises engaged in auction of cultural relics.

The establishment of cultural relics stores or auction enterprises engaged in auction of cultural relics in the form of Chinese-foreign equity joint venture, Chinese-foreign contractual joint venture or wholly foreign-owned venture is prohibited.

Except for cultural relics stores and auction enterprises engaged in auction of cultural relics that have obtained approval, no other units or individuals may engage in business activities relating to cultural relics.

Article 56 Cultural relics to be sold by cultural relics stores shall, prior to their sale, be examined and verified by the administrative department for cultural relics under the People's government of the relevant province, autonomous region or municipality directly under the Central Government; and the ones approved for sale shall be marked by the said administrative department.

Cultural relics for auction by auction enterprises shall, prior to their auction, be examined and verified by the administrative department for cultural relics under the People's government of the

relevant province, autonomous region or municipality directly under the Central Government, and the matter shall be reported to the administrative department for cultural relics under the State Council for the record; and where the said administrative department cannot determine whether the relics in question may be auctioned, it shall submit the relics to the administrative department for cultural relics under the State Council for examination and verification.

Article 57 Cultural relics stores and auction enterprises shall, in accordance with the relevant regulations of the State, keep records of the cultural relics they purchase and sell or auction and submit the records to the administrative department for cultural relics that originally examined and verified the relics for the record.

Where the client or buyer requests to keep his identity secret when auctioning cultural relics, the administrative department for cultural relics shall do so, except where otherwise provided for in laws and administrative rules and regulations.

Article 58 When the administrative department for cultural relics examines and verifies the cultural relics that are to be put up for auction, it may designate an institution for the collection of State-owned cultural relics to enjoy the priority in purchasing the valuable ones among them. The purchasing prices may, through consultation, be determined between the representatives of the institution and the trustor of the cultural relics.

Article 59 Banks, smelteries, paper mills and units for the recovery of old and waste materials shall be responsible, jointly with the local administrative department for cultural relics, for sorting out cultural relics from among gold and silver articles and waste materials. The cultural relics thus sorted out, except for coins and other kinds of currency of past ages which are needed for research by banks and which may be kept by them, shall be turned over to the local administrative department for cultural relics. Reasonable compensation shall be paid for the sorted out cultural relics that are turned over.

Chapter VI

Taking or Bringing Cultural Relics out of or into China

Article 60 No state-owned cultural relics, valuable cultural relics among the ones not owned by the State or other cultural relics that are prohibited from being taken out of China according to State regulations may be taken out of the country, except the ones to be taken out of the country for exhibition in accordance with the provisions of this Law or for special needs upon approval by the State Council.

Article 61 Cultural relics to be taken out of the country shall be subject to examination and verification by the examination and verification authority for the entry and exit of cultural relics designated by the administrative department for cultural relics under the State Council. For the cultural

relics that may be taken out of the country after examination and verification, the administrative department for cultural relics under the State Council shall issue an exit permit, and they shall be shipped out of the country at the port designated by the said administrative department.

Cultural relics to be transported, mailed or taken out of the country by any units or individuals shall be declared to the Customs; and the Customs shall let them leave the country on the strength of their exit permit.

Article 62 Cultural relics to be taken out of the country for exhibition shall be subject to approval by the administrative department for cultural relics under the State Council; and if the number of Grade One cultural relics exceeds the quota fixed by the State Council, the matter shall be subject to approval by the State Council.

The only existing or fragile relics among the Grade One cultural relics are prohibited from being taken out of the country for exhibition.

Cultural relics to be taken out of the country for exhibition shall be examined, verified and registered by the examination and verification authority for entry and exit of cultural relics. The Customs shall let them leave the country on the strength of the approval document issued by the administrative department for cultural relics under the State Council or by the State Council. The entry of the cultural relics into the country that have been taken out for exhibition shall be examined, verified and inspected by the original examination and verification authority for the entry and exit of cultural relics.

Article 63 Temporary entry of cultural relics into the country shall be declared to the Customs, and shall be subject to examination and verification by the examination and verification authority for the entry and exit of cultural relics and be registered with it.

Before leaving the country, the cultural relics that have entered the country temporarily shall be examined, verified and inspected by the examination and verification authority for the entry and exit of cultural relics that originally examined, verified and registered them; and if all is in order, the administrative department for cultural relics under the State Council shall issue an exit permit for these cultural relics and the Customs shall let them leave the country on the strength of the permit.

Chapter VII Legal Liabilities

Article 64 Anyone who, in violation of the provisions of this Law, commits one of the following acts, which constitutes a crime, shall be investigated for criminal responsibility according to law:

- (1) illicitly excavating sites of ancient culture and ancient tombs;
- (2) intentionally or negligently damaging or destroying valuable cultural relics under State protection;

- (3) selling without authorization or privately giving the cultural relics in the collection of State-owned cultural institutions to a unit not owned by the State or an individual;
- (4) selling or giving, without authorization, to foreigners valuable cultural relics that the State prohibits from being taken out of the country;
 - (5) seeking profits by reselling the cultural relics that are prohibited by the State from being dealt in;
 - (6) smuggling cultural relics;
- (7) robbing, plundering or privately dividing State-owned cultural relics or illicitly taking them into his possession; or
- (8) other acts hindering the control over cultural relics and that shall be investigated for criminal responsibility.
- **Article 65** Anyone who, in violation of the provisions of this Law, causes the missing of or damage to cultural relics shall bear civil responsibility according to law.

Where the violation of the provisions of this Law constitutes an act against security administration, the public security organ shall impose a security administration punishment according to law.

Where the violation of the provisions of this Law constitutes an act of smuggling, but is not serious enough to constitute a crime, the Customs shall impose a punishment in accordance with the provisions of the relevant laws and administrative rules and regulations.

- **Article 66** Any unit that commits one of the following acts, which is not serious enough to constitute a crime, shall be ordered by the competent administrative department for cultural relics under the People's government at or above the county level to put it right; if serious consequences are caused, it shall be fined not less than RMB 50,000 yuan but not more than 500,000 yuan; and if the circumstances are serious, the authority that originally issued the qualification certificate shall revoke the certificate:
- (1) without authorization, conducting construction project or such operations as blasting, drilling and digging within the area of protection for a historical and cultural site;
- (2) conducting construction project in an area for the control of construction within a site protected for its historical and cultural value; the design for which is not submitted to the administrative department for cultural relics for consent or to the urban and rural construction planning department for approval, and which deforms the historical features of the site protected for its historical and cultural value;
 - (3) removing or dismantling irremovable cultural relics without authorization;
- (4) repairing irremovable cultural relics without authorization and obviously changing their original state;
- (5) without authorization, rebuilding on the original site irremovable cultural relics that are totally damaged and thus destroying the cultural relics; or

(6) in the case of a construction unit without qualification certificate for projects designed to protect cultural relics, repairing, removing or reconstructing cultural relics.

Anyone who scrawls or smears on cultural relics or does damage to them not seriously, or to the signs of the sites, which are protected for their historical and cultural value, put up in accordance with the provisions of the first paragraph of Article 15 of this Law shall be given disciplinary warning by the public security organ or by the unit where the cultural relics are located, and may, in addition, be imposed a fine.

Article 67 Where a unit puts up, within the area of protection for a site protected for its historical and cultural value or the area for the control of construction, facilities that pollute the site and its environment, or fails to bring under control within the specified time limit the existing facilities that pollute the site and its environment, it shall be imposed a punishment by the administrative department for environmental protection in accordance with the provisions of the relevant laws and administrative rules and regulations.

Article 68 Any unit or individual that commits one of the following acts shall be ordered by the competent administrative department for cultural relics under the People's government at or above the county level to put it right and its/his unlawful gains derived therefrom shall be confiscated; if the amount of such unlawful gains is more than 10,000 yuan, it/he shall be fined not less than two times, but not more than five times, the amount of the unlawful gains; and if the amount of the unlawful gains is less than 10,000 yuan, it/he shall be fined not less than 5,000 yuan but not more than 20,000 yuan:

- (1) transferring or mortgaging State-owned immovable cultural relics, or making them enterprise assets for business operation;
 - (2) transferring or mortgaging irremovable cultural relics not owned by the State to foreigners; or
- (3) without authorization, changing the purpose of use of a site protected for State-owned cultural relics.

Article 69 Where the layout, environment, historical features, etc. of a famous city of historical and cultural value are seriously undermined, the State Council shall revoke its title of famous city of historical and cultural value; where the layout, environment, historical features, etc. of a town, neighborhood or village of historical and cultural value are seriously undermined, the People's government of the relevant province, autonomous region or municipality directly under the Central Government shall revoke its title of neighborhood, town or village of historical and cultural value; and the persons directly in charge and the other persons directly responsible shall be given administrative sanctions according to law.

Article 70 Where a unit commits one of the following acts, which is not serious enough to constitute a crime, the competent administrative department for cultural relics under the People's government at or above the county level shall order it to put it right and may, in addition, impose on it a

fine of not more than 20,000 yuan; and if there are unlawful gains derived therefrom, such unlawful gains shall be confiscated:

- (1) in the case of an institution for the collection of cultural relics, failing to have facilities against fire, robbery and natural damage installed as required by the provisions of the relevant regulations of the State:
- (2) in the case of the legal representative of an institution for the collection of State-owned cultural relics, when leaving his post, failing to hand over the cultural relics in accordance with the files on the cultural relics in the collection of the institution, or the cultural relics handed over are not in agreement with the files;
- (3) donating, leasing or selling State-owned cultural relics in the collection of cultural institutions to other units or individuals;
- (4) disposing of State-owned cultural relics in the collection of cultural institutions in violation of the provisions of Articles 40, 41 and 45 of this Law; or
- (5) in violation of the provisions of Article 43 of this Law, misappropriating or taking into one s own possession the amount of compensation gained from the cultural relics transferred, exchanged or lent according to law.
- Article 71 Where a unit or individual deals in cultural relics that the State prohibits from being dealt in or transfers, leases or mortgages to foreigners cultural relics that the State prohibits from being taken out of the country, which is not serious enough to constitute a crime, the competent administrative department for cultural relics under the People's government at or above the country level shall order it/him to put it right and confiscate its/his unlawful gains derived therefrom; if the amount of the earnings from such illegal operations is more than 10,000 yuan, it/he shall, in addition, be fined not less than two times, but not more than five times, the amount of the said earnings; and if it is less than 10,000 yuan, it/he shall, in addition, be fined not less than 5,000 yuan but not more than 20,000 yuan.
- Article 72 Where a person, without permission, establishes a cultural relics store or an auction enterprise engaged in auction of cultural relics, or engages in business operations in cultural relics, which is not serious enough to constitute a crime, the administrative department for the industry and commerce shall, in accordance with law, stop him and confiscate his unlawful gains derived therefrom and the cultural relics dealt in; if the amount of the earnings from such illegal operations is more than 50,000 yuan, he shall be fined not less than two times, but not more than five times, the amount of the earnings; and if the amount of the said earnings is less than 50,000 yuan, he shall be fined not less than 20,000 yuan but not more than 100,000 yuan.
- **Article 73** Where a unit is found in one of the following circumstances, its unlawful gains and the cultural relics illegally dealt in shall be confiscated by the administrative department for industry and commerce; if the amount of earnings from such illegal operations is more than 50,000 yuan, it shall, in

addition, be fined not less than the amount of, but not more than three times the amount of, such earnings; if the amount of such earnings is less than 50,000 yuan, it shall, in addition, be fined not less than 5,000 yuan but not more than 50,000 yuan; and if the circumstances are serious, its license shall be revoked by the original authority that issued the license:

- (1) if a cultural relics store engages in auction of cultural relics;
- (2) if an auction enterprise engaged in auction of cultural relics purchases or sells cultural relics;
- (3) if the cultural relics dealt in by a cultural relics store or auctioned by an auction enterprise are not examined and verified; or
- (4) if an institution for the collection of cultural relics engages in business operations in cultural relics.
- Article 74 Where a person commits one of the following acts, which is not serious enough to constitute a crime, the competent administrative department for cultural relics under the People's government at or above the county level together with the public security organ shall recover the cultural relics; and if the circumstances are serious, he shall be fined not less than 5,000 yuan but not more than 50,000 yuan:
 - (1) concealing or refusing to hand over cultural relics discovered; or
 - (2) failing to turn over the cultural relics sorted out, as required by relevant regulations.
- **Article 75** Any unit that commits one of the following acts shall be ordered by the competent administrative department for cultural relics under the People's government at or above the county level to put it right:
- (1) failing to report, as required by the provisions of this Law, the change in the use of the State-owned irremovable cultural relics of a site not verified as one to be protected for its historical and cultural value;
- (2) failing to put on record, as required by the provisions of this Law, the transfer or mortgage of the irremovable cultural relics not owned by the State or the change in their use;
- (3) in the case of a user of State-owned irremovable cultural relics, refusing to perform, in accordance with law, his obligation to repair them;
- (4) in the case of an institution engaged in archaeological excavation, conducting archaeological excavation without authorization, or failing to give a truthful report of the results of the excavation;
- (5) in the case of an institution for the collection of cultural relics failing to compile files of the cultural relics in its collection and establish a system of the control over them, as required by the relevant regulations of the State, or failing to report the files and the system of control for the record;
- (6) in violation of the provisions of Article 38 of this Law, obtaining, through transfer, cultural relics in the collection of a cultural institution without approval;
 - (7) in the case of an institution for the collection of cultural relics, failing to report the damages of

the cultural relics in its collection to the administrative department for cultural relics for examination, verification and disposition, or failing to report immediately to the public security organ or the administrative department for cultural relics about the cultural relics in its collection that are stolen, robbed or missing; or

(8) in the case of a cultural relics store or an auction enterprise, failing to keep records of the cultural relics it sold or auctioned, or failing to submit the records to the administrative department for cultural relics for the record, as required by the relevant regulations of the State.

Article 76 Where a worker of an administrative department for cultural relics, of an institution for the collection of cultural relics, of a cultural relics store or a cultural relics auction enterprise commits one of the following acts, he shall be given to administrative sanction according to law; if the circumstances are serious, he shall be discharged from public employment or disqualified for the job according to law; and a crime is constituted, he shall be investigated for criminal responsibility according to law:

- (1) in the case of a worker of an administrative department for cultural relics, in violation of the provisions of this Law, abusing his power of examination and approval, failing to perform his functions and duties, or failing to investigate and handle unlawful acts discovered, which causes serious consequences;
- (2) in the case of a worker of an administrative department for cultural relics and or an institution for the collection of State-owned cultural relics, borrowing or illegally taking into his possession State-owned cultural relics;
- (3) in the case of a worker of an administrative department for cultural relics, establishing or participating in the establishment of cultural relics stores or auction enterprises engaged in auction of cultural relics;
- (4) causing damage or destruction to the sites protected for their historical and cultural value and to valuable cultural relics or causing missing of such relics due to disregard of responsibility; or
 - (5) embezzling or misappropriating funds earmarked for the protection of cultural relics.

No persons discharged from public employment or disqualified for the job, as mentioned in the preceding paragraph, may be employed for administration of cultural relics or to deal in cultural relics within ten years from the date of discharge or disqualification.

Article 77 Where the persons directly in charge of the unit that commits one of the following acts mentioned in Articles 66, 68, 70, 71, 74 and 75 of this Law and the other persons directly responsible are State functionaries, they shall be given administrative sanctions according to law.

Article 78 Where public security organs, the administrative departments for industry and commerce, the Customs, the departments for urban and rural construction planning and other State organs, in violation of the provisions of this Law, abuse their powers, neglect their duties, or engage in

malpractice for personal gains, thus causing serious damage or destruction to the valuable cultural relics under State protection or causing their missing, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions according to law; and if a crime is constituted, criminal responsibility shall be investigated according to law.

Article 79 The People's Courts, the People's Procuratorates, the public security organs, the Customs and the administrative departments for industry and commerce shall have the cultural relics confiscated according to law registered, preserved properly, and turned over to the administrative department for cultural relics gratis after settlement of the cases, and the cultural relics shall be kept in the collection of an institution for the collection of State-owned cultural relics which is designated by the administrative department for cultural relics.

Chapter VIII Supplementary Provisions

Article 80 This Law shall go into effect as of the date of its promulgation.

中华人民共和国文物保护法实施条例

第一章 总则

- 第一条 根据《中华人民共和国文物保护法》(以下简称文物保护法),制定本实施条例。
- **第二条** 国家重点文物保护专项补助经费和地方文物保护专项经费,由县级以上人民政府文物行政主管部门、投资主管部门、财政部门按照国家有关规定共同实施管理。任何单位或者个人不得侵占、挪用。
 - 第三条 国有的博物馆、纪念馆、文物保护单位等的事业性收入,应当用于下列用途:
 - (一) 文物的保管、陈列、修复、征集;
 - (二)国有的博物馆、纪念馆、文物保护单位的修缮和建设:
 - (三) 文物的安全防范:
 - (四)考古调查、勘探、发掘;
 - (五) 文物保护的科学研究、宣传教育。
- **第四条** 文物行政主管部门和教育、科技、新闻出版、广播电视行政主管部门,应当做好文物保护的宣传教育工作。
- **第五条** 国务院文物行政主管部门和省、自治区、直辖市人民政府文物行政主管部门,应当制定文物保护的科学技术研究规划,采取有效措施,促进文物保护科技成果的推广和应用,提高文物保护的科学技术水平。
- **第六条** 有文物保护法第十二条所列事迹之一的单位或者个人,由人民政府及其文物行政主管部门、有关部门给予精神鼓励或者物质奖励。

第二章 不可移动文物

- 第七条 历史文化名城,由国务院建设行政主管部门会同国务院文物行政主管部门报国务院 核定公布。历史文化街区、村镇,由省、自治区、直辖市人民政府城乡规划行政主管部门会同文 物行政主管部门报本级人民政府核定公布。县级以上地方人民政府组织编制的历史文化名城和历史文化街区、村镇的保护规划,应当符合文物保护的要求。
- 第八条 全国重点文物保护单位和省级文物保护单位自核定公布之日起1年内,由省、自治区、直辖市人民政府划定必要的保护范围,作出标志说明,建立记录档案,设置专门机构或者指定专人负责管理。设区的市、自治州级和县级文物保护单位自核定公布之日起1年内,由核定公布该文物保护单位的人民政府划定保护范围,作出标志说明,建立记录档案,设置专门机构或者指定专人负责管理。
 - **第九条** 文物保护单位的保护范围,是指对文物保护单位本体及周围一定范围实施重点保护

的区域。文物保护单位的保护范围,应当根据文物保护单位的类别、规模、内容以及周围环境的 历史和现实情况合理划定,并在文物保护单位本体之外保持一定的安全距离,确保文物保护单位 的真实性和完整性。

- **第十条** 文物保护单位的标志说明,应当包括文物保护单位的级别、名称、公布机关、公布 日期、立标机关、立标日期等内容。民族自治地区的文物保护单位的标志说明,应当同时用规范 汉字和当地通用的少数民族文字书写。
- **第十一条** 文物保护单位的记录档案,应当包括文物保护单位本体记录等科学技术资料和有 关文献记载、行政管理等内容。文物保护单位的记录档案,应当充分利用文字、音像制品、图画、 拓片、摹本、电子文本等形式,有效表现其所载内容。
- 第十二条 古文化遗址、古墓葬、石窟寺和属于国家所有的纪念建筑物、古建筑,被核定公布为文物保护单位的,由县级以上地方人民政府设置专门机构或者指定机构负责管理。其他文物保护单位,由县级以上地方人民政府设置专门机构或者指定机构、专人负责管理;指定专人负责管理的,可以采取聘请文物保护员的形式。文物保护单位有使用单位的,使用单位应当设立群众性文物保护组织;没有使用单位的,文物保护单位所在地的村民委员会或者居民委员会可以设立群众性文物保护组织。文物行政主管部门应当对群众性文物保护组织的活动给予指导和支持。负责管理文物保护单位的机构,应当建立健全规章制度,采取安全防范措施;其安全保卫人员,可以依法配备防卫器械。
- **第十三条** 文物保护单位的建设控制地带,是指在文物保护单位的保护范围外,为保护文物保护单位的安全、环境、历史风貌对建设项目加以限制的区域。文物保护单位的建设控制地带,应当根据文物保护单位的类别、规模、内容以及周围环境的历史和现实情况合理划定。
- 第十四条 全国重点文物保护单位的建设控制地带,经省、自治区、直辖市人民政府批准,由省、自治区、直辖市人民政府的文物行政主管部门会同城乡规划行政主管部门划定并公布。省级、设区的市、自治州级和县级文物保护单位的建设控制地带,经省、自治区、直辖市人民政府批准,由核定公布该文物保护单位的人民政府的文物行政主管部门会同城乡规划行政主管部门划定并公布。
- 第十五条 承担文物保护单位的修缮、迁移、重建工程的单位,应当同时取得文物行政主管部门发给的相应等级的文物保护工程资质证书和建设行政主管部门发给的相应等级的资质证书。 其中,不涉及建筑活动的文物保护单位的修缮、迁移、重建,应当由取得文物行政主管部门发给的相应等级的文物保护工程资质证书的单位承担。

第十六条 申领文物保护工程资质证书,应当具备下列条件:

- (一) 有取得文物博物专业技术职务的人员;
- (二)有从事文物保护工程所需的技术设备;
- (三) 法律、行政法规规定的其他条件。
- **第十七条** 申领文物保护工程资质证书,应当向省、自治区、直辖市人民政府文物行政主管 部门或者国务院文物行政主管部门提出申请。省、自治区、直辖市人民政府文物行政主管部门或

者国务院文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决定。决定批准的,发给相应等级的文物保护工程资质证书;决定不批准的,应当书面通知当事人并说明理由。文物保护工程资质等级的分级标准和审批办法,由国务院文物行政主管部门制定。

- **第十八条** 文物行政主管部门在审批文物保护单位的修缮计划和工程设计方案前,应当征求上一级人民政府文物行政主管部门的意见。
- **第十九条** 危害全国重点文物保护单位安全或者破坏其历史风貌的建筑物、构筑物,由省、 自治区、直辖市人民政府负责调查处理。

危害省级、设区的市、自治州级、县级文物保护单位安全或者破坏其历史风貌的建筑物、构筑物,由核定公布该文物保护单位的人民政府负责调查处理。危害尚未核定公布为文物保护单位的不可移动文物安全的建筑物、构筑物,由县级人民政府负责调查处理。

第三章 考古发掘

- 第二十条 申请从事考古发掘的单位,取得考古发掘资质证书,应当具备下列条件:
- (一) 有 4 名以上取得考古发掘领队资格的人员:
- (二)有取得文物博物专业技术职务的人员:
- (三) 有从事文物安全保卫的专业人员;
- (四) 有从事考古发掘所需的技术设备:
- (五)有保障文物安全的设施和场所:
- (六) 法律、行政法规规定的其他条件。
- **第二十一条** 申领考古发掘资质证书,应当向国务院文物行政主管部门提出申请。国务院文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决定。决定批准的,发给考古发掘资质证书,决定不批准的,应当书面通知当事人并说明理由。
- **第二十二条** 考古发掘项目实行领队负责制度。担任领队的人员,应当取得国务院文物行政 主管部门按照国家有关规定发给的考古发掘领队资格证书。
- 第二十三条 配合建设工程进行的考古调查、勘探、发掘,由省、自治区、直辖市人民政府文物行政主管部门组织实施。跨省、自治区、直辖市的建设工程范围内的考古调查、勘探、发掘,由建设工程所在地的有关省、自治区、直辖市人民政府文物行政主管部门联合组织实施;其中,特别重要的建设工程范围内的考古调查、勘探、发掘,由国务院文物行政主管部门组织实施。建设单位对配合建设工程进行的考古调查、勘探、发掘,应当予以协助,不得妨碍考古调查、勘探、发掘。
- **第二十四条** 国务院文物行政主管部门应当自收到文物保护法第三十条第一款规定的发掘计划之日起 30 个工作日内作出批准或者不批准决定。决定批准的,发给批准文件;决定不批准的,应当书面通知当事人并说明理由。文物保护法第三十条第二款规定的抢救性发掘,省、自治区、直辖市人民政府文物行政主管部门应当自开工之日起 10 个工作日内向国务院文物行政主管部门

补办审批手续。

- 第二十五条 考古调查、勘探、发掘所需经费的范围和标准,按照国家有关规定执行。
- 第二十六条 从事考古发掘的单位应当在考古发掘完成之日起 30 个工作日内向省、自治区、直辖市人民政府文物行政主管部门和国务院文物行政主管部门提交结项报告,并于提交结项报告之日起 3 年内向省、自治区、直辖市人民政府文物行政主管部门和国务院文物行政主管部门提交考古发掘报告。
- 第二十七条 从事考古发掘的单位提交考古发掘报告后,经省、自治区、直辖市人民政府文物行政主管部门或者国务院文物行政主管部门依据各自职权批准,可以保留少量出土文物作为科研标本,并应当于提交发掘报告之日起 6 个月内将其他出土文物移交给由省、自治区、直辖市人民政府文物行政主管部门或者国务院文物行政主管部门指定的国有的博物馆、图书馆或者其他国有文物收藏单位收藏。

第四章 馆藏文物

- **第二十八条** 文物收藏单位应当建立馆藏文物的接收、鉴定、登记、编目和档案制度,库房管理制度,出入库、注销和统计制度,保养、修复和复制制度。
- 第二十九条 县级人民政府文物行政主管部门应当将本行政区域内的馆藏文物档案,按照行政隶属关系报设区的市、自治州级人民政府文物行政主管部门或者省、自治区、直辖市人民政府文物行政主管部门备案;设区的市、自治州级人民政府文物行政主管部门应当将本行政区域内的馆藏文物档案,报省、自治区、直辖市人民政府文物行政主管部门备案;省、自治区、直辖市人民政府文物行政主管部门应当将本行政区域内的一级文物藏品档案,报国务院文物行政主管部门备案。
- 第三十条 文物收藏单位之间借用馆藏文物,借用人应当对借用的馆藏文物采取必要的保护措施,确保文物的安全。借用的馆藏文物的灭失、损坏风险,除当事人另有约定外,由借用该馆藏文物的文物收藏单位承担。
- **第三十一条** 国有文物收藏单位未依照文物保护法第三十六条的规定建立馆藏文物档案并将 馆藏文物档案报主管的文物行政主管部门备案的,不得交换、借用馆藏文物。
- **第三十二条** 修复、复制、拓印馆藏二级文物和馆藏三级文物的,应当报省、自治区、直辖市人民政府文物行政主管部门批准; 修复、复制、拓印馆藏一级文物的,应当经省、自治区、直辖市人民政府文物行政主管部门审核后报国务院文物行政主管部门批准。
 - 第三十三条 从事馆藏文物修复、复制、拓印的单位,应当具备下列条件:
 - (一) 有取得中级以上文物博物专业技术职务的人员;
 - (二)有从事馆藏文物修复、复制、拓印所需的场所和技术设备;
 - (三) 法律、行政法规规定的其他条件。
 - 第三十四条 从事馆藏文物修复、复制、拓印,应当向省、自治区、直辖市人民政府文物行

政主管部门提出申请。省、自治区、直辖市人民政府文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决定。决定批准的,发给相应等级的资质证书;决定不批准的, 应当书面通知当事人并说明理由。

第三十五条 为制作出版物、音像制品等拍摄馆藏二级文物和馆藏三级文物的,应当报省、自 治区、直辖市人民政府文物行政主管部门批准;拍摄馆藏一级文物的,应当经省、自治区、直辖 市人民政府文物行政主管部门审核后报国务院文物行政主管部门批准。

- **第三十六条** 馆藏文物被盗、被抢或者丢失的,文物收藏单位应当立即向公安机关报案,并同时向主管的文物行政主管部门报告; 主管的文物行政主管部门应当在接到文物收藏单位的报告后 24 小时内,将有关情况报告国务院文物行政主管部门。
- **第三十七条** 国家机关和国有的企业、事业组织等收藏、保管国有文物的,应当履行下列义务:
- (一)建立文物藏品档案制度,并将文物藏品档案报所在地省、自治区、直辖市人民政府文物行政主管部门备案;
 - (二)建立、健全文物藏品的保养、修复等管理制度,确保文物安全:
- (三)文物藏品被盗、被抢或者丢失的,应当立即向公安机关报案,并同时向所在地省、自 治区、直辖市人民政府文物行政主管部门报告。

第五章 民间收藏文物

第三十八条 文物收藏单位以外的公民、法人和其他组织,可以依法收藏文物,其依法收藏的文物的所有权受法律保护。公民、法人和其他组织依法收藏文物的,可以要求文物行政主管部门对其收藏的文物提供鉴定、修复、保管等方面的咨询。

第三十九条 设立文物商店,应当具备下列条件:

- (一)有200万元人民币以上的注册资本:
- (二)有5名以上取得中级以上文物博物专业技术职务的人员;
- (三)有保管文物的场所、设施和技术条件;
- (四) 法律、行政法规规定的其他条件。
- **第四十条** 设立文物商店,应当依照国务院文物行政主管部门的规定向省、自治区、直辖市以上人民政府文物行政主管部门提出申请。省、自治区、直辖市以上人民政府文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决定。决定批准的,发给批准文件;决定不批准的,应当书面通知当事人并说明理由。
- **第四十一条** 依法设立的拍卖企业,从事文物拍卖经营活动的,应当有 5 名以上取得高级文物博物专业技术职务的文物拍卖专业人员,并取得国务院文物行政主管部门发给的文物拍卖许可证。
- **第四十二条** 依法设立的拍卖企业申领文物拍卖许可证,应当向国务院文物行政主管部门提出申请。国务院文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决

定。决定批准的,发给文物拍卖许可证;决定不批准的,应当书面通知当事人并说明理由。

第四十三条 文物商店购买、销售文物,经营文物拍卖的拍卖企业拍卖文物,应当记录文物的名称、图录、来源、文物的出卖人、委托人和买受人的姓名或者名称、住所、有效身份证件号码或者有效证照号码以及成交价格,并报核准其销售、拍卖文物的文物行政主管部门备案。接受备案的文物行政主管部门应当依法为其保密,并将该记录保存 75 年。文物行政主管部门应当加强对文物商店和经营文物拍卖的拍卖企业的监督检查。

第六章 文物出境进境

第四十四条 国务院文物行政主管部门指定的文物进出境审核机构,应当有 5 名以上专职文物进出境责任鉴定员。专职文物进出境责任鉴定员应当取得中级以上文物博物专业技术职务并经国务院文物行政主管部门考核合格。

第四十五条 运送、邮寄、携带文物出境,应当在文物出境前依法报文物进出境审核机构审核。文物进出境审核机构应当自收到申请之日起 15 个工作日内作出是否允许出境的决定。文物进出境审核机构审核文物,应当有 3 名以上文物博物专业技术人员参加;其中,应当有 2 名以上文物进出境责任鉴定员。文物出境审核意见,由文物进出境责任鉴定员共同签署;对经审核,文物进出境责任鉴定员一致同意允许出境的文物,文物进出境审核机构方可作出允许出境的决定。文物出境审核标准,由国务院文物行政主管部门制定。

第四十六条 文物进出境审核机构应当对所审核进出境文物的名称、质地、尺寸、级别,当事人的姓名或者名称、住所、有效身份证件号码或者有效证照号码,以及进出境口岸、文物去向和审核日期等内容进行登记。

第四十七条 经审核允许出境的文物,由国务院文物行政主管部门发给文物出境许可证,并由文物进出境审核机构标明文物出境标识。经审核允许出境的文物,应当从国务院文物行政主管部门指定的口岸出境。海关查验文物出境标识后,凭文物出境许可证放行。经审核不允许出境的文物,由文物进出境审核机构发还当事人。

第四十八条 文物出境展览的承办单位,应当在举办展览前 6 个月向国务院文物行政主管部门提出申请。国务院文物行政主管部门应当自收到申请之日起 30 个工作日内作出批准或者不批准的决定。决定批准的,发给批准文件;决定不批准的,应当书面通知当事人并说明理由。一级文物展品超过 120 件(套)的,或者一级文物展品超过展品总数的 20%的,应当报国务院批准。

第四十九条 一级文物中的孤品和易损品,禁止出境展览。禁止出境展览文物的目录,由国 务院文物行政主管部门定期公布。未曾在国内正式展出的文物,不得出境展览。

第五十条 文物出境展览的期限不得超过1年。因特殊需要,经原审批机关批准可以延期; 但是,延期最长不得超过1年。

第五十一条 文物出境展览期间,出现可能危及展览文物安全情形的,原审批机关可以决定中止或者撤销展览。

第五十二条 临时进境的文物,经海关将文物加封后,交由当事人报文物进出境审核机构审核、登记。文物进出境审核机构查验海关封志完好无损后,对每件临时进境文物标明文物临时进境标识,并登记拍照。临时进境文物复出境时,应当由原审核、登记的文物进出境审核机构核对入境登记拍照记录,查验文物临时进境标识无误后标明文物出境标识,并由国务院文物行政主管部门发给文物出境许可证。未履行本条第一款规定的手续临时进境的文物复出境的,依照本章关于文物出境的规定办理。

第五十三条 任何单位或者个人不得擅自剥除、更换、挪用或者损毁文物出境标识、文物临时进境标识。

第七章 法律责任

第五十四条 公安机关、工商行政管理、文物、海关、城乡规划、建设等有关部门及其工作人员,违反本条例规定,滥用审批权限、不履行职责或者发现违法行为不予查处的,对负有责任的主管人员和其他直接责任人员依法给予行政处分,构成犯罪的,依法追究刑事责任。

第五十五条 违反本条例规定,未取得相应等级的文物保护工程资质证书,擅自承担文物保护单位的修缮、迁移、重建工程的,由文物行政主管部门责令限期改正;逾期不改正,或者造成严重后果的,处 5 万元以上 50 万元以下的罚款;构成犯罪的,依法追究刑事责任。违反本条例规定,未取得建设行政主管部门发给的相应等级的资质证书,擅自承担含有建筑活动的文物保护单位的修缮、迁移、重建工程的,由建设行政主管部门依照有关法律、行政法规的规定予以处罚。

第五十六条 违反本条例规定,未取得资质证书,擅自从事馆藏文物的修复、复制、拓印活动的,由文物行政主管部门责令停止违法活动;没收违法所得和从事违法活动的专用工具、设备;造成严重后果的,并处1万元以上10万元以下的罚款;构成犯罪的,依法追究刑事责任。

第五十七条 文物保护法第六十六条第二款规定的罚款,数额为200元以下。

第五十八条 违反本条例规定,未经批准擅自修复、复制、拓印、拍摄馆藏珍贵文物的,由文物行政主管部门给予警告;造成严重后果的,处 2000 元以上 2 万元以下的罚款;对负有责任的主管人员和其他直接责任人员依法给予行政处分。

第五十九条 考古发掘单位违反本条例规定,未在规定期限内提交结项报告或者考古发掘报告的,由省、自治区、直辖市人民政府文物行政主管部门或者国务院文物行政主管部门责令限期改正;逾期不改正的,对负有责任的主管人员和其他直接责任人员依法给予行政处分。

第六十条 考古发掘单位违反本条例规定,未在规定期限内移交文物的,由省、自治区、直辖市人民政府文物行政主管部门或者国务院文物行政主管部门责令限期改正;逾期不改正,或者造成严重后果的,对负有责任的主管人员和其他直接责任人员依法给予行政处分。

第六十一条 违反本条例规定,文物出境展览超过展览期限的,由国务院文物行政主管部门责令限期改正;对负有责任的主管人员和其他直接责任人员依法给予行政处分。

第六十二条 依照文物保护法第六十六条、第七十三条的规定,单位被处以吊销许可证行政

处罚的,应当依法到工商行政管理部门办理变更登记或者注销登记;逾期未办理的,由工商行政管理部门吊销营业执照。

第六十三条 违反本条例规定,改变国有的博物馆、纪念馆、文物保护单位等的事业性收入的用途的,对负有责任的主管人员和其他直接责任人员依法给予行政处分;构成犯罪的,依法追究刑事责任。

第八章 附则

第六十四条 本条例自 2003 年 7 月 1 日起施行。

Regulations for the Implementation of the Law of the People's Republic of China on Protection of Cultural Relics

(Adopted at the Eighth Executive Meeting of the State Council on May 13,2003, promulgated by Decree No. 377 of the State Council of the People's Republic of China on May 18, 2003, and effective as of July 1,2003)

Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the Law of the People's Republic of China on Protection of Cultural Relics (hereinafter referred to as the Law on Protection of Cultural Relics).

Article 2 The State special subsidy funds for major cultural relics and local special funds for cultural relics are jointly managed by the competent cultural relics administrative departments, the departments in charge of investment and the finance departments of the people's governments at or above the county level in accordance with relevant provisions of the State. No unit or individual may take these funds into their own possession of misappropriate them.

- **Article 3** Incomes earned by the undertaking of the State-owned museums, memorial halls, sites protected for their historical and cultural value, etc. shall be used for the following purposes:
 - (1)upkeep, display, restoration and collection of cultural relics;
- (2)repair, renovation and building up of State-owned museums, memorial halls and sites protected for their historical and cultural value;
 - (3) security measures for the safekeeping of cultural relics;
 - (4) archaeological investigation, prospecting and excavation; and
 - (5) scientific research, publicity and education in the protection of cultural relics.
- **Article 4** The competent cultural relics administrative departments and the competent administrative departments of education science and technology, press and publication, and broadcasting and television shall do a good job in enhancing publicity and education in the protection of cultural relics.
- **Article 5** The competent cultural relics administrative department of the State Council and the competent cultural relics administrative departments of people's governments of the provinces, autonomous regions and municipalities directly under the Central Government shall Work out measures for the popularization and application of scientific and technological results in the protection of cultural relics, so as to advance the scientific and technological standard in this regard.
- **Article 6** Units or individuals that perform any of the deeds as listed in Article 12 of the Law on Protection of Cultural Relics shall be given moral encouragement of material rewards by the people's

governments and the competent cultural relics administrative departments thereof and other relevant departments.

Chapter II Immovable Cultural Relics

Article 7 The famous cities of historical and cultural value shall be reported by the competent construction administrative department of the State Council to the State Council for verification and announcement.

The famous neighbourhoods, villages or towns of historical and cultural value shall be reported by the competent administrative departments of urban and rural planning jointly with the competent cultural relics administrative departments of the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government to the people's governments at the same level for verification and announcement.

Plans for the protection of famous cities of historical and cultural value, famous neighbourhoods, villages or towns of historical and cultural value, which are drawn up under the organization of the local people's governments at or above the county level, shall meet the requirements for the protection of cultural relics.

Article 8 The people's government of the province, autonomous region or municipality directly under the Central Government shall, within one year from the date of verification and announcement of a major site protected for its historical and cultural value at the national level or a site protected for its historical and cultural value at the provincial level, delimit the necessary area of protection, put up a sign or notice therefor, establish records and files thereof, and establish special organs or assign full-time persons to be responsible for the control over the site.

Within one year from the date of verification and announcement of a site protected for its historical and cultural value at the level of a city divided into districts, at the level of an autonomous prefecture or at the county level, the people's government that has verified and announced the site shall delimit the area of protection, put up a sign or notice therefor, establish records and files thereof, and establish special organs or assign full-time persons to be responsible for the control over the site.

Article 9 The area of protection for a site protected for its historical and cultural value shall cover both the site proper and the surrounding areas for which special protection is enforced over a certain parameter.

The area of protection for a site protected for its historical and cultural value shall be delimited rationally in light of the classification, size and contents of the site as well as the historical and actual conditions of the surrounding environment, and a certain additional safe space shall be kept beyond the site proper, so as to preserve its true identity and integrity.

Article 10 The sign or notice for a site protected for its historical and cultural value shall include its grade, name, organ and date of announcement, organ of putting up the sign or notice and date of its

establishment. The sign or notice for a site in an autonomous region of an ethnic group protected for its historical and cultural value shall be in both standard Han characters and the ethnic language commonly used in the locality.

Article 11 The records and files of a site protected for its historical and cultural value shall include written descriptions of the site proper, scientific and technological data, related documentary accounts and contents concerning its administrative management.

The records and files of a site protected for its historical and cultural value shall make full use of the forms such as written language, sound and video recordings, pictures, rubbings, facsimiles and electronic copies so as to give effective expressions to the contents they carry on.

Article 12 For a site of ancient culture, ancient tomb, cave temple, State-owned memorial building or ancient architectural structure that is verified and announced as a site protected for its historical and cultural value, the local people's government at or above the county level shall establish a special organ or assign an organ to be responsible for the control over the site. For any Other site protected for ist historical and cultural value, the local peple's government at or above the county level shall establish a special organ or assign an organ or a full-time person to be responsible for the control over the said person may be employed as a cultural relics guard.

Where a site protected for its historical and cultural relics; where there is no such a unit ,the villagers committee or residents committee of the place where the site protected for its historical and cultural value is located may set up a mass organization for the protection of cultural relics. The competent cultural relics administrative department shall give guidance and support to such mass organization for the protection of cultural relics in its activities.

An organ responsible for the control over a site protected for its historical and cultural value shall work out and improve sound regulations and systems and adopt security measures; its security persons may be equipped with defensive weapons in accordance with law.

Article 13 The area for control of construction around a site protected for its historical and cultural value refers to an area, beyond the area of protection of the said site, in which the construction of any project is restricted with a view to protecting the safety, environment and historical features of the site.

The area for control of construction around a site protected for ist historical and cultural value shall be delimited rationally in light of the classification, size and contents of the site and the historical and actual situations of its surrounding environment.

Article 14 The area for control of construction around a major site protected for its historical and cultural value at the national level shall ,upon approval by the people's government of the province, autonomous region or municipality directly under the Central Government, be delimited and announced by the competent cultural relics administrative department jointly with the administrative department of urban and rural planning of the people's government of the province, autonomous region or municipality directly under the Central Government.

The area for control of construction around a sight protected for ist historical and cultural value at the provincial level, at the level of a city divided into districts, at the level of an autonomous prefecture of at the county level shall ,upon approval by the people's government of the province, autonomous region or municipality directly under the Central Government, be delimited and announced by the competent cultural relics administrative department jointly with the administrative department of urban and rural planning of the people's government approving and announcing the site.

Article 15 A unit undertaking the repair, removal ,or reconstruction of a site protected for its historical and cultural value shall obtain both the qualification certificate of an appropriate grade for projects designed to protect cultural relics issued by the competent cultural relics administrative department and the qualification certificate of an appropriate grade issued by the competent construction administrative department, whereas the work of repair, removal or an appropriate grade for projects designed to protect cultural relics issued by the competent cultural relics administrative department.

Article 16 An applicant for obtaining the qualification certificate for projects designed to protect cultural relics shall meet the following conditions:

- (1) having persons with a technical title in the profession of cultural relics and museology;
- (2) having technical equipment for the projects designed to protect cultural relics; and
- (3)other conditions as provided by laws and administrative regulations.

Article 17 To apply to obtain the qualification certificate for projects designed to protect cultural relics, an application therefore shall be submitted to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government or to the competent cultural relics administrative department of the State Council, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue the qualification certificate of an appropriate grade for projects designed to protect cultural relics when making a decision of disapproval. The criteria for varying grades of qualifications for projects designed to protect cultural relics and the measures for examination and approval shall be formulated by the competent cultural relics administrative department of the State Council.

Article 18 The competent cultural relics administrative department shall, before examining and approving the repair plan and engineering design programme for a site protected for its historical and cultural value, solicit opinions from the competent cultural relics administrative department of the people's government at the next higher level.

Article 19 The people's government of the province, autonomous region or municipality directly under the Central Government shall be responsible for investigating and handling the building or structure that threatens the safety of any major site protected for its historical and cultural value at the national level or damages its historical features.

The people's government verifying and announcing the site shall be responsible for investigating

and handling the building or structure that threatens the safety of any site protected for its historical and cultural value at the provincial level, at the level of a city divided into districts, at the level of an autonomous prefecture or at the county level, or damages its historical features.

The people's government at the county level shall be responsible for investigating and handling the building or structure that threatens the safety of any immovable cultural relics that have not yet been verified and announced as a site protected for its historical and cultural value.

Chapter III Archaeological Excavations

Article 20 An institution applying to engage in archaeological excavations and to obtain a qualification certificate for archaeological excavations shall meet the following conditions:

- (1) having four or more persons qualified as team leaders for archaeological excavations;
- (2)having persons with a technical title in the profession of cultural relics and museology;
- (3) having professionals for protecting the safety of cultural relics;
- (4) having technical equipment for archaeological excavations;
- (5) having facilities and premises for safeguarding the safety of cultural relics; and
- (6)other condition as provided by laws and administrative regulations.

Article 21 To obtain a qualification certificate for archaeological excavations, an application therefore shall be submitted to the competent cultural relics administrative department of the State Council, Which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a qualification certificate for archaeological excavations when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 22 A system of responsibility of team leaders shall be practiced in all archaeological excavation projects. A person who is to hold the position of team leader shall obtain a qualification certificate for team leader for archaeological excavations issued by the competent cultural relics administrative department of the State Council in accordance with the relevant provisions of the State.

Article 23 The archaeological investigation, prospecting and excavation to be carried out along with a construction project shall be organized and conducted by the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government. The archaeological investigation, prospecting and excavation in a construction project covering two or more provinces, autonomous regions and municipalities directly under the Central Government shall be jointly organized and conducted by the competent cultural relics administrative departments of the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government where the construction project is located, whereas the archaeological investigation, prospecting and excavation in a construction project of special importance shall be organized and conducted by the competent cultural relics administrative department of the State Council.

The construction unit shall provide assistance to the archaeological investigation, prospecting and excavation carried out along with a construction project, and shall not hinder such archaeological investigation, prospecting and excavation.

Article 24 The competent cultural relics administrative department of the State Council shall make a decision of approval or disapproval within 30 working days from the date of receipt of an excavation plan as provided in the first paragraph of Article 30 of the Law on Protection of Cultural Relics, and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

In case of rescue excavation as provided in the second paragraph of Article 30 of the Law on Protection of Cultural Relics, the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government shall, within ten working days from the date of commencement of the excavation, undergo the formalities of examination and approval retroactively with the competent cultural relics administrative department of the State Council.

Article 25 The range and rate of funds needed for archaeological investigation, prospecting and excavation shall be subject to the relevant provisions of the State.

Article 26 An institution engaged in archaeological excavations shall, within 30 working days from the date of completion of an archaeological excavation project, submit a project completion report to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government and the competent cultural relics administrative department of the State Council, and shall, within three years from the date of submission of the project completion report, submit an archaeological excavation report to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality under the Central Government and the competent cultural relies administrative department of the State Council.

Article 27 After submission of the archaeological excavation report, the institution engaged in archaeological excavations may retain a small amount of unearthed cultural relics as samples for scientific research, upon approval by the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council within their respective functions and powers, and shall, within six months from the date of submission of the excavation report, turn over other unearthed cultural relics for collection to the State-owned museums, libraries or other State-owned institutions for the collection of cultural relics designated by the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council.

Chapter IV Cultural Relics in the Collection of Cultural Institutions

Article 28 An institution for the collection of cultural relies shall set up a system of receipt, assessment, registration, cataloguing and filing of cultural relics in its collection, a system of warehouse management, a system of entry, taking out and cancellation of cultural relics as well as their statistics and a system of maintenance, restoration and reproduction.

Article 29 The competent cultural relics administrative department of the people's government at the county level shall, in accordance with the relationship of administrative subordination, submit for the record the files of the cultural relics in the collection of various cultural institutions within its administrative area to the competent cultural relics administrative department of the people's government at the level of a city divided into districts or at the level of an autonomous prefecture or to the competent cultural relics administrative department of the people's government; the competent cultural relics administrative department of the people's government at the level of a city divided into districts or at the level of an autonomous prefecture shall submit for the record the files for the cultural relics in the collection of various cultural institutions within its administrative area to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government shall submit for the record the files for the collected grade-one cultural relics within its administrative area to the competent cultural relics administrative department of the State Council.

Article 30 Where an institution for the collection of cultural relics borrows cultural relics from another institution, the borrower shall take necessary protection measures for the borrowed cultural relics so as to ensure their security.

Unless otherwise agreed upon by the parties concerned, the risk of destruction, loss or damage of the borrowed cultural relics shall be borne by the institution for the collection of cultural relics that borrows the said cultural relics.

Article 31 Where an institution for the collection of State-owned cultural relics fails to compile files for the cultural relics in its collection and submit such files to the competent cultural relics administrative department for record pursuant to the provisions of Article 36 of the Law on Protection of Cultural Relics, it shall not exchange or lend cultural relics from its collection.

Article 32 Repairs, duplication or making rubbings of grade-two or grade-three cultural relics in the collection of a cultural institution shall be reported for approval to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government. Repairs, duplication or making rubbings of grade-one cultural relics in the collection of a cultural institution shall, upon examination and

verification by the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government, be reported to the competent cultural relics administrative department of the State Council for approval.

Article 33 An institution engaged in repairs, duplication or making rubbings of cultural relics in the collection of cultural institutions shall meet the following conditions:

- (1) having persons with a technical title at or above the intermediate level in the profession of cultural relics and museology;
- (2) having premises and technical equipment for repairs, duplication and making rubbings of cultural relics in the collection of cultural institutions; and
 - (3) other conditions as provided by laws and administrative regulations.

Article 34 To engage in repairs, duplication or making rubbings of cultural relics in the collection of cultural institutions, an application therefore shall be submitted to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a qualification certificate of an appropriate grade when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 35 Taking photos of grade-two or grade-three cultural relics in the collection of cultural institutions for producing publications or making sound or video recordings shall be reported for approval to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government. Taking photos of grade-on cultural relics in the collection of cultural institutions shall, upon examination and verification by the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government, be reported to the competent cultural relics administrative department of the State Council for approval.

Article 36 Where the cultural relics in the collection of a cultural institution are stolen, robbed or missing, the institution for the collection of the said cultural relics shall report the case to the public security organ without delay, and, at the same time, report the case to the competent cultural relics administrative department; the competent cultural relics administrative department shall, within 24 hours after the receipt of the report from the institution for the collection of the said cultural relics, report the relevant situations to the competent cultural relics administrative department of the State Council.

Article 37 The State organs and State-owned enterprises, institutions or other organizations that collect or preserve State-owned cultural relics shall fulfill the following obligations:

(1)to set up a file system for the cultural relics in their collection and submit the files for the cultural relics for the record to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government

in the place where they are located;

(2)to set up and improve an administrative system for the maintenance and repair of the cultural relics in their collection so as to ensure the security of the cultural relics; and

(3)where the cultural relics in their collection are stolen, robbed or missing, they shall report the case to the public security organ without delay, and, at the same time, report the case to the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government in the place where they are located.

Chapter V Cultural Relics in People's Collection

Article 38 Citizens, legal persons and other organizations, except institutions for the collection of cultural relics, may collect cultural relics in accordance with law, and the ownership of their cultural relics legally collected shall be protected by law.

Citizens, legal persons and other organizations that legally collect cultural relics may request the competent cultural relics administrative department to provide them with consultancy services concerning assessment, repair and preservation of the cultural relics collected by them.

Article 39 A cultural relics store to be established shall meet the following conditions:

- (1) having a registered capital of 2,000,000 yuan or more;
- (2)having five or more persons with a technical title at or above the intermediate level in the profession of cultural relics and museology;
 - (3) having premises, facilities and technical resources for the preservation of cultural relics; and
 - (4)other conditions as provided by laws and administrative regulations.

Article 40 To establish a cultural relics store, an application therefore shall, in accordance with the provisions of the competent cultural relics administrative department of the State Council, be submitted to the competent cultural relics administrative department of the people's government at or above the level of the province, autonomous region or municipality directly under the Central Government, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 41 Where an auction enterprise established in accordance with law engages in auction of cultural relics, it shall have five of more professional cultural relics auctioneers with a senior technical title in the profession of cultural relics and museology, and shall obtain the licence for auction of cultural relics issued by the competent cultural relics administrative department of the State Council.

Article 42 To apply to obtain the licence for auction of culfural relics, an auction enterprise established in accordance with law shall submit an application therefore to the competent cultural relics

administrative department of the State Council, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue the licence for auction of cultural relics wher making a decision of approval, of notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 43 Where an cultural relics store purchases or sells a cultural relic, or an auction enterprise engaged in auction of cultural relics sells a cultural relic by auction, it shall record the name, picture and origin of each cultural relic, the name or designation, residence, number of the valid identification document/certificate of the seller, client and buyer of each cultural relic as well as the transaction price of each deal, and report all of them for the record to the competent cultural relics administrative department that has approved the sale or auction of the cultural relic. The competent cultural relics administrative department that receives the record shall keep confidentiality for them in accordance with law and keep that record for 75 years.

The competent cultural relics administrative department shall enhance its supervision and inspection over cultural relics stores and auction enterprises engaged in auction of cultural relics.

Chapter VI Taking or Brining Cultural Relics out of or into China

Article 44 An examination and verification authority for the entry and exit of cultural relics designated by the competent cultural relics administrative department of the state Council shall be staffed with five or more full-time responsible assessors for the entry and exit of cultural relics. A full-time responsible assessor for the entry and exit of cultural relics shall acquire a technical title at or above the intermediate level in the profession of cultural relics and museology and shall be subject to and pass the examination of the competent cultural relics administrative department of the State Council.

Article 45 Where cultural relics are to be transported, mailed or carried out of the country, the matter shall be reported in accordance with law to the examination and verification authority for the entry and exit of cultural relics for examination and verification before the cultural relics are taken out of the country. The examination and verification authority for the entry and exit of cultural relics shall, within 15 working days from the date of receipt of the application, make a decision on whether the cultural relics are permitted to be taken out of the country.

when the examination and verification authority for the entry and exit of cultural relics examines and verifies cultural relics, there shall be three or more professional technicians in cultural relics and museology who participate in the examination and verification, and at least two of them shall be the responsible assessors for the entry and exit of cultural relics.

The opinion on examination and verification for the exit of cultural relics shall be jointly signed by the responsible assessors for the entry and exit of cultural relics; unless the responsible assessors for the entry and exit of cultural relics unanimously agree that the cultural relics are permitted to be taken out of the country, the examination and verification authority for the entry and exit of cultural relics may not make a decision to permit the cultural relics to be taken out of the country.

The criteria of examination and verification for the entry and exit of cultural relics shall be worked out by the competent cultural relics administrative department of the State Council.

Article 46 The examination and verification authority for the entry and exit of cultural relics shall register the name, quality and texture, size and grade If the cultural relics under its examination and verification for the entry into of exit from the country, and the name or designation, residence, number of the valid identification document/certificate of the party concerned as well as the ports of entry and exit, the destination of the cultural relics, the date of examination and verification and other particulars.

Article 47 Cultural relics that are permitted to be taken out of the county upon examination and verification shall be granted an exit permit by the competent cultural relics administrative department of the State Council ,and be marked with an exit label by the examination and verification authority for the entry and exit of cultural relics. Cultural relics permitted to be taken out of the country upon examination and verification shall be shipped out of the country at the port designated by the competent cultural relics administrative department of the State Council. The Customs shall let the cultural relics leave the country on the strength of their exit permit after the inspection of the exit label.

Cultural relics that are not permitted to be taken out of the country upon examination and verification shall be returned to the party concerned by the examination and verification authority for the entry and exit of cultural relics.

Article 48 Where cultural relics are to be taken out of the country for exhibition, the unit organizing the exhibition shall, six months before the exhibition, submit an application therefore to the competent cultural relics administrative department of the State Council. The competent cultural relics administrative department of the State Council shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

It shall be reported to the State Council for approval if there are more than 120 pieces (sets) of grade-one cultural relics to be exhibited or the number of grade-one cultural relics to be exhibited takes 20 percent of the total exhibits.

Article 49 The only existing or fragile relics among the grade-one cultural relics are prohibited from being taken out of the country for exhibition. The catalogue of cultural relics prohibited from being taken out of the country for exhibition shall be made public on a regular basis by the competent cultural relics administrative department of the State Council.

Cultural relics that have never been officially exhibited within the country shall not be taken out of the country for exhibition.

Article 50 The duration for the exhibition of cultural relics out of the country shall not be longer than one year. The duration may, due to special purposes, be extended upon approval by the original examination and approval authority. However, the extension shall not be longer than one year.

Article 51 Where there exists the possibility of jeopardizing the security of the cultural relics being exhibited during the exhibition out of the country, the original examination and approval authority may decide to suspend or cancel the exhibition.

Article 52 Cultural relics temporarily entering the country shall be sealed by the Customs before they are turned over to the party concerned, who shall present them to the examination and verification authority for the entry and exit of cultural relics for examination, verification and registration. Upon examining the seals of the Customs and making sure that they remain intact, the examination and verification authority for the entry and exit of cultural relics shall mark each piece of cultural relics temporarily entering the country with a temporary entry label, and register and take photos of them.

When the cultural relics temporarily entering the country leave the country, the examination and verification authority for the entry and exit of cultural relics that has examined, verified and registered the said cultural relies shall cheek against the entry register and photos, and mark them with exit labels after examining the temporary entry labels and making sure that they are correct, and the competent cultural relics administrative department of the State Council shall grant an exit permit thereto.

Where, without going through the formalities as provided in the first paragraph of this Article, the cultural relics temporarily entering the country leave the country, the matter shall be dealt with in accordance with the provisions of this Chapter on exit of cultural relics.

Article 53 No unit or individual may, without approval, remove, replace, misappropriate or damage exit labels and temporary entry labels for cultural relics.

Chapter VII Legal Liability

Article 54 Where, in violation of the provisions of these Regulations, public security organs, departments for industry and commerce, cultural relics administrative departments, the Customs, departments for urban and rural planning and construction and other relevant departments, and their staff members as well, abuse the power of examination and approval, fail to perform their duties or fail to investigate and deal with illegal acts upon discovery, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Article 55 Where, in violation of the provisions of these Regulations, anyone undertakes the repair, removal or reconstruction of a site protected for its historical and cultural value without obtaining a qualification certificate of an appropriate grade for projects designed to protect cultural relics, it shall be

ordered by the competent cultural relics administrative department to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, or causes serious consequences, a fine of not less than 50,000 yuan but not more than 500,000 yuan shall be imposed; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Where, in violation of the provisions of these Regulations, anyone undertakes the repair, removal or reconstruction of a site protected for its historical and cultural value, in which construction activities are involved, without obtaining a qualification certificate of an appropriate grade issued by the competent construction administrative department, it shall be penalized by the competent construction administrative department in accordance with the relevant provisions of laws and administrative regulations.

Article 56 Where, in violation of the provisions of these Regulations, anyone engages in repairs, duplication, or making rubbings of cultural relics in the collection of cultural institutions without obtaining a qualification certification certificate, it shall be ordered by the competent cultural relics administrative department to cease its illegal activities; its illegal gains and the tools and equipment specially used for illegal activities shall be confiscated; if serious consequences are caused, a fine of not less than 10,000 yuan but not more than 100,000 yuan shall be imposed; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Article 57 the amount of the fine as provided for in the second paragraph of Article 66 of the Law on Protection of Cultural Relics shall not be more than 200 yuan.

Article 58 Anyone who, in violation of the provisions of these Regulations, repairs, duplicates, makes rubbings of or takes photos of valuable cultural relics in the collection of cultural institutions without approval, shall be given a warning by the competent cultural relics administrative department; if serious consequences are caused, a fine of not less than 2,000 yuan but not more than 20,000 yuan shall be imposed; the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 59 Where, in violation of the provisions of these Regulations, an archaeological excavation institution fails to submit a project completion report or an archaeological excavation report within the prescribed time limit, the competent cultural relics administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council shall order it to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 60 Where, in violation of the provisions of these Regulations, an archaeological excavation institution fails to transfer cultural relics within the prescribed time limit, the competent cultural relics administrative department of the people's government of the province, autonomous region or

municipality directly under the Central Government or the competent cultural relics to administrative department of the State Council shall order it to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, or causes serious consequences, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 61 Where, in violation of the provisions of these Regulations, the exhibition of cultural relics out of the country exceeds the duration for exhibition, the competent cultural relics administrative department of the State Council shall order corrections to be made within a specified time limit; the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 62 Where, in accordance with the provisions of Article 66 or Article 73 of the Law on Protection of Cultural Relics, a unit has its licence revoked due to an administrative penalty imposed thereupon, it shall go through the formalities of alteration registration or cancellation registration in accordance with law with the administrative department for industry and commerce; if it fails to go through the formalities within the specified time limit, the administrative department for industry and commerce shall revoke its business licence.

Article 63 Where, in violation of the provisions of these regulations, incomes earned by the undertaking of the State-owned museums, memorial halls, sites protected for their historical and cultural value, etc. are diverted for other purposes, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Chaptr VII Supplementary Provision

Article 64 These Regulations shall be effective as of July 1, 2003.

西安宣言

——关于古建筑、古遗址和历史区域周边环境的保护

(国际古迹遗址理事会第15届大会于2005年10月21日在西安通过)

导言

应中国古迹遗址保护协会的邀请,我们于2005年10月17日至21日在古城西安召开国际古迹遗址理事会第15届大会并庆祝该组织成立四十周年,回顾她为维护和保护作为可持续和人文发展的一部分的世界文化遗产所作出的长期努力;

得益于大会期间召开的"古迹遗址及其周边环境——在不断变化的城镇和自然景观中的文化遗产保护"国际科学研讨会上所交流的众多案例和反思,以及得益于中国和各国政府、研究机构和专家关于在加速变化和发展的条件下充分保护和管理古建筑、古遗址和历史区域(诸如古城、自然景观、古迹路线和考古遗址)的经验;

注意到《国际古迹遗址保护及修复宪章》(即《威尼斯宪章》,1964年)以及该宪章所引发产生的其他许多文件中所体现出的对古迹遗址周边环境保护的国际的和专业领域内的兴趣——这种兴趣尤其是通过国际古迹遗址理事会的国家委员会和国际委员会表现出来,并体现在《奈良真实性文件》(1994年)和其他国际会议所通过的结论和建议中,诸如:《会安宣言——保护亚洲历史街区》(2003年)、《恢复巴姆文化遗产宣言》(2004年)以及《汉城宣言——亚洲历史城镇和地区的旅游业》(2005年);

注意到联合国教科文组织的公约和建议中关于"周边环境"的概念,包括《关于保护景观和遗址的风貌与特性的建议》(1962年)、《关于保护受到公共或私人工程危害的文化财产的建议》(1968年)、《关于历史地区的保护及其当代作用的建议》(1976年)、《保护无形文化遗产公约》(2003年),尤其是《保护世界文化和自然遗产公约》(1972年)及其执行性原则——在这些文件中,"周边环境"被认为是体现真实性的一部分并需要通过建立缓冲区加以保护,这也为国际古迹遗址理事会、联合国教科文组织以及其他合作伙伴进行国际和跨学科合作提供了机会:

强调有必要采取适当措施应对由于生活方式、农业、发展、旅游或大规模天灾人祸所造成的城市、景观和遗产路线急剧或累积的改变;有必要承认、保护和延续遗产建筑物或遗址及其周边环境的有意义的存在,以减少上述进程对文化遗产的真实性、意义、价值、整体性和多样性所构成的威胁;

国际古迹遗址理事会第 15 届大会的代表特此通过如下有关原则和建议的宣言,并将它告知所有能够通过立法、政策制定、规划和管理等途径促进宣言目标实现的政府间组织、非政府组织、中央和地方政府、机构和专家,以便更好的保护世界古建筑、古遗址和历史区域及其周边环境。

承认周边环境对古迹遗址重要性和独特性的贡献

1. 古建筑、古遗址和历史区域的周边环境指的是紧靠古建筑、古遗址和历史区域的和延伸的、 影响其重要性和独特性或是其重要性和独特性组成部分的周围环境。 除了实体和视角方面的含义之外,周边环境还包括与自然环境之间的相互关系;所有过去和现在的人类社会和精神实践、习俗、传统的认知或活动、创造并形成了周边环境空间中的其他形式的非物质文化遗产,以及当前活跃发展的文化、社会、经济氛围。

2. 不同规模的古建筑、古遗址和历史区域(包括城市、陆地和海上自然景观、遗址线路以及考古遗址),其重要性和独特性在于它们在社会、精神、历史、艺术、审美、自然、科学等层面或其他文化层面存在的价值,也在于它们与物质的、视觉的、精神的以及其他文化层面的背景环境之间所产生的重要联系。

这种联系,可以是一种有意识和有计划的创造性行为的结果、精神信念、历史事件、对古遗址利用的结果或者是随着时间和传统的影响日积月累形成的有机变化。

理解、记录、展陈不同条件下的周边环境

- 3. 理解、记录、展陈周边环境对定义和鉴别古建筑、古遗址和历史区域的重要性十分重要。 对周边环境进行定义,需要了解遗产资源周边环境的历史、演变和特点。对周边环境划界, 是一个需要考虑各种因素的过程,包括现场体验和遗产资源本身的特点等。
 - 4. 对周边环境的充分理解需要多方面学科的知识和利用各种不同的信息资源。

这些信息资源包括正式的记录和档案、艺术性和科学性的描述、口述历史和传统知识、当地或相关社区的角度以及对近景和远景的分析等。同时,文化传统、宗教仪式、精神实践和理念如风水、历史、地形、自然环境价值,以及其他因素等,共同形成了周边环境中的物质和非物质的价值和内涵。周边环境的定义应当十分明确地体现周边环境的特点和价值以及其与遗产资源之间的关系。

通过规划手段和实践来保护和管理周边环境

5. 可持续地管理周边环境,需要前后一致地、持续地运用有效的法律和规划手段、政策、战略和实践,同时这些方法手段还需适应当地的文化环境。

管理背景环境的手段包括具体的立法措施、专业培训、制定全面保护和管理的计划以及采用 适当的遗产影响评估系统。

- 6. 涉及古建筑、古遗址和历史地区的周边环境保护的法律、法规和原则,应规定在其周围设立保护区或缓冲区,以反映和保护周边环境的重要性独特性。
 - 7. 规划手段应包括相关的规定以有效控制外界急剧或累积的变化对周边环境产生的影响。

重要的天际线和景观视线是否得到保护,新的公共或私人施工建设与古建筑、古遗址和历史 区域之间是否留有充足的距离,是对周边环境是否在视觉和空间上被侵犯以及对周边环境的土地 是否被不当使用进行评估的重要考量。

8. 对任何新的施工建设都应当进行遗产影响评估,评估其对古建筑、古遗址和历史区域及其周边环境重要性会产生的影响。

在古建筑、古遗址和历史区域的周边环境内的施工建设应当有助于体现和增强其重要性和独特性。

监控和管理对周边环境产生影响的变化

9. 古建筑、古遗址和历史区域的周边环境发生的变化所产生的个别的和积累的影响,以及这种变化的速度是一个渐进的过程,这一过程必须得到监控和管理。

城乡景观、生活方式、经济和自然环境累积或急剧的改变可以显著地、不可挽回地影响周边环境对古建筑、古遗址和历史区域重要性所作出的真正贡献。

- 10. 应当管理古建筑、古遗址和历史区域周边环境的变化,以保留其文化重要性和独特性。 管理古建筑、古遗址和历史区域的周边环境的变化并不一定需要防止或阻挠其发生变化。
- 11. 进行监控,应当对识别、衡量、组织和补救古迹遗址的腐蚀、重要性消失或平庸化所采取的途径和行动加以明确,并就古迹遗址的保护、管理和展陈活动提出改进措施。

应当制定定量和定性指标,评估周边环境对古建筑、古遗址和历史区域的重要性所产生的贡献。

监控指标应当包括硬性指标,如对视野、轮廓线和公共空间的侵犯,空气污染、噪声等,以 及经济、社会或文化等层面的影响。

与当地、跨学科领域和国际社会进行合作, 增强保护和管理

周边环境的意识

12. 同当地和相关社区的协力合作和沟通,是古迹遗址周边环境保护的可持续发展战略的重要组成部分。

在保护和管理周边环境方面,应当鼓励不同学科领域间的沟通,这应当成为一种公认的惯例。 相关的领域包括建筑学、城市和地区规划、景观规划、人类学、考古学、历史学、人类文化学、 博物馆学、档案学等。

应当鼓励与自然遗产领域的机构和专家的合作,这应当是对古建筑、古遗址和历史区域及其周边环境进行确认、保护和展陈的有机组成部分。

13. 鼓励进行专业培训、展示、社区教育和公众意识的培养,以此支持各种合作和知识的分享,促进保护目标的实现,提高保护手段、管理计划及其他相关手段的效率。

应当借鉴从个别古建筑、古遗址和历史区域保护中获得的经验、知识和手段,应当被用来改进周边环境的保护。

专家、机构、当地和相关社区人员应共同担起责任,充分认识周边环境在各方面的重要性; 在做决定时,应该充分考虑周边环境有形和无形的层面。

XI'AN DECLARATION

ON THE CONSERVATION OF THE SETTING OF HERITAGE STRUCTURES, SITES AND AREAS

Adopted in Xi'an, Chinaby the 15 General Assembly of ICOMOS on 21 October 2005

Final version - 22.10.2005

Preamble

Meeting in the ancient city of Xi'an (China) on 17-21st October 2005, at the invitation of ICOMOS China on the occasion of 15th General Assembly of ICOMOS and the celebrations marking the 40th anniversary of its longstanding endeavour to ensure the safeguard and conservation of the World's cultural heritage as part of its sustainable and human development;

Benefiting from the broad range of cases and reflections shared during the General Assembly's International Symposium on *Monuments and Sites in their Settings – Conserving Cultural Heritage in Changing Townscapes and Landscapes* and learning from a broad range of experiences from China and world-wide authorities, institutions and specialists in providing adequate care and management of heritage structures, sites and areas such as historic cities, landscapes, seascapes, cultural routes and archaeological sites in the context of accelerated change and development;

Taking note of the international and professional interest for the conservation of the settings of monuments and sites as expressed in the *International Charter for the Conservation and Restoration of Monuments and Sites – the Venice Charter* (1964) – and in the many texts it has inspired, particularly through ICOMOS National and International Committees, as well as the *Nara Document on Authenticity* (1994) and conclusions and recommendations of international meetings like the *Hoi An Declaration on the Conservation of Historic Districts in Asia* (2003), the *Declaration on the Recovery of Bam's Cultural Heritage* (2004), and the *Seoul Declaration on Tourism in Asia's Historic Towns and Areas* (2005);

Noting the references to the concept of setting in UNESCO conventions and recommendations like the Recommendation concerning the Safeguarding of Beauty and Character of Landscapes and Sites (1962), the Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private Works (1968), the Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas (1976), the Convention for the Safeguarding of the Intangible Cultural Heritage, (2003) and more specifically the World Heritage Convention (1972) and its Operational Guidelines, where setting is listed as an attribute of authenticity and as needing protection through the establishment of buffer zones, and

the ongoing opportunity this brings for international and interdisciplinary co-operation between ICOMOS, UNESCO and other partners and for developments on topics like authenticity or the conservation of historic urban landscapes expressed in the *Vienna Memorandum* (2005).

Stressing the need to address adequately the rapid or incremental transformation of cities, landscapes and heritage routes which result from changes in lifestyles, agriculture, development, tourism or large-scale disasters of natural or human origin, and to recognise, protect and sustain adequately the meaningful presence of heritage structures, sites and areas in their settings as a way to reduce the threat these transformation processes constitute against the cultural heritage in the full richness of its authenticity, meaning, values, integrity and diversity,

Participants of the 15th General Assembly of ICOMOS adopt the following Declaration of principles and recommendations, addressing it to intergovernmental and non-governmental organisations, national and local authorities and all institutions and specialists able to contribute through legislation, policies, planning processes and management to better protect and conserve the world's heritage structures, sites and areas in their settings.

Acknowledge the contribution of setting to the significance of heritage monuments, sites and areas

- 1. The setting of a heritage structure, site or area is defined as the immediate and extended environment that is part of, or contributes to, its significance and distinctive character.
 - Beyond the physical and visual aspects, the setting includes interaction with the natural environment; past or present social or spiritual practices, customs, traditional knowledge, use or activities and other forms of intangible cultural heritage aspects that created and form the space as well as the current and dynamic cultural, social and economic context.
- 2. Heritage structures, sites or areas of various scales, including individual buildings or designed spaces, historic cities or urban landscapes, landscapes, seascapes, cultural routes and archaeological sites, derive their significance and distinctive character from their perceived social and spiritual, historic, artistic, aesthetic, natural, scientific, or other cultural values. They also derive their significance and distinctive character from their meaningful relationships with their physical, visual, spiritual and other cultural context and settings.

These relationships can be the result of a conscious and planned creative act, spiritual belief, historical events, use or a cumulative and organic process over time through cultural traditions.

Understand, document and interpret the settings in diverse contexts

3. Understanding, documenting and interpreting the setting is essential to defining and appreciating

the heritage significance of any structure, site or area.

The definition of setting requires an understanding of the history, evolution and character of the surrounds of the heritage resource. Defining the setting is a process of considering multiple factors to include the character of the arrival experience and the heritage resource itself.

4. Understanding the setting in an inclusive way requires a multi-disciplinary approach and the use of diverse information sources.

Sources include formal records and archives, artistic and scientific descriptions, oral history and traditional knowledge, the perspectives of local and associated communities as well as the analysis of views and vistas.

Cultural traditions, rituals, spiritual practices and concepts as well as history, topography, natural environment values, use and other factors contribute to create the full range of a setting's tangible and intangible values and dimensions. The definition of settings should carefully articulate the character and values of the setting and its relationship to the heritage resource.

Develop planning tools and practices to conserve and manage settings

5. The implementation of effective planning and legislative tools, policies, strategies and practices to sustainably manage settings requires consistency and continuity in application, whilst reflecting the local or cultural contexts in which they function.

Tools to manage settings include specific legislative measures, professional training, development of comprehensive conservation and management plans or systems, and use of adequate heritage impact assessment methods.

- 6. Legislation, regulation and guidelines for the protection, conservation and management of heritage structures, sites and areas should provide for the establishment of a protection or buffer zone around them that reflects and conserves the significance and distinctive character of their setting.
- 7. Planning instruments should include provisions to effectively control the impact of incremental or rapid change on settings.
 - Significant skylines, sight lines and adequate distance between any new public or private development and heritage structures, sites and areas are key aspects to assess in the prevention of inappropriate visual and spatial encroachments or land use in significant settings.
- 8. Heritage impact assessments should be required for all new development impacting on the significance of heritage structures, sites and areas and on their settings.

Development within the setting of heritage structures, sites and areas should positively interpret and

contribute to its significance and distinctive character.

Monitor and manage change affecting settings

The rate of change and the individual and cumulative impacts of change and transformation on the settings of heritage structures, sites and areas is an ongoing process which must be monitored and managed.

Incremental as well as rapid transformation of the urban or rural landscapes, the ways of life, the economies or the natural environment can substantially or irretrievably affect the authentic contribution that the setting makes to the significance of a heritage structure, site or area.

10. Change to the setting of heritage structures, sites and areas should be managed to retain cultural significance and distinctive character.

Managing change to the setting of heritage structures, sites and areas need not necessarily prevent or obstruct change.

11. Monitoring should define approaches and actions to appreciate and measure as well as prevent or remedy decay, loss of significance or trivialisation and propose improvement in conservation, management and interpretation practices.

Qualitative and quantifiable indicators should be developed to assess the contribution of the setting to the significance of a heritage structure, site or area.

Indicators for monitoring should cover physical aspects such as intrusion on views, skylines or open spaces, air pollution, sound pollution, as well as economic, social and cultural dimensions.

Work with local, interdisciplinary and international communities for co-operation and awareness in conserving and managing settings

12. Co-operation and engagement with associated and local communities is essential as part of developing sustainable strategies for the conservation and management of settings.

Inter-disciplinary engagement should be encouraged as standard practice in conserving and managing settings. Relevant cultural heritage fields include architecture, urban and regional planning, landscape planning, engineering, anthropology, history, archaeology, ethnology, curation and archives.

Co-operation with institutions and specialists in the field of natural heritage should also be encouraged as an integral part of good practice for the identification, protection, presentation and interpretation of heritage structures, sites or areas in their setting.

13. Professional training, interpretation, community education and public awareness should be encouraged to support such co-operation and sharing of knowledge as well as to promote conservation goals, improve the efficiency of the protection tools, management plans and other instruments.

The experience, knowledge and tools developed through the conservation of individual heritage structures, sites and areas should be extended to complement the management of their setting.

Economic resources should be allocated to the research, assessment and strategic planning of the conservation and management of setting of heritage structures, sites and areas.

Awareness of the significance of the setting in its various dimensions is the shared responsibility of professionals, institutions, associated and local communities, who should take into account the tangible and intangible dimensions of settings when making decisions.

Adopted in Xi'an (China) on the 21 st October, 2005.

世界文化遗产保护管理办法

2006年11月14日

- **第一条** 为了加强对世界文化遗产的保护和管理,履行对《保护世界文化与自然遗产公约》的责任和义务,传承人类文明,依据《中华人民共和国文物保护法》制定本办法。
- **第二条** 本办法所称世界文化遗产,是指列入联合国教科文组织《世界遗产名录》的世界文化遗产和文化与自然混合遗产中的文化遗产部分。
- **第三条** 世界文化遗产工作贯彻保护为主、抢救第一、合理利用、加强管理的方针,确保世界文化遗产的真实性和完整性。
- **第四条** 国家文物局主管全国世界文化遗产工作,协调、解决世界文化遗产保护和管理中的 重大问题,监督、检查世界文化遗产所在地的世界文化遗产工作。

县级以上地方人民政府及其文物主管部门依照本办法的规定,制定管理制度,落实工作措施, 负责本行政区域内的世界文化遗产工作。

第五条 县级以上地方人民政府应当将世界文化遗产保护和管理所需的经费纳入本级财政预算。

公民、法人和其他组织可以通过捐赠等方式设立世界文化遗产保护基金,专门用于世界文化遗产保护。世界文化遗产保护基金的募集、使用和管理,依照国家有关法律、行政法规和部门规章的规定执行。

第六条 国家对世界文化遗产保护的重大事项实行专家咨询制度,由国家文物局建立专家咨询机制开展相关工作。

世界文化遗产保护专家咨询工作制度由国家文物局制定并公布。

第七条 公民、法人和其他组织都有依法保护世界文化遗产的义务。

国家鼓励公民、法人和其他组织参与世界文化遗产保护。

国家文物局、县级以上地方人民政府及其文物主管部门应当对在世界文化遗产保护中作出突出贡献的组织或者个人给予奖励。

省级文物主管部门应当建立世界文化遗产保护志愿者工作制度,开展志愿者的组织、指导和培训工作。

第八条 世界文化遗产保护规划由省级人民政府组织编制。承担世界文化遗产保护规划编制任务的机构,应当取得国家文物局颁发的资格证书。世界文化遗产保护规划应当明确世界文化遗产保护的标准和重点,分类确定保护措施,符合联合国教科文组织有关世界文化遗产的保护要求。

尚未编制保护规划,或者保护规划内容不符合本办法要求的世界文化遗产,应当自本办法施行之日起1年内编制、修改保护规划。

世界文化遗产保护规划由省级文物主管部门报国家文物局审定。经国家文物局审定的世界文化遗产保护规划,由省级人民政府公布并组织实施。世界文化遗产保护规划的要求,应当纳入县级以上地方人民政府的国民经济和社会发展规划、土地利用总体规划和城乡规划。

第九条 世界文化遗产中的不可移动文物,应当根据其历史、艺术和科学价值依法核定公布为文物保护单位。尚未核定公布为文物保护单位的不可移动文物,由县级文物主管部门予以登记并公布。

世界文化遗产中的不可移动文物,按照《中华人民共和国文物保护法》和《中华人民共和国文物保护法实施条例》的有关规定实施保护和管理。

- **第十条** 世界文化遗产中的文物保护单位,应当根据世界文化遗产保护的需要依法划定保护范围和建设控制地带并予以公布。保护范围和建设控制地带的划定,应当符合世界文化遗产核心区和缓冲区的保护要求。
- **第十一条** 省级人民政府应当为世界文化遗产作出标志说明。标志说明的设立不得对世界文化遗产造成损害。

世界文化遗产标志说明应当包括世界文化遗产的名称、核心区、缓冲区和保护机构等内容,并包含联合国教科文组织公布的世界遗产标志图案。

第十二条 省级人民政府应当为世界文化遗产建立保护记录档案,并由其文物主管部门报国家文物局备案。

国家文物局应当建立全国的世界文化遗产保护记录档案库,并利用高新技术建立世界文化遗产管理动态信息系统和预警系统。

第十三条 省级人民政府应当为世界文化遗产确定保护机构。保护机构应当对世界文化遗产进行日常维护和监测,并建立日志。发现世界文化遗产存在安全隐患的,保护机构应当采取控制措施,并及时向县级以上地方人民政府和省级文物主管部门报告。

世界文化遗产保护机构的工作人员实行持证上岗制度,主要负责人应当取得国家文物局颁发的资格证书。

第十四条 世界文化遗产辟为参观游览区,应当充分发挥文化遗产的宣传教育作用,并制定完善的参观游览服务管理办法。

世界文化遗产保护机构应当将参观游览服务管理办法报省级文物主管部门备案。省级文物主管部门应当对世界文化遗产的参观游览服务管理工作进行监督检查。

第十五条 在参观游览区内设置服务项目,应当符合世界文化遗产保护规划的管理要求,并与世界文化遗产的历史和文化属性相协调。

服务项目由世界文化遗产保护机构负责具体实施。实施服务项目,应当遵循公开、公平、公正和公共利益优先的原则,并维护当地居民的权益。

- **第十六条** 各级文物主管部门和世界文化遗产保护机构应当组织开展文化旅游的调查和研究工作,发掘并展示世界文化遗产的历史和文化价值,保护并利用世界文化遗产工作中积累的知识产权。
- **第十七条** 发生或可能发生危及世界文化遗产安全的突发事件时,保护机构应当立即采取必要的控制措施,并同时向县级以上地方人民政府和省级文物主管部门报告。省级文物主管部门应当在接到报告2小时内,向省级人民政府和国家文物局报告。

省级文物主管部门接到有关报告后,应当区别情况决定处理办法并负责实施。国家文物局应

当督导并检查突发事件的及时处理,提出防范类似事件发生的具体要求,并向各世界文化遗产所 在地省级人民政府通报突发事件的发生及处理情况。

第十八条 国家对世界文化遗产保护实行监测巡视制度,由国家文物局建立监测巡视机制开展相关工作。

世界文化遗产保护监测巡视工作制度由国家文物局制定并公布。

第十九条 因保护和管理不善,致使真实性和完整性受到损害的世界文化遗产,由国家文物 局列入《中国世界文化遗产警示名单》予以公布。

列入《中国世界文化遗产警示名单》的世界文化遗产所在地省级人民政府,应当对保护和管理工作中存在的问题提出整改措施,限期改进保护管理工作。

第二十条 违反本办法规定,造成世界文化遗产损害的,依据有关规定追究责任人的责任。

第二十一条 列入《中国世界文化遗产预备名单》的文化遗产,参照本办法的规定实施保护和管理。

第二十二条 本办法自公布之日起施行。

CHINA WORLD CULTURAL HERITAGE MANAGEMENT PRINCIPLES

Article 1 The Regulations must prescribe principles for the management and protection of world cultural heritage for the coming generations under the *Law of the People's Republic of China on Protection of Cultural Relics*. The principles prescribed must be consistent with China's obligations under the *Convention Concerning the Protection of the World Cultural and Natural Heritage*.

Article 2 For the purpose the Principles herein **World Cultural Heritage** applies in relation to a property that is inscribed on the *World Heritage* List or the cultural heritage contained in the property, if it is mixed with natural heritage.

Article 3 Capacity building for world cultural heritage management stresses the need to protect, conserve, and rescue those at risk for the safeguarding of the authenticity and integrity of world cultural heritage.

Article 4 State Administration for Cultural Heritage is commissioned the task of the protection, monitoring and management of world cultural heritage sites in China.

The People's government at a level above a county and its cultural authority prescribe management system under the Principles herein, develop and implement appropriate management plans for world cultural heritage properties in its administrative zones.

Article 5 The People's government at a level above a county shall include the protection and management of world cultural heritage funded by fiscal budget.

Citizen, body corporate and organizations shall channel donations into a Fund to support the effort. Proceeds and management of the Fund shall be administrated under national laws, rules and regulations.

Article 6 Under the State, State Administration of Cultural Heritage shall establish an expert body to advice on all the important aspects related to the protection of world cultural heritage properties.

Such expert body shall be announced by State Administration of Cultural Heritage

Article 7 All citizens, body corporate and organizations have obligations to protect world cultural heritage.

All citizens, body corporate and organizations are encouraged to protect world cultural heritage.

State Administration of Cultural Heritage, The People's government at a level above a county and its Cultural Authority should grant merits to those organization or individual who contribute significantly to the protection of world cultural heritage.

Provincial Cultural Authority shall create a system to invite and train volunteers to involve in the effort.

Article 8 Management plans for the protection of world cultural heritage shall be drawn up by Provincial Government. Organizations that undertake the task should be certified by State Administration of Cultural Heritage. Included in the management plans shall be objectives and standards, protective measures for different heritage categories. UNESCO requirements of conservation and management of world cultural heritage should be accommodated.

Management plans not yet drawn up or details do not fall under the Principles herein shall be drawn up and amended within one year after the Principles herein come into force.

Management plans for the protection of world cultural heritage should be submitted by Provincial Cultural Authority to State Administration of Cultural Heritage for approval. Management plans approved by State Administration of Cultural Heritage shall be announced and implemented by Provincial Governments. Such plans shall be incorporated into national economy and social planning, land and urban planning of The People's government at a level above a county.

Article 9 Immovable cultural heritages shall be designated and announced as officially protected site in accordance with the Law by its historical, artistic and scientific value. Those not yet designated shall be registered and announced by cultural authority under county government.

Immovable cultural heritage shall be under the protection and management in accordance with the *Law* of the People's Republic of China on Protection of Cultural Relic and Management Principles of the Law of the People's Republic of China on Protection of Cultural Relic.

Article 10 Official protected sites in world cultural heritage should be stated clearly of its boundaries and development control area under the definition of core zone and buffer zone of world cultural

heritage.

Article 11 Provincial Government shall erect an official plaque declaring a world cultural heritage a protected site. Such proclamation shall not cause any damage to the site.

Proclamation shall include the name, core zone and buffer zone of heritage site, the conservation organization and the world heritage emblem announced by UNESCO.

Article 12 Provincial Government shall create archive for world cultural heritage and submit by its cultural authority to State Administration of Cultural Heritage for records

State Administration of Cultural Heritage shall maintain a database of world cultural heritage archives and create a dynamic management system and alert system using high-tech.

Article 13 Provincial Government shall designate a conservation organization dedicated to routine maintenance and monitoring of the site and maintain a log. Conservation organization shall adopt control measures to eliminate discovered potential threats and timely report to the people's government at a level above a county and provincial cultural authority.

Staff of Conservation organization should work under an employment scheme. Persons in charge shall have qualification certified by State Administration of Cultural Heritage.

Article 14 World cultural heritage become tourist destination shall to the fullest extent possible to be the foci of education. Management principles shall be instituted to accommodate the visitors.

Conservation Authority shall report management principles of tourism development to provincial cultural authority for records. Provincial cultural authority shall monitor the management.

Article 15 Tourist service items in place shall in line with the heritage management plan and compatible with the historical and cultural attributes of the cultural heritage sites.

Tourist service items shall be implemented by conservation organization, who shall observe the principles of open, fair, just and common interests to protect the rights of the local citizen.

Article 16 Cultural authority at all levels and conservation organizations shall start survey and research on archaeological excavation and tourism infrastructure needs to exhibit and interpret the historical and

cultural values of world cultural heritage. Cultural authority at all levels and conservation organizations shall protect and the use of the intellectual property rights accumulated during the conversation process.

Article 17 Conservation organization shall take immediate control measures in the event of sudden strike or potential threat caused to a world cultural heritage property, and shall file a report to the people's government at a level above a county and provincial cultural authority, who shall report to provincial government and State Administration of Cultural Heritage within 2 hours after receiving the report.

After receiving the report, provincial cultural authority shall determine and implement the emergency intervention based on the situation. State Administration of Cultural Heritage shall oversee and monitor the emergency intervention and stipulate prevention plans to stop the recurrence. All provincial government where world cultural heritage sites are situated shall be notified by State Administration of Cultural Heritage of the sudden event and emergency intervention taken.

Article 18 The State shall establish a system to monitor the world cultural sites under protection. State Administration of Cultural Heritage shall draw up monitoring programs and start implementation.

Article 19 State Administration of Cultural Heritage shall include world cultural heritage which lose its authenticity and integrity as a result of ineffective protection or management in the *China Alert List of World Cultural Heritage*.

Provincial government have world cultural heritage listed in the *China Alert List of World Cultural Heritage* shall set a time table to take corrective measures on the problems in the protection and management.

Article 20 Those who are in breach of the Principles herein and cause damage to world cultural damage shall be investigated under law.

Article 21 Cultural heritage suitable for inscription on the *China Tentative List of World Cultural Heritage* shall be protected and managed under the Principles herein.

Article 22 The Principles herein shall enter into force from the day of announcement.

中国世界文化遗产监测巡视管理办法

- 第一条 为了加强我国世界文化遗产的保护管理,更好地履行《保护世界文化和自然遗产公约》缔约国的责任和义务,依据《中华人民共和国文物保护法》和《中国世界文化遗产保护管理办法》制定本办法。
- **第二条** 本办法适用于列入《世界遗产名录》的中国世界文化遗产及世界文化与自然混合遗产中的文化遗产部分。
- **第三条** 国家对世界文化遗产实行国家、省、世界文化遗产地三级监测和国家、省两级巡视制度。监测包括日常监测、定期监测、反应性监测: 巡视包括定期或不定期巡视。

国务院文物行政部门负责制订世界文化遗产监测巡视工作的方针、政策、管理制度和技术规范:组织或委托专业机构实施反应性监测:组织定期或不定期巡视。

省级文物行政部门负责对本辖区内世界文化遗产进行定期监测、反应性监测,及定期或不定期巡视。

世界文化遗产保护管理机构负责世界文化遗产的日常监测。

第四条 日常监测的内容包括文物本体保存状况、核心区和缓冲区内的自然、人为变化、周边 地区开发对文物本体的影响、游客承载量等。

定期监测是指省级文物行政部门每五年对世界文化遗产实行的系统监测以及每年对列入《濒危世界遗产名录》或者《中国世界文化遗产警示名单》的世界文化遗产进行的重点监测。系统监测的内容包括对保护规划执行情况、遗产保护、管理、展示、宣传等情况的全面监测;重点监测内容包括对保护存在问题采取的解决方法及成效的监测。

反应性监测是针对保护管理出现的问题进行的一种专门监测,内容包括对威胁到遗产保护的 异常情况或危险因素进行监测。

- **第五条** 国家或省级文物行政部门组织对遗产地进行定期或不定期巡视,巡视内容包括审核监测结果,检查保护、管理状况,并提出整改要求。
- **第六条** 世界文化遗产保护管理机构须于每年 1 月将上年度的日常监测报告上报省级文物行政部门。

省级文物行政部门须将审核后的年度日常监测报告于每年3月上报国务院文物行政部门,并按照国务院文物行政部门的要求按时报送定期监测报告。

国务院文物行政部门每年向社会公布世界文化遗产保护管理监测结果。

第七条 国家、省、世界文化遗产保护管理。

机构分别对反应性监测、定期监测、日常监测工作形成记录档案,并妥善保管。

国务院文物行政部门负责建立并运行世界文化遗产保护管理记录档案数据库系统。

- **第八条** 鼓励使用先进科学技术手段,对世界文化遗产开展多学科、多部门合作的监测。 国务院文物行政部门负责建设世界文化遗产动态监测管理系统。
- **第九条** 监测资料、监测数据的真实性、全面性必须予以保证。国家和省级文物行政部门对未按规定开展监测工作、未按时报送以及隐瞒、篡改监测结果的机构和个人予以警告并依法责令改正。

对监测巡视中发现的问题,世界文化遗产保护管理机构应按要求及时整改。未按期整改的, 国务院文物行政部门可将其列入《中国世界文化遗产警示名单》或根据情况列入《濒危世界遗产 名录》。

- **第十条** 本办法中规定的世界文化遗产监测巡视工作所需费用从国家和省级文物行政部门和 世界文化遗产保护管理机构的事业经费中列支。
 - 第十一条 与本办法相关的《中国世界文化遗产监测技术规范》另行制定。
- **第十二条** 列入《中国世界文化遗产预备名单》的文化遗产,其监测巡视工作参照本办法实行。
 - 第十三条 本办法自公布之日起实施。
 - 第十四条 本办法由国家文物局负责解释。

CHINA WORLD CULTURAL HERITAGE MONITORING AND CHECKING PRINCIPLES

Article 1 The Regulations must prescribe monitoring and checking principles for the management and protection of world cultural heritage in China under the Law of the People's Republic of China on Protection of Cultural Relic and China World Cultural Heritage Management Principles. The principles prescribed must be consistent with China's obligations under the Convention Concerning the Protection of the World Cultural and Natural Heritage.

Article 2 The Principles herein is applicable to the world cultural heritage in China inscribed on the *World Heritage List* and the cultural heritage contained in the property, if it is mixed with the natural heritage.

Article 3 The State shall adopt processes for monitoring of the state of world cultural heritage properties at 3 levels (State, Province and world cultural heritage site) and checking at 2 levels (State and Province). Monitoring processes shall include routine monitoring, periodic monitoring and reactive monitoring. Checking processes shall be taken regularly or in an intermittent way.

State Administration of Cultural Heritage shall include in the monitoring and checking practices of the objectives, policies, management principles and technical specification. Special organization to undertake reactive monitoring and regular or occasional checking shall be organized accordingly.

Provincial Cultural Administration is charged with the task of undertaking periodic or reactive monitoring, regular or occasional checking on the world cultural heritages in its administrative zones.

Conservation organizations shall be responsible for the routine monitoring on the world cultural heritages.

Article 4 Routine monitoring shall consist of determining the state of preservation of the heritage property, changes induced by natural/human in the core zone and buffer zone, impact imposed by surrounding development on the heritage property, and visitor capacity.

Periodic monitoring is the systematic assessment on world cultural heritage undertaken by Provincial Cultural Administration at a five-year cycle and the yearly close monitoring of world cultural heritage inscribed on the List of World Heritage in Danger or China Alert List of World Cultural Heritage.

Monitoring shall include the assessment of the results of the objectives set in the maintenance plan, conservation needs, management, site interpretation and presentation. Major monitoring shall focus on the solution to deal with conservation problems and the measure to what extent the management is successful in accomplishing its goals.

Reactive monitoring is specially carried out to address the problems in existing management plan. Details shall include the monitoring of exceptional situation or factors that may endanger or threaten the preserved heritage.

.

Article 5 State Administration of Cultural Heritage or Provincial Cultural Administration shall organize regular or occasional checking on the heritage sites. Details shall include the examination of the monitoring result, state of conservation of heritage properties, management work and requirement on corrective actions taken.

Article 6 Conservation organizations shall submit the routine monitoring report of previous year to Provincial Cultural Administration in January every year.

Provincial Cultural Administration shall submit the verified annual routine monitoring report to State Administration of Cultural Heritage in March every year. Submit periodic monitoring report according to the schedule as stated by State Administration of Cultural Heritage.

State Administration of Cultural Heritage shall announce the monitoring result on world cultural heritages to public every year.

Article 7 State, Provinces and conservation management organizations shall create an archive for records of reactive monitoring, periodic monitoring and routine monitoring.

State Administration of Cultural Heritage shall maintain and run a database system on the conversation management records.

Article 8 It is encouraged to adopt a high-tech monitoring plan of multi-disciplinary and multi-sectorial approach.

State Administration of Cultural Heritage shall be responsible to install a Dynamic Monitoring Management System on world cultural heritage sites.

Article 9 Authenticity and integrity of monitoring documentation and data shall remain intact. State and Provincial Cultural Administration shall warn or discipline organization or individual who fail to start

monitoring and make untimely report or conceal, tamper monitor records.

Conservation management organization shall take timely corrective actions on the problems found out from monitoring or checking. State Council Heritage Administration shall include world cultural heritages that not have been rectified in the *China Alert List of World Cultural Heritage* or *List of World Heritage in Danger*, if necessary.

Article 10 Monitoring process on world cultural heritages as stated in the Principles herein shall be funded by State Administration of Cultural Heritage, Provincial Cultural Administration and conservation management organizations.

Article 11 China World Cultural Heritage Monitoring Technical Specifications under the Principles herein shall be prescribed separately.

Article 12 Cultural heritage suitable for inscription on the *China Tentative List of World Cultural Heritage* shall be monitored and checked under the Principles herein.

Article 13 The Principles herein shall enter into force from the day of announcement.

Article 14 State Administration of Cultural Heritage shall be responsible for the interpretation of these Principles.

中国世界文化遗产专家咨询管理办法

- **第一条** 为加强和规范中国世界文化遗产的保护和管理,充分发挥专家咨询在世界文化遗产工作中的作用,依据《世界文化遗产保护管理办法》制定本办法。
- **第二条** 世界文化遗产、文化与自然混合遗产中的文化遗产部分和《中国世界文化遗产预备 名单》的文化遗产的申报、保护和管理实行专家咨询制度。
- **第三条** 建立中国世界文化遗产专家库和专家委员会,为国家文物局开展世界文化遗产申报、保护和管理等工作提供专业咨询。

专家委员会成员每届任期3年。

第四条 国家文物局从文物保护、规划、建筑、考古、历史、景观、法规等相关领域内遴选 具有较高学术造诣的专家学者组成专家库。

专家库实施开放动态管理,具备条件的专家可随时纳入专家库。根据需要,可邀请少量外籍专家进入专家库。

第五条 国家文物局按照以下标准从专家库中遴选专家组成专家委员会:

- (一) 热爱世界文化遗产事业,具有良好的职业道德,具有高度的责任心。
- (二)具有科学的文化遗产保护理念,熟悉世界文化遗产相关工作内容和程序,了解国际相关领域的现状和发展动向。
- (三)从事与文化遗产保护相关的专业研究,在相关领域具有较高的学术造诣,经验丰富,有 突出业绩;
 - (四)身体健康,能够承担相关工作。
- **第六条** 在进行世界文化遗产监测、巡视工作时,国家文物局可征询专家委员会意见,或委托专业咨询机构进行咨询,也可直接听取专家意见。

对于世界文化遗产的申报、预备名单的设定等世界文化遗产工作中的重大事项,国家文物局可委托专家委员会提出咨询评估意见,为科学决策提供参考。

- **第七条** 在进行审核世界文化遗产文物保护工程项目,审批世界文化遗产缓冲区内工程建设项目,验收世界文化遗产保护工程等工作时,国家文物局可征询专家委员会意见,或委托专业咨询机构进行咨询,也可直接听取专家意见。
- **第八条** 国家文物局可委托世界文化遗产专家委员会开展世界文化遗产保护与管理的重大课题研究,为世界文化遗产工作提供理论支撑。
- **第九条** 非经国家文物局委托或专家委员会指派,任何人不得以专家委员会或世界文化遗产 专家库成员身份进行活动。对于违反规定的专家,国家文物局可将其从专家库和专家委员会中除 名。

- **第十条** 专家在执行咨询任务时,要坚持公平公正的原则,严守职业道德,保守工作秘密。 对与本人有利害关系的咨询事项应主动申明并回避。未经授权或许可,专家不得擅自泄露尚未公 布的专家委员会有关决定,不得代表各级文物行政部门或专家委员会发表个人意见。咨询任务结 束后,专家应毫无保留地将了解到的情况,以及个人的意见和建议反映给专家委员会和国家文物 局。
- **第十一条** 受国家文物局委托而发生的专家咨询,所需经费从国家文物局相关专项经费中列支。
- **第十二条** 地方各级文物部门及各遗产地管理机构要配合受国家文物局委托而进行的专家咨询工作,并为此提供必要条件。
- **第十三条** 地方各级文物部门及各遗产地管理机构开展世界文化遗产申报、保护和管理工作, 也应实行专家咨询制度,其专家咨询工作可参照本办法制定相关办法。
 - 第十四条 本办法自颁布之日起实施。
 - 第十五条 本办法由国家文物局负责解释。

CHINA WORLD CULTURAL HERITAGE EXPERT ADVISORY MANAGEMENT PRINCIPLES

Article 1 The Regulations must prescribe expert advisory management principles for the protection and management of China world cultural heritage under the *World Cultural Heritage Management Principles*. The principles prescribed aim to fully exercise the advisory role played by experts in the conservation process.

Article 2 Nomination, protection and management of world cultural heritage, cultural heritage contained in the property if it is mixed with the natural heritage and cultural heritage in the *China Tentative List of World Cultural Heritage* shall be brought under the management of an expert advisory body.

Article 3 A database of heritage experts and Expert Committee shall be organized to render professional advice to State Administration of Cultural Heritage on the nomination, protection and management of world cultural heritage.

The term of Expert Committee members is three years.

Article 4 State Administration of Cultural Heritage shall form a database of cultivated experts and academicians of domain expertise in the fields of heritage preservation, planning, building, archaeological, history, landscape and legislation.

Expert Database shall be dynamically managed. All qualified experts are welcome to be members of the database. A paucity of foreign experts shall be invited to join when necessary.

Article 5 State Administration of Cultural Heritage shall elect members of Expert Committee drawn from experts in the database who are:

- (I) Dedicated to heritage work, good professional ethics and highly responsible.
- (II) Taking scientific approach to preservation, familiar with heritage work and process, has international exposure.
- (III) Engaged in the research of heritage conservation, well-experienced and score notable results in the field.
 - (IV) Of sound health and able to undertake the assignment

Article 6 State Administration of Cultural Heritage shall seek advice from Expert Committee on the monitoring and checking of world cultural heritage or commission professional organization to gather opinions from the experts, or directly listen to the experts.

In the case of major events as nomination of world cultural heritage and preparation of Tentative List,

State Administration of Cultural Heritage shall commission Expert Committee to give opinions and make evaluation as a reference to make scientific decision.

Article 7 State Administration of Cultural Heritage shall seek advice from Expert Committee during verification of conservation intervention, verification of intervention in the buffer zone and acceptance of conservation intervention, or commission professional organization to gather opinions from the experts, or directly listen to the experts.

Article 8 State Administration of Cultural Heritage may commission Expert Committee to start thematic studies on the protection and management of world cultural heritage to support the theoretical aspects of heritage conservation.

Article 9 Nobody not commissioned by State Administration of Cultural Heritage nor designated by Expert Committee shall be allowed to conduct any activities in the name of Expert Committee or a database member of heritage experts. Expert who violate this regulation shall be expelled from the database and Expert Committee.

Article 10 Expert shall be fair, just, observe professional ethics and keep confidential when assigned the task. State clearly and avoid advisory items conflict with own self. Without prior authorization or consent, expert shall not disclose unannounced decisions made by Expert Committee nor express any personal opinion on behalf of Cultural Administration or Expert Committee. Expert shall make no reservation to reflect all details and personal suggestions to Expert Committee and State Administration of Cultural Heritage upon completion of the task.

Article 11 Expenses incurred by experts in advisory activities commissioned by State Administration of Cultural Heritage shall be funded by State Administration of Cultural Heritage.

Article 12 Regional Cultural Authority and management organizations at all heritage sites shall work with and furnish necessary conditions for experts to carry out advisory activities commissioned by State Administration of Cultural Heritage.

Article 13 Regional Cultural Authority and management organizations at all heritage sites shall incorporate the Principles herein by reference to prescribe export advisory principles for the nomination, protection and management of world cultural heritage.

Article 14 The Principles herein shall enter into force from the day of announcement.

Article 15 State Administration of Cultural Heritage shall be responsible for the interpretation of these Principles.

北京文件——关于东亚地区文物建筑保护与修复

东亚地区文物建筑保护理念与实践国际研讨会于2007年5月24-28日在北京通过

背 黒

中国国家文物局、国际文化财产保护与修复研究中心、国际古迹遗址理事会和联合国教科文组织世界遗产中心于 2007 年 5 月 24 至 28 日在北京联合举办了"东亚地区文物建筑保护理念与实践国际研讨会"。此次会议针对世界遗产委员会第 30 届大会(维尔纽斯)就北京故宫、天坛和颐和园当前的修复工作所提出的关切与建议进行了研讨。此次会议也是针对遗产保护原则和实践所产生的争议展开的一次后续行动,而这些遗产体现出不同的文化与传统。代表联合国教科文组织世界遗产中心、国际古迹遗址理事会、国际文化财产保护与修复研究中心和来自下列国家共约 60 余名专业人员出席了此次研讨会:中国、澳大利亚、加拿大、科特迪瓦、芬兰、法国、德国、伊朗、以色列、意大利、日本、蒙古、菲律宾、韩国、泰国、英国和美国。会议议程包括考察并讨论目前正在进行的北京 3 处世界遗产地的修复工作。

与会代表对中国国家文物局的盛情邀请以及会议和现场考察期间所有相关单位所提供的热情的接待、清晰的介绍与畅所欲言的讨论活动表示感谢。此外,在听取了审议内容和考察了北京的世界遗产地之后,与会代表通过了以下文件,其中包括对北京世界遗产地正在进行的修复工作所提出的建议,以期使这一文件不仅有助于上述遗产地的保护,而且为地区合作奠定基础,从而更好地制定针对东亚地区其他古迹遗址保护与管理的理论和实践指导原则。

保护原则

2007 年 5 月 24 至 28 日,在北京举行的此次国际研讨会讨论了文物建筑保护和修复的理念与实践,其中特别就北京的 3 处世界遗产地案例进行了研讨。此次会议回顾了有关保护理念与原则,包括 2000 年经中国国家文物局批准,中国古迹遗址保护协会颁布的《中国文物古迹保护准则》(以下简称《中国准则》), 联合国教科文组织 1972 年通过的《世界遗产公约》及其《操作指南》,联合国教科文组织通过的其他建议与宣言文件,相关国际会议通过的决定,以及国际古迹遗址理事会通过的国际宪章和文件,如《威尼斯宪章》(1964 年)、《奈良真实性文件》(1994 年)、《古迹、建筑群和遗址的记录准则》(1996 年)、《木结构古建筑保护准则》(1999 年)、《国际文化旅游宪章》(1999 年)、《壁画保存、保护与修复准则》(2003 年)、《建筑遗产分析、保护和结构修复准则》(2003 年)、《西安宣言——关于古建筑、古遗址和历史区域周边环境的保护》(2005 年)以及国际古迹遗址理事会澳大利亚国家委员会通过的《巴拉宪章》(1999 年)。此外,各国遗产保护机构自现代保护运动发起以来从各自保护实践中以及从世代相传的文物建筑保护的传统做法中总结的原则和经验,也在此次会议上受到了关注。

文化多样性与保护过程

正如《奈良真实性文件》和《联合国教科文组织文化多样性世界宣言》(1999年)所主张的,文化遗产的根本特征是源于人类创造力的多样性。文化多样性是人类精神和思想丰富性的体现,也是人类遗产独特性的组成部分。因此,采取审慎的态度至关重要。在修复过程中必须充分认识到遗产资源的特性,并确保在保护和修复过程中保留其历史的和有形与无形的特征。

现代保护理论可以被视为涵盖决策过程的方法论,这一决策过程从认知遗产资源的重要性和价值开始,并构成采取相应保护处理的依据。认知过程必须建立在包括研究、咨询和传统等各种来源的基础上,以获得对该遗产地及其重要历史积淀层的充分理解。考虑到各个遗产地的文化和历史特性,修复工作不能不经过适当的论证和认知,就按照固定的应用方式或标准化的解决方法进行。

档案记录与信息资料

在开始任何干预工程或修复项目之前,应制定一项行动计划,明确所依据的理论方法,并详细说明如何进行实施与监督。这些计划需要得到相关遗产管理部门的批准。文物建筑及其周边环境本身应被视为信息的基本来源,并补充以档案资料和传统知识。理解这些复杂的信息来源是确定开展包括保养和维修在内的任何保护工作的前提。文物建筑及其周边环境的保护工作应被视为一个跨学科的过程,诸如建筑学、工程学、历史学、考古学、材料和结构的科学方法、以及社区的利益攸关者,包括传统知识等。遗产地的认定和调查过程包括对该遗产地及其周边环境进行详细的勘查并予以登记造册,此类调查须对所有的历史遗迹和痕迹进行查核。

文化遗产管理者负责确保做好充足的档案记录,并确保这些记录的质量和更新。不断做好档案记录应是任何保护管理规划及其实施的有机组成部分。准确的档案记录程序应以分析报告和评估报告的形式呈现,配以图纸、照片和绘图等,这应当是任何修复项目的一个组成部分。修复工作的每一个阶段以及所使用的材料和方法都应记录归档。在修复项目完成后的合理时限内,应准备并出版一份报告,总结相关的研究、开展的工作及其成果。报告应存放在公共机构的档案室,得以使研究人员参考使用。报告的副本应存放在原址。

真实性

通过对《奈良真实性文件》、《中国准则》以及《实施世界遗产公约操作指南》等文件的回顾,与会代表强调了在实践中贯彻文件所述原则的必要性,尤其对《奈良真实性文件》中第9段和第13段的内容给予了特别的重视。真实性可以理解为信息来源的可靠性和真实性。文物建筑与遗址本身作为信息的来源具有根本的重要性,体现在诸如形式与设计、原料与材料、用途与功能、位置与环境,以及传统知识体系、口头传统与技艺、精神与情感等因素中。任何维修与修复的目的应是保持这些信息来源的真实性完好无损。在可行的条件下,应对延续不断的传统做法予以应有的尊重,比如在有必要对建筑物表面重新进行油饰彩画时。这些原则与东亚地区的文物古迹息息相关。

完整性

《中国准则》明确指出,保护遗产地不得改变其历史原状。这是特别针对历史建筑群,如古代宫殿建筑群的完整性条件而言的。《实施世界遗产公约操作指南》指出,完整性可定义为"衡量自然和/或文化遗产及其特征的整体性和无缺憾性"。它应考虑到体现遗产重要性和价值所需的一切因素。对一座文物建筑,它的完整性应定义为与其结构、油饰彩画、屋顶、地面等内在要素的关系,及其与人为环境和/或自然环境的关系。为了保持遗产地的历史完整性,有必要使体现其全部价值所需因素中的相当一部分得到良好的保存,包括建筑物的重要历史积淀层。正如《西安宣言》所强调的:"古建筑、古遗址和历史区域的周边环境指的是紧靠古建筑、古遗址和历史区域的和延伸的、影响其重要性和独特性或是其重要性和独特性组成部分的周边环境……理解、记录、展陈周边环境对定义和鉴别古建筑、古遗址和历史区域的重要性十分重要。"

保养和维修

保养和维修的目的是保证古迹遗址保持良好的状况。这一工作应当基于对该财产的真实性和 完整性的明确认识和尊重。定期的防护保养至关重要。材料和结构的替换或更新应保持在合理的 最小的程度,以便尽可能多地保留历史材料。所有的工程均应做好恰当的档案记录。只有在需要 采取相应的措施,替换腐朽或破损的构件或构件的某些部位,或需要修复时,方可进行更换。在 维修木结构时,选用替换木材应适当尊重相关价值。新的构件或新构件的某些部分应用相同的树 种制作,如果无法做到这一点,则应与被替换构件保持相似的特性,这一点至关重要。从现场拆移下来的任何重要材料均应予以保存,以供研究和教学之用。

木结构油饰彩画的表面处理

建筑外表及其面层是古迹外观的重要组成部分,具有历史、审美和工艺价值。建筑表面同时构成文物建筑的保护层,对这些表面最好的保护方法就是定期保养。然而,这些表面易遭风化、磨损,经常需要维修。同时,建筑表面的丰富性是建立在文化表现形式的多样性、审美成就以及从古至今所使用的材料和工艺的多样性的基础之上的。在许多情况下,工艺技术和材料会历经多个世纪保持不变。尽管如此,每个阶段也都有其特殊的文化背景和价值,这些都体现在匠师们的杰作之中。这正是木结构表面油饰彩画的情况。因此,在保护中首先要关注的是应当尽可能多地保留表层材料的真实性,涉及到重新油饰彩画的决定应当建立在适当的专业咨询基础之上。对所有的油饰彩画表面应首先通过科学分析的方法进行调查研究,以揭示有关原始材料和工艺、历史上的干预、当前状态以及宏观和微观层面的腐朽机理等方面的信息。适当的传统技术和工艺应在任何可行的条件下加以应用。传统材料和相关知识也应得到不断研究,以增进对技术工艺的认识,并改善对其应用。新材料和新工艺只有在经过试验并被证实之后方可使用,而且绝不能对遗址造成破坏。

重 建

《中国准则》规定,不复存在的建筑一般不应重建。只有在特许情况下,才可有选择地对个别建筑在原址上进行重建。这只有在经过具有扎实学问和严谨判断力的专家组和/或相关人士确定后,依据确凿的情况下方可进行。在确定有利于遗址的完整性、保护状况和/或稳定性的情况下,可以考虑进行局部重建。不过,如果遗址本身的现状已具备某种重要性,或档案和实物遗存不能为重建目的提供足够的信息资料,则不应考虑重建。重建不得伪造城市环境和景观,或破坏现存的历史肌理。在任何情况下,重建的决定都应当是与相关社区进行协商后的结果。对与重建相关的所有问题进行补充性讨论将有助于提供进一步的指导。

管理

保护规划是管理遗址以及进行保护干预和展陈的基础。遗产地管理是国家社会经济发展的重要组成部分,必须将其纳入相关城乡规划法规和规划过程中,并需要多学科之间的合作。在制定保护规划及其之后的实施过程中,应当明确并遵循公开透明的决策程序。遗址管理体制和手段须完备,以实施管理规划。对遗址的重大干预应在充分研究基础上制定的详细行动计划的指导下进行,该计划对实施过程中所使用的方法和手段做出明确规定。遗址管理体制及其手段必须日复一日地反复强调定期保护与保养、监测、风险管理和遗址展陈的必要性。

展陈和旅游管理

针对游客的展陈是保护过程必不可少的组成部分,它涉及对遗产地游客承载能力的分析,以及在讲述故事、展出物品和展现为保护做出努力时所用的方法和媒介。游客对遗址价值有所了解,就会享受参观过程,并因此关注这些遗产地及其保护。可持续的旅游管理需要纳入遗址管理体系中。旅游信息、媒体兴趣、游客流量和影响是一切保护项目无论其大小需要考虑的重要因素。众多遗产地面临的巨大旅游压力需通过进一步规划和细化管理,来避免或降低目前明显的负面影响。

培训

培训是可持续管理体系中不可或缺的组成部分。国家机构应当将制定涉及必要学科和技术的培训战略纳入其政策中。针对世界遗产地的培训应着眼于《世界遗产全球培训战略》中所体现的三个主要领域,即:《世界遗产公约》的实施、世界遗产地的管理以及为更好地保护世界遗产地对保护方法和技术的改进。培训项目应利用现有技能、当地智慧和各阶层专业知识的优势,包括高校和地区合作伙伴关系,加强与诸如国际文化财产保护与修复研究中心、国际古迹遗址理事会、世界自然保护联盟和联合国教科文组织等国际组织的合作。要特别重视提倡传统技能以及有关建筑工艺和其他传统技能知识的传承与抢救。这可能涉及在国家或地区层面建立合作伙伴关系,以便对上述知识进行鉴别与记录,并将其纳入相关学校和培训中心的教育和培训计划中。

2007年5月28日,北京

International Symposium on the Concepts and Practices of Conservation and Restoration of Historic Buildings in East Asia

May 24-28, 2007 Beijing, China

Background

The International Symposium on the Concepts and Practices of Conservation and Restoration of Historic Buildings in East Asia was held in Beijing from 24th to 28th May, 2007, organized by the China State Administration of Cultural Heritage jointly with ICCROM, ICOMOS and the UNESCO World Heritage Centre. The Symposium addressed the concerns and suggestions voiced at the 30th session of the World Heritage Committee in Vilnius over the current restoration works at the Imperial Palace, the Temple of Heaven and the Summer Palace in Beijing. The symposium was also a follow-up to the debates on the implementation of principles and practices for the preservation of heritage reflecting different cultures and traditions. The Symposium was attended by some sixty professionals representing UNESCO World Heritage Centre, ICOMOS, and ICCROM, and coming from the following countries: China, Australia, Canada, Cote d'Ivoire, Finland, France, Germany, Iran, Israel, Italy, Japan, Mongolia, Philippines, Republic of Korea, Thailand, UK, and USA. The programme included visits to and discussions on the current restoration works in the three World Heritage sites located in the city of Beijing.

The participants of the Symposium express their appreciation for the generous invitation by the State Administration of Cultural Heritage of the People's Republic of China and show gratitude for the warm reception, hospitality, and the clear presentations and open discussions provided by all those responsible during the conference and site visits. Furthermore, having heard the deliberations and having visited the three World Heritage sites in Beijing, the participants adopted the following document, including recommendations regarding the on-going restoration of the World Heritage sites in Beijing with the intent not only to have this document serve the purpose of helping the conservation of those specific sites but also lay the ground for a regional cooperation to better define guiding principles of theory and practice for the conservation and management of other monuments and sites in East Asia.

Beijing Document on the Conservation and Restoration of Historic Buildings in East Asia

Adopted by the International Symposium on the Concepts and Practices of Conservation and Restoration of Historic Buildings in East Asia, Beijing, 24 to 28 May 2007.

Conservation Doctrine

The international symposium, organized in Beijing from 24 to 28 May 2007, had the scope of discussing the concepts and practices of conservation and restoration of historic buildings with particular focus on the case of the three World Heritage sites in Beijing. The Symposium recalled the concepts and principles expressed in the *Principles for the Conservation of Heritage Sites in China* ("China Principles"), promulgated by ICOMOS China with the approval of State Administration of Cultural Heritage, in 2000, in the UNESCO 1972 World Heritage Convention and its *Operational Guidelines*, other UNESCO Recommendations and Declarations, the conclusions of international meetings, and the international charters

and documents adopted by ICOMOS, such as: the *Venice Charter* (1964), *The Nara Document on Authenticity* (1994), *Principles for the Recording of Monuments, Groups of Buildings and Sites* (1996), *Principles for the Preservation of Historic Timber Structures* (1999), *International Cultural Tourism Charter* (1999), *Principles for the Preservation and Conservation of Wall Paintings* (2003), *Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage* (2003), and the *Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas* (2005), as well as the *Australia ICOMOS Burra Charter* (1999). Furthermore, attention was drawn to the principles and practices developed by the national heritage agencies through their own conservation endeavours since the beginning of the modern conservation movement, as well as the traditional practices for the care of historic buildings that have been transmitted from generation to generation.

Cultural diversity and conservation processes

As has been acknowledged in the *Nara Document on Authenticity* and the *UNESCO Universal Declaration on Cultural Diversity* (1999), cultural heritage is fundamentally characterized by its diversity, resulting from human creativity. Cultural diversity is the expression of spiritual and intellectual richness of humankind, and it is part of the special quality of our heritage. It is therefore essential to adopt a cautionary approach. Any restoration must duly recognize the specificity of a heritage resource and guarantee that its historical, tangible and intangible aspects be retained in the process of conservation and restoration.

Modern conservation theory can be described as the methodology consisting of the decision-making process that starts with the recognition of the significance and values of a heritage resource and forms the basis for any treatment that should be undertaken. The recognition must be based on various sources including research, consultation and tradition in order to obtain a full understanding of the place and its significant historical layers. Considering the cultural and historical specificity of each place, restoration cannot be based on the uniform application of recipes or standard solutions without proper verification and recognition.

Documentation and information

Before beginning any intervention work or restoration project, an action plan is to be prepared outlining the philosophical approach to works, detailing how they are to be executed and supervised. These plans require approval by relevant heritage authorities. An historic building and its setting, as they are, should be taken as the primary source of information, complemented by archival documents and traditional knowledge. Understanding these information sources in all their complexity is a prerequisite to the definition of any work, including maintenance and repair. Work on a monument and its setting should be seen as a process that involves different disciplines, such as architecture, engineering, history, and archaeology, scientific methods about materials and structures, as well as a range of community stakeholders, involving knowledge of traditions. The process of identification and investigation of heritage sites involves a careful survey and inventory of the site and its setting. These investigations must examine all historic vestiges and traces as well as relevant documentation.

Managers of cultural heritage are responsible for ensuring adequate recording, as well as the quality and updating of such records. On-going recording and documentation should be an integral part of any conservation management plan and its implementation. A precise programme of recording and documentation should be part of any restoration project in the

form of analytical and critical reports, illustrated with drawings, photographs, mapping, etc. Every stage of the restoration work, materials and methodology used should be recorded. A report summarising the research, the work undertaken and its findings should be prepared and published within a reasonable timeframe after completing the project. The report should be placed in the archives of a public institution, and made available to researchers. Copies should be kept in situ.

Authenticity

Recalling the Nara Document on Authenticity, the China Principles, and the Operational Guidelines for the Implementation of the World Heritage Convention, the participants stressed the need to implement the said principles in practice, taking particular note of the paragraphs 9 and 13 of the Nara Document. Authenticity can be interpreted as the credibility and truthfulness of the information sources. Heritage buildings and sites are themselves fundamentally important as sources of information, referred to in factors such as form and design, materials and substance, use and function, location and setting, as well as traditional knowledge systems, oral traditions and techniques, spirit and feeling. The aim of any repair or restoration should be to maintain intact the authenticity of these information sources. When feasible, due respect should be placed on the continuity of traditional practices, for example when repainting of surfaces has become necessary. These principles are highly relevant for monuments in East-Asian context.

Integrity

The China Principles specify that in the conservation of heritage sites the historic condition must not be changed. This refers especially to the condition of integrity of an historic ensemble, such as an ancient palace complex. As referred to in the World Heritage *Operational Guidelines*, integrity can be defined as "the measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes". It should take into account all elements that are necessary to express its significance and values. In an historic building, integrity should be defined in relation to its intrinsic elements, such as the structure, the painted surfaces, roofs, and floors, as well as the relationship with the man-made and/or natural setting. In order to retain the historical integrity of a heritage site, it is necessary to maintain in good condition a significant proportion of the elements necessary to convey the totality of the value, including the meaningful historical layers of the buildings. As noted in the Xi'an Declaration, "the setting of a heritage structure, site or area is defined as the immediate and extended environment that is part of, or contributes to, its significance and distinctive character. [...] Understanding, documenting and interpreting the setting is essential to defining and appreciating heritage significance of any structure, site or area".

Maintenance and Repair

The purpose of maintenance and repair is to guarantee that the monuments and sites are kept in a good state of preservation. Such work should be based on a clear understanding and respect of the authenticity and integrity of the property. Regular preventive maintenance is essential. Any replacement or renewal of materials and elements should be kept to a reasonable minimum in order retain as much of the historic material as possible. All works should be properly recorded. Replacement should be made only where it is an appropriate response to the need to replace decayed or damaged members or their parts, or to the requirements of restoration. In the repair of wooden structures, replacement timber should be used with due respect to relevant values. New members or parts of members should be made of the same species but where this is not feasible, it is essential that the similar characteristics as in the replaced members should be

maintained. Any significant material removed from the site should be preserved for research and education.

Treatment of painted surfaces on wood

Architectural surfaces and their finishing layers, with the historic, aesthetic and technical qualities, represent an essential component of the visible part of monuments. Architectural surfaces also form the protective layers of an historic building. The best way to care for these surfaces is through regular maintenance. Nevertheless, the surfaces are subject to weathering and wear and tear, often necessitating repair. At the same time, the richness of such surfaces is founded in the variety of cultural expressions, aesthetic achievements, and the diversity of materials and techniques used from ancient times until the present. In many cases, the crafts techniques and materials may have remained nearly the same for centuries. Even so, each period has also its own specific cultural context and values, reflected in the work of the master craftsmen. This is the case of painted surfaces on wood. It should therefore be the primary concern in conservation to retain as much of the material authenticity of the surfaces as possible, and decisions regarding repainting should be based on proper professional consultation. All painted surfaces should be first investigated by means of scientific analyses to reveal information about original materials and techniques, past interventions, current condition, and decay mechanisms on macro and micro scale. Appropriate traditional technology and craftsmanship should be used whenever feasible. Traditional materials and know-how should also be subject to continuous research in order to improve understanding and application of the techniques and skills. New materials and techniques should only be used after they have been tried and proven, and should in no way cause damage to the site.

Reconstruction

The China Principles state that generally a building that no longer survives should not be reconstructed. Only in specially approved cases, a select few of such buildings may be reconstructed in situ. This may occur only where there exists definite evidence that has been confirmed by a group of experts and/or people with sound knowledge and critical judgement. Partial reconstruction may be taken into consideration when justified by site integrity, protection and/or stabilization. However, reconstruction should not be considered when the current state of a site has acquired significance in its own right, or when the documentary or physical remains give insufficient information for the purposes of reconstruction. Reconstruction must not falsify the overall urban or landscape context or damage existing historic fabric. In any case, decisions on reconstruction should be taken as a result of consultation with the communities concerned. Additional discussions on all issues related to reconstruction would be useful in order to provide further guidance.

Management

A conservation plan is the basis for managing sites and for undertaking conservation interventions and interpretation. Heritage site management is a critical part of a country's social and economic development. It must be integrated within relevant urban and rural planning laws and processes, and requires multi-disciplinary co-operation. Open and transparent conservation decision-making process should be defined and followed in the preparation of conservation plans and subsequent stages of implementation. Site management systems and tools must be adequate to carry out the management plan. Major interventions on the site should be guided by a detailed action plan based on thorough research, specifying the approaches and methods to be used in executing the proposed works. Site management system and its tools must actively address regular conservation and maintenance, monitoring, risk management and site interpretation needs on a day to day

basis.

Interpretation and tourism management

Interpretation for visitors is an essential component of the conservation process, involving the analysis of the carrying capacity of the site and the methods, media to be used in telling its stories and exhibiting its artefacts and exposing the effort put into its care. Visitors who understand the heritage values of the site will enjoy them and thus care about the sites and their conservation. Sustainable tourism management needs to be integrated within the development of all site management systems. Consideration of tourism messages, media interests, circulation flows and impacts are critical factors in all conservation projects, minor or major. The extraordinarily high level of tourism pressure at many heritage sites requires further planning and detailed management to avoid or reduce the adverse impacts which are now evident.

Training

Training is an essential component in any sustainable management system. National institutions should integrate into their policies the development of training strategies taking into account the necessary disciplines and skills. Training for World Heritage sites should focus on the three main areas expressed in the World Heritage Global Training Strategy, i.e. implementation of the World Heritage Convention, management of World Heritage sites, and improvement of conservation methods and techniques for the better protection of World Heritage sites. Training programmes should take advantage of available skills, local wisdom, and expertise at all levels, involving the universities and regional partnerships, as well as reinforcing collaboration with international organizations, such ICCROM, ICOMOS, IUCN and UNESCO. Particular attention should be given to foster the continuation and rescue of traditional skills and know-how related to the building crafts and other traditional skills. This could involve developing partnerships at the national and regional levels for the identification and systematic recording of such knowledge, and integration into education and training programmes in relevant schools and training centres.

关于东亚地区彩画保护的北京备忘录

(于2008年11月1日东亚地区木结构建筑彩画保护国际研讨会通过)

我们,来自比利时、保加利亚、法国、德国、日本、巴基斯坦、菲律宾、韩国、斯里兰卡、泰国、英国、美国、越南和中国等国的 50 余位专业同行于 2008 年 10 月 29 日至 11 月 1 日汇聚北京,参加了由中国国家文物局、联合国教科文组织世界遗产中心、国际古迹遗址理事会(ICOMOS)和国际文化财产保护与修复研究中心(ICCROM)共同主办的"东亚地区木结构彩画保护国际研讨会"。这是继 2007 年 5 月在北京召开的"东亚地区文物建筑保护与修复理念与实践国际研讨会"之后,为回应世界遗产委员会第 31 届会议有关缔约国中国"联合包括日本、韩国及越南等国家,开展关于如何修复东亚地区彩画及确保其真实性的比较研究"的决议所举办的专题研讨会。会议期间,与会代表考察了北京三处相关遗产地,探讨了东亚地区木结构建筑彩画的价值,回顾了其保护理念、实践和历程,并交流了经验。

感谢缔约国主办方中国国家文物局和承办者北京市文物局为贯彻《保护世界文化和自然遗产 公约》而举办此次会议所付出的积极、热情和卓有成效的工作。与会代表了解、赞赏并支持中国 同行基于本国特点所采取的彩画保护理念、原则和做法如下:

1. 保护文件

以下国内外文件的理念和原则适用于指导彩画的保护:《国际古迹保护与修复宪章》(《威尼斯宪章》1964年)、《保护世界文化和自然遗产公约》(1972年)及其《操作指南》(2005年)、《古迹、建筑群及遗址保护中的教育培训准则》(1993年)、《奈良真实性文件》(1994年)、《古迹、建筑群及遗址记录工作原则》(1996年)、《中国文物古迹保护准则》(《中国准则》2000年)、《保护非物质文化遗产公约》(2003年)、《壁画保存、保护与修复准则》(2003年)、尤其是第九条"恢复的传统")、《北京文件——关于东亚地区文物建筑保护与修复》(2007年)和《诠释与展示文化遗产宪章》(2008年)。

2. 关于彩画

"彩画"(Caihua)一词是中文对木结构建筑构件表面绘画(包括地仗)的专称。彩画是木结构建筑装饰传统的见证,其文字史料和实物例证可上溯至公元前2世纪。彩画是建筑物不可分割的组成部分,具有装饰建筑、保护木构件、标识建筑物等级和功能、以及美化环境等作用,是构成建筑物真实性和完整性的重要元素,其自身也具有很高的历史、艺术和科学价值。此外,彩画是文化多样性的体现,是东亚地区传统建筑文化区别于世界其它地区的主要特征之一。其构图法则、题材内容、艺术风格、绘制工艺和材料使用,是当时社会文化和审美经验的真实记录,反映了当时的视觉艺术认知能力和绘画艺术表现能力。

由于材料的不耐久性,受环境因素的影响、彩画(尤其是外檐彩画)易于破损老化。对部分

或全部消失的、以及明显不合规制的改变过的彩画,以往的修缮方法主要是按照传统工艺进行重新绘制。这种方法一方面保存和延续了彩画的传统工艺,另一方面,只有少量的古代原始彩画得以幸存,或部分留存,或仅存下被新彩画覆盖了的痕迹。

3. 关于彩画的保护

彩画保护的目的是最大限度地保留其真实性和完整性。《奈良真实性文件》(1994)中指出文化遗产的真实性在于下列特征作为信息来源的真实可信: "外形与设计、材料与物质、用途与功能、传统与技术、位置与环境、精神与情感,以及其它内在或外在的因素"。就彩画而言,其真实性表现为设计、图案、色彩的真实性,制作材料和工艺的真实性,功能与用途的真实性,精神与情感以及历史上干预痕迹的真实性等。完整性是"衡量自然和/或文化遗产及其特征的全面和完整"(《实施世界遗产公约操作指南》,2005年)。因此,彩画完整性的评判,主要是物质遗存和特征属性保存的完好程度,包括结构的完整性和体现其自身及所依附的古建筑价值的完整性。

鉴于此,应尽量保留各个历史时期遗留下来的彩画。《中国文物古迹保护准则》第 20 条指出:文物古迹的"日常保养是最基本和最重要的保护手段";第 23 条指出:"正确把握审美标准。文物古迹的审美价值主要表现为它的历史真实性,不允许为了追求完整、华丽而改变文物原状。"这意味着对彩画应尽量原位保护,只能做防护性处理,包括定期维护。只有在所有原位保护手段均无法实现的情况下才可以考虑将彩画揭取,移入博物馆保存。

鉴于彩画具有装饰建筑、保护木构件、标识建筑物等级和用途、以及美化环境等功能,可以对原彩画已不存在的部位、或虽有彩画残存但经全面的价值评估和专业论证认为无保留价值的部位进行重画。重画设计应以深入研究为基础,经广泛论证和专业咨询,做到依据充分。重画应采用传统材料和工艺。

彩画的保护应遵循科学的保护程序,以深入的研究和价值评估、现状评估以及管理评估为基础,确定保护方式。

对彩画的干预应遵循最小干预、可逆性、可再处理以及干预技术和材料的适当性和兼容性等原则。

应建立完整的保护档案,对工程前、工程中和工程后的所有保护活动进行全面记录,并保证 彩画所在的文物保护单位拥有一份完整的备份。档案应便于研究和咨询使用。

应针对可能发生的危险和灾害制定应急预案,将灾害损失降至最低。

4. 研究与诠释

研究应贯穿彩画的整个保护过程。

进一步研究彩画的历史规制、现状分布、技艺和材料沿革。应加强风格演变和断代方法的研究,以更好地认识彩画的价值。

应加强彩画制作技术和材料分析调查、监测技术、病因诊断、保护材料和工艺以及管理手段 等方面的研究,提高保护水平。 应加强彩画的诠释和展示工作,提高公众对彩画价值、内容、传统工艺和材料的认识,促进 保护活动,从而使他们支持彩画的研究和保护事业。

5. 专业资质及培训

彩画保护应由具有资质的保护专业人员在工匠的协助下进行。应通过各种专业教育、培训和其它项目加强对保护专业人员和工匠的能力建设。彩画保护专业人员和工匠均应掌握彩画历史发展的知识。

6. 传统技艺的传承

应加大对彩画制作技艺传承人保护和支持的力度。应对彩画制作技艺进行认定和记录,并将 其列入国家或地方非物质文化遗产名录,依法保护。应制定相应的保护政策,指定或设立专门机 构,研究适当的保护方法。

7. 国际合作

彩画既是东亚文化的表现形式之一,也是人类遗产的重要组成部分,其保护是人类共同的责任和义务。应在尊重不同地区和国家、民族和宗教团体的不同文化背景和价值取向的基础上,鼓励开展多层面的关于保护方法和技术的经验和信息交流,加强国际合作,充分发挥各方优势更好地保护彩画。

与会代表认为,上述中国同行保护彩画的理念、准则和做法具有广泛的参考价值或指导意义。 日本同行特别指出,这是一个令人关注和深受鼓舞的启动和开始,使相关国家和地区的同行们能够由此开始进一步深入讨论有关木构建筑彩画研究和保护的方方面面,从而最终形成一个基本达成一致的文件。该文件符合国际广泛认同的真实性、完整性和可持续性原则,并尊重东亚文化背景、传统和价值体系的多样性。

衷心期待各国同行能为这一进程作出更多贡献,并就进一步的交流步骤进行协商以达成一致 意见。

Beijing Memorandum

on the Conservation of Caihua [1] in East Asia

(Adopted 1 November 2008)

We, the group of experts from Belgium, Bulgaria, China, France, Germany, Japan, Pakistan, Philippines, Republic of Korea, Sri-Lanka, Thailand, UK, US, and Vietnam, numbering over 50 members, assembled in Beijing from 29 October to 1 November 2008, at *the International Seminar on Conservation of Painted Surfaces on Wooden Structures in East Asia*, organized by the State Administration of Culture Heritage of China, UNESCO World Heritage Centre, ICOMOS and ICCROM, as a follow up to the *International Symposium on the Concepts and Practices of Conservation and Restoration of Historic Buildings in East Asia*, which was held in May 2007, and in response to the decision of World Heritage Committee at its 31st session, on carrying out 'a comparative study on the restoration of polychromy and ways to ensure its authenticity within East Asia, in collaboration with countries such as Japan, Korea and Vietnam'. At the Seminar the values of *caihua (tsai-hua)* were discussed, the concepts, practices, and course of its conservation were reviewed, the practical experiences were exchanged, and three sites were visited.

We wish to acknowledge our gratitude to the hosts of the State Party – the State Administration of Culture Heritage of China and the Beijing Municipal Administration of Culture Heritage for their hospitality, and effective and efficient work on hosting this seminar for the implementation of the *Convention Concerning the Protection of the World Cultural and Natural Heritage*. At the Seminar, the participants learned of, appreciated and supported the following concepts, principles and instruments involved in the conservation of *caihua* practiced by the Chinese colleagues based on the specific situation in China:

1. Conservation Doctrines

The concepts and principles expressed in the following national and international documents shall be applied to the conservation of *caihua*: International Charter on the Conservation and Restoration of Monuments and Sites (the Venice Charter, 1964), Convention Concerning the Protection of the World Cultural and Natural Heritage (1972) with the Operational Guidelines (2005), Guidelines for Education and Training in the Conservation of Monuments, Ensembles, and Sites (1993), The Nara Document on Authenticity (1994), Principles for the Recording of Monuments, Groups of Buildings and Sites (1996), the Principles for the Conservation of Heritage Sites in China (the China Principles, 2000), Convention for the Safeguarding of the Intangible Cultural Heritage (2003), ICOMOS Principles for the Preservation and Conservation-Restoration of Wall Paintings (2003), with special attention to article 9 concerning "Traditions of renewal"), the Beijing Document on the Conservation and Restoration of Historic Buildings in East Asia (the Beijing Document, 2007) and the ICOMOS Charter on the Interpretation and

Presentation of Cultural Heritage Sites (2008).

2. On Caihua

'Caihua' is the specific term in Chinese for polychromy paintings (including all stratigraphic layers) on wooden structures. Caihua is testimony of a tradition of decorating wooden structures, with written sources and material evidence dating back to the 2nd century BC. With its historical, cultural, artistic, scientific and social significance, as an integral part of a building, and as an important constituent of its authenticity and integrity, caihua has the multiple functions of decorating a building, indicating its status (architectural hierarchy) and uses, protecting the structural elements, as well as contributing to the beauty of its environment. In addition, caihua is an expression of cultural diversity and a major part of the character that distinguishes the traditional architectural culture of East Asia from the rest of the world. The rules of composition, iconography, artistic styles, techniques and materials used are an authentic source of information on social, cultural and aesthetic experiences of the past, an evidence of the capability of handling visual art, as well as a witness to the power of artistic expression.

Caihua is susceptible to deterioration, partly due to the nature of the materials used, and partly to the environmental conditions to which it is exposed. The past practice was to paint a new scheme on areas where caihua has been partially or completely lost, or on areas where caihua was judged to have been painted without following the historic rules of design. As a result, the preparatory layers were cleaned down to the wood removing all historic traces. Such a practice, on the one hand, has contributed to the continuity of traditional craftsmanship of caihua, but, on the other hand, it has meant that only a very limited amount of old caihua has survived or still exists in parts or in traces, covered by new caihua.

3. On the Conservation of Caihua

Today, the aim of any conservation of *caihua* should be to preserve as much as possible its authenticity and integrity. Referring to the Nara Document on Authenticity (1994), the authenticity of a cultural property can be judged by the degree of truthfulness and credibility of a variety of source of information, including: 'form and design, material and substance, use and function, location and setting, tradition and technique, spirit and feeling, as well as other internal and external factors'. The authenticity of *caihua* can therefore be understood as being reflected in the truthfulness and credibility of authentic designs, patterns and palettes, authentic techniques and materials used, authentic functions and uses, spirit and feeling, as well as authentic traces of past interventions. Integrity is understood as 'the measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes' (Operational Guidelines). Therefore the integrity of *caihua* can be judged by the wholeness and intactness of the physical remains and its attributes (structural integrity, integrity in expressing the values of its associated building).

Under these circumstances, traces of *caihua* of all periods should be preserved, keeping in mind the commentary in Article 20 of the China Principles: "Regular maintenance is the most basic and important means of conservation." In Article 23 of the China Principles: "Appropriate aesthetic criteria should be

observed. The aesthetic value of a site derives from its historic authenticity. Alterations to the historic condition may not be made for cosmetic purposes or to attain completeness." This means that *caihua* should be preserved in situ, and should only be treated by protective measures, including regular maintenance. Transfer of such a *caihua* into museum can be considered only when all other in situ conservation options are not viable. In consideration of the functions of *caihua* in decorating a building, indicating its status (architectural hierarchy) and uses, protecting the structural elements, and contributing to the beauty of its environment, repainting (restoration/reconstruction) is only allowed on areas where no historic *caihua* survived, or where the existing painting is judged to have no significance at all. Repainting design in the sense of renovation should be carried out with sufficient evidence derived from in-depth researches, professional consultation and assessment, and should be executed as far as possible using traditional materials and traditional techniques.

Conservation of *caihua* should follow a sound decision-making process: the approach decided upon must be based on in-depth research and assessment of the values, conditions and management context.

Treatment of *caihua* should follow the principles of minimal intervention, reversibility, retreatability, and compatibility of intervention techniques and materials as appropriate in each case.

All conservation activity, including the situation before, during and after any intervention, should be fully documented, with a full set of documents in the possession of the site management body. These documents should be made accessible for research and consultation.

A risk and disaster preparedness plan should be produced in order to avert hazards and mitigate risks.

4. Research and Interpretation

Research should be integrated into all stages of the conservation process.

Research should also be made on historical rules of design, current distribution of *caihua*, and historical development of techniques and materials of *caihua*. Studies on stylistic evolution and dating technique should be strengthened for a better understanding of the significance of *caihua*.

In order to improve the quality of conservation work, research should be promoted on analytical investigation of original techniques and materials of *caihua*, methods of monitoring the state of conservation of the surfaces, diagnosis of causes of deterioration, as well as conservation materials and techniques, and management skills.

Interpretation and presentation should be enhanced to raise the public awareness on the values, meanings, original techniques and materials of *caihua*, as well as the conservation activities, in order to win their support to the need of research and conservation of *caihua*.

5. Professional Qualification and Education

Conservation of *caihua* should be carried out by qualified conservation professionals with input from craftsmen. Capacity building for professionals, including both conservators and craftsmen, must be encouraged through qualified educational and training programs, as well as other types of activities. Both conservators and craftsmen should be familiar with the historical development of *caihua*.

6. Safeguarding the *Caihua* Techniques

Protection and support of master craftsmen should be strengthened. The *caihua* techniques should be officially recognized, recorded, and inscribed on national or regional lists of intangible cultural heritage for legal safeguarding. Conservation policies should be established accordingly, and specialized institutions should be designated or established for the development of appropriate methods of treatment.

7. International Cooperation

Caihua is not only an expression of East Asian cultures, but also an important component of the cultural heritage of all humanity. Conservation of *caihua* is therefore a shared responsibility. Exchange of information and experiences on conservation methodologies and techniques should be encouraged at all levels, with due respect to the cultural contexts and value systems in different regions and nations, ethnic and religious groups. International cooperation should be strengthened in order to utilize the collective strength for a better conservation of *caihua*.

The participants considered that the above concepts, principles and tools, referred to the practice by Chinese colleagues, would also be relevant as a more general reference or guideline. The Japanese colleagues pointed out that this initiative was a remarkable and exciting start of a process, through which colleagues in relevant countries and regions could undertake discussion on all issues concerning the research and conservation of *caihua*. The final scope would be to reach consensus on a document that is in conformity with the internationally accepted principles of authenticity and integrity, and the endorsement of the continuity of such traditions with due respect to the diversity of cultural contexts, traditions, and value systems in East Asia.

It is presumed that colleagues from all over the world could contribute to this process, and the road map for advancing such exchange should be discussed and agreed upon.