

Keeping the Outstanding Exceptional: The Future of World Heritage in Australia

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The future of World Heritage in Australia

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Australia was one of the first countries to participate in the World Heritage Convention (Convention) concerning the protection of the world cultural and natural heritage. Amongst the conservation community there is a certain pride about our relatively large number of natural sites and our imagined leadership in mixed sites. There is also pride in the fact that our national government has employed constitutional law to protect some of our World Heritage sites from damaging activities proposed by particular Australian States. But are we really as excellent a global citizen as we may believe? In this brief presentation I review areas where we may have fallen short and suggest where effort and energy may direct our future World Heritage activities.

Early Words of Wisdom

Let's remind ourselves about the core focus of the Convention. Taken from the preamble of the convention text:

- *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 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 it is essential for this purpose to adopt ... an effective system of collective protection of the natural and cultural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods.

The threats identified in the Convention text seem remarkably modern and even more so today, although one new threat, climate change, is now much clearer. The Convention has its absolute focus on protection but how does it propose to achieve such collective protection? The Operational Guidelines (UNESCO, 2012), in conjunction with the Convention text, help clarify what is required. We can see these as the six "c" words for protection. The dominant message is "cooperation" but to this we can add "credibility" which is the science foundation; "conservation" which is the management needed; "capacity" which needs



investment and exchange; “communities” which are the foundation of values and the means of support; and finally “communication” whereby we can collectively better understand the global treasures on the list and work together for their protection.

Of course a final activity that emerges from the World Heritage Convention is an opportunity to celebrate the marvels of nature and culture across the planet. Although I come principally from a natural heritage background, and this presentation draws mainly on that arena, I join with all my fellow global citizens in the celebration of outstanding cultural heritage of every kind. In the context of Australian World Heritage I am very attracted to the idea expressed by Dr Ro Hill (see Hill chapter) as “biocultural diversity” and in line with the work of Fowler (2003) regret the rather limited use of “cultural landscapes” in the World Heritage processes.

A Change of Consciousness

Initially some early thinking around World Heritage gave a strong focus to the celebratory context. For example Dr Jim Thorsell, the long time chief advisor on World Heritage for the International Union for Conservation of Nature (IUCN), would often refer to natural listing as “the Nobel Prize for nature”. This also recognised the outstanding quality a site required to be considered for World Heritage, addressing the credibility issue and the scientific foundation. Others referred to a “badge of merit” and it was clear that many global sites were only acknowledged through the plaque on the wall of the manager’s office.

However, over time the emphasis shifted back to protection, especially given the rising number and intensity of threats to inscribed sites and potential sites. In 1995 the Wet Tropics Management Authority convened the first regional workshop for World Heritage Managers in South East Asia, Australia, New Zealand and the West Pacific, held in Ravenshoe within the Wet Tropics World Heritage Area. As part of the discussions there was a clear recognition that World Heritage meant much more than a badge of merit and the language was more consistent with accepting international obligations and supporting better management and cooperation. At the time it was proposed in the Ravenshoe Communique that a future workshop might consider Indigenous involvement in management of World Heritage, an issue that remains poorly addressed across the region today (World Heritage Committee, 1996)

This shift in consciousness has not been completely accomplished and we strive to find the right balance between celebration and conservation. One of the

landmark developments in Australia has been the strengthened legal capacity for protection, building particularly on the constitutional requirements. The *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* was a significant leading edge in strong World Heritage protection. It is perhaps not surprising given that some of our early iconic sites were identified at least as much by the threats to their existence as to any existing protected area status. For example who can forget the tensions over oil exploration and mining of the Great Barrier Reef (GBR) that inspired the community to support its protection against large and powerful vested interests. Of course inspirational and brave politicians were needed but they stood on the shoulders of hundreds of extraordinary citizens. A similar political and legal battle was ‘midwife’ to the Tasmanian Wilderness World Heritage Area and for the Wet Tropics World Heritage Area. The history of World Heritage in Australia will be written about communities, especially the environmental NGOs, ahead of politicians or bureaucrats.

One often overlooked aspect of the World Heritage Convention is its emphasis on the protection of all cultural and natural heritage, not just that which the Committee considers has outstanding universal value (Lucas et al., 1995). At that time Australia had an excellent framework for the recognition of natural and cultural heritage across the nation in the form of the Register of the National Estate, a product of the Australian Heritage Commission. Its principal shortfall was a missing capacity to protect the heritage identified. Section 30 of the *Australian Heritage Commission Act 1975 (repealed)* required Commonwealth Ministers and their departments to avoid any action that could damage heritage places unless there were no ‘prudent and feasible alternatives’. This section did not apply to other levels of government or to private citizens.

The national legal reform, which saw the introduction of the EPBC Act, also abolished the Australian Heritage Commission and in its place established the Australian Heritage Council with powers to identify National Heritage. Heritage that did not meet the national threshold was passed off to the states and local governments, in the view of many a sad moment of abrogation. *The Australian Heritage Commission Act of 1975* was a landmark piece of legislation which established the Australian Heritage Commission (and which was broadly directed at identifying heritage as a critical part of our national life). The EPBC Act was equally forward-looking in ensuring that the Federal Government had capacity to protect those national and

international heritage elements over any threats from individuals, organisations or the individual states. The powers gained have been employed many times to protect World Heritage in Australia. The in-principle decision of Council of Australian Governments (COAG) in 2012 to devolve some of these hard-won legal powers to the States is a matter of concern to many.

There is one area of significant change that has been reinforced by the recent UNESCO Mission to examine threats to the Great Barrier Reef World Heritage Area. As the Mission Report documents and the World Heritage Committee reinforces, our management should be much better focused on the condition of “Outstanding Universal Value” (OUV). This reminds us that for World Heritage sites we need to meet our obligations under the Convention to protect, conserve, present, rehabilitate and transmit. An example of how this is happening includes the framework of the Wet Tropics Board Agenda, which is formally structured around these key responsibilities.

Another recent cutting edge development is the Great Barrier Reef Marine Park Authority initiative in developing an Outlook Report (Great Barrier Reef Marine Park Authority, 1999) and the current process to develop a Strategic Assessment of the GBR to help identify and respond to existing and future threats to outstanding universal value. A third industry initiative is the attempt to bring together multiple stakeholders to prepare a cumulative impact assessment for the expansion of the Abbot Point coal-loading facility. Again, this approach draws strongly on the concept of OUV as a driver. A critical missing dimension is the somewhat ironic juxtaposition of a facility built to increase hugely coal exports which are destined for future power generation and therefore contributing directly to climate change and the fact that the greatest threat to the GBR is global climate change. If we were to take the international cooperation component of the World Heritage Convention seriously we might, for example, see China and Australia work together to reduce climate change contributions and thereby lessen the threat. At its most primitive this might mean offsets for all the Abbot Point coal burnt in China. Such offsets could be very well used addressing ecological and integrity concerns within Australia; (for example rehabilitating damaged catchment areas that contribute to reduced resilience of the GBR). This is what I would call “business unusual” and it would raise the bar significantly.

The Missing Australian Tentative List

One very obvious failure of Australia in meeting its World Heritage obligations is reluctance with regard to

providing the World Heritage Committee with a Tentative List (see Mosley chapter). The Tentative List is not just some bureaucratic device, it is a “useful and important planning tool” required by the World Heritage Committee to allow States Parties and the Committee itself to undertake the necessary evaluation processes (Operational Guidelines). The advisory bodies, including IUCN, undertake analysis of these tentative lists so as to anticipate potential sites within themes or biogeographic regions. Most State Parties conform to the Committee requirements, but not Australia. China, for example, has 50 places on its Tentative List; India has 34. Australia at best meets the letter of the law (that is, taking a nomination from a site on the Tentative List at least 12 months before nomination as required by the World Heritage Committee) although even that appears to be treated as optional given the decision to prepare a nomination for Cape York Peninsula without it being on the Tentative List.

We could learn a great deal from the Indian approach where workshops are held, under the auspices of their national Advisory Committee on World Heritage Matters, to strategically develop their Tentative List. A series of six regional workshops will lead to a clearer analysis of what is needed and will become the basis of the 2012 Indian Tentative List. The approach is deliberately adopting a scientific and rigorous framework to increase credibility in the Tentative List. In Australia a similar approach has been used by the Australian Heritage Council in developing thematic studies of heritage (for example looking at Rocky Coasts, at Tropical Wetlands and there is a proposal for a Deserts study), which can then inform the development of nominations for the National Heritage List. Why not adopt such an approach for potential World Heritage?

Even the discussion of potential World Heritage is fraught with difficulty in Australia, perhaps partly because we have too often let conflict, rather than celebration, drive our World Heritage discussions. World Heritage can become an easy negative political target for those so-inclined. I recall comments about the United Nations troops being on standby to come and take our forests away in the Wet Tropics, one group claiming that we had mortgaged our rainforests to cover our international debts. These fanciful and unsubstantiated claims can find traction in communities unfamiliar with the nature and processes of World Heritage, a situation exacerbated by our failure to give World Heritage a meaning in the life of the community. The current situation with regard to Cape York Peninsula is a good example of some groups exploiting the World Heritage ignorance (our failing) to gain



The remarkable Gwion Gwion rock art of the Mitchell Falls in the cultural and naturally remarkable Kimberley Region of Western Australia.
Photo © Peter Valentine

credibility for their own political or economic ends. The best counter for this is to have a national context of conversations about World Heritage long before any particular place is nominated; hence the need for an early and credible Tentative List.

In the absence of an official Tentative List, many people and groups have identified possible sites for nomination by Australia. Some suggestions have considerable antiquity, others are new. There are over 200 natural or mixed sites already on the World Heritage List including 16 such sites in Australia. A starting point for many is the 1982 IUCN publication that identified many possible natural heritage sites around the world. For Australia there were 13 sites identified in the 'Australian Realm' plus another 3 in the 'Antarctic Realm'. Of these 16 sites most are now listed, the exceptions being Cape York Peninsula; Western Australia's Southwest Floral Region; The Kimberley (but Purnululu is listed, but nothing in the western Kimberley yet); The Channel Country and Australian Antarctic Territory. Our proper Tentative List could at least begin with these outstanding natural sites. Others have also been proposed subsequently.

Proposed Australian Tentative List

- Cape York Peninsula (mixed site or cultural landscape)
- Southwest Floral Region Western Australia
- Lake Eyre Basin (the Channel country part of it)
- Kimberley Region (terrestrial and coastal with islands)
- Australian Antarctic Territory (assuming tenure issues resolved)
- Australian Desert Diversity (awaiting thematic analysis)
- Coral Sea
- Extensions to the Australian Fossil Mammal Sites
- Extensions to the Home of the Eucalypts theme (including re-nomination of the Greater Blue Mountains)
- Cultural Sites: many awaiting identification but including Burrup Peninsula

It still seems unclear whether we in Australia should at least have places on the National Heritage List before we consider their nomination for World Heritage. It makes sense and provides an immediate level of protection just as great as World Heritage listing. The processes of National Heritage listing involve extensive consultation and properly completed could provide an excellent platform for a World Heritage nomination. In developing a recommendation for National Heritage listing, the Australian Heritage

Council, with support from Commonwealth departmental staff in the Heritage Division, undertake comprehensive scientific analysis and comparison within Australia and engage in extensive consultations with community and landowners. However, these processes are time consuming and have led to a bottle-neck in recent times especially given the challenges of very large sites like the Kimberley. Unfortunately, budget constraints in the last three years have seen a significant reduction in staff within the Heritage Branch and that further limits capacity to grow the National Heritage List.

Conclusion and Final Comment

While there are many reasons to celebrate achievements around World Heritage in Australia, there is an enormous backlog of work to be done with very limited current commitment. The future will require a better investment and a stronger commitment to meet our international obligations. Several projects have been set out above. Apart from the Tentative List (which could be an excellent process if examined creatively) and developing links with National Heritage List processes, the entire question of management remains weakly addressed at the Federal level. The fact that resources for management are not always consistently sourced; (with some sites resourced using Federal funds, others with limited State funds and yet others with mainly State funds) raises questions about the basis of our management arrangements. Discussions at COAG in 2012 about devolving current Commonwealth responsibilities to State Governments also raise questions about the security of World Heritage sites when their protection may be left to the very State Government whose agenda most threatens the sites. The public may treat such arrangements with some degree of skepticism.

There are many significant questions that have not been addressed. These include whether World Heritage listing has made any difference to management. For example, do our World Heritage sites demonstrate world's best practice in protected area management? What additional management actions reflect the World Heritage status of our sites? Is interpretation and community engagement better in World Heritage sites than in other protected areas? Are our conservation outcomes successful?

New issues that threaten World Heritage in Australia, like climate change and biosecurity failures, add significantly to the list of concerns identified 40 years ago in the Convention. All of these still exist and their cumulative impact on World Heritage has yet to be addressed.

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Biography

Professor Peter Valentine is an environmental scientist who has worked at James Cook University since 1975 with extensive periods at other Universities and research centres. In 1995 he was a visiting World Heritage Fellow at IUCN headquarters and has worked closely on World Heritage matters ever since. He is a member of the IUCN World Commission on Protected Areas (since 1989) and has been Editor of the Best Practice Guidelines since 2006. He has served as Vice-Chair Publications on the international Steering Committee between 2007 and 2012. He has been involved in the Wet Tropics World Heritage Area since inception and is currently Chair of the Wet Tropics Management Authority. Peter is also one of two natural heritage experts on the Australian Heritage Council (since 2009) and has been advising both the Queensland State Government and the Commonwealth Government on the prospects for Cape York Peninsula to be listed as World Heritage. He is a member of the National Landscapes Reference Committee and a member of the WWF Eminent Scientists Group. He has a passionate interest in the biogeography and conservation of Australian birds and butterflies.