



THE UNIVERSITY  
*of* LIVERPOOL

**CONSERVATION MANAGEMENT OF WORLD  
HERITAGE CITIES IN SOUTHEAST ASIA**

**Perspectives from case studies in Viet Nam and the Philippines**

Thesis submitted in accordance with the requirements of  
the University of Liverpool for the degree of  
Doctor of Philosophy

By  
**Yahaya Ahmad**

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## **Abstract**

**This Research has been carried out with the main objective to assess the management of inscribed World Heritage Cities in Southeast Asia. Specifically, to assess whether the existing management structures, legal instruments and the practice of inventory and documentation in the Ancient Town of Hoi An in Viet Nam and the Heritage City of Vigan in the Philippines are effective in safeguarding their cultural properties. The Research firstly reviews more than forty international guidelines on cultural properties with the view to establishing their main concerns, scope and limitations. Secondly, the Research studies in some detail the planning and the architecture of Hoi An and Vigan in order to consolidate understanding on their cultural significance, as well as understanding their threats and approaches towards interventions. Finally the Research assesses the management, at local level, of both cities relating to the three aforementioned aspects with the objectives to identify their management strengths and weaknesses.**

**On the development of conservation guidelines, the Research concludes that the scope of heritage has been gradually broadened since the Venice Charter 1964 from the mere concerns for individual monument and building to groups of buildings, towns and environment, and lately to intangible heritage. The Research also concludes that these guidelines can generally be grouped into three categories: those concerning protection of cultural property against various threats, as well as appropriate conservation principles, those refined towards the establishment of regional and/or national charters and those refined towards specific fields of conservation.**

**On the Ancient Town of Hoi An, the Research concludes that its main cultural property, shophouses, share similar design, planning and construction techniques and can be grouped into five categories depending on their façades and roof designs. While their heritage values are high, these houses suffer from defects mainly due to fungi and termite infestation. The method of intervention adopted by the local authorities, following closely that introduced by the Japan International Cooperation Agency (JICA) teams, which involves a general survey, dismantling, repair and reassembly, is acceptable, but extra care is needed during the restoration projects and in exploring alternative restoration methods. On matters relating to management structure, inventory and legal instruments, the Research makes eleven specific recommendations, such as to retain the current administrative structure of the Centre for Monument Management and Preservation (CMMP), to restructure the Department of Relic Management, to improve the overall standard of recording and safekeeping, to produce Conservation Guideline and to amend Decision No. 1611/1997, to name a few.**

**On Vigan, the Research concludes that its main cultural property, ancestral houses, share similar design characteristics and can generally be grouped into two categories according to their façade designs: 'wood-brick' and 'all-brick'. The heritage values of these houses are considerably high, with no intervention to the façades, plans and no additions to the original houses. However, the change from clay roof tiles to corrugated sheet metals, which began in the 1950s, has affected their value. Most of these houses are now in a bad state of repair due to chipping of lime plastering, cracking of masonry walls, degradation of wooden members and rising damp, as well as poor maintenance and care. The research also concludes that the urban layout of Vigan very much conforms to the principles of the Law of the Indies issued by the Spanish in 1573, but urban intervention in Vigan is insensitive and poor. On matters relating to management structure, inventory and legal instruments, the Research makes eight specific recommendations. Such recommendations are to retain the structure of Vigan Conservation Council (VCC), but to review its composition by reducing the number of government officials and increasing the number of private professionals, to upgrade its Technical Working Group (TWG) to an independent office under the City Mayor, to amend Ordinance No. 04/2000, to introduce a system of grading and to establish a Centre for Conservation Studies at the University of Northern Philippines, to name a few.**

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## List of Abbreviations

ASEAN	=	The Association of Southeast Asia Nations.
AWPNUC	=	The Asian and West Pacific Network for Urban Conservation
BWM	=	<i>Badan Warisan Malaysia</i> (Malaysia Heritage Trust)
CADD	=	Computer Aided Design and Drafting
CATHM	=	Congress of Architects and Technicians of Historic Monuments
CCP	=	Cultural Centre of the Philippines
CCS	=	Centre for Conservation Studies
CIA	=	Central Intelligence Agency
CIAM	=	International Congress of Modern Architecture
CMMP	=	Centre for Monument Management and Preservation
COCI	=	ASEAN Committee on Culture and Information
CoE	=	Council of Europe
CoV	=	City of Vigan
CRO	=	Conservation and Restoration Office
DHL	=	Department of Heritage Conservation
DRM	=	Department of Relic Management
GIS	=	Geographic Information System
GKD	=	Group of Keeping Document
GPBC	=	Group of Policy and Building Controls
GPE	=	Group of Publicity and Education
GRI	=	Group of Records and Inventory
GRM	=	Group of Relic Management
HATPC	=	Hoi An Town People's Committee
HAPD	=	Hanoi Authority for Planning and Development
HCS	=	Heritage Conservation Society
ICCROM	=	International Centre for the Study of Preservation and Restoration of Cultural Property
ICOM	=	International Council of Museums
ICOMOS	=	International Council on Monuments and Sites
IUCN	=	International Union for Conservation of Nature
JICA	=	Japan International Cooperation Agency
KVWHS	=	Kathmandu Valley World Heritage Sites
LEAP	=	Integrated Community Development and Cultural Heritage Site Preservation through Local Effort Programme
MoCI	=	Ministry of Culture and Information
MoV	=	Municipality of Vigan
MPMBB	=	<i>Majlis Perbandaran Melaka Bandaraya Bersejarah</i> (Melaka City Council)
NCAA	=	National Commission for Culture and the Arts
NGO	=	Non-Governmental Organisation
NHI	=	National Historical Institute
OWHC	=	Organisation of World Heritage Cities
PCAV	=	Preservation and Conservation Authority of Vigan
PCHA	=	People's Committee of Hoi An
RoP	=	The Republic of the Philippines
SRoV	=	Socialist Republic of Viet Nam
SVAHAI	=	Save Vigan Ancestral House
SWU	=	Showa Women's University
TWG	=	Technical Working Group
UiTM	=	University of Technology Mara

<b>UM</b>	<b>=</b>	<b>University of Malaya</b>
<b>UNESCO</b>	<b>=</b>	<b>United Nations Educational, Scientific and Cultural Organisation</b>
<b>UNP</b>	<b>=</b>	<b>University of Northern Philippines</b>
<b>UTM</b>	<b>=</b>	<b>University Technology of Malaysia</b>
<b>VCC</b>	<b>=</b>	<b>Vigan Conservation Council</b>
<b>VMP</b>	<b>=</b>	<b>Vigan Master Plan</b>
<b>VNA</b>	<b>=</b>	<b>Vietnam News Agency</b>
<b>WHC</b>	<b>=</b>	<b>World Heritage Centre</b>

## Glossary

<i>Ante-sala</i>	- internal verandah or <i>Caida</i>
<i>Baha- na- bato</i>	- ancestral house
<i>Bahay- na -kayo</i>	- pre-Spanish traditional house (timber, bamboo and palm)
<i>Bahay- na- kubo</i>	- also known as bahay-na-kayo
<i>Barangay</i>	- village
<i>Caida</i>	- internal verandah or <i>ante-sala</i>
<i>Calesa</i>	- horse carriage
<i>Capiz window</i>	- sliding window with sepia tone seashell
<i>Gassho</i>	- Vietnamese style of roof construction
<i>Gremio-de-Naturals</i>	- Native District
<i>Gremio-de-Mestizo</i>	- Mestizo District
<i>Member States</i>	- countries that became members of UNESCO
<i>Mestizo</i>	- mixed blood
<i>Nomination Dossier</i>	- nomination document prepared by State Parties
<i>Nipa</i>	- species of palm tree
<i>Pablaciones</i>	- urban areas
<i>Persiana window</i>	- sliding window with adjustable louvers
<i>Rumah</i>	- house
<i>Sala</i>	- main living room
<i>Sampan</i>	- small boat
<i>Sangley</i>	- Chinese <i>Mestizo</i>
<i>Singguniang Bayan</i>	- municipality
<i>State Parties</i>	- Member States of UNESCO who ratified to the Convention
<i>Tentative List</i>	- inventory of property prepared by State Parties
<i>Turno</i>	- fixed baluster
<i>Ventanillas</i>	- lower portion of a window
<i>Volada</i>	- passageway encircling the living area
<i>World Heritage Bureau</i>	- sub-committee to the World Heritage Committee
<i>World Heritage Centre</i>	- secretariat to the World Heritage Committee
<i>World Heritage Committee</i>	- the intergovernmental committee consisting of 21 members
<i>World Heritage Convention</i>	- convention concerning the protection of the world heritage
<i>World Heritage Fund</i>	- trust fund for international assistance
<i>Zaguan</i>	- reception hall

**CHAPTER 1**  
**INTRODUCTION**

## 1.0 Personal Goals

My interest in conservation, in general, started about two decades ago when I was pursuing my architectural degrees at Washington University in St. Louis, in the United States of America. However, the opportunity to work with professionals only came in 1996 when I was invited to be a member of the Malaysian Heritage Trust (BWM) - a Non-Governmental Organisation - and subsequently to be a committee member of the Malay Houses headed by Professor Ezrin Arbi, who is now Dean of the Faculty of Built Environment, at the University of Malaya. The main task of the committee at that time was to co-ordinate the restoration of a traditional Malay House, *Rumah Penghulu* (Figure 1.1). The modest but highly intricate house with fine wood-carvings works was found neglected in a village some 300km North of Kuala Lumpur. Completely covered with shrubs and weeds, the house was badly infected by termites. The decision was earlier made by the Trust Council in 1995 to move the house to a safer site in Kuala Lumpur.

My involvement in the project was more as project manager: co-ordinating the various technical and professional inputs. In the absence of a project architect I was asked to lead a team of diverse expertise to prepare detailed specifications and later to supervise the restoration process. The project involved two main stages of work: to dismantle and then to reassemble the house in Kuala Lumpur. The project introduced me to the rigorous work of conservation from the preparation of drawings, research and documentation, defect analysis, writing specifications, identifying and acquiring traditional materials, designing and reproduction of details and to some extent financing.



Figure 1.1  
*Rumah Penghulu* was dismantled, moved and reassembled in Kuala Lumpur.

The restoration of *Rumah Penghulu* was completed in 1998, nine months behind schedule and faced many problems from the technical, and the management related to the political and financial. Much time and energy was spent on finding 'the right way' of doing things since there was no similar precedent carried out by the Trust. Despite the handicap and struggle the project was carried out professionally; prime attention was given to the architectural authenticity of the house. *Rumah Penghulu* is now beautifully restored in the compound of the Malaysian Heritage Trust on Stonor Road, Kuala Lumpur. As a means of increasing awareness and to educate professionals, students and the general public on conservation activities in Malaysia, every step of the work was documented in sketches, photos, slides and films. Two documentary films were produced. The first is a fifteen minute video that aims to inform and educate the public and the second is a forty-five minute video that focuses more on technical aspects of restoration. Myself and the rest of the restoration team were honoured when the project was recognised internationally and awarded a Honourable Mention prize in the UNESCO Asia-Pacific Heritage Awards 2000.

The opportunity to refine my knowledge and expertise on restoration of traditional timber buildings came in 1998 when the Chief Minister or *Menteri Besar* of Kedah State, Tan Seri Dato' Seri Sanusi Junid invited a conservation team from the University of Malaya to restore significant Kedah traditional houses in Alor Setar. As part of the newly proposed cultural village, three traditional houses were recommended to be relocated and restored. The first house, *Rumah Tok Su*, was chosen from a remote village some 200km from Alor Setar. Similar to *Rumah Penghulu* restored by the Malaysian Heritage Trust in Kuala Lumpur, *Rumah Tok Su* was also dismantled, moved and reassembled (Figure 1.2). The experience gained during the previous restoration of *Rumah Penghulu* has helped me tremendously. I was able to be more precise in preparing the specifications and providing technical and general guidance to contractors and other professionals on the methodology to be adopted. In September 1999, the restoration of *Rumah Tok Su* won a national award from the Malaysian Heritage Trust and in October 2001 was given special recognition by the Malaysian Historical Society.



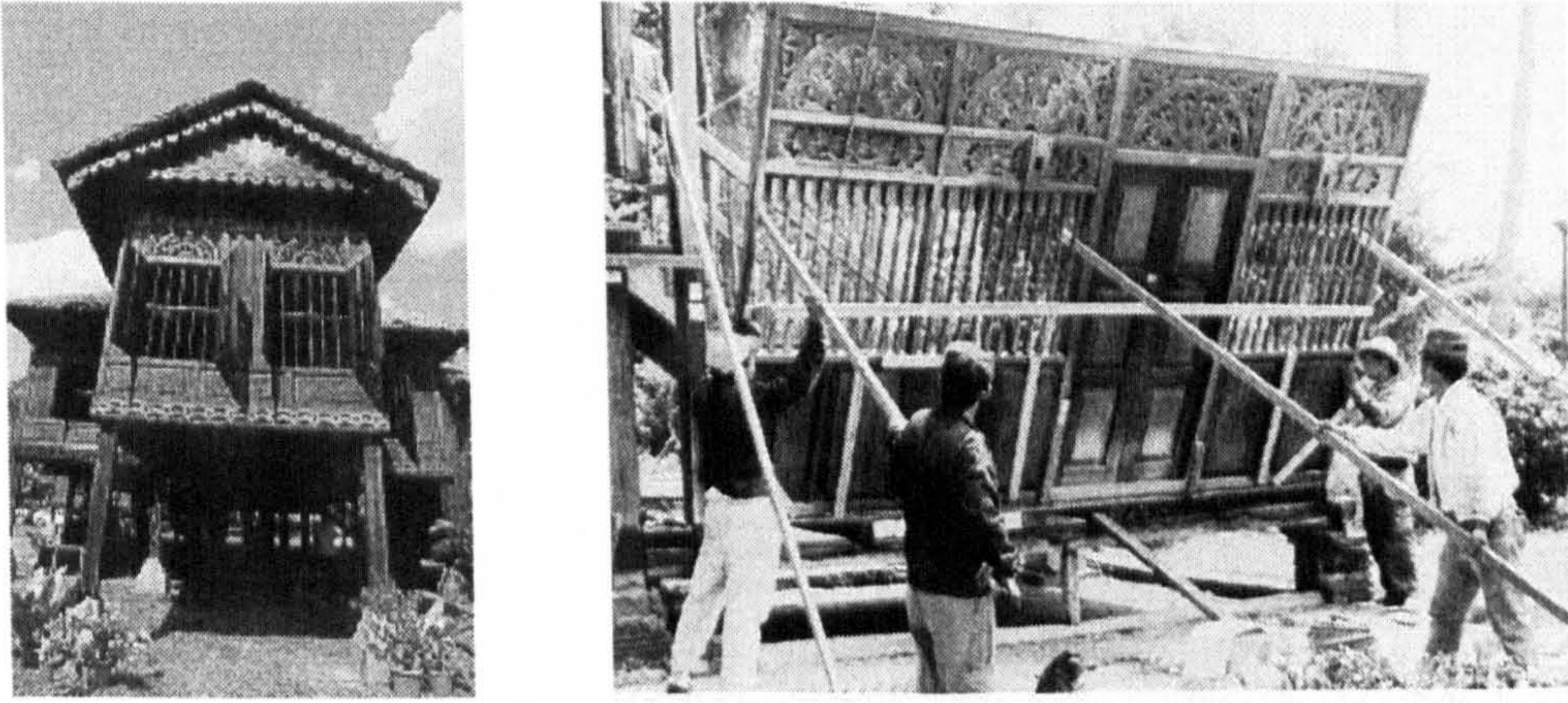


Figure 1.2: Restoration of *Rumah Tok Su* received recognition from the Malaysian Heritage Trust and the Malaysian Historical Society.

The accuracy in the analysis of defects in timber was further improved in my next project - the Restoration of a Royal Pavilion, also in the state of Kedah. Built in 1726, the royal pavilion was basically a framed timber structures with a long gable roof and two verandahs, one on each side of the building. Badly damaged due to roof leaks and infestation, the octagonal and rounds timber columns were assessed for internal strength using a decay-detecting drill (Figure 1.3). Having been introduced to the equipment by UNESCO consultants, Dr David Yeomans and David Michaelmore in 1997, it has proven to be extremely useful in assessing the extent of internal timber defects and consequently we were able to be more precise in making recommendations for repairs.

In 1998 when the first cohort of Bachelor of Architecture students at the University of Malaya registered, Professor Ezrin and I introduced a two credit hours course on Conservation. The course was aimed at developing awareness among students on conservation issues locally and to broaden their knowledge on both ends of conservation: technology and management. While I was excited to share my knowledge on the technical aspect of conservation, especially those related to the restoration of traditional timber houses, the input on management of heritage, as recommended by the many international guidelines was somewhat lacking, either from inside the department or from outside consultants, as hinted by Loh (2001:3)

The idea of building conservation [in Malaysia] in accordance with International Conventions is still very new.

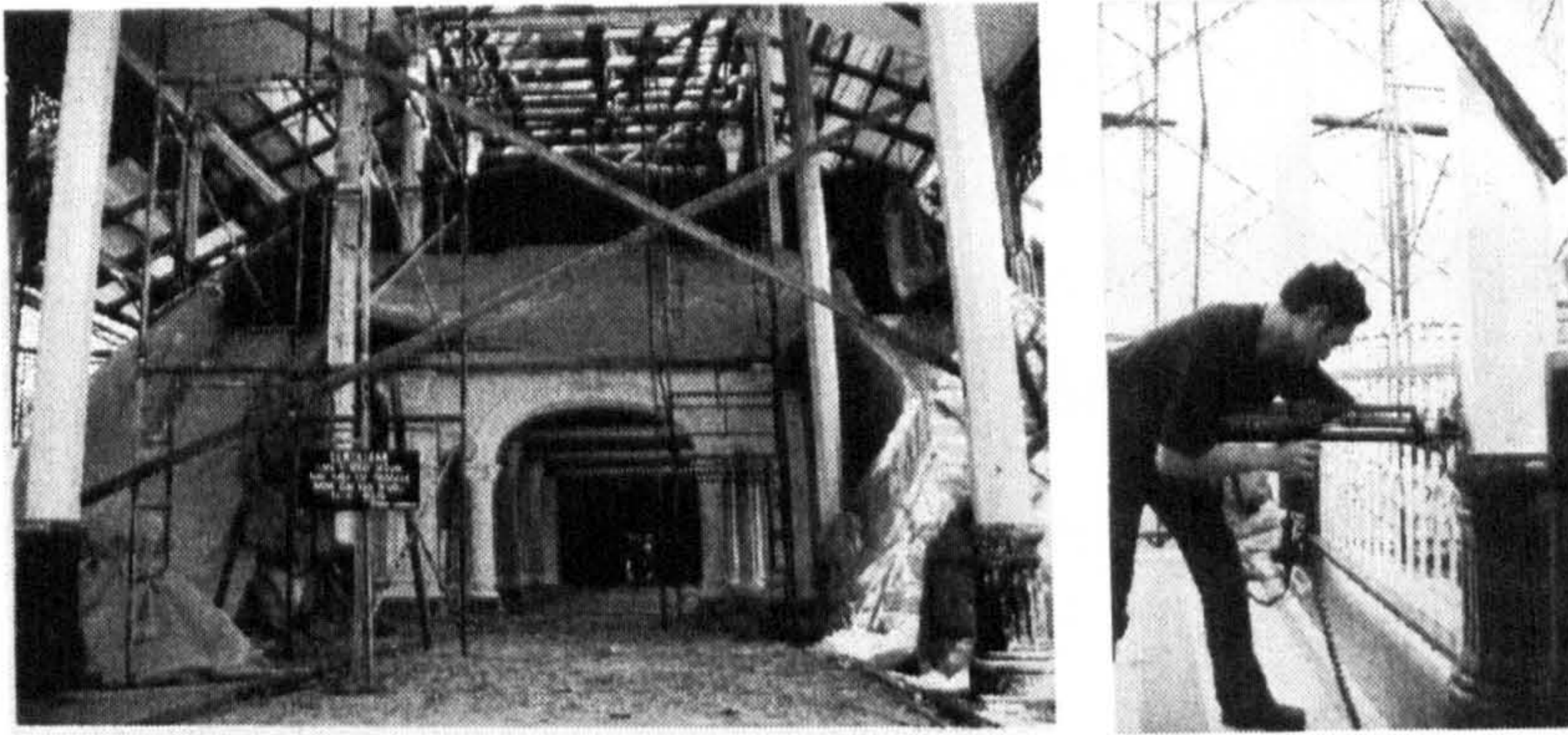


Figure 1.3: Restoration of Royal Pavilion, Kedah.

The need to have local expertise, both on the technical side and even more so on the management of heritage in Malaysia, was recognised when the historical cities of Penang and Malacca were preparing for a joint application for the inscription to the UNESCO World Heritage Sites in 2003. This prestigious status is not easily achieved and maintained. Much has to be done by respective municipalities and the central government prior to recognition by UNESCO. Increasing public awareness and support, introducing and/or improving conservation legislation, providing funding and incentives, establishing proper administration structures and introducing viable management plans are a few tasks that urgently needed attention. This is especially the case when the World Heritage Committee, the body responsible for the inscription to the World Heritage Sites, has recently tightened their criteria for inscription. It is therefore, hoped that this Research will provide me with the opportunity to fulfil my personal goals; that is, to widen knowledge on conservation from technical to management aspects and consequently to help pave the way towards higher conservation standards in Malaysia and in Southeast Asia, in general.

As an introduction to the Research, this Chapter provides important backgrounds to the research, such as its contexts, focuses, aims and objectives, methods and structures.

### 1.1 Conservation Guidelines

Conservation of cultural property, in particular of historic towns has been the agenda of the European countries for decades. When the concept of heritage was recognised

by the Venice Charter 1964, going beyond the single architectural work to include urban and rural setting, UNESCO in 1968 re-defined its cultural property as moveable and immovable. The former was referred to as "museum collections" and later as "architectural heritage". Immoveable cultural property was defined to include not only historic sites and features but more importantly it recognised the need to include groups of traditional structures and historic quarters in urban and rural areas (Article 1a). In 1972, at the World Heritage Convention, UNESCO regarded heritage as both natural and cultural heritage, and re-defined cultural heritage to include monuments, groups of buildings and sites. As part of cultural heritage, historic towns are seen as important heritage that should be conserved in their entirety for the benefit of existing and future generations. Jokilehto (1999) is of the opinion that the World Heritage Convention 1972 has been the most effective mechanism in promoting conservation policies and management strategies in all continents and has also become "an issue of prestige as well as an incentive, but not without problems" (p. 28). Such problems are related to tourism pressures, cultural diversity and the implementation of international guidelines and policies in a specific national context.

There have been numerous guidelines on conservation of cultural property adopted by international organisations, mainly by UNESCO and ICOMOS, that provide guidance for the international communities since the adoption of the Venice Charter in 1964. These guidelines, which are being promulgated either as charters, regulations, standards, resolutions or recommendations, have been referred by the professionals, site managers, heritage owners, politicians and the public as important tools that provide guidance in conservation, restoration, preservation and adaptation work around the globe. All these guidelines at some stage made reference to the Venice Charter 1964. To date, there are no less than forty such guidelines being adopted at international and regional or national levels (Appendix 1), which can generally be grouped into three broad categories:

- i. those adopted in the 1960's and 1970's that were concerned with the overall protection and management of cultural property as well as establishing main conservation principles at international level;

- ii. those adopted by an individual country or region from the mid-1970s that were concerned with the refinement of national and regional policies on conservation;
- iii. those adopted in the 1990s to date that have been concerned with the refinement of specific conservation issues, such as education, training, authenticity, recording and intangible heritage.

The development of these guidelines has been considered by Jokilehto (1999) as one of the most significant achievements of conservation activities in the 20<sup>th</sup> century, that provide principles and standards for conservation practice internationally; it was also meant to be used as a yard-stick in managing cultural property at local levels. Jokilehto (1998:230) also states that, “The Principles of the Venice Charter have also been recognised as the basic policy guidelines for the assessment of cultural heritage sites on UNESCO’s World Heritage List”, and further recognises that these guidelines should be used by individual countries as guidelines in managing their own heritage,

(Jokilehto 1999a:304)

While recognising some precedents in the nineteenth century and early twentieth century, the methodology for the conservation of historic areas has primarily been developed since the 1950’s. Potential actions have resulted in guidelines and international recommendations, which are expected to be reflected in planning strategies at the local and national levels.

These guidelines, in general, provide an overall principle of conservation, protection, restoration and rehabilitation of cultural property; as well as clarify issues of conservation. Such as issues on inventory, legal instruments, administrative structure, authenticity, education and risk-preparedness, to name a few, but without providing specific means as to how these guidelines were to be adopted at national or regional levels. It is therefore, a responsibility of the individual country or region to understand and more importantly to implement these guidelines, as they seem fit to their own cultural and social contexts (The Venice Charter: preamble).

## 1.2 Conservation in Southeast Asia

There have been many studies carried out into conservation of cultural property, in particular, on the management of heritage towns and cities. Pickard (2001), for example discusses the different approaches to the management of historic centres<sup>1</sup> within Europe and concludes that urban values, political and institutional frameworks as well as management tools and intervention methods are all important themes in the management process. On urban values, he highlights identity as one of the two most important aspects of urban issues that gives a sense of belonging and character; and further identifies that recording of the physical characteristics and condition of the historic environment, to include the architecture and the townscape features, is an important part in the process of recognising and safeguarding the sense of belonging. On matters related to the political and institutional framework, he concludes that the management of historic centres requires a political commitment both at national and local levels. While at the national level the focus should be on providing financial support and regulatory and legislative provision, at local level the efforts should be directed in association with other agencies, including the private sector for rehabilitation and preservation projects and plans. On matters related to management tools and intervention methods, Pickard (2001) also concludes that the implementation of strategies for the management of historic centres requires appropriate management organisation and intervention methods as well as public participation.

The importance of recording, legal provision and appropriate management organisation are not only recognised in Europe, but in Southeast Asian countries<sup>2</sup> as well. In Malaysia, for example, Loh (2001:3) highlights the need for a specific law on conservation since the existing related laws are not able to satisfy the current demands of conservation; as well as the need for trained conservation managers and specialists. He is of the opinion that “the idea of building conservation in accordance with

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<sup>1</sup> Twelve cities were selected: Bruges(Belgium), Telc (Czech Republic), Ribe (Denmark), Rochefort (France), Old Tbilisi (Georgia), Erfurt (Germany), Dublin (Ireland), Venice (Italy), Riga (Latvia), Malta, Santiago de Compostela (Spain) and Graiger Town in Newcastle Upon Tyne (United Kingdom).

<sup>2</sup> There are now ten countries within the Southeast Asia region: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam.

international conventions [in Malaysia] is still very new” (p.3). Similar concern is also being expressed by Kadis (2002:3). Amer (2000) who researched the processes and management of urban heritage in Malaysia concludes that the urban conservation process in Malaysia has reached a point of conflict and dilemma with no organisation totally responsible for conservation activities. The Museum and Antiquities Department who is currently entrusted to manage the conservation activities in the country is not capable of executing the task satisfactorily due to insufficient number of professional, technical and trained staff, and an overlapping of tasks with local authorities. He suggests several main steps for action such as: the need to establish a new management board under a Ministry of Local Authority instead of the Ministry of Culture and Tourism, to gradually take-over the conservation duties currently performed by the Museum and Antiquity Department, the need to upgrade the existing legislation by introducing a specific conservation legislation, the need to centralise the inventory and grading of heritage buildings under the new board and the need to increase public awareness and education.

In Viet Nam, Quang and Kammeir (1999) reports that the protection of the French Quarter in Hanoi, Viet Nam by means of legal instruments does not achieve its objectives.

(Quang and Kammeir, 1999: 7)

Despite the rising number of laws, directives, plans and regulations established to protect the valuable heritage of Hanoi, the real situation seems to be the same if not saying worst. This is due to several reasons, such as these legal documents are lacking the practical application and inconsistently promulgated, their content are ambiguous, superficial and sometime contradict, bureaucracy, corruption, mismanagement, weak enforcement.

At national level, Binh (2002) provides several recommendations for consideration by the Government of Viet Nam; such as the need to strengthen the systems of legal documents related to conservation and the benefit of setting up the National Heritage Council as a consultant for the Government in the preservation and conservation projects, and the need to set up the National Heritage Preservation Fund. Others are to encourage public participation and to increase and strengthen international cooperation.

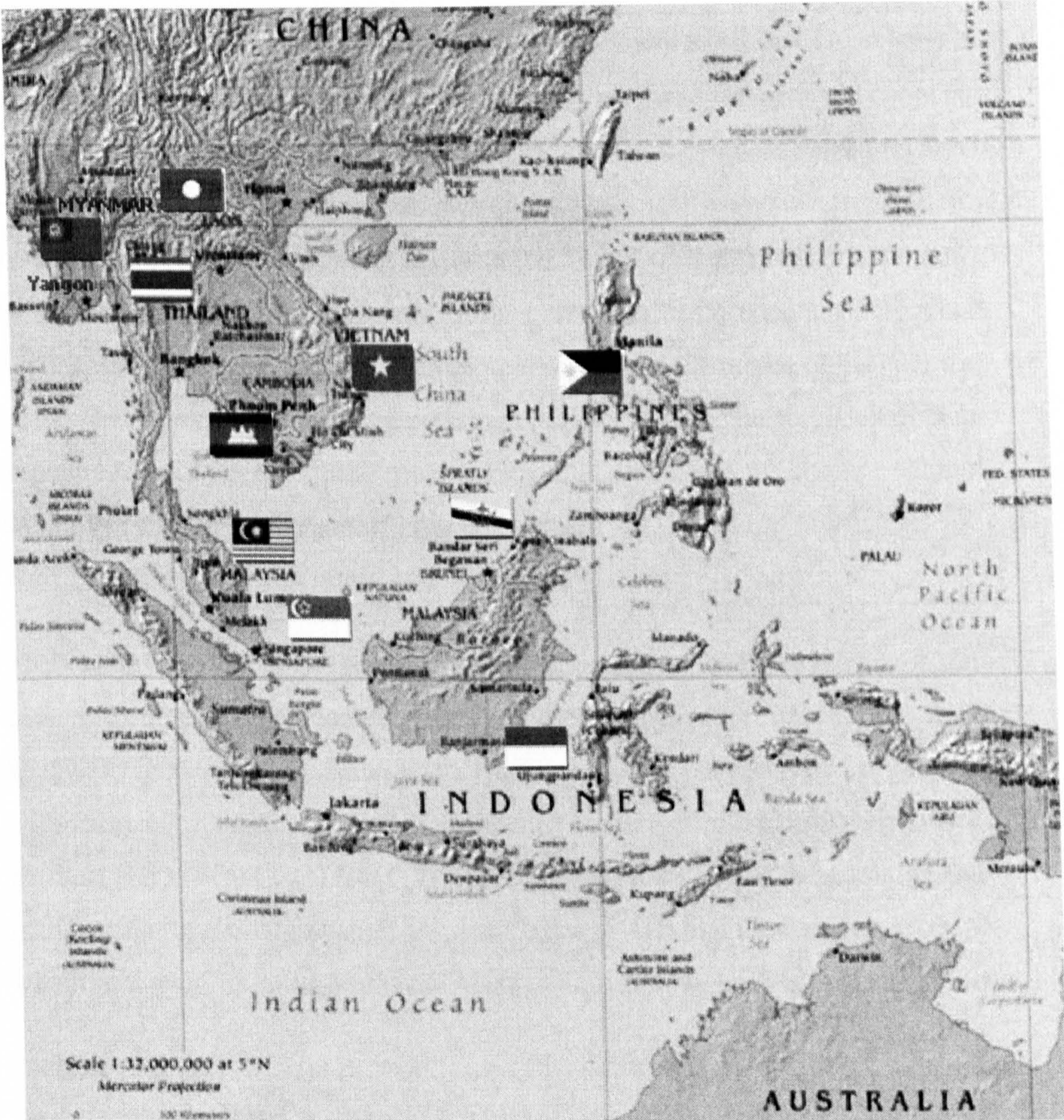
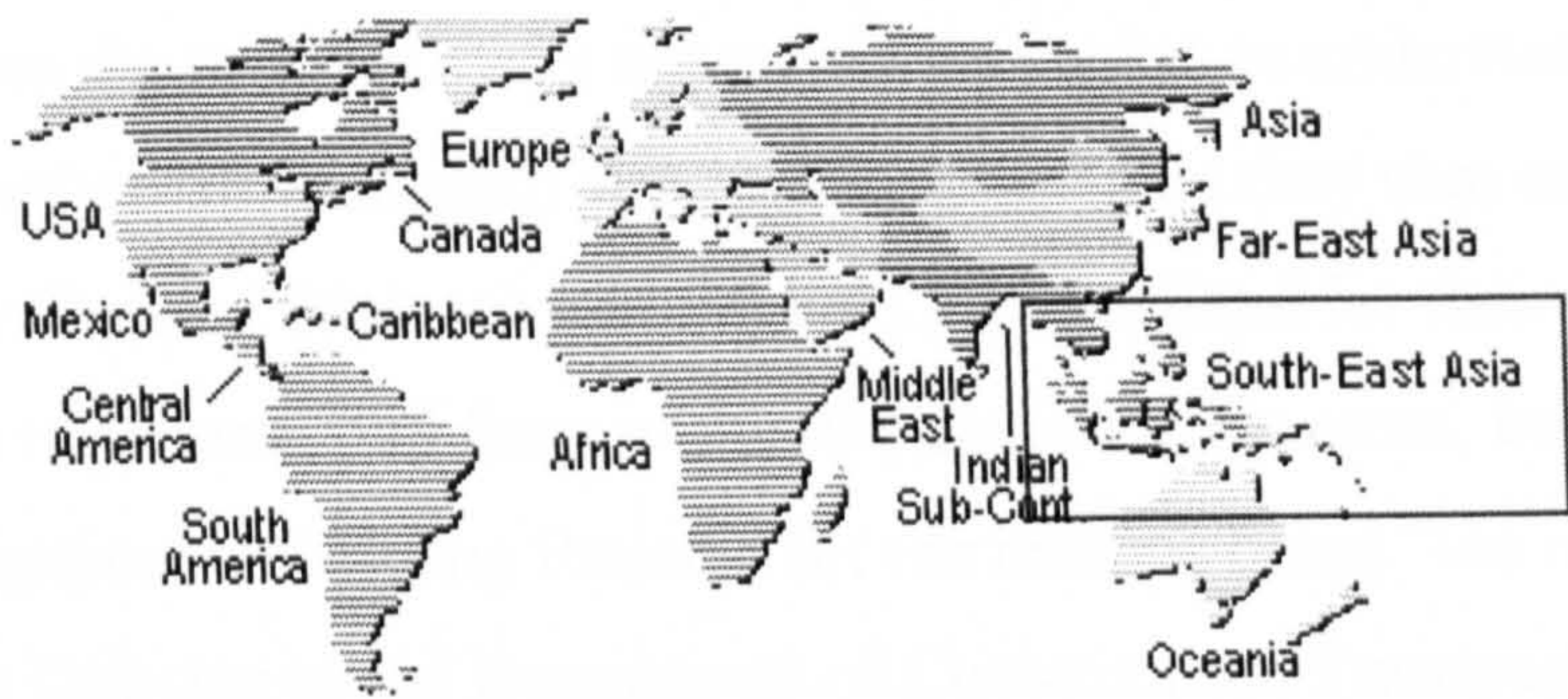


Figure 1.4: Map of Southeast Asia.  
(Source: ASEAN Website).

In analysing the current conservation projects in Southeast Asian countries, Chapman (2001) emphasises the need for every country in the region to understand and commit to the highest level of workmanship and “authenticity” that they can; and praises those involved in Penang, Malacca and Phuket City, Thailand for their sensitivity in restoring certain traditional buildings within the conservation areas, but regrets the situations in Singapore and Luang Prabang for the reasons being “too restored” (p.6). Phongphicit, the Director of the Department of Construction, Transport, Post and Communication of Laos agrees (Phongphicit, 1999) that Luang Prabang is facing increasing threats from rapid urban development and for this reason asked UNESCO to recognise the town as a World Heritage Site. The town has now consolidated its strategies on the protection of cultural heritage by means of international cooperation. During the four year period from 1996 to 1999, the Country implemented no less than twenty conservation related programmes and projects with assistance received from UNESCO and other international agencies (pp 5-6). A similar strategy is thought to be useful for Cambodia. Chapman (1999) reports that “restoration in Cambodia is beyond the scope of most people and moreover, beyond the means of the country itself. The country faces far more pressing problems than the preservation of older structures due to poverty of the country, lack of expertise and the absence either the will or knowledge on the part of everyday citizens” (p. 1).

There have been no comprehensive studies conducted on the management of historic cities in Southeast Asian countries except those researched by Amer (2000) and UNESCO in 1998. While Amer (2000) researched urban conservation in Malaysia with particular focus on the role of the country’s administrative institutions, both at national and selected local level<sup>3</sup>, UNESCO initiated a study on the planning and management of tourism on nine historical cities in Asia and the Pacific region, of which four were from the Southeast Asian countries: Hoi An, Vigan, Luang Prabang

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<sup>3</sup> The Town on Taiping was chosen as the case study.



and Malacca; and recommends four models<sup>4</sup> for stakeholder cooperation (UNESCO, 2001f).

This research, therefore, aims to fill the gaps by assessing the management, at local level, of selected World Heritage Cities in the Southeast Asia region. Specifically, it focuses on the implementation of conservation guidelines relating to inventory, legal instruments and administrative structure in the World Heritage Cities of Hoi An in Viet Nam and Vigan in the Philippines<sup>5</sup>.

**i. Inventory and Documentation.**

The importance of research, systematic inventory, analysis and documentation of historical buildings and sites is paramount in any conservation activity. It is important because it informs and helps us to understand the significant of those particular heritage sites so that appropriate actions can be taken towards safeguarding and protecting them for now and future generation. The need to make a proper inventory and documentation of all cultural heritage has long been recognised and recommended. The Athens Charter 1931, for example, urged each country to conduct and publish an inventory of ancient monuments, with photographs and explanatory notes (Article VII(c)) and to ensure the safety of these records by making duplicate copies before depositing one copy in the International Museum Office for permanent record. The Venice Charter, 1964, however, focuses more on the need to keep a proper documentation of actual conservation works rather than on the existing inventory with the objective being to disseminate the information and the knowledge acquired to other specialists and to the general public.

To ensure the proper protection of heritage buildings and sites internationally, UNESCO in 1972 adopted the Recommendation Concerning the Protection, at

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<sup>4</sup> The four Models are : Model for Fiscal Management of Heritage Conservation, Maintenance and Development at the Municipal Level, Model for the Involvement and Investment by the Tourism Industry in the Sustainable of the Culture Heritage Resource Base and Supporting Infrastructure, Model for Community Education and Skills Training Leading to Employment in the Heritage Conservation and Culture Tourism Sectors with Emphasis on Opportunity for Women and Youth and Model for Consensus Building among Tourism Promoters, Property Developers, Local Residents and Heritage Conservationists.

<sup>5</sup> Refer to sub-chapter 1.4 on Research Aims and Objectives for more information.

National Level, of the Cultural and Natural Heritage, 1972. Amongst others this Recommendation re-emphasises the importance of recording and documentation and urges the authorities in every Member State to take responsibility for managing cultural and natural heritage, including recording heritages:

(Article 13a: 3)

...and primarily, compiling an inventory of the cultural and natural heritage and establishing appropriate documentation services.

This was a clear attempt to introduce and encourage the international countries, especially to those countries outside Europe, to the importance of inventory and recording in any conservation work. More important is to highlight that it is a duty of every Member State of UNESCO to ensure that proper inventory and recording is being implemented at national levels. This Recommendation, however, does not provide detailed guidelines on the proper systems of inventory nor does it mention the methodology of documentation. Further details on principles of surveying, inventory and documentation; however, is provided by UNESCO Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas in 1976. The Recommendation calls for every Member State to draw up an architectural survey and to determine appropriate grouping of buildings and sites (Article 19:6) and extends the survey to include social, economic and cultural surveys.

It was at the 11<sup>th</sup> ICOMOS General Assembly in Sofia, Bulgaria in 1996, that a comprehensive guideline - Principles for Recording of Monuments, Groups of Buildings and Sites, 1996 - on the recording of cultural heritage was agreed and accepted. The Principle set out five principles relating to the recording of cultural heritage: the reasons for recording, responsibility for recording, planning for recording, content of records and management, dissemination and sharing of records. The Principle extends the scope of recording from merely recording the physical condition of the heritage to include intangible values<sup>6</sup> and elaborates, in some details, eleven criteria that should be included in carrying out the recording<sup>7</sup>.

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<sup>6</sup> Refer to discussion on intangible values in sub-chapter 2.5.

<sup>7</sup> Refer to Chapter 3 under sub-heading 3.1 for more details discussion.

On the management and dissemination of the records, the Principle re-states the concern of earlier recommendations that the original records must be preserved in a safe archive with a back-up copy stored in a separate safe location; and these records are to be accessible to authorities and are available to professionals and the general public<sup>8</sup>.

In Asia and the Pacific, Michaelmore *et al* (1998) indicates that the inventory of heritage buildings and structures in the Kathmandu Valley is not yet complete. While all religious buildings have been documented, comprehensive documentation including all structures and private houses was only conducted in Patan Darbar Square Monument Zones using conventional survey techniques, but transferable to digital files and to digital mapping (Michaelmore, 2001). In six other heritage zones, the programme is now in place for the completion of the inventory by the year 2004. Fielden and Jokilehto (1998) highlight that recording and documentation is an ongoing activity; and it is best if modern technology using a computerised system is used since "it is an invaluable tool for management since it can process basic data in so many different ways" (p. 25).

In the Southeast Asia region, the use of modern electronic and computer-based information technologies such as Photogrammetry, Computer Aided Design and Drafting (CADD) and Geographic Information System (GIS) in cultural heritage management is relatively new. CADD was first used by UNESCO in 1992 to assist Cambodian Government to preserve the world heritage site of Angkor, where many fragmentary data from many sources were put together to create a complete data bank. A more comprehensive and integrate software-GIS- was later used to prepare Angkor Zoning and Environment Management Plan and later heritage sites of Hue in Vietnam and Vat Phu in Laos (UNESCO, 2001e). To what extent the recording and documentation have been carried out in other World Heritage Cities in Southeast Asian countries, is yet to be explored, thus providing gaps to study the techniques and the methodology employed in the different heritage cities and to identify the problems and successes of each.

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<sup>8</sup> The scope of these guidelines is discussed in Chapter 2 of this thesis.

## ii. Legal Instruments

The conflict between development and the need to conserve heritage buildings and sites has long been recognised in the western world. It was the main reason for the introduction of the Charter of Athens 1931; it became a more pressing issue after World War II and resulted in the acceptance of the Venice Charter 1964 internationally. Amongst others, the Venice Charter 1964 recognises the conflict between development and conservation and provides general guidance over the introduction of a new construction:

(Article 6:2)

...wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and color must be allowed.

It places importance on the maintenance of historical structures and contexts as a means to ensure the ‘authenticity’ of the site. Introduction of a new construction or demolition of the existing structures should only be allowed as the last resort, without effecting the overall structures: mass, colour, scale and context. Further guidance on the introduction of new works in historical areas are provided by the subsequent charters from the late 1960’s. UNESCO (1968) also allows for new development within historical areas, but urges its Member States to protect their cultural property by several means, including the use of legislation.

(Article 13)

Member States should enact or maintain on the national, as well as, on the local level the legislative measures necessary to ensure the preservation or salvage of cultural property endangered by public or private works ...

The need to protect cultural heritage by means of legislation at national and local levels, is also emphasised by Articles 3 and 18 of UNESCO (1972a), Article 6 of ICOMOS (1975), Council of Europe (1975: 5), Article 8 of Council of Europe (1975a), and Article 7 of UNESCO (1976), to name a few<sup>9</sup>.

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<sup>9</sup> The scope of these guidelines is discussed in Chapter 2 of this thesis.

In Southeast Asia, the conflict between development and conservation remain the key issue. Chapman (2001) mentions that one of the five challenges faced by conservationists and planners in Southeast Asian countries is to manage new development: new buildings and additions in historical districts. Similarly, the introduction of economic reform (Doi Moi) toward free market by the Viet Nam government since 1986 has brought new conflict between development and conservation in the French Colonial Quarter in Hanoi (Quang & Kammeier, 1999) due to a population increase from merely a few thousands at the beginning of the twentieth century to more than one million people towards the end of the century. In Luang Prabang, Laos, Chapman (2001) is of the opinion that increasing development is beginning to over-power the ambience of the town and "... is now threatened with becoming perhaps too restored and losing the very character that brought it to outsider's attention in the first place"(p.6).

Development in the heritage cities cannot be avoided and will continue to happen. The issue is not whether the development should be allowed to happen, but **how** it should happen. What are the policies and legal instruments that control the development in these heritage towns? Are these policies and instruments 'sensitive' to the need of conservation? If the policies are already in place, to what extent are they effective? In the United Kingdom, for example, there are several legal instruments that protect the country's historic monuments, buildings and sites such as:

- i. the Historic Buildings and Ancient Monuments Act 1953;
- ii. the Town and Country Planning Act 1971;
- iii. the Town and Country Amenities Act 1974 (conservation areas);
- iv. the Ancient Monuments and Archaeological Areas Act 1979 (scheduled monuments, ruins, archaeological sites);
- v. the National Heritage Act 1983; and
- vi. the Planning (Listed Buildings and Conservation Areas) Act 1990.  
(buildings and areas of special interest)

In Southeast Asian countries, there are main legal instruments in each country that provide some protections for their cultural properties, such as Town and Country Planning Acts 1976 and Antiquity Act 1976 for Malaysia, Law No. 5/1992 for Indonesia, Antiquity Preservation Act 1957 for Myanmar, Law on Protection of Cultural Heritage 1995 for Cambodia, Presidential Decree No. 374/1974 for Philippines, and Ordinances No. 14/1984 and No. 28/2001 for Viet Nam. At local levels, the cultural properties of Hoi An in Viet Nam are protected by eight instruments, mainly by Decision No. 1611/1997, whereas those in Vigan (Philippines) are protected four instruments, mainly Ordinances No. 12/1997 and No. 14/1997. However, no thorough studies have been carried out at both historical cities-Hoi An and Vigan- that focus on the effectiveness of existing legal instruments in safeguarding historical properties in each city. Therefore, this Research also attempts to fill these gaps, as discussed in Chapter Five and Seven of this thesis.

### **iii. Administrative Structure**

Similar to inventory and legal instruments, international guidelines adopted since the Venice Charter 1964 also provide provisions for a proper administrative structure to be established, both at national and local levels in each country. UNESCO (1968), for example, urges every Member State to either consolidate their existing administrative measures or establish new ones (Article 20). While it recognises that it is impossible to have a uniform system that works for every country, some common principles are proposed, such as to establish a consultative body at national level, to establish specialise departments at national, regional and local levels and to properly staff these departments with professional and qualified personnel. Similarly, UNESCO (1972a) also recognises that “ ... it is impossible for all Member States to adopt a standard form or organisation, certain common criteria should be observed” (Article 12). Such criteria are (Article 13-17):

- i. To established specialised public services in charge of conservation at all levels
- ii. To establish advisory bodies that can provide experts advice to the specialised public services;

- iii. To share the responsibilities between authorities at national, regional and local levels.

The need for properly staffed administrative services to carry out the day-to-day management of historical towns, at all levels within a country, is also recommended by Article 8 of Council of Europe (1975a), Article (e) of Council of Europe (1975), Article 2 of UNESCO (1976), to name a few.

In each country within the Southeast Asia region there is at least one national agency that has been given responsibilities to manage and protect the heritage in their country. In Malaysia, the responsibilities lie with the Department Museum and Antiquity, in Indonesia with the Director-General of Culture at the Department of National Museum. In Viet Nam with the Ministry of Culture and Information (MoCI) and in the Philippines the responsibilities are shared between three national agencies depending on the status of the property concerned: the National Museum, National Historical Institutes (NHI) and National Commission for Culture and the Arts (NCAA). At local levels, the management of the Ancient Town of Hoi An has been placed under the responsibilities of the Centre for Monument Management and Preservation (CMMP), which is directly answerable to its People's Committee, whereas, the management of Vigan in the Philippines is under the responsibility of Vigan Conservation Council (VCC), answerable to the City Mayor. In both historical cities-Hoi An and Vigan-there have been no comprehensive attempt to study the effectiveness of these management structures, thus providing gaps for in-depth study on these structures. Chapter Five of this thesis discusses, in considerable detail, the effectiveness of CMMP in Hoi An, whereas, Chapter Seven discusses the same, but for VCC of Vigan.

### **1.3 The World Heritage Cities**

One of the most important events in the history of conservation in the 20<sup>th</sup> century, as mentioned by Jokilehto (1999:27-28), is the adoption of World Heritage Convention in 1972 by the United Nations Educational Scientific and Cultural Organisation

(UNESCO)<sup>10</sup>. The Convention witnessed the unprecedented agreement on the protection of heritage on a world-wide basis, and is significant to the development of conservation in many aspects. Firstly, it seeks to identify the cultural and natural heritage of outstanding universal value throughout the world and ensuring its protection and preservation through international co-operation. Secondly, it sets out the duties of States Parties - the countries which adhere to the World Heritage Convention – in protecting their heritage, and thirdly it defines the natural and cultural sites that can be considered for inscription in the World Heritage List<sup>11</sup>.

As of January 2004, UNESCO has inscribed 754 sites as World Heritage, consisting of 582 Cultural Heritage, 149 Natural Heritage and 23 Mixed Heritage from 121 countries or State Parties. From these Cultural Heritage sites 196 are recognised as World Heritage Cities (OWHC, 2004).

The World Heritage Cites, inscribed by UNESCO can either be uninhabited, inhabited or new towns as clarified by the Operational Guidelines 1999 (Appendix 3):

(UNESCO 1999a:Article 27)

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

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<sup>10</sup> The World Heritage Convention is discussed in some detail in sub-chapter 3.3

<sup>11</sup> Is a list of properties forming part of the cultural heritage and natural heritage that have outstanding universal values. For more information on the establishment of the World Heritage Sites please refer to sub-chapter 3.3 and Operational Guidelines attached as Appendix 3.



From the list of 196 World Heritage Cities<sup>12</sup>, only 13 (6.6%) are heritage cities located in Asia and the Pacific region. The distribution of these cities according to region<sup>13</sup> as of January 2004 is given in Table 1.1.

Table 1.1  
Percentage of World Heritage Cities according to regions

No	Region	No	%
1	World Heritage Cities in Europe	121	61.7%
2	World Heritage Cities in American States	36	18.4%
3	World Heritage Cities in Arabs States	19	9.7%
4	World Heritage Cities in Asia & the Pacific	13	6.6%
5	World Heritage in Africa	7	3.6%
	TOTAL	196	100%

The first city in Asia and the Pacific region that was accepted as a World Heritage Site was Kathmandu Valley, Nepal in 1979. Formally known as the Kathmandu Valley World Heritage Sites (KVVHS), it consists of seven monument zones consisting of three historical palaces: Kathmandu, Patan and Bakhtapur, two are Hindu Centres and two are Buddhist Centres. This was followed by the Complex of Hue Monument in Viet Nam, inscribed fourteen years later in 1993, then by eleven others. The latest was the City of Samarkand in Uzbekistan, which was inscribed in 2001. The cities and the order in which they were inscribed are:

1. The *Katmandhu Valley*, Nepal in 1979
2. The *Complex of Hue Monuments*, Viet Nam in 1993
3. The *Historic Monuments of Ancient Kyoto*, Japan in 1994
4. The *Town of Luang Prabang*, Laos in 1995
5. The *Historic Villages of Shirakawa-go and Gokayama*, Japan in 1995

<sup>12</sup> As recognised by the Organisational of World Heritage Cities (OWHC), Canada

<sup>13</sup> As categorised by the World Heritage Committee and the UNESCO.

6. *The Old Town of Lijiang, China* in 1997
7. *The Ancient City of Ping Yao, China* in 1998
8. *The Historic Monuments of Ancient Nara, Japan* in 1998
9. *The Sacred City of Kandy, Sri Lanka* in 1998
10. *The Old Town of Galle and its Fortifications, Sri Lanka* in 1998
11. *The Historic Town of Vigan, Philippines* in 1999
12. *The Ancient Town of Hoi An, Vietnam* in 1999
13. *The City of Samarkand, Uzbekistan* in 2001

### **1.3.1 The World Heritage Sites in Southeast Asia**

Inscription of heritage properties in Southeast Asia in the list of World Heritage Sites is relatively new; and happened almost twenty years after the World Heritage Convention was adopted in 1972. UNESCO's record from 1977<sup>14</sup> shows that no submission was made by any country in Southeast Asia to the UNESCO until 1991, when Indonesia and Thailand each made their first application for inscription to the list, followed by Cambodia in 1992, Philippines and Viet Nam in 1993, Laos in 1995 and Malaysia in 2000. Brunei, Myanmar and Singapore are the only countries in the region that have no properties inscribed to date. As of January 2004, there are thirteen sites in the region that have been recognised as Natural Heritage and twelve sites as Cultural Heritage as shown in Table 1.2.

From the twelve cultural heritage sites, only three still function as active settlements as towns and cities, the rest are now preserved as monuments. The three sites are: Town of Luang Prabang inscribed in 1995, the Ancient Town of Hoi An, Viet Nam and the Heritage City of Vigan, Philippines, both inscribed in 1999. Unlike Hoi An and Vigan which share similar characteristics with Malacca and Penang, Luang Prabang was an isolated royal town of Laos.

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<sup>14</sup> Minutes of Meeting of World Heritage Committee from 1977 - 2003

Table 1.2  
The World Heritage Sites in Southeast Asia

No	COUNTRIES	WORLD HERITAGE SITES	
		Natural Heritage	Cultural Heritage
1	Brunei	None	None
2	Cambodia	None	1 Angkor Wat (1992)
3	Indonesia	1 Ujong Kulon National Park (1991) 2 Komodo National Park, 1991 3 Lorentz National Park, 1999	1 Borobudur Temple Compound (1991) 2 Prambanan Temples Complexes (1991) 3 Sangiran early man Site (1996)
4	Laos	None	1 Town of Luang Prabang, 1995 2 Vat Phou and Ancient Settlement (2001)
5	Malaysia	1 Gunung Mulu National Park (2000) 2 Kinabalu Park (2000)	None
6	Myanmar	None	None
7	Philippines	1 Tubbataha Reef Marine Park (1993) 2 Rice Terrace of Cordilleras (1995) 3 Puerto-Princesa River Nat. Park (1999)	1 Baroque Churches (1993) 2 Heritage City of Vigan (1999)
8	Singapore	None	None
9	Thailand	1 Thungyai-Huai Sanctuaries (1991) 2 Ban Chiang Archaeological Site (1992)	1 Historic Town of Sukhothai (1991) 2 Historic City of Ayutthaya (1991)
10	Viet Nam	1 Ha Long bay (1994/2000) 2 My Son Sanctuary (1999) 3 Phong Nha Ke Bang Nat. Park (2003)	1 Complex of Hue Monuments (1993) 2 Hoi An Ancient Town (1999)

**i. The Town of Luang Prabang, Laos (inscribed in 1995)**

The Town of Luang Prabang in the Lao People's Democratic Republic, was inscribed as the World Heritage Site in 1995; and was the first active

settlement in Southeast Asia that achieved such recognition from UNESCO<sup>15</sup>. Named after the town's first Buddha image<sup>16</sup>, Luang Prabang is located 367 kilometres northeast of the capital Vientiane and is bordered by the Mekong River to the north and Nam Khan river to the south. The Town and its villages measure only four kilometres wide and two kilometres long from north to south, and is surrounded by rich mountainous forests; however the inscribed site, formed like a peninsula by the two rivers, consists of few streets that run parallel to Mekong River and spectacular Mount Phusi in the middle as the backdrop. Historically, Luang Prabang was the royal capital of the first Lao Kingdom of Lane Xang<sup>17</sup> from 1353 to 1560; then became the capital of the Kingdom of Luang Prabang from 1720 – 1946, before being declared the royal capital of Laos until 1975 (UNESCO, 1994:3), when a communist party established the People's Democratic Republic and ended the six century-old monarchy.<sup>18</sup>



Figure 1.5: Wat Xieng Thong c. 1560 (Ziltener, 2003) is one of the temples in Luang Prabang and had been used to crown the King of Laos for decades.

UNESCO (1994) reports that there are 274 buildings in Luang Prabang and its villages, of which 84 (30%) are temples or *wat* and the rest, 190 (70%) are

<sup>15</sup> Hue in Viet Nam was recognised in 1993, but is more of a monument than an active settlement.

<sup>16</sup> Named Pha Bang; given by the Khmer

<sup>17</sup> Means “a million elephants”. Was divided into three kingdoms in 1698: Vientiane, Luang Prabang and Champassack.

<sup>18</sup> Laos has experienced many wars in the past such as invasion from Burmese, Siamese and Vietnamese, as well as being ruled by the French from 1893 until 1954, and the Communist Indochina from 1954 to 1975; and gained full independence in 1975 and established the Lao People's Democratic Republic (Country Report, 2004).

private properties, mainly houses. These buildings, especially the *wats* are scattered within the heritage zone, and have a uniformed architecture style of traditional Lao, characterised by layers of steep-pitch-roofs, golden facades, colourful tiles and murals, built on high pedestals, as well as having courtyards and large verandas. The shops that lined the streets of Luang Prabang are of two storeys high with living units above in a mixture of Lao and French architecture; whereas private houses in the villages are mainly timber houses on stilts.

Luang Prabang, had been the important royal town as well as a religious and cultural centre for Laos for centuries and was inscribed as a World Heritage Site under criteria (ii), (iv) and (v) of Operational Guidelines (Appendix 3). Today it remains as important trading town in the northern part of the country. The heritage zone, which only has a land area of two kilometres square, is now administered by the local People's Committee and the Ministry of Culture and Information.

**ii. The Ancient Town of Hoi An, Viet Nam (inscribed in 1999)**

Unlike Luang Prabang which is known as the centre for religious and cultural activities, Hoi An (sometimes referred to as *Faifo* by locals) is a small town in the middle between Hanoi and Ho Chin Minh City (Saigon) in Viet Nam; and was an important port and commercial centre for Viet Nam and the countries in the far-east. Established in the 15<sup>th</sup> century, the town became the most important port in the 16<sup>th</sup> and 17<sup>th</sup> centuries not only to Viet Nam, but to the rest of the Southeast Asia countries as a whole. Together with Malacca and Penang in Malaysia, Hoi An attracted merchants from all over the world such as those from Portugal, Holland, France in the West and China and Japan in the East. They came to trade and exchange commodities such as silk, fabrics, elephant tusks, jewellery, porcelain, pepper and cinnamon (Hoi An, 2002).

The glory of Hoi An as a regional trading port is best appreciated in the Old Quarter of Hoi An where its buildings and its street pattern reflect the

influences of both indigenous and foreign architecture. Narrow streets lined by traditional houses, shops and temples provides the main character of the old town. Undamaged by the war, the Ancient Quarter of Hoi An is the only town in Viet Nam that has been kept mostly intact with traditional street patterns, more than 1000 historical properties and traditional social and cultural activities.



Figure 1.6: Two storeys shophouses dominate Hoi An waterfront

Hoi An was inscribed to the list of World Heritage Sites in 1999 under criteria (ii) and (iv) of Operational Guidelines (Appendix 3) and is being managed by a specialised unit under Hoi An People's Committee, known as the Centre for Monuments Management and Preservation. Its historical context, planning, architecture and management are discussed in some details in Chapters Four and Five of this thesis.

### iii. **Heritage City of Vigan, Philippines (inscribed in 1999)**

The Heritage City of Vigan in the Republic of the Philippines was inscribed as a World Heritage Site in 1999, the same year as Hoi An. Located in the Island of Luzon and about 480 kilometres north of the capital, Manila; Vigan was once a thriving port that attracted immigrants from all over the world. First, the Chinese came and opened businesses in the town centre and later engaged in domestic and foreign trade with Europe, China, Japan, and other Southeast Asian countries. In 1521, the Philippines or *Felipinas* as known by the early

Spanish, was founded and soon in 1572 Vigan was conquered by the Spanish. Over more than 300 years the Spanish established a colonial government in Vigan and in the Philippines as a whole, until her first independence on June 12, 1898. They established the town of Vigan according to the Spanish Law of the Indies issued in 1573, both in term of its urban planning and architecture with a series of public plazas and regular checkerboard street pattern; as well as two-storey houses or shophouses that have a uniform design both in their planning and materials. Today, Vigan is the political, commercial, educational and religious centre north of Luzon and is the only town in the Philippines that retains the legacy of Spanish colonisation in the country and in Southeast Asia in general.



Figure 1.7: The Heritage City of Vigan. Typical scene of Vigan with houses known as Ancestral Houses lining on both sides of narrow streets with horse drawn carriages.

Vigan made the first submission to UNESCO to be listed as a World Heritage Site in 1988, but was rejected. A second submission was made ten years later and was accepted under criteria (ii) and (iv) of Operational Guidelines (Appendix 3). The conservation and management of Vigan is now under the responsibility of the City Hall. Similar to Hoi An, its historical context, planning, architecture and management are discussed in some details but in Chapters Six and Seven of this thesis.

Between these three heritage cities, only Hoi An and Vigan stand out as being very similar to Malacca and Penang in Malaysia in many aspects; whereas Luang Prabang received less impact from foreign influence and as an isolated royal town until present

days is full of religious buildings instead of commercial centres. Hoi An, Vigan, Malacca and Penang have common historical and cultural aspects such as:

- i. they are predominantly active settlements and important city centres.  
These cities have been active settlements from the very beginning. Malacca and Penang for example have been the main cities in Malaya<sup>19</sup> from the sixteenth century until present days that function not only as commercial centre, but administrative, religious and cultural. Similarly, Vigan has been the centre for the Northern Luzon besides Manila; and Hoi An has been the centre for Central Viet Nam.
- ii. they are post-colonial cities and occupied by Chinese immigrants.  
All these cities were firstly occupied by Chinese immigrants from Southern China. They came and established their businesses and quarters in these cities and brought in their cultural and traditions. Later, these cities were explored by the western countries. Malacca was occupied by the Portugese from 1511 to 1641, then the Dutch from 1641-1795 and the English from 1795 to 1953 and a fell to the Japanese in 1942 for three years. Where as Vigan was occupied by the Spanish for more than 300 years from 1572; and Hoi An was predominantly occupied by the Chinese, receiving influence from the French who were in the country from 1773.
- iii. they have rich blends of architecture between indigenous and foreign styles.  
The planning and the architecture of these cities are mixed between indigenous, immigrants and foreign styles. In Malacca, Penang and Hoi An there remain a large number of Chinese houses with single or two-storey shophouses facing the streets; as well as buildings that feature western styles. In Malacca there are now buildings built by the Portugese, Dutch and the English in their own styles. Whereas in Hoi An, some houses have strong influence from the French and in Vigan, both the urban planning and the architecture follows the general plan established by the Spanish.

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<sup>19</sup> Malaysia was known as Malaya until 1963 when joined by Sabah and Sarawak in Borneo.



- iv. they were important trading ports not only locally but to Southeast Asia as a whole. These were not only main city centres but important trading ports in Southeast Asia that were used frequently by foreign traders and merchants. The Chinese from Southern China relied heavily on Hoi An and Malacca as their trading ports to engage exchanges with the Japanese, the Malays, the Indians and the Arabs. Soon these cities attracted merchants from the distance west such as the Portuguese, the Dutch, the Spanish and the English. These ports became the 'meeting-points' between merchants from the east and the west and remain important for centuries.

Therefore, for the potential World Heritage Cities in Malaysia to benefit from this Research, Hoi An and Vigan stand as good case studies. The in-depth study of certain aspects of conservation of the Ancient City of Hoi An in Viet Nam and the Heritage City of Vigan in the Philippines will provide the opportunity to understand the complexity of managing heritage cities; as well as to explore potentials and opportunities. The successes and weakness of all parties concerned in managing these cities can be shared by those in Malacca, Penang and other heritage cities in the region. It will be an added advantage if some common strategies can be developed between these heritage cities and those in the Southeast Asia region as a whole, with the goal being to maximise a region scarce in heritage resources and expertise.

#### **1.4 Research Aims and Objectives**

This Research has been carried out with the clear aim of assessing whether the existing management framework, at local level, of inscribed World Heritage Cities in Southeast Asia are effective in safeguarding their cultural properties. Specifically, the Research assesses the existing management structure, legal instruments and the practice of inventory and documentation in the Ancient Town of Hoi An and the Heritage City of Vigan.

The Research, therefore, firstly reviews all the international guidelines such as charters, recommendations and resolutions on cultural properties issued by the international agencies such as UNESCO and ICOMOS from the introduction of the Venice Charter 1964 to date, with the view to establishing their main concerns, scope and limitations (Chapters Two and Three). Secondly, the Research studies in some detail the planning

and the architecture of Hoi An and Vigan with the objective to consolidate understanding on their cultural significance as well as understanding their threats and approaches towards interventions (Chapters Four and Six). Finally, the Research assesses the management, at local level, of both cities by focusing on the implementation of international guidelines that relate to three aspects: legal instruments, management structures and inventory with the objectives to identify their management strengths and weaknesses (Chapters Five and Seven)

In summary, the Research is being carried out with these specific objectives:

- i. To critically review the international charters, recommendations and resolutions related to conservation of cultural properties and historic towns since The Venice Charter 1964 to date, as well as other guidelines, with the view to understanding their scope, main concerns and limitations.
- ii. To understand the principles of the World Heritage Convention 1972 in relation to the inscription of the World Heritage List, the function and structure of the World Heritage Committees and its Operational Guidelines.
- iii. To study and consolidate understanding on the cultural significance of the Ancient Town of Hoi An and the Heritage City of Vigan, as well as to evaluate their state of conservation.
- iv. To assess the way in which international guidelines that relate to legal instruments, management structures and inventory are being implemented in these two historical cities.
- v. To suggest conservation measures and future steps for both historical cities.
- vi. To suggest common lessons for other heritage cities in Southeast Asia in managing their cultural properties.

## **1.5 Research Methods**

In order to achieve the above objectives, the research was carried out in two parts:

**Part I : Review of primary and secondary sources.**

To establish possible research gaps, aims and objectives, a thorough literature study was conducted, including both primary and secondary sources, on areas related to urban conservation, policies, management and World Heritage Sites in general. Special attention was given to identify current conservation research and problems faced by countries in the East, especially in the Southeast Asia region. The research also considered completed PhD theses in the United Kingdom on conservation since 1990 and Minutes of Meetings of the World Heritage Bureau and World Heritage Committees since 1977, as well as its numerous reports on World Heritage Sites. Parallel to this review, several study trips were also conducted with the objectives to acquire first-hand information on current states of conservation for several historical cities. The first trip was a short visit to one of UNESCO's consultants in the United Kingdom, who have helped several State Parties in the East to prepare nomination dossiers to the World Heritage Committee. Current states of conservation and management practice in the Kathmandu Valley in Nepal, Luang Prabang in Laos, Vigan in the Philippines, Hoi An and Hue in Viet Nam were gathered. A second study visit was made to the office of World Heritage Centre in Paris, where interviews were conducted with its senior officers with the objectives to understand the issues surrounding the establishment of World Heritage Convention, its Committee, function, Operation Guidelines, process of nominations, as well as to get contact persons in Viet Nam, Philippines, Thailand, Laos, Japan and Australia. The third trip was made to the International Office of ICOMOS, also in Paris with three objectives. First, was to understand the roles of ICOMOS as an adviser to the World Heritage Committee. Second was to view the original copies of nomination dossiers from several cities in the East including Luang Prabang in Laos, Hue and Hoi An in Viet Nam, and Vigan in the Philippines, as well as Edinburgh in Scotland and Bath in England. Third, was to get copies of all charters and recommendations adopted by ICOMOS since its establishment in 1965. Appendix 2 of this thesis provides a report of all field work carried out during this Research period.

In order to understand the principles of urban conservation, in particular, the principles relating to conservation of historical towns, a list of international guidelines on cultural properties such as charters, recommendations and resolutions since the Venice Charter

1964 to date were reviewed (Appendix 1). In total more than forty such guidelines were critically reviewed in order to establish their main concerns, scope and limitations. Contacts were made with the Organisation of World Heritage Cities (OWHC) in Canada in order to get a copy of their latest Management Guide and with the International Centre for the Study of Preservation and Restoration of Cultural Property (ICCROM) in Italy to get a copy of their Management Guidelines for the World Cultural Heritage Sites.

## **Part II : Case Study**

The research adopted a qualitative method as the strategy for data collection where primary data is collected through field work. Field work was carried out during the early phase of the research period to one of UNESCO's consultants in the United Kingdom, World Heritage Centre and ICOMOS International Office in Paris as discussed above. The main field work, however, was conducted during the Summer months in 2002; a six week study trip to the Heritage City of Vigan in the Philippines followed by a five week trip to the Ancient City of Hoi An in Viet Nam. At both cities, primary data was collected by means of personal interviews, discussions, visits, observational and documentary surveys<sup>20</sup>.

In Vigan interviews were conducted with the highest officers in the City Hall, its Mayor and Deputy Mayor, each lasted about one afternoon, to discuss specifically current management structures of Vigan, its practice of documentation, as well as its effective legal instruments. Interviews and several separate discussions were also conducted with the chief administrator of the City Hall in order to understand the process of submission, staffing, support from local NGO, and its cottage industries. Since the conservation of Vigan has been strongly moved by the local NGO, several discussions, both formal and informal, were arranged with the founder of Save Vigan Ancestral House (SVAHAI) and its current president, which focused on a range of conservation issues and on the production of an inventory, since it was this NGO that first surveyed all the historical houses in Vigan in the early 1990s. Interviews and discussions were also conducted with academia in Vigan. First with the Vice-President of the University of Northern

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<sup>20</sup> Observational Survey was conducted by careful observation of the towns; especially on its architecture and on the current conservation developments; whereas Documentary Survey was based on published and unpublished sources such as maps, reports, records received from the local authorities concerned.

Philippines (UNP) who are members of Vigan Conservation Council (VCC), a management council under the City Hall and second with the Dean of Architecture School at UNP, who have written several reports and articles on the architecture of Vigan. Interviews and discussions were also conducted with private professionals, prominent local leaders, members of the church and general public, in order to get a complete picture of conservation in Vigan. Opportunity was also taken to meet the most prominent architect and scholar on conservation in the Philippines, Architect Augustus Villalon in Manila who shared his experience regarding the ‘politics’ of heritage in Vigan, as well as the roles of ICOMOS and the Heritage Conservation Society (HCS), an NGO at national level, in the Philippines.

The above interviews and discussions provide the main source of information on the management of Vigan. To complement these discussions, several visits were also carried out, such as visits to Vigan’s cottage industries, several completed and on-going restoration projects, museums, local library and current exhibitions. However, information on the architecture of Vigan, its planning, defects and approaches towards intervention were mainly achieved through careful observations, informal discussions with practicing architects, as well as with the general public.

In Hoi An a similar research method was adopted: interviews, formal and informal discussions, visits to on-going and completed projects, museums, as well as to carpentry and pottery villages and careful observations, but with slightly different strategies. This was due to the following reasons, which were anticipated well before the visit happened:

- Communication – since most of Vietnamese including government officers speak very little English.
- Access to records – it was made known that in Viet Nam, as well as in other Communist countries, domestic information including records and documents are considered confidential.
- No private professionals practiced such as architects and engineers in Hoi An.
- No NGO’s in Viet Nam.

Therefore, besides formal and informal interview and discussion sessions with the director, deputy director, heads of department, architects and engineers of local authorities, these strategies were adopted:

- i. Upon advance approval from the local authorities, the time spent in Hoi An was considered as 'attachment' rather than 'field work'; where a temporary office was given. Thus allowing for better observations
- ii. The visit can be considered, to some degree, as semi-formal since it was joined by the Head of Conservation Unit from the local authorities of Malacca, Malaysia for a couple of weeks; thus making arrangements a little easier
- iii. During the two week stay in Hoi An, the Head of Malacca's Conservation Unit provided valuable assistance
- iv. Several copies of formal documents, especially on legal instruments were obtained from the ICOMOS Documentation Centre and World Heritage Centre in Paris.

Similar to Vigan, the field work in Hoi An was generally successful. Appendix 2 of this thesis provides full report of the field work carried out during this research period.

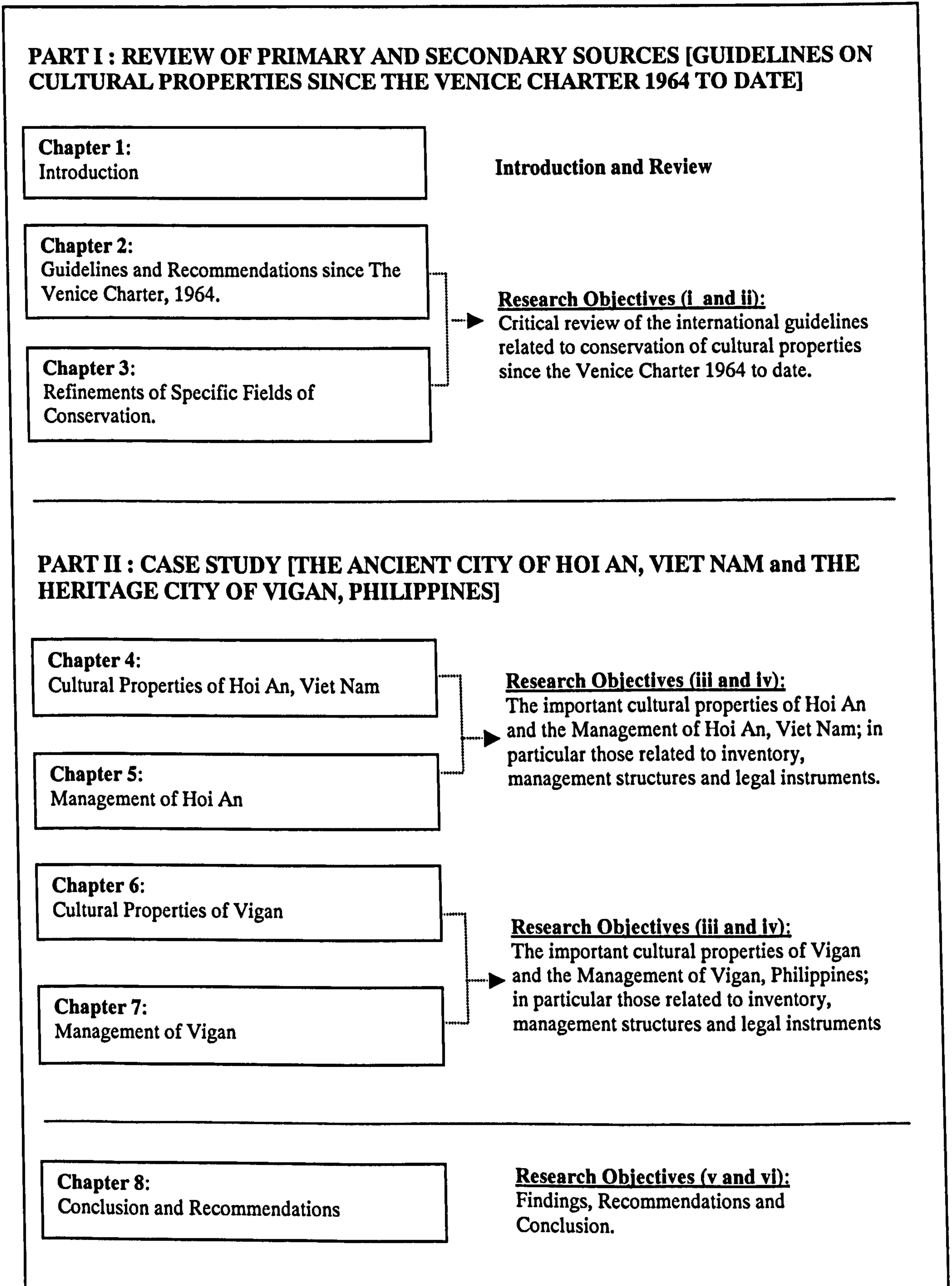
## 1.6 Structure of Research

The Research is presented in this thesis in eight chapters in two distinct parts.

- Part I (Chapters 1, 2 and 3): Review of Primary and Secondary Sources. Provides introduction to research, its methodology, structures, and limitations, as well as, reviews of numerous international guidelines since the Venice Charter 1964, other related guidelines and the World Heritage Convention 1972.
- Part II (Chapters 4, 5, 6, 7 and 8): Case Studies. These chapters focus specifically on the two case studies selected for this Research. The first two chapters, specifically, provide discussion on Hoi An and its management and the following two provide the same, but for Vigan.

Table 1.3 provides diagram of the overall structure of this Research.

Table 1.3: The Structure of the Research



Specifically, the chapters and their contents are:

**Chapter 1** sets out the background and context of the whole thesis. This chapter provides research aims, objectives, methods and structures.

In **Chapter 2**, the discussion starts with the introduction of the Venice Charter adopted by the Congress of Architects and Technician of Historic Monuments in May 1964. It then charts all the international charters, recommendations and resolution of conservation of cultural properties since The Venice Charter 1964 to date. There are more than forty guidelines, in total, that have been adopted by international organisations, mainly by UNESCO and ICOMOS both for international and national references. The Chapter focuses specifically on the scopes and general concerns of these guidelines; concern for the protection of cultural property against various threats and the establishment of conservation principles at national and international levels. At national and regional levels, the Charter reviews a list of guidelines adopted by the countries in Asia and the Pacific region as well as countries in Southeast Asia.

In **Chapter 3**, the discussion focuses on guidelines related to the refinement of specific issues of conservation that have been adopted mainly from the early 1990s to date.

There are at least sixteen such guidelines that provide clarification and refinements of specific issues of conservation; such as issues on education and training, documentation, risk-preparedness and authenticity. It then discusses the recommendations made by two other international guidelines; first is the Management Guidelines for the World Cultural Heritage Sites, issued by ICCROM and UNESCO in 1998 and the second is A Management Guide issued by the Organisation of the World Heritage Cities in Canada in 1991 before briefly discussing the overall scope of the World Heritage Convention, 1972.

**Chapter 4** introduces the first case study of the Research, the Ancient City of Hoi An in Viet Nam, that focuses specifically on the architecture of Hoi An. First, it provides an overall historical context of Viet Nam and Hoi An that helped to shape the planning and the architecture of the city until its inscription in the World Heritage List in 1999.

Second, it presents the finding about the planning and the architecture of Hoi An's most important culture property – its shophouses; that can generally be grouped into five



categories: The Chapter also discusses main threats and defects, as well as, the way in which restoration and preservation projects are being carried out in this ancient city.

While Chapter 4 presents the architecture of the Hoi An, **Chapter 5** continues with the discussion on the management of the city, with special focus on three aspects of conservation management: legal instruments, management structures and inventory. On issues related to legal instrument, the Chapter critically reviews eleven ordinances and decisions at national and local levels and highlights their scope, concern and limitations. On issues related to management structure, the Chapter focuses specifically on the management of heritage at local level i.e. local authorities. In Hoi An, the Centre for Monument Management and Preservation is the department responsible for all aspects of conservation and preservation of the city. It's scope, structure, functions, staffing and limitation are critically discussed. On issues related to inventory, the Chapter assesses the practice of recording and highlights several weakness and potential for improvements.

Similar to Chapter 4 that discusses the Architecture of Hoi An, **Chapter 6** presents similar findings, but for the second case study, the Heritage City of Vigan in the Philippines. The Chapter firstly, traces the historical development of the Philippines and Vigan that witnessed strong influence from the Spanish until its second submission to be listed in the list of World Heritage Sites in 1998. Secondly, the Chapter discusses the general planning of Vigan, strongly based on the principles of the Law of the Indies 1573. Thirdly, the Chapter discusses, in some detail, the architecture of Vigan's most important cultural property – the ancestral houses. Similar to Chapter 4, this Chapter also highlights conservation threats, defect, as well as approaches towards interventions.

**Chapter 7** continues the discussion on Vigan, but focuses on the management of Vigan; and is also concentrated on three similar aspects of conservation: legal instruments, management structures and inventory. On issues related to legal instruments, the Chapter critically reviews four Presidential Decrees and four Local Ordinances that currently apply to Vigan; and highlights their scope, protection and limitations. On issues related to management structure, the Chapter reviews the functions, scope, structure, staffing and limitation of the City Hall, the agency responsible for the management of Vigan at local level. On issues related to inventory, the Chapter assesses

the current practice of recording and documentation, and highlights their successes and weaknesses.

**Chapter 8** concludes the research and presents findings and recommendations. Several recommendations are put forward for consideration and implementation by various agencies in Hoi An and Vigan. Recommendations are also made for consideration and implementation at regional level, Southeast Asia, by the agencies concerned.

Finally, the **Appendices** at the end of this thesis provides useful information for further references, they are:

- Appendix 1 List of Conservation Guidelines since the Venice Charter 1964.
- Appendix 2 Report on Field Work
- Appendix 3 The Operational Guideline (1999) of the World Heritage Committee
- Appendix 4 ASEAN Declaration on Cultural Heritage (2000)

## **CHAPTER 2**

# **GUIDELINES AND RECOMMENDATIONS SINCE THE VENICE CHARTER, 1964**

## 2.0 Introduction

The development of conservation principles in the second half of the 20<sup>th</sup> century, especially, has been regarded by many as the most significant achievement of conservation activities, internationally. These principles or guidelines, which were promulgated either as charters, recommendations, resolutions, declarations or statements were mainly drafted and adopted by international organisations, such as UNESCO and ICOMOS, with the main objective to protect cultural property, which include historical monuments, buildings, groups of buildings, sites and towns around the globe - against various threats. The most significant guideline was The International Charter for the Conservation and Restoration of Monuments and Sites, commonly known as The Venice Charter 1964 (CATHM, 1964), that set a remarkable benchmark for principles governing architectural conservation and restoration. The Charter has helped in broadening the concept of historic buildings, the application of modern technology in conservation works, international co-operation and, most important of all, has provided a set of principles for the protection of architectural heritage and sites. Since its adoption internationally in 1964, The Venice Charter has been used as a reference point for the development of a number of other conservation documents in the form of charters, recommendations, resolutions, principles, statements and guidelines around the world. To date, there exist no less than forty such documents both at international and national level; which have been initiated mainly by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Council on Monuments and Sites (ICOMOS). Analysing the general scope of these guidelines and their main concerns, it can be said that several guidelines adopted soon after the promulgation of The Venice Charter 1964 until the late 1970s shows concern for the protection of cultural properties against various threats such as aggressive physical developments and economic activities, as well as establishing important principles on conservation and restoration of cultural properties internationally. The conservation principles clarified during this period were later refined to suit the regional and national contexts. From the mid 1970s to date a number of guidelines were adopted by various regional or national organisations which focus specifically on the refinement of conservation principles and the way in which these principles could be applied regionally or nationally. The first was the European Charter of Architectural Heritage, adopted by the Council of Europe, with specific reference to the European countries,

and the latest was the Principles for the Conservation of Heritage Sites in China, drafted and adopted by ICOMOS China in 2000. There is, however, a third group of guidelines that was adopted from the early 1990s and focus on the refinement of specific fields of conservation. For example, Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites, adopted by ICOMOS in 1993, provides detailed guidelines on education and training in conservation, and the Principles for the Preservation of Historic Timber Buildings, adopted by ICOMOS in 1999, defines basic and universally applicable principles and practices for the protection and preservation of historic timber structures.

This chapter and part of the next chapter, therefore, discuss in some detail the scope and general concerns of the guidelines adopted since The Venice Charter 1964 to date. This chapter focuses specifically on guidelines concerning the protection of cultural property against various threats and the establishment of conservation principles that were mainly adopted in the 1960s and 1970s, as well as those that have been adopted at regional and national levels from the mid 1970s to date. To begin with, the chapter traces the development of these guidelines and establishes the changing scope of heritage - from being initially concerned with individual monuments to later include groups of buildings, towns, and lately, the intangible heritage, as well as establishing the main conservation principles for international reference. Secondly, the chapter traces the refinement of conservation principles at regional and national levels in order to establish the main conservation issues and the way in which these issues are interpreted in various regions and countries around the globe.

### **2.0.1 The Venice Charter, 1964**

The Venice Charter 1964 was adopted at the Second Congress of the International Congress of Architects and Technicians of Historic Monuments, held with the co-operation of UNESCO and the General Direction of Antiquities and Fine Arts of the Italian Ministry of Education in Venice, Italy. Held from 25<sup>th</sup> to 30<sup>th</sup> May, 1964 the main objective of the Congress was to review The Charter of Athens 1931 (CATHM, 1964:1) which was drafted by a groups of museologists interested in immovable artefacts of monuments (ICOMOS, 1994:14). The Congress was attended by 622 delegates and 170 observers from 61 countries (ICOMOS, 1965), mainly from Europe

including representatives from UNESCO, the Council of Europe, the International Centre for the Study of the Preservation and the Restoration of Cultural Property (ICCROM), the International Council of Museums (ICOM) and the Istituto Internazionale dei Castelli (I.B.I) (Jokilehto, 1998). The Congress ended with the adoption of thirteen resolutions (Jokilehto,1998:230), but the first two were the most important:

- i. Drawing-up the International Restoration Charter (Venice Charter 1964)
- ii. The creation of International Council of Monuments and Sites (ICOMOS)

The Venice Charter 1964 was drafted on five main principles by twenty three representatives of which three were from international organisations (two from ICCROM and one from UNESCO); seventeen were from European countries and one representative from Peru, Mexico and Tunisia, but none from countries in Asia and the Pacific. It was chaired by Mr Piero Gazzola from Italy - who was later appointed as the President of ICOMOS for three consecutive terms from 1965 to 1975 - and Raymond Lemaire from Belgium acted as reporter.

On reviewing The Venice Charter 1964, it becomes clear that its strength lay in establishing the clarity of the principles for restoring heritage buildings. It addressed the important issues of conservation, such as the use of modern techniques and new materials, future use, style and maintenance and can be summed-up in five major principles:

- **Article 1: Definitions**

**The scope of historic buildings:** The scope of historic monument has been broadened to include not only monuments, but also buildings, groups of buildings, rural and urban setting; both for great and modest works of the past<sup>1</sup>.

- **Articles 4 – 8: Conservation**

**Conservation:** Allowing the new, but appropriate use of historical buildings without changing the layout and decoration. Respect the traditional settings - no new

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<sup>1</sup> The scope of heritage since The Venice Charter 1964 is discussed under sub-chapter 2.2

construction, demolition or modification, which will change the character of the settings, should be allowed. Moving the buildings is not allowed except in exceptional circumstances.

- **Articles 9 –13: Restoration**

Restoration: No new additions are allowed if they change the character of the building and setting. Respect for authentic documents and original materials by distinguishing the additions with a contemporary stamp. Allowing the use of modern technique, if necessary, and respect for all styles.

- **Article 15: Archaeology**

To carry out excavations prior to intervention by specialists. Maintain the ruins - no reconstruction except anastylosis. Minimised but recognisable new materials.

- **Article 16 : Publication**

Documentation and publication : Document every stage of works and place them in the archives of a public institution. Make it available for research workers.

Publication is recommended.

Even though The Venice Charter 1964 was expected to review and update The Charter of Athens 1931, it did not touch on several important issues raised in The Athens Charter 1931. Issues such as controls and legislation, the role of community, deterioration, risk, training and education were not in the final documents. These exclusions, in part, provide justification for more comprehensive and specialised charters in the coming years.

## **2.1 Guidelines after the Venice Charter, 1964**

Soon after the Venice Congress in 1964, both UNESCO and ICOMOS have taken the initiative at national and international levels to provide guidelines and recommendations for conservation of architectural heritage around the globe. This was seen to be necessary as an immediate reaction to the aggressive reconstruction of the towns throughout Europe, which were partly or totally destroyed during World War II, accompanied by debates as to how reconstruction should be carried out. In the absence

of 'international standards', the degree of intervention and the approach to reconstruction of the historical areas varied widely from one town to another. In one extreme, for example, the historic core of Warsaw was rebuilt in the same form as it had been before the war except that the interiors were adapted to modern living. In contrast, the historic town centre of Rotterdam and the area around St. Paul's Cathedral in London were rebuilt according to modern planning criteria (Nicolas, 1997). Several charters and recommendations, therefore, were adopted in the 1970s which focused on establishing the main principles of conservation. This was followed by specific guidelines and recommendations adopted for various countries and regions of the world; and since the early 1990s these guidelines have focused on the refinement of specific fields of conservation.

There are now no less than forty guidelines in the form of charters, recommendations and resolutions drafted and adopted mainly by UNESCO and ICOMOS – at least 27 had wider international focus and 17 had a more national or regional bias, as shown in Table 2.1 and Appendix 1. An analysis of all these charters, recommendations and resolutions show that these can be grouped under three broad chronological categories:

1. Those concerned with the overall protection and management of cultural properties, as well as establishing main conservation principles at international level, developed and adopted mainly in the 1960s and 1970s. These are:
  - International Charter for the Conservation and Restoration of Monuments and Sites (The Venice Charter), CATHM, 1964;
  - Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works, UNESCO, 1968;
  - Resolution of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings, ICOMOS, 1972;
  - Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage, UNESCO, 1972;
  - Convention Concerning the Protection of the World Cultural and Natural Heritage, UNESCO, 1972;
  - Resolution of the International Symposium on the Conservation of Smaller Historic Towns, ICOMOS, 1975;



- Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas, UNESCO, 1976;
- Charter for the Conservation of Historic Towns and Urban Areas, ICOMOS, 1987;

2. Those concerned with the refinement of national and regional policies on conservation, developed by the concerned countries and regions throughout the world; which were adopted from the mid 1970s. These are:

- The Declaration of Amsterdam, Council of Europe, 1975;
- The European Charter of the Architectural Heritage, Council of Europe, 1975;
- The Australian Charter for the Conservation of Places of Cultural Significance [the Burra Charter, ICOMOS Australia, 1979 [Revised 1981, 1988, 1999];
- Declaration of Tlaxcala on the Revitalization of Small Settlements in Americas, ICOMOS Mexico, 1982;
- The Declaration of Dresden on the Reconstruction of Monuments Destroyed by War, ICOMOS Germany, 1982;
- The Charter for the Preservation of Quebec's Heritage, Canada, ICOMOS Canada, 1982;
- Appleton Charter for the Protection and Enhancement of the Built Environment, Canada, ICOMOS Canada, 1983;
- Principles of Preservation and Revitalization of Historic Centres in Brazil, ICOMOS Brazil, 1987;
- Charter for the Conservation of Places of Cultural Heritage Value, New Zealand, ICOMOS New Zealand, 1992;
- Declaration of San Antonio on Authenticity in the Conservation and Management of Cultural Heritage in Inter-Americas, ICOMOS Americas, 1996;
- Declaration of Quebec on Heritage and Risk Preparedness in Canada, ICOMOS Canada, 1996;
- Guidelines for the Definition of Boundaries for Candidate World Heritage Sites in the United Kingdom, ICOMOS UK, 2000;
- Oxford Declaration on Landscape, ICOMOS UK, 2000;

- \ • Principles for the Conservation of Heritage Sites in China, ICOMOS China 2000 and
- \ • Guidelines for the Conservation of Timber in Historic Buildings in the United Kingdom, ICOMOS UK, 2001.

3. Those concerned with the principles and refinement of specific fields of conservation, at international level, developed and adopted since the early 1990s.

These are:

- Charter on the Preservation of Historic Garden, ICOMOS, 1982;
- Charter for the Protection and Management of the Archaeological Heritage, ICOMOS, 1990;
- Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites, ICOMOS, 1993;
- The Nara Document on Authenticity, Japan and UNESCO, 1994;
- Charter on the Protection and Management of Underwater Cultural Heritage, ICOMOS, 1996;
- Principles for the Recording of Monuments, Groups of Buildings and Sites, ICOMOS, 1996;
- The Kobe/Tokyo Declaration on Risk Preparedness for Cultural Heritage, Japan and UNESCO, 1997;
- Declaration of Assisi on Risk Preparedness Policy, ICOMOS, 1998;
- Principles for the Preservation of Historic Timber Buildings, ICOMOS, 1999;
- Charter on the Built Vernacular Heritage, ICOMOS, 2000;
- Convention on the Protection of the Underwater Cultural Heritage, UNESCO, 2001;
- Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, ICOMOS, 2003 and
- Principles for the Preservation and Conservation/Restoration of Wall Paintings, ICOMOS, 2003.

All these charters and recommendations, based on the principles of conservation set by The Venice Charter 1964, reflect the progression in conservation thinking since 1964

and involve: concern for definitions and scope of heritage, protection against various threats, new works, management of heritage, development of national and regional charters and principles and refinement of specific fields of conservation. Table 2.1 provides a synopsis of the chronological development of all these guidelines from the adoption of the Athens Charter in 1931 to the present.

## 2.2 Definitions and Scope of Heritage

One of the main concerns of these guidelines was defining and establishing the scope of heritage and common definitions. Since the Venice Charter 1964, the scope of heritage has broadened from a concern for physical heritage such as historic monuments and buildings to group of buildings, historic urban and rural centres, historic gardens and to non-physical heritage including environments, social factors and lately intangible values. Firstly defined by UNESCO and ICOMOS, during the 1960s and 1970s, the scope of heritage and its definitions are being adopted and refined at regional and national levels.

One of the important milestones in the development of conservation since The Venice Charter 1964 was the broadening scope of heritage. UNESCO and the ICOMOS were at the forefront in defining common terminology and scope of heritage since 1965. The term 'historic monument' in Article 1 of The Venice Charter 1964 that defines it as, "... not only the single architectural work but also the urban or rural setting ... " was not defined clearly enough. The Charter did not address the question of what constitutes an historic monument nor did it discuss the characteristics of urban and rural settings and the definition of sites. Therefore, in 1965 during the Constitutive Assembly of ICOMOS, the scope of heritage was re-defined. Heritage was then defined as  
Monuments and Sites :

### Article 3:1

The term *monument* shall include all real property, whether they contain buildings or not, having archaeological, architectural, historic or ethnographical interest and may include besides the furnishing preserved within them

The term *site* shall be defined as a group of elements, either natural or man-made, or combinations of the two, which it is in the public interest to conserve

Table 2.1 : Development of Conservation Guidelines Related to Cultural Property Since 1931

	INTERNATIONAL LEVEL	EUROPE	AUSTRALIA	AMERICAS	CANADA	GERMANY	BRAZIL	NEW ZEALAND	UNITED KINGDOM	CHINA	INTERNATIONAL LEVEL	
	INTERNATIONAL LEVEL	EUROPE	AUSTRALIA	AMERICAS	CANADA	GERMANY	BRAZIL	NEW ZEALAND	UNITED KINGDOM	CHINA	INTERNATIONAL LEVEL	
	Main Conservation Principles	EUROPE	AUSTRALIA	AMERICAS	CANADA	GERMANY	BRAZIL	NEW ZEALAND	UNITED KINGDOM	CHINA	INTERNATIONAL LEVEL	Refinement of Specific Fields of Conservation
1930's	<p>Albania Charter 1931 Albania - Charter</p> <p>Albania Charter 1933 Albania - Charter</p>											
1950's	<p>The Hague Convention 1954 (UNESCO) Hague, Netherlands</p>											
1960's	<p>Venice Charter 1964 (ATIM) Venice - Charter</p> <p>Cult. Pro. Public Works 1964 (UNESCO) Paris - Recommendation</p>											
1970's	<p>Convention Arch 1972 (ICOMOS) Budapest - Resolution</p> <p>Protection Cult/Natural 1972 (UNESCO) Paris - Convention</p> <p>Smaller Historic Towns 1975 (ICOMOS) Rothenburg - Resolutions</p> <p> safeguarding Hist. Areas 1976 (UNESCO) Nara - Recommendation</p>	<p>European Charter 1975 (Council of Europe) Amsterdam - Charter</p> <p>Dec. of Amsterdam 1975 (Council of Europe) Amsterdam - Recommendation</p>	<p>Barris Charter 1975 (ICOMOS Australia) Australia - Charter</p>									
1980's	<p>Washington Charter 1987 (ICOMOS) Washington - Charter</p>	<p>Architectural Heritage 1985 (Council of Europe) Granada - Convention</p> <p>Quebec's Heritage 1982 (ICOMOS Canada) Quebec - Charter</p> <p>Appleton Charter 1983 (ICOMOS Canada) Ottawa - Charter</p>	<p>Barris Charter 1981 (ICOMOS Australia) Australia - Charter (Revised)</p> <p>Barris Charter 1988 (ICOMOS Australia) Australia - Charter (Revised)</p>	<p>Declaration of Tlaxcala 1982 (ICOMOS Mexico) Tlaxcala - Recommendation</p>	<p>Quebec's Heritage 1982 (ICOMOS Canada) Quebec - Charter</p> <p>Appleton Charter 1983 (ICOMOS Canada) Ottawa - Charter</p>	<p>Declaration of Dresden 1982 (ICOMOS Germany) Dresden - Recommendation</p>	<p>Historic Centres 1987 (ICOMOS Brazil) Iguazu - Recommendation</p>					<p>Florence 1982 (ICOMOS) Florence - Charter</p>
1990's			<p>Barris Charter 1999 (ICOMOS Australia) Australia - Charter (Revised)</p>	<p>Dec. of San Antonio 1996 (ICOMOS Americas) S. Antonio - Recommendation</p>	<p>Dec. of Quebec-Risk 1996 (ICOMOS-Canada) Quebec - Declaration</p>			<p>New Zealand Charter 1997 (ICOMOS NZ) New Zealand - Charter</p>	<p>Tourism 1997 (ICOMOS UK) UK - Statement</p>			<p>Archaeology 1990 (ICOMOS) Lansans - Charter</p> <p>Nara Authenticity 1994 (UNESCO - WIC) Nara - Documents</p> <p>Underwater Heritage 1996 (ICOMOS) Sofia Bulgaria - Principles</p> <p>Declaration of Asoad - Risk 1998 - ICOMOS Ss. Com. Asoad - Recommendation</p> <p>Charter Cultural Tourism 1999 (ICOMOS) Mexico - Charter (Revised)</p>
2000's												<p>Charter Built Vernacular 2000 (ICOMOS) Mexico - Charter</p> <p>Intangible Heritage 2003 (UNESCO - Final Draft) Paris - Convention</p> <p>Structural Restoration 2003 (ICOMOS) Zimbabwe - Charter</p> <p>Digital Heritage 2003 UNESCO - Final Draft Paris - Convention</p>

To "define their bearings" (as described by the Reporter of the Constitutive Assembly Meeting 1965) and to avoid overlapping of expertise between ICOMOS and the International Council of Museums (ICOM), it was made clear in Article 3c that archaeological collections, all movable cultural properties as part of museum collections, and open air museums were excluded from these definitions. This was to respect the speciality of ICOM and to differentiate between those who should be responsible for "architectural heritage" and those who concern themselves with "museum collections".

In 1968, at the 15<sup>th</sup> session of the General Assembly in Paris, UNESCO adopted The Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works, which among other things, sought to define the scope of heritage. The definition of heritage as 'monuments' and 'sites' as established earlier by ICOMOS in 1965 was not taken by the General Assembly as a whole, instead it re-defined the term cultural property introduced at The Hague Convention 1954 (UNESCO, 1954). Cultural property was re-grouped and defined in 1968 as Moveable and Immovable. Moveable cultural property was referred to as 'museum collections' and immovable cultural property was referred to as 'architectural heritage'. Immovable cultural property was defined to include not only historic sites and features, but more importantly, it recognised the need to include groups of traditional structures and historic quarters in urban and rural areas:

**Article 1a**

archaeological and historic or scientific sites, structures or other features of historic, scientific, artistic or architectural value, whether religious or secular, including groups of traditional structures, historic quarters in urban or rural built-up areas and the ethnological structures of previous cultures still extant in valid form. It applies to such immovable constituting ruins existing above the earth as well as to archaeological or historical remains found within the earth. The term cultural property also includes the setting of such property

Thus, by the end of the 1960's the scope of heritage defined by The Venice Charter 1964 as historic monuments was interpreted somewhat differently by UNESCO and ICOMOS. Even though both organisations agreed in principle that heritage was no longer confined to historical monuments and buildings and should be extended to include groups of buildings and historic quarters, the terminology used was different,

while UNESCO defined heritage as ‘cultural property’, ICOMOS defined heritage as ‘monuments and sites’.

In 1972, this differing terminology and the scope of architectural heritage was reconciled at the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, otherwise known as The World Heritage Convention 1972. The UNESCO Convention regarded heritage as both cultural heritage as well as natural heritage; and UNESCO’s earlier definition of moveable and immovable cultural property was dropped. The definition of monuments and sites as mentioned in the ICOMOS statutes adopted in 1965 was rephrased and a third category - groups of buildings - was introduced. Cultural heritage was now defined to include monuments, groups of buildings and sites. This was seen as a clear move to ensure groups of buildings and urban settings were being protected. Cultural heritage was defined by UNESCO in 1972 as:

**Article 1:1**

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

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

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

Later in its revised statute in 1978, ICOMOS maintained the two broad categories of cultural property: monument and site, but added the ‘group of buildings’ as the third to clearly spell out urban and rural context and to be the same as those defined by the UNESCO.

**Article 3b**

*group of buildings* : shall include all groups of separate or connected buildings and their surroundings, whether urban or rural, which, because of their architecture, their homogeneity or their place in the landscape, are of value from the historical, artistic, scientific, social or ethnological point of view

UNESCO terminology has remained unaltered till the present day. However, for the purpose of inscribing heritage on the World Heritage List the terminology was shifted from 'Cultural Heritage' to 'Cultural Properties' and 'Natural Heritage' to 'Natural Properties' (UNESCO, 1999a).

In 1975 and 1979 respectively, the scope of heritage was again broadened to include historic gardens, landscape and environment in Europe and Australia, but technically, this scope is not applicable in other countries. It was realised that the previous preservation and restoration projects were only focused on the protection of monuments and not the surroundings but that any changes or damage to the surroundings will affect the protection of monuments.

**Amsterdam Declaration, 1975:2**

**It is known that historical continuity must be preserved in the environment if we are to maintain or create surroundings which enable individuals to find their identity and feel secure despite abrupt changes**

This prompted the International Committee for Historic Gardens of ICOMOS to formulate an international charter that specifically focused on the conservation of historic gardens around the world. The Florence Charter on Historic Garden was adopted on the 15<sup>th</sup> December 1982 in Florence, Italy. The Charter considered historic gardens as being both small and large parks whether formal or landscaped and whether or not associated with a building (Article 6). It considered historic gardens as having significance to the public from the historical or artistic point of view and therefore was possible to classify as monuments as defined by the ICOMOS statute of 1978. Of course, because gardens are primarily vegetal and subject to decay and regeneration, they were classified as living monuments that required special rules of protection. This has been the concern of the Florence Charter 1982.

Similarly, the broadening concern that heritage should include social factors of historical towns was also mentioned in The Amsterdam Declaration in 1975. The ICOMOS Charter for the Conservation of Historic Towns and Urban Areas, commonly known as The Washington Charter 1987, emphasised the need to preserve the historical character of towns including natural and man-made environment and the various functions that the towns acquired over time. This is in recognition that "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” (Article 1:1).

During the late 1970s and the 1980s the focus of international charters, recommendations, and resolutions was more towards the refinements of principles at national and regional levels. The need to formulate specific national principles had already been recognised by The Venice Charter 1964 in its preamble,

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

In Europe, the Council of Europe led the world by formulating and adopting regional charters that deal specifically with the situation of European countries - The European Charter of the Architectural Heritage and The Amsterdam Declaration, were adopted in Amsterdam in 1975. Both discussed the broadening concept of architectural heritage and the strategy of implementation, the concept of Integrated Conservation and in particular the roles of authorities in managing architectural heritage. The Amsterdam Declaration 1975 extended the scope of European architectural heritage from the earlier concern only for individual buildings, to groups of buildings and their surroundings, old quarters, and areas of towns and villages of historic or cultural interest to also include historic parks and gardens, traditional environment and contemporary buildings; the latter, buildings of today will be the heritage of tomorrow. It also emphasised the need to maintain the continuity of existing social and physical characteristics, both in urban and rural communities and the need to integrate social factors, such as social functions and economic realities, with the policy of architectural heritage and town planning.

The initiative taken by the Council of Europe to formulate common charters among the various European countries was soon followed by other developed countries around the world. In Australia, Australia ICOMOS drafted and adopted The Australian ICOMOS charter for the Conservation of Places of Cultural Significance, commonly known as The Burra Charter of 1979, focusing on three aspects: conservation principles, conservation processes and conservation practice. The scope of heritage generally remained the same



as the one introduced by the Council of Europe in 1975, but The Burra Charter introduced three new terms:

- *Place*, referring to site, area, building or other work, group of buildings or other works together with pertinent contents and surroundings;
- *Cultural significance*, referring to aesthetic, historic, scientific or social value;
- *Fabric*, meaning all the physical material of the place.

The Burra Charter 1979 was later amended in 1981, 1988 and 1999 to reflect the current concern of heritage and conservation in Australia, including conservation of intangible values. The Burra Charter 1979 recognised social and aesthetic values as part of cultural significance; however, Truscott, (2001) noted that in practice these intangible values have never been used as criteria in heritage identification in Australia, partly because of a lack of understanding of the subject among the heritage practitioners. A series of conferences was held on the subject in the 1990s and the findings were reflected in the latest amendment of the charter. The charter now recognised that intangible values or intangible cultural heritage referred to by UNESCO are an integral aspect of heritage significance. The importance of intangible values as part of heritage was emphasised by UNESCO when it adopted a convention in 2003<sup>2</sup> that helped to protect intangible cultural heritages, which was defined as:

**Article 2 (Definitions)**

practices, representations, expressions, knowledge, skills, instruments, objects, artefacts and cultural spaces associated with communities, groups and individuals

In Canada, a specific charter for the Quebec province was drafted by ICOMOS Canada in 1982 due to the threat of its heritage from modernization and pursuit of new lifestyles. The Charter for the Preservation of Quebec's Heritage defined the scope of Quebec's heritage in three major entities : material culture (cultural properties), that represent "the whole of the material environment in which we live", to include buildings, archaeological and ethnographical objects, furniture and art objects to name a

<sup>2</sup> Convention for the Safeguard of the Intangible Cultural Heritage. 32<sup>nd</sup> Session of General Conference on 29<sup>th</sup> Sept – 17 Oct. 2003 in Paris.

few; geographic environment, such as nature – coast, mountain and plain-landscapes - natural sites and panoramic value; and human environments having their own culture, customs and traditions.

In New Zealand, the New Zealand National Committee of the ICOMOS drafted and adopted a specific conservation charter for New Zealand at its annual meeting on 4<sup>th</sup> October 1992 called The Charter for the Conservation of Places of Cultural Heritage Value. The charter adopted the terminology of 'Place' as introduced by the Burra Charter but broadening its scope to include "... land covered by water, and the airspace forming the spatial context to such land" and "any body of water, whether fresh or seawater, that forms part of the historical and cultural heritage of New Zealand" (Article 22:5).

In the Southeast Asia countries, there have been no charters, guidelines or recommendations developed and adopted either by ICOMOS or UNESCO to date. However, the Foreign Ministers of these countries who met on 25<sup>th</sup> of July, 2000 adopted the ASEAN Declaration on Cultural Heritage that, amongst others, defines cultural heritage as "structures and artefacts, sites and human habitats, oral or folk heritage, written heritage, and popular cultural heritage" (p.2). Similar to other countries, the scope of heritage in Southeast Asian countries, in general, now cover both tangible and intangible heritage, but the broader definitions are very different from those adopted by UNESCO or ICOMOS that adopted the terms of monument, group of buildings and site; or with neighbouring countries in Asia and the Pacific region that define 'place' as their heritage. Refinement of the scope and definitions at national levels in Southeast Asian countries vary. In Viet Nam, for example, heritage is defined as tangible and intangible cultural heritages and in the Philippines, heritage is now defined as cultural properties, but include both moveable and immovable; which is discussed in more detail under Chapters Five and Seven consecutively.

For the last forty years, since the adoption of the Venice Charter in 1964, there have been numerous conservation guidelines in the form of charters, recommendations, principles, and recommendations that among others have carefully defined the scope of heritage and its broader definitions. The scope has broadened considerably from merely

concern for individual buildings and site, to include groups of buildings, historical areas, towns, environments, social factors and lately intangible heritage. While this scope is being agreed internationally, the definition of heritage is varied. At international level, both UNESCO and ICOMOS refer to heritage as ‘cultural and natural heritage’, at national levels this definition is not taken literally. Australia refers to hers as ‘place, cultural significant and fabric’, New Zealand as ‘place’, Canada as ‘material culture’, China as ‘immovable physical remain’ and countries in the Southeast Asia region as ‘culture and culture heritage’ to name a few, thus no uniformity exists between countries.

### **2.3 Defining the Principles of Conservation**

The focus of UNESCO’s and ICOMOS’s guidelines produced in the 1960’s and 1970’s, were very much on establishing the main principles related to conservation and restoration of cultural property and the need to protect these properties against various threats. At the Venice Conference in 1964, the threats to historic towns and centres caused by aggressive physical development was brought up and debated by many speakers, but no resolution to combat such threats was included in the final document of the Charter. Instead, a separate document was drafted at the meeting concerning the ‘Protection and Rehabilitation of Historic Centres, which urged the national governments at national levels to take appropriate steps to provide legislation as a means to protect the heritage. However, the draft document was overshadowed by the importance of the Venice Charter 1964, and has never been promulgated internationally (Nicolas, 1997). After 4 years from the introduction of the Venice Charter, only the first guidelines that focus specifically on the issues of protecting cultural heritage including historic towns and centres was issued - The Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works. This recommendation was adopted at the 15<sup>th</sup> Session of General Conference of UNESCO that was held from 15<sup>th</sup> to 20<sup>th</sup> October 1968 in Paris. Due to the growing concern over the rapid industrial development and urbanisation that threatened the heritage, the conference adopted this Recommendation for Member States of UNESCO to implement. There are at least three important milestones in this Recommendation that contributed quite significantly to the activity of conservation internationally. The first one is related to the scope of heritage, which clearly defined ‘cultural property’ as

discussed under sub-chapter 2.2. The second is related to threats from new development. The Recommendation recognised the threat caused by the development of public or private works such as urban expansion, renewal projects, construction of highways, dams, hydroelectric power, drainage, transmission line of electricity, reclamation of lands, and so on, all of which if not properly controlled may potentially damage the cultural property. Thirdly, the Recommendation emphasised the need for proper legislation and management by the Member States. Adopting the recommendations made in the Athens Charter 1931, this Recommendation elaborated the need for proper control and management of cultural property. The Member States of UNESCO were urged to establish and maintain control over their cultural properties by means of, 1) conservation legislation, 2) proper administrative structure, 3) allocation of budget including incentives to owners, 4) survey and zoning, 5) penalties and awards and 6) advice and educational programmes. On the issues related to legislation, it was recommended that each Member State enact appropriate legislative measures to ensure the preservation or salvation of their cultural property endangered by public or private works (article 14:3), both at national and local levels. On the administrative issue, it urged each Member State to establish official bodies within the country that should take responsibility over the management of the country's cultural property. These bodies should be established at national, municipal and local levels and should be adequately staffed (article 20:4). Related to survey and documentation of historic properties, article 24 clearly stated that cultural properties should be protected by means of zoning or scheduling:

Historic quarters in urban or rural centres and groups of traditional structures should be zoned and appropriate regulations adopted to preserve their setting and character, such as the imposition of controls on the degree to which historically or artistically important structures can be renovated and the type and design of new structures which can be introduced.

In June 1972, ICOMOS issued its first international resolution on conservation or restoration of buildings since its inception in 1964. Resolution on the Introduction of Contemporary Architecture into Ancient Groups of Buildings was adopted at the Third General Assembly of ICOMOS in Budapest, Hungary. On a similar tone with The Venice Charter 1964 and with the same objectives with the UNESCO 1968 Recommendation, which is to protect the heritage properties from physical

development, this resolution provided four principles related to intervention within historical towns and centres:

- Allowing the introduction of contemporary architecture into ancient groups of buildings.
- Allowing modern techniques and materials to be used in the construction of new buildings within the ancient settings without affecting the overall structural and aesthetic qualities of the settings.
- Revitalization of historical buildings can be achieved by giving new uses provided such uses do not effect their overall structures and entities.
- Placing authenticity as a basic criterion in any conservation works and prohibiting any imitation, which would affect their artistic and historical values.

In general, this Resolution paved the way towards the introduction of modern materials and techniques within the historical settings, which was previously debated. It conforms, in general, to the principles set by the Athens Charter 1931 (article 4: Restoration of monument) and the Venice Charter 1964 (article 10 and 12:Conservation). But unlike The Venice Charter that adopts a more conservative approach towards the introduction of new buildings in historical sites,

**Article 16, The Venice Charter 1964**

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.

and was seen as a potential threat to the progress and development of historic towns, this Resolution clearly allows for new work to be introduced within the historical settings. However, it emphasises the importance of ‘authenticity’ in any restoration by avoiding any imitation work. Even though this resolution did not mention in sufficient detail the ways and means to achieve the above allowances, it can be considered as a very important milestone in the development of conservation activities after the Venice Charter 1964. It opens a new paradigm in handling and managing historical buildings and areas - that moves from the concept of preservation to restoration.

Perhaps the most comprehensive recommendation related to the protection of cultural property after the Venice Charter 1964, was adopted by UNESCO at the 17<sup>th</sup> session of

its General Conference in November 1972, at the same conference where the World Heritage Committee was formed<sup>3</sup>. The conference responded to the increasing threats to cultural and natural heritage caused by poverty and neglect in many countries and by unconsidered economic growth and development in some. It sought to encourage Member States to identify, protect, preserve and present cultural and natural heritage for future generations. At the conference, a more comprehensive set of recommendations, known as The Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage was adopted by the Member States. It consisted of 66 articles in seven sub-sections:

Section I	: Definitions (articles 1 – 2)
Section II	: National Policy (article 3)
Section III	: General Principles (articles 4 – 11)
Section IV	: Organization of Services (articles 12 – 17)
Section V	: Protective Measures (articles 18 – 59)
Section VI	: Education and Cultural Action (articles 60 – 65)
Section VII	: International Co-operation (article 66)

It is significant to the development of conservation internationally in many respects. First, a clear distinction was made between 'cultural heritage' and 'natural heritage', which has already been discussed in some details under sub-chapter 2.2; until today the same terminology has remained accepted and used. Secondly, it emphasised the importance of having proper management structures at national and local levels. It recognised that it is impossible and inappropriate to have a standard form of organisation for all the Member States of UNESCO, but highlighted four common criteria that should be observed by the Member States:

i. **Article 13: Specialised public services.**

It urged the Member States to set up one or more specialised public services to be responsible for the management of cultural and natural property in their territory. These specialised bodies are to be responsible for the efficient discharge of: 1) compiling an inventory of the country's cultural and natural heritage; 2) developing and putting conservation policies; 3) training and recruiting competent technical and administrative staff; 4) establishing laboratories for the study of all

<sup>3</sup> Details of World Heritage Committee and World Heritage Convention is discussed under sub-chapter 3.3.

the scientific problems arising in connection with the conservation and 5) ensuring that owners of heritage property carry out necessary restoration work.

ii. **Article 14: Advisory bodies**

It recognised the importance of having close co-operation among specialists of various disciplines related to conservation and urged the specialised bodies within each Member State to work with bodies of experts who can provide advice on the preparation of conservation policies and other measures;

iii. **Article 15: Co-operation among the various bodies**

The specialised body should carry out their work in liaison with other public services, such as those responsible for regional development planning, major public works, environment, tourism, economic and social planning; and

iv. **Article 16: Competence of central, regional and local bodies.**

It recognised that the problems involved in the protection, conservation and presentation of heritage are difficult to deal with and therefore recommended that the responsibilities in all matters concerning the devising and execution of protective measures to be divided among central, regional and local level, where and when appropriate.

Thirdly, this Recommendation provided several protective measures that should be carried out by each Member State, such as the need to take scientific and technical measures prior to and during the maintenance and rehabilitation of buildings, as well as, legal and financial measures. On issues related to legal measures (Articles 40 –48), this Recommendation highlighted that:

- the cultural and natural heritage should be protected, individually or collectively, by legislation or regulations at central and/or local levels;
- interventions in the form of demolitions, modifications or insertions of new building within protected zones must undergo strict verification and approval procedures;

- the Member States should protect the cultural and natural heritage by establishing regulations to control installation of equipments and amenities such as bill-posting, neon signs, the erection of poles, pylons and electricity or telephone cables, the placing of television aerials, parking and street furniture; and
- appropriate penalties be imposed to those found wilfully destroying, mutilating or defacing the cultural and natural heritage; and this should include provision for the restoration of an affected building or site to its original state in accordance with established scientific and technical standards.

Fourthly, this Recommendation also emphasised the importance of education and public awareness (Articles 60-65) by suggesting that universities, educational establishments at all levels organise regular courses, lectures, seminars related to conservation and encourage the Member States to set up information centres, museums or exhibitions in order to inform the general public on the conservation and restoration works that are being carried out. Finally, this Recommendation encouraged international co-operation between Member States, both inter-government and non-government in areas related to exchange of information, scientific and technical publications, seminar and working parties on specialised subjects, study and travel scholarships or internships and collaboration on large-scale conservation projects (Article 66).

Compared to all recommendations, resolutions and charters adopted previously, this Recommendation, in general, has provided more detailed measures on the management and protection of cultural and natural heritage in each Member State and has become a new platform for individual countries to initiate and formulate their own and more specific conservation measures. This started to happen in 1975 when the Council of Europe adopted the European Charter of the Architectural Heritage and Declaration of Amsterdam that added new dimension to the conservation of cultural properties in Europe, discussed in detail in sub-chapter 2.4.

Threat from new development was one issue, that of increased and diverse economic activities was another. The groups of buildings or towns, as defined in 1972, indeed



were suffering from weak economic activities and part of the population was migrating out from the towns to larger and more modern cities. The emigration of people was eventually to leave the historic towns to various threats such as abandonment, decay and dereliction. On the other hand, too much economic activity, insertion of new elements connected to economic change and the huge scale of new developments - if not controlled – was likely to disrupt the structure of the towns. ICOMOS recognised the importance of this situation and the dangers caused by increased economic activities in the historic towns and adopted Resolution of the International Symposium on the Conservation of Smaller Historic Towns, 1975 at its 4<sup>th</sup> General Assembly in Rothenburg. The Resolution, firstly, defined the characteristics of ‘smaller historic town’ since the previous recommendations, resolutions and charters considered ‘groups of buildings’ as cultural property and did not specifically mention ‘towns’ or ‘cities’, as such. The smaller historic town, therefore, was characterised as:

(Article 2:1)

town that has not yet expanded beyond its historic core and sometimes kept its walls; the town’s historic core still marks the centre of social life and business and contains a large proportion of residences; the surrounding landscape is still very largely unspoilt and is an integral part of the image of the town; in many cases there is still a balanced and diversified community structure in terms of population and employment.

and further recommended strategies and measures at various levels in order to counteract the dangers threatening historic town. Some of these strategies were (Article 5):

- the authorities at the local levels to retain and enhance the value of historic towns by maintaining the scale of the old and new developments, retaining the specific visual qualities as the means of connecting the main points of interest, finding suitable new uses for empty buildings and avoiding any destruction of historic elements;
- the authorities to develop appropriate methods of surveying, assessing and protecting the character of historic towns as a basis of their conservation effort;
- the authorities to stimulate a sense of pride among residents and political representatives as a condition for long term success of conservation policy;

- the authorities to enact much stronger and more comprehensive national and regional legislation or regulations in order to protect the historic town from the threat of new development especially against property speculation.

This Resolution in a way broadened the scope of cultural heritage from simply 'groups of buildings' to towns or cities. The protection of historic towns thereby became the concern of conservationists, which can be seen in 1978 when the World Heritage Committee, for the first time inscribed three towns as World Heritage Sites<sup>4</sup>; and further inscribed ten historical towns in 1979. To date there are 203 (until 2003) towns and cities around the globe that have been inscribed by the World Heritage Committee<sup>5</sup>.

One year after the acceptance of the Amsterdam Declaration by the European Countries in 1975<sup>6</sup>, the Recommendation Concerning the Safeguard and Contemporary Role of Historic Areas was adopted in Nairobi during the General Conference of UNESCO from 26<sup>th</sup> -30<sup>th</sup> November 1976. While the perception was that the Amsterdam Declaration 1975 was oriented towards European countries, Nairobi's Recommendation while in essence echoed the Amsterdam Declaration, had a very much international focus. Focusing only on cultural heritage, in particular the means of safeguarding historical areas, this Recommendation addressed in some detail the main aspects of conservation, such as policy, safeguarding, research, education and international co-operation. The Recommendation is significant in the development of conservation practice, internationally, due to the following reasons:

- Article III, No.7  
it places the national, regional and local authorities of each Member States responsible for the protection of historic areas in their jurisdiction and urges them to formulate policies in protecting their historical areas in totality including not only buildings, but human activities, spatial organisation and the surroundings. The authorities must also protect these areas against various threats such as unsuitable use, insensitive changes, natural disaster and new developments; and to carefully undertake any restoration works based on scientific principles.

<sup>4</sup> Cracow Historic Centre in Poland, Island of Goree in Senegal and the City of Quito in Ecuador

<sup>5</sup> Details on the inscription to the World Heritage List is discussed in sub-chapter 3.3

<sup>6</sup> Is discussed in more details under sub-chapter 2.3

- **Article IV, No:18 -20**  
it urges the Member States to safeguard their historic areas by formulating and consolidating the legal and administrative measures such as enacting new laws and regulations, reviewing the existing laws concerning town and regional planning and housing policy, as well as adopting the regional and local measures related to conservation. The national, regional or local authorities should also draw a list of historic areas and their surroundings within their jurisdiction that cover archaeological, historical, social, technical, economic and cultural data, as well as, grade the buildings or groups of buildings according to their heritage values so that specific protection guidelines can be drawn-up and adopted.
- **Article III, No:28-32**  
it cautions against the effects of modern infrastructure on heritage, such as, motor traffic and new buildings in historical areas and urges the authorities to draw regulations for control over this intervention so that their architecture and images adapt harmoniously to the spatial organisation and setting of the historical areas.
- **Article III, No:36-46**  
it provides several alternative of funding for conservation projects and activities such as public funds, public/private partnership, grants, subsidies, loans at favourable rates, tax concessions and compensation.

In 1987, ICOMOS adopted another charter that focused on the conservation of historical towns. The Charter for the Conservation of Historic Towns and Urban Areas 1987 or normally known as the Washington Charter 1987 was adopted by ICOMOS at its 8<sup>th</sup> General Assembly Meeting in Washington DC, USA . This new charter compliments the Venice Charter 1964 and the Nairobi Recommendation 1976, and introduces a new dimension in the conservation of historic towns and urban places in several ways:

- Places importance on coherent policies of economic and social development and of urban and regional planning at every level in conserving the historic towns;

- Establishes authenticity as the main objective of conservation and extends further the qualities to be preserved to include : urban patterns, relationship between buildings and green and open spaces, formal appearance of building both interior and exterior, relationship between the town and its surrounding setting and the various functions of the towns;
- Stresses involvement of local residents as essential in ensuring the success of the conservation programme; residents must be encouraged to participate and get involved in all conservation and related activities;

Together with the charters, resolutions and recommendations adopted since the Venice Charter 1964, the Washington Charter 1987 provides important conservation principles for the protection of historical buildings, groups of buildings, areas and towns for the international communities at large. Some countries have taken these guidelines as a stepping-stone for the development of more specialised charters that suit their own cultural, social and political contexts.

#### **2.4 Refinement of Principles at Regional and National Levels**

By the mid-1970's it was accepted that the scope of heritage has been extended to cover historical cities and towns. It was also acknowledged that it is the duty of every country to formulate policies and plans for the protection of heritage in their jurisdiction. The principles of protecting cultural property set-out in the number of recommendations made by UNESCO and a couple of resolutions made by ICOMOS previously, require detailed implementation plans at national or regional levels. The Venice Charter 1964 highlighted this need in its preamble:

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 the applying the plan within the framework of its own culture and traditions

Similarly the ICOMOS Resolution on the protection of smaller historic towns in 1975 suggested the same. "...the implementation of these resolutions must however take into account the specific social, economic and political problems of the different regions of the world" (Article 1).

### **i. In Europe**

In 1975, the Council of Europe<sup>7</sup> led the world by formulating and adopting a regional charter for European countries. The European Charter of the Architectural Heritage 1975 was adopted by the Committee of Ministers of the Council of Europe and was proclaimed at the Congress on the European Architectural Heritage held in Amsterdam in October 1975. The Charter, which was drawn up by the Council of Europe Committee on Monuments and Sites, with the main objective to establish the general principles and common guidelines of heritage conservation across Europe that will lead them in planning and implementing heritage policies locally:

It was important to co-ordinate efforts [conservation] at the European level, to work out a joint approach to the subject and, above all, to forge a common language to state the general principles on which concerted action by the authorities responsible and the general public must be based.

A common European policy related to architectural heritage had therefore been established, based on the principles of Protection and Integrated Conservation<sup>8</sup> that directed its Member States to protect not only their major historical monuments, but also the surroundings, as well as to consider conservation as the primary objective in all urban and regional planning. Without entering into a detailed discussion, it can be said that the Charter also called for every country to make full use of their existing laws and regulations that can contribute to the protection and preservation of the architectural heritage, to establish properly staffed administrative services, to provide substantial funds for restoration of historic centres which ought to be at least equivalent to those allocated for new construction, to develop training facilities for professionals, administrative and technical staff, since the number of specialised technical staff even in Europe during that period was not enough to carry out proper conservation and restoration measures, to increase prospects of employment related to conservation at all levels and to foster traditional crafts. It further recommends that authorities should inform the public properly on all conservation policies and decisions in order to get their contribution and participation.

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<sup>7</sup> The Council of Europe was founded in 1949 with the objectives amongst others to develop continent-wide arrangements to standardise member countries' social and legal practices and to promote awareness of a European identity based on shared values and cutting across different cultures. As on December 2003, has 45 countries.

<sup>8</sup> Is discussed under Amsterdam Declaration 1975.

At the same Congress, an important declaration was also adopted by the European countries known as The Amsterdam Declaration 1975. This Declaration spelt out in detail the broadening concept of architectural heritage and the strategy implementation of the concept of Protection and Integrated Conservation, introduced earlier, in particular about the roles of authorities. The Amsterdam Declaration calls for a new paradigm in the approach to conserving architectural heritage in Europe. The Declaration urges each Member State to consider the conservation of architectural heritage as one of the major objectives of urban and regional planning and no longer as an ad-hoc consideration; and to recognise the individual characteristics of each historic area in their jurisdiction so that specific aims, planning rules and policies can be adopted. In doing so, the Member States must study and record all the architectural heritage in their areas to include not only individual buildings of exceptional quality and their surroundings, but also all areas of towns or villages of historic or cultural interest. This record should include the history, important features, structures, functions and any other special characteristics.

The Declaration affirms that conservation of historical areas in Europe is best perceived by adopting the principles of Protection and Integrated Conservation, which involves five main criteria for implementation:

- i. Integrated conservation involves the responsibility of local authorities and calls for citizens' participation.

In applying the principles of integrated conservation, the Member States are asked to take account of the continuity of existing social and physical realities in urban and rural communities and not relying only on the past history, and further recommend the local authorities of each Member State:

- to be selective in affording the new functions to heritage buildings. The functions should be appropriate to the buildings; and to ensure the respects to the buildings' characters.
- to be aware of the differences in scale and volume of the proposed public services such as schools, hospitals and administrative centres since the excessive scale can damage the characteristics of the area.

- to request the creation of conservation grants from the governments and to make it available for the individuals and associations for conservation projects.
  - to have representatives in all meetings and activities pertaining to conservation of architectural heritage.
  - to encourage and facilitate the formation of voluntary associations concerning conservation.
  - to encourage public participation in producing and implementing conservation plans by improving their techniques of consultation for ascertaining the opinions of the public on conservation plans, which should be sought from the earliest stage of planning.
- ii. The success of any policy of integrated conservation depends on taking social factors into consideration.

The local authorities are also asked to measure the conservation effort not only against cultural values of the buildings but also against their use-value by integrating the architectural heritage into social life. In deciding whether to build new building or to refurbish old ones, the authorities are to look at the social cost which concerns not only owners and tenants but also the craftsmen, trades people as well as contractors; and to provide financial incentives so that the rehabilitation projects are more affordable and attractive.

- iii. Integrated conservation necessitates the adaptation of legislative and administrative measures

Because the concept of architecture heritage had gradually extended from the individual historic building to urban complex and towns, far reaching legislative reform was seen to be needed, that would integrate the regional planning legislation with legislation on the protection of the architectural heritage. To encourage rehabilitation of historical buildings rather than building new ones, the Declaration also suggested that the authorities should be more flexible on the application of building codes, regulations and related requirements

Similarly, the capacities of the authorities must also be increased by reviewing the existing structure of the administration and ensuring that a specific department is responsible for the management of heritage at all levels. This department should

be staffed by qualified personnel and backed by sufficient scientific, technical and financial resources.

iv. **Integrated conservation necessitates financial means.**

The local authorities are asked to provide financial incentives to conservation projects; such as tax concessions, revolving funds, and private initiatives.

v. **Integrated conservation requires the promotion of methods, techniques and skills for restoration and rehabilitation.**

The local authorities are asked to constantly maintain all architectural heritage within their jurisdiction, develop and or widen the specialised techniques of restoration, ensure the availability of traditional building materials, compile a catalogue of methods and techniques and to carry out a thorough scientific study prior to any restoration projects. On issues pertaining to capacity building, the authorities are also asked to provide better training programmes to all staff, to allow for international exchange programmes between countries, and to promote conservation efforts among the youngsters.

Both the Charter and the Declaration, which were adopted by the Council of Europe in 1975, complimented each other and have provided comprehensive guidelines to local authorities in the European countries in managing their architectural heritage. These guidelines which touch on important conservation issues such as legislation, administrative structures, staffing, documentation, capacity building, finance, restoration techniques, education and public awareness remain the principle guidelines until the present day. To further strengthen the Member States in managing their heritage, the Council of Europe has since adopted numerous conventions, resolutions, declarations and recommendations on the protection of their heritage. The more important recommendations are: the European Convention on Offences Relating to Cultural Property (1985), the Convention for the Protection of the Architectural Heritage of Europe (1985), the Recommendation on the Protection and Conservation of the Industrial Technical and Civil Engineering (1990), the Protection of the Twentieth Century Architectural Heritage (1991), the European Convention on the Protection of Archaeological Heritage, Revised (1992), the Recommendation on the Protection of the



Architectural Heritage Against Natural Disaster (1993), the Recommendation on a Sustainable Tourist Development Policy in Protected Areas (1995), the Recommendation on Co-ordinating Documentation Methods and System Related to Historical Buildings and Monuments of the Architectural Heritage (1995), the Recommendation on the Protection of the Cultural Heritage Against Unlawful Acts (1996), the Recommendation on Sustained Care of the Cultural Heritage Against Physical Deterioration Due to Pollution and Other Similar factors (1997), the Recommendation Concerning Heritage Education (1998) and the Recommendation on Measures to promote the Integrated Conservation of Historic Complexes Composed of Immoveable and Movable Property (1998). However, it is not within my scope of research to analyse and review the recommendations in this region and surely it will be a material for further research in the near future.

## **ii. In other countries**

The adoption of the European Charter and Amsterdam Declaration by the European countries in 1975 has triggered other regions and more developed countries in the world to adopt their own recommendations and guidelines. For example, Australia produced the Burra Charter 1979, which was revised in 1981, 1988 and 1999 that defines the basic principles and procedures to be observed in the conservation of important heritage in the country. Canada introduced the Charter for the Preservation of Quebec's Heritage in 1982 with the objectives to identify and define their cultural heritage and provides framework for action and later adopted Appleton Charter for the Protection and Enhancement of the Built Environment in 1983 draws a detailed framework, for principles and practice of conservation in the country. Similarly, Germany adopted the Declaration of Dresden in 1982 that provides principles for reconstruction of monuments, especially those destroyed by war and the Americas produced the Declaration of Traxcala in 1982, which recommends measures for the protection of small settlements in the Americas; New Zealand adopted the Charter for the Conservation of Places of Cultural Heritage Value in 1992 that provides principles and processes of conservation and protection of her cultural heritage; and the most recent was China that adopted the Principles for the Conservation of Heritage Sites in China in 2000.

The Burra Charter adopted by the Australia ICOMOS in August 1979 which was revised in 1981, 1988 and 1999, like all of the charters, embraced the basic principles of the Venice Charter 1964 and was the first charter adopted outside Europe. It provides guidance for conservation and management of the country's heritage and "sets a standard of practice for those who provide advice, make decisions about, or undertake work to places of cultural significance, including owners, managers and custodians" (Preamble:1) and introduces the country heritage as 'place' instead of monument, site and groups of buildings, which include "site, area, land, landscape building or other work, group of buildings or other works, and may include components, contents, spaces and view" (Article 1.1) and refer to all the physical material of the place as 'fabric'. It makes particular reference to the term of 'cultural significance' due to the issue raised on cultural differences of indigenous peoples, and states:

**Article 1.2 : Cultural significance**

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generation. It is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

The Burra Charter also defines and clarifies a number of terms and concepts, which prior to 1979 had remained somewhat ambiguous, such as the process of conservation that can either be preservation, restoration, reconstruction or adaptation:

**Article 1: Definitions**

*Conservation* means all the process of looking after a place so as to retain its cultural significance.

*Preservation* means maintaining the fabric of a place in its existing state and retarding deterioration

*Restoration* means returning the existing fabric of a place to a known earlier state without the introduction of new material

*Reconstruction* means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

*Adaptation* means modifying a place to suit the existing use or a proposed use.

and the way in which these changes should be made. It also provides guidance for the practice of conservation that firstly requires the authorities to carry out detailed studies in order to understand the place concerned. These studies should include analysis of physical, documentary, oral and other evidence and drawings. Then a written statement of cultural significance and policy, or better known as a statement of significance and policy, should be prepared and incorporated into a management plan for the place. In doing these, groups and individuals with associations with the place should be invited to contribute and participate. This statement should be used as a reference when there are proposal for changes to the place concerned. The Charter also highlights the need for a competent management structures as well as documentation and safekeeping.

**Article 30 : Direction, supervision and implementation**

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

and recommends that the records associated with the conservation of a place should be placed in a permanent archive and made publicly available. To date, the Burra Charter, which has gone through many revisions has been regarded by many both in Australia and international communities as the principal guide for conservation practice and has been translated into Spanish, French and Indonesian languages for international references.

Unlike the Burra Charter which provides principles and detailed procedures for conservation of its cultural places across the country, the Charter for the Preservation of Quebec's Heritage 1982, which was drafted and adopted by ICOMOS Canada provides "an orientation guide, a reference tool, a remedy and above all a code of ethics" that should be adopted when dealing with the heritage of Quebec and not the country as a whole. It amongst others broadens the scope of heritage beyond buildings and formal architecture to include all other forms of material evidence such as archaeological and ethnographical objects, iconography, written archives, furniture, arts objects, natural environments, landscapes and sites with unique aesthetic and panoramic value, as well as people's customs and traditions. It also recommends that the protection of heritage be carried out by ongoing maintenance, conserving as much as possible the originals rather than reconstruction, and to pay the greatest possible

attention to authenticity as well as to ensure the dissemination of information and practical knowledge to younger generations, appropriate use and education.

The Appleton Charter for Protection and Enhancement of the Built Environment 1983, which was also drafted and adopted by ICOMOS Canada, provides framework, principles and practice of conservation related to physical interventions of historical buildings and sites, and for reference nationally. Besides the terms and concepts of preservation, restoration, reconstruction and adaptation as introduced by the Burra Charter 1979, revised 1981, this Charter introduces and clarifies, for the first time, a few more related concepts, which are also acceptable when dealing with changes to heritage properties and sites:

#### Article B: Framework

*Period Restoration* means to recover of an earlier form, material and integrity of a site

*Rehabilitation* means modification of a resource to contemporary functional standards which may involve adaptation for new use.

*Period Reconstruction* means recreation of vanished or irreversibly deteriorated resources

*Redevelopment* means insertion of contemporary structures or additions sympathetic to the setting.

Related to the principles of conservation, the Charter makes several new recommendations. First, it clearly allows for dismantling and relocation of historical buildings and structures as an alternative method of conservation, provided protection of these properties cannot be achieved by any other conservation means. Second, it allows for additions to the historical buildings and structures since new volumes, materials and finishes may be required to satisfy new uses or requirements; however, these additions should “echo contemporary ideas but respect and enhance the spirit of the original” and be identifiable on close inspection or to the trained eye. Third, the Charter allows for upgrading of systems of insulation, environmental control and other servicing provided special care is given to respect the existing and traditional context. Fourth, it allows for destruction and removal of patinas only in cases where these patinas pose a threat to the integrity of the historical properties.

In New Zealand, the Charter for the Conservation of Places of Cultural Heritage Value 1992, adopted by ICOMOS New Zealand sets out the principles to guide the conservation of historic buildings and sites in the country as well as providing guidelines for community leaders, organisations and individuals concerned with conservation issues. Recognising the diverse cultural background of New Zealand peoples that include “the indigenous heritage of Maori and Moriori” of east Polynesian origin, and the pakeha, predominantly European migrants, and others who have settled in New Zealand since the early nineteenth century (Rhyne:5), the Charter included a section on ‘Indigenous Cultural Heritage’ that reads:

**Article 2 : Indigenous Cultural Heritage**

...the conservation of indigenous cultural heritage value therefore is conditional on decisions made in the indigenous community, and should proceed only in this context. Indigenous conservation precepts are fluid and take account of the continuity of life and the needs of the present as well as the responsibilities of guardianship and association with those who have gone before. In particular, protocols of access, authority and ritual are handled at a local level. General principles of ethics and social respect affirm that such protocols should be observed.

and emphasises five main steps in conservation projects: statement of cultural heritage value or cultural significance as referred to by the Burra Charter, consultation with the community, preparation of conservation plan, implementation of planned work and documentation of any research and conservation work. The Charter also provides the range of possible processes of conservation, similar to those introduced by the Burra Charter and the Appleton Charter, such as restoration, reconstruction, stabilisation, repair and adaptation, but includes provision for ‘non-intervention’ that reads:

**Article 14 : Non-intervention**

In some circumstances, assessment may show that any intervention is undesirable. In particular, undisturbed constancy of spiritual association may be more important than the physical aspects of some places of indigenous heritage values.

as well as provision for protection against various threats:

**Article 7 : Risk mitigation**

All places of cultural heritage value should be assessed as to their potential risk from any natural process or events. Where a significant risk is determined, appropriate action to minimise the risk should be undertaken. Where appropriate, a risk mitigation plan should be prepared.

In China, ICOMOS China adopted Principles for the Conservation of Heritage Sites in China 2000, which was drawn up in collaboration with the Getty Conservation Institute and the Australian Heritage Commission. It provides professional guidelines for heritage conservation as well as specifies criteria for the evaluation of all conservation work in the country. Unlike the Australia and New Zealand charters that define their heritage as place, the Chinese define theirs simply as heritage sites, which are accepted as: “the immovable physical remains that were created during the history of humankind and that have significance” (Article 1:1) ; amongst others include archaeological sites and ruins, tombs, traditional architecture, cave temples and historic villages and towns. The charter draws in rather details on three aspects of conservation: process, principles and interventions. On the conservation process, it identifies six sequential steps that must be followed prior, during and after any conservation works: identification and investigation, assessment, formal proclamation as an officially protected site and determination of its classification, preparation of a conservation master plan, implementation of the conservation master plan and periodic review of the master plan.

Similar to the Burra Charter (1999) that provides details guidelines for the establishment of cultural significance and procedures for undertaking studies and reports, this charter, ICOMOS China (2000), also provides detailed commentary that further explain the meanings, method, process and guidance on the protecting the heritage sites in the country. It discusses in considerable depth the issues pertaining to conservation processes, principles and interventions, especially those related to the establishment of a conservation master plan and the role it plays in the conservation process. The charter regards the conservation master plan, in general, as the basis for managing sites and for undertaking conservation interventions and interpretations and recommends that “all heritage conservation organisations should draw up a conservation master plan. It is not permitted to carry out major conservation interventions, without prior approval of the plan” (ICOMOS China:25). The conservation master plan, should contain six sections:

- i. Site information, assessment and significance. To include classification of the site, a brief historical and geographical overview, summary of physical

remains, protection zones, assessment of the values and existing condition, management context and statements of problems.

- ii. **Conservation aims and principles.** To include steps to retain the significance, proposals to address the site's major problems, issues of public safety, benefit to community and the effect to the economy and the environment.
- iii. **Conservation strategies.** To include different strategies to achieve the objectives of the plan, conservation methods and expected outcome.
- iv. **Regulating the use.** To include visitor capacity limits, envisaged social and economic benefits, plans of adaptation in use, facilities.
- v. **Interpretation plan.** To include a conceptual plan for revealing the overall site, proposed method for interpretation of the site, a plan for promotion and tourism.
- vi. **Management.** To include a management organisation, plan for training personnel, programme for routine maintenance, safety and disaster response, collection and management of archives and financial system.

On issues related to conservation principles, the Charter like other charters, emphasises minimum intervention, regular maintenance and the use of traditional techniques and materials. It prohibits relocation as one of the conservation measures unless no other alternatives are possible, as well as prohibiting reconstruction except in most required circumstances. The reconstruction, however, must be approved by the experts and clearly marked as such.

### **iii. In the Southeast Asia region**

In the Southeast Asia region, there is no national or regional charters on conservation have been drafted and adopted by the international organisations such as ICOMOS or the UNESCO to date. However, there exist four declarations relating to cultural property that have been agreed by participants of several meetings and conferences.

None of these declarations; however, were drafted or adopted by UNESCO or ICOMOS. The four declarations are:

- i. Jakarta Declaration on Architectural Heritage, 1991
- ii. Yokohama Statement, 1996
- iii. Yogyakarta Declaration, 1996
- iv. ASEAN Declaration on Cultural Heritage, 2000

The Jakarta Declaration on Architectural Heritage 1991 resulted from a dialogue on architectural heritage among the Non-Governmental Organisations (NGOs) of the ASEAN<sup>9</sup> Countries held on 14<sup>th</sup> -15<sup>th</sup> March 1991 in Jakarta, Indonesia. It was the first declaration made for conservation of architectural heritage on the regional basis. It briefly highlights the threats faced by the “Buildings and Environments of Historic Interest and Architectural Merit” (NGO Asean:1) in ASEAN against rapid urban development, neglect, public ignorance and decay; and proposed a joint effort by the countries in the ASEAN to safeguard the architectural heritage in the region. The Dialogue, therefore, agreed to establish a regional association, called the ASEAN Federation on Architectural Heritage under the auspices of the ASEAN Organisation that deals with the conservation and development of architectural heritage in the region and appointed Indonesia to lead the formation of this Federation. After more than ten years now, the establishment of this Federation has not materialised and since then, no new initiatives have been taken by the related NGOs in these countries to re-initiate the formation of this Federation. The failure to establish this specialised body was perhaps due to the fact that the Declaration was made by members of the NGOs without participation and support from local authorities and the state governments nor was it adopted by UNESCO or ICOMOS.

In 1996, the representatives of local authorities in Asia and the Pacific countries met in Yokohama, Japan from 25<sup>th</sup> -27<sup>th</sup> March to discuss the threats faced by the cities in Asia and the Pacific region and noted:

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<sup>9</sup> ASEAN stands for the Association of South East Asia Nations.



**Yokohama Statement:1**

Over the past quarter century, the unprecedented rate of concentration of industry and people in large cities has resulted in the deterioration of living conditions, particularly for people in major metropolitan areas in the Asia-Pacific, as seen in housing shortages, traffic jams, environmental degradation and lack of basic services ...and many of the historic areas are in danger of being destroyed in the name of economic development and modernization.

and adopted the Yokohama Statement 1996 on the protection of urban heritage. The Statement affirms, amongst others, the importance of:

- i. reviewing present urban policies and planning practices at national and local levels in order to promote unique local culture and identity as well as historical heritage;
- ii. researching development strategies and mechanisms for conserving specific areas as well as individual architectural entities;
- iii. preserving intangible heritage;
- iv. researching mechanisms and incentives such as Floor Area Ratio and Transfer of Development Rights in order to regulate changes in bulk, shape, design and use of protected buildings;
- v. identifying and listing heritage buildings and designing guidelines for urban conservation;
- vi. promoting community participation;
- vii. encouraging technical exchanges and information sharing among cities, NGOs and other organisations towards the goal of conserving urban cultural identity.

The Statement, which was agreed by the local authorities in the region, provides basic but important ingredients for the conservation of urban areas in each country within the region. Supporting this Statement, The Asian and West Pacific Network for Urban Conservation (AWPNUC)<sup>10</sup>, a regional NGO, held a symposium in Yogyakarta on 28<sup>th</sup> Sept. – 1<sup>st</sup> Oct. 1996 to discuss issues relating to modern living in historical areas and adopted the Yogyakarta Declaration 1996. The Declaration suggests several needs for urban conservation in Asia and the Pacific region:

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<sup>10</sup> AWPNUC was formed for the purpose of exchanging cultural information and technical expertise in the area of urban conservation in 1991 at a seminar in Penang on Urban Conservation and Public

- i. the need to increase conservation awareness among the public and the authorities.
- ii. the need to review and establish legal instruments related to conservation in each country.
- iii. the need to establish better frameworks for coordination and co-operation between the government, agencies, institutions, private sectors, non-government organisations, communities and academics.
- iv. the need to focus on people's participation in all conservation works or activities.

Like the Yokohama Statement, this Declaration highlights several important issues related to conservation of urban areas that need action from the authorities, private sectors and the public in general; issues such as improvement of legal instruments, management, awareness, people's participation, exchange programmes, inventory and conservation guidelines. However, these declarations simply identify conservation issues, but not the way in which these issues should and could be addressed.

The most comprehensive declaration on the protection of cultural property in Southeast Asian countries, to date, is the ASEAN Declaration on Cultural Property, which was adopted at the 33<sup>rd</sup> ASEAN Foreign Ministers Meeting in July 2000 in Bangkok, Thailand (Appendix 4). Unlike the previous declarations, which were adopted by members of NGOs, this declaration shows commitment, at the highest level, of every country within the ASEAN on the protection of their cultural property. The Declaration affirms that it is the duty of every country to protect their heritage for future generations and states:

**Article 1:1**

To guarantee the protection, preservation, and promotion of each Member Country's cultural heritages, each Country shall formulate and adopt policies, programmes, and services and develop appropriate technical, scientific, legal, administrative and financial measures for this purpose.

and defines Cultural Heritage as "significant cultural values and concepts, structures and artefacts, sites and human habitats, oral or folk heritage, written heritage and popular cultural heritage" (Article 1:1), which include range of heritage from music,

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Participation, which members are predominantly urban conservation advocates, professionals and practitioners from Asia and the Pacific region.

drama, graphic arts, written documents, folklore, languages, games to archaeological sites, ruins, buildings, groups of buildings and areas which have significant cultural values or concepts. Related to the protection of tangible heritage such as building, groups of buildings and sites, specifically, the Declaration asks the Member Country to:

- i. identify, recognise and protect their national and cultural properties.
- ii. undertake cultural exchanges and programmes of cultural awareness and sensitivity as a basic component of ASEAN cooperation.
- iii. ensure the effectiveness of cultural policies and laws for the preservation of cultural heritage.
- iv. make cultural policies as one of the key components of development strategies by raising awareness among the politicians and economists.
- v. develop and establish national inventory on cultural property.
- vi. allocate sufficient resources for cultural heritage activities.

and entrusted the ASEAN Committee on Culture and Information (COCI), which operates under the ASEAN Secretariat in Jakarta, to lead the cooperation on the protection of cultural heritage in Southeast Asian countries.

## **2.5 Summary and Conclusion**

The Venice Charter 1964 (CATHM, 1964), has remained an important reference point for conservation and restoration of cultural property for decades. Even forty years after its adoption at the Second International Congress of Architects and Technician of Historic Monuments in Venice, the ICOMOS Principles for the Preservation and Conservation of Wall Paintings in 2003, like many others previously, still make reference to this remarkable guideline (ICOMOS 2003a:1). Unlike the Charter of Athens 1931 (CATHM, 1931) that focused on restoration of monuments and The Charter of Athens 1933 (CIAM:1933) that dealt with urbanism, the Venice Charter 1964 was the first conservation guideline adopted for international communities that was specifically tailor made for the restoration and conservation of cultural property, in particular of historic monuments, buildings, groups of buildings and sites. It clarifies the different approaches towards conservation and restoration as well as providing guidelines related to the introduction of new materials, use, style and maintenance. The

Venice Charter, however, did not touch on other conservation issues such as legislation, public participation, risk, training and education, to name a few; and this has been one of the reasons for the introduction of more conservation guidelines by UNESCO and ICOMOS from 1968 to date.

There are now no less than forty guidelines in the form of charters, recommendations, principles, resolutions and declarations drafted and adopted mainly by UNESCO and ICOMOS since 1964 (Appendix 1). All these guidelines, at some points, make reference to the principles of the Venice Charter 1964 and reflect the progression in conservation thinking since 1964 that hold concern for definitions and scope of heritage, establishments of principles, protection against various threats, development of national and regional principles and refinement of specific fields of conservation. The Research concludes with these findings:

#### **i. The broadening scope of heritage**

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One of the important progresses in the development of conservation since the Venice Charter as dictated by subsequent guidelines was the broadening scope of cultural property. The concept of “historic monument” introduced by the Venice Charter (CATHM, 1964:Article 1) that refers to a single building or architectural work and urban and rural settings was clarified by ICOMOS in 1965 during its Constitutive Assembly in Warsaw, Poland as “monument” and “site” and by UNESCO at its Fifth General Assembly in Paris in 1968 as “cultural property”, to include both immovable and moveable property. The scope of heritage was accepted to include, not only individual historical monument, but building, groups of buildings, historic quarters and sites. The differing terminology and the scope of architectural heritage as defined by ICOMOS in 1965 and UNESCO in 1968 was reconciled at the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, mostly known as The World Heritage Convention in 1972. UNESCO’s earlier definition of moveable and immovable cultural property was dropped, the ICOMOS definition as monuments and sites was rephrased and a third category, groups of buildings, was introduced as “cultural heritage”. This was seen as a clear move to ensure groups of buildings and urban settings are being protected as heritage. The cultural heritage was defined to

include monuments, groups of buildings and sites and this broad terminology remains until the present day.

(UNESCO 1972a: Article 1:1)

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

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

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

However, the scope of heritage continues to expand from merely concern for physical heritage to include environment and intangible values with the introduction of national and regional charters on conservation. In Europe, the scope of heritage was broadened from historic building, group of buildings and their surrounding, old quarters, areas of towns and historic villages to include social functions, physical characters, historic garden, landscape and environment by the adoption of Amsterdam Declaration in 1975 (CoE, 1975). Similarly in Australia, the Burra Charter 1979 (ICOMOS Australia, 1979) includes social values and “other works together with pertinent contents and surroundings” (Article 1.1) since earlier preservation and restoration work was only focused on the protection of monuments and not the surroundings, any changes or damage to which will affect the protection of monuments. ICOMOS Canada in 1982 adopted Quebec’s Charter (ICOMOS Canada, 1982) that defines its heritage as material culture, geographic environment such as nature, landscapes and panoramic value; as well as human environment to include culture, customs and traditions. In New Zealand, ICOMOS adopted the terminology of “Place” as introduced in the Burra Charter 1979, but broadening its scope to include “land including land covered by water, and airspace forming the spatial context to such land and any body of water, whether fresh or seawater, that forms part of the historical and cultural heritage of New Zealand” (ICOMOS New Zealand, 1992: Article 22). By the end of the Twentieth Century, the scope of heritage, in general, was agreed internationally to include tangible and

intangible heritage as well as environments. To better inform the international communities, UNESCO (1999a) clarify the scope of tangible values as cultural properties to include monuments, groups of buildings and site (Article 23:5) and the scope of environments as natural properties (Article 43:10); and now is at its final stage to adopt the Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO, 2003) that will define “intangible cultural heritage” as:

(Article 2:2)

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 recognise as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environments, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.

While the scope of heritage has broadened to include environment and intangible values, and has received agreement from the international communities, the finer terminology of ‘heritage’ has not been stream-lined or standardised, thus no uniformity exists between countries. While both UNESCO and ICOMOS agreed in principle that the scope of heritage should cover both cultural and natural heritages, the term ‘cultural heritage’ that includes monuments, groups of buildings and sites has not been followed at national levels. Australia refers to her heritage as ‘place, cultural significance and fabric’, Canada to hers as ‘material culture, geographic environments and human environments’, New Zealand to hers as ‘place’ and China to hers as ‘immovable physical remains’, to name a few. Even though it is a prerogative of every country to formulate their own terminology and interpretation of heritage, some common terms and terminology should be followed. It is recommended that UNESCO and ICOMOS to lead the intellectual discussions on common terms, scope and terminology; and international countries adopt them at their national levels.

**ii. The guidelines adopted in 1960s to 1970s focused on main conservation principles**

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The Venice Charter 1964 was established with the main objective to provide sets of principles for protection of cultural property internationally so that individual country can “apply the plan within the framework of its own culture and traditions” (CATHM,

1964: Preamble). However, its scope is more focused towards the protection of monument and building and not towards historic towns, even though the threat faced by the historic towns in Europe was discussed during the Convention (Nicolas:97). The first guideline after the Venice Charter 1964 that specifically asked the international countries to protect their cultural property by means of legislation, inventory, proper administrative structures, finance, penalties, repairs, awards, advice and educational programmes was issued by UNESCO in 1968, known as Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works (UNESCO, 1968). It urges individual countries to protect their heritage by:

- i. introducing or maintaining legal instruments both at national and local levels (Article 14:3).
- ii. establishing official bodies within the country at all levels that should take responsibility over the management of the country's heritage including of cultural property (Article 20:4).
- iii. appropriate survey and zoning of cultural property (Article 24:5).

It also provides recommendations relating to finance, penalties, repairs, awards, advice and educational programmes. ICOMOS (1972a), provides resolution regarding the introduction of new works within the historical contexts that allows for the building of contemporary architecture and the use of modern materials and techniques in restoration; provided the 'authenticity' of the cultural values are protected. Contrary to the Athens Charter 1931 (Article 4:Restoration) and the Venice Charter 1964 (Article 10 and 12:Conservation) that adopt more conservative approached towards the introduction of new building in historical context, this Resolution opens a new paradigm in handling and managing historical buildings and areas that moves from the concept of preservation to restoration.

Perhaps the most comprehensive recommendation relating to the protection of cultural and natural heritage, after the Venice Charter 1964 was the Recommendation Concerning the Protection at National Level, of the Cultural and Natural Heritage, issued by UNESCO in 1972 (UNESCO, 1972a). Like UNESCO (1968), this Recommendation also asks every country to protect their heritage by means of an appropriate management structure at national and local levels (Articles 12-17), legal

instruments (Articles 40-48) and compilation of an inventory (Article 29). It highlights four common steps that should be taken by the individual country with regard to management structures:

- the need to have a specialised management unit responsible for compiling inventory, developing policies, provide training and establishing laboratories.
- the need to have a close cooperation among specialists of various disciplines related to conservation by establishing an Advisory Bodies.
- the need to establish close cooperation between departments
- the need to share responsibilities between central, regional and local bodies in protection, conservation and presentation of the country's heritage.

Similar concern for the protection of cultural property, by means of legal instruments, in particular of historic areas, was further detailed by Nairobi's Recommendation (UNESCO, 1976). It places the national, regional and local authorities of each country responsible for the protection of historic areas in their jurisdiction and urges them to formulate policies in protecting their historical areas (Article III; No. 7); formulating and consolidating the legal and administrative measures such as enacting new laws and regulations, reviewing the existing laws concerning town and regional planning as well as drawing a list of historic areas and their surroundings that covers tangible and intangible heritage and environments; and to grade these properties according to their heritage values so that specific protection guidelines can be drawn and adopted (Articles 18-20).

For about ten years from the introduction of Venice Charter, there have existed several important guidelines in the form of charters, recommendations and resolutions that provide main principles related to the protection of cultural property. These guidelines, mainly, adopted by UNESCO and ICOMOS provide frameworks for protection of cultural property at national and local levels; that emphasise the need to protect the country's heritage by means of legal instruments, appropriate administrative structure both at national and local levels and proper inventory. Others recommendations are



related to funding, education, risk, traffic, new buildings, conservation plans, authenticity, public participation and international collaboration.

The introduction and development of conservation principles in the form of charters, recommendations and resolutions at international and national levels, since the adoption of The Venice Charter in 1964, has had considerable impact on conservation at every level. Taking the principles indicated in The Venice Charter 1964 as the key reference, UNESCO and ICOMOS have been at the forefront of the drafting and adoption of almost thirty conservation principles to date. These principles can be grouped into three main categories: those adopted mainly in the 1960s and 1970s concerning the protection of cultural property against various threats, as well as appropriate conservation principles; those adopted from the mid 1970s concern refinement of policies and principles at national and regional contexts; and those adopted from the early 1990's that have increasingly focused on specific fields of interest and intangible heritage issues.

**iii. From the mid 1970s the development of conservation guidelines refine towards the establishment of regional and/or national charters and declarations.**

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The period between mid 1970 to late 1980s, especially, saw the establishment of conservation principles at national and/or regional levels. Based on the conservation principles introduced by the Venice Charter 1964, the World Heritage Convention 1972 and other subsequent charters, several guidelines were developed by individual countries or regions that were tailored specifically towards their own political, cultural and social contexts. The first was the Amsterdam Declaration adopted by the Council of Europe in 1975. Then, followed by the Australian Burra Charter in 1979, Canada's Quebec Heritage in 1982, the Brazilian Charter in 1987, the New Zealand Charter in 1992 and lately the Chinese Charter in 2000. All these guidelines, in the first instance, make reference to the Venice Charter 1964 and subsequent guidelines adopted by the ICOMOS and UNESCO previously, but develop specific principles tailored to their contexts. The Amsterdam Declaration, for example provides conservation guidelines for European countries that focus on the implementation of Protection and Integrated

Conservation<sup>11</sup> ; whereas the Burra Charter 1979<sup>12</sup> defines the Australian heritage as ‘place, fabric and cultural significance’ and clarifies conservation concepts such as conservation, preservation, restoration, reconstruction and adaptation. The New Zealand Charter recognises the diverse cultural background of its peoples and include a section for protection of its ‘Indigenous Cultural Heritage’ (Article 2).

In Asia and the Pacific region, only Australia, New Zealand and China have formulated their own conservation charters that guide the practice of restoration, preservation and adaptation in their countries. In Japan there is no national charter for conservation, but its Law for the Protection of Cultural Properties<sup>13</sup> is comprehensive that covers both tangible and intangible heritage in the country (Inaba:80).

In the Southeast Asia region, there are no national or regional charters on conservation that have been drafted and adopted by the international organisations such as by ICOMOS or UNESCO to date. There are, however, four declarations relating to cultural property that have been agreed by participants of several meetings and conferences; of which the first three are simply declarations made by members of NGOs without political or professional backups from the governments or UNESCO and ICOMOS:

- i. Jakarta Declaration on Architectural Heritage, 1991
- ii. Yokohama Statement, 1996
- iii. Yogyakarta Declaration, 1996
- iv. ASEAN Declaration on Cultural Heritage, 2000.

The ASEAN Declaration on Cultural Heritage adopted at the 33<sup>rd</sup> ASEAN Foreign Ministers in Bangkok (Appendix 4); however, is the more comprehensive documents on the protection of cultural heritage in the region to date that shows commitment from

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<sup>11</sup> Please refer to sub-chapter 2.3 for details.

<sup>12</sup> The Burra Charter 1979 was revised in 1981, 1988 and 1999 to reflect the current trends in conservation.

<sup>13</sup> This Law was established in 1950 which based on the Ancient Shrines and Temples Preservation Act, 1897 (Revised 1929) and the Law for Historic Sites, Places of Scenic Beauty and Natural environment 1919.

each country within the Association to protect their heritage and to establish regional cooperation. However, unlike the guidelines produced by ICOMOS and UNESCO since 1964 that focus specifically on technical and management aspects of conservation, the ASEAN Declaration is more of an agreement and common commitment of the member countries to protect the heritage of the region and lacks practical recommendations especially related to conservation of historic towns. With this absent, the countries in Southeast Asia, in particular, are technically dependent on several international charters adopted by ICOMOS and UNESCO, some more than thirty years of age, as well as on the Burra Charter of Australia. It is perhaps too idealistic at this stage to expect each of the developing countries in the region to develop their own charter on conservation, but a common charter on historic towns, detailing the general principles of conservation to include definitions, conservation, restoration, protection, adaptation, contemporary works, publications, education, awareness is certainly possible and badly needed. In the absence of a regionalised charter on historic towns, specific conservation guidelines, legislation, policies, and protections for each historic town cannot be satisfactorily tailored towards the international standard, thus making regional cooperation and common strategies on the protection of these towns is difficult to achieve. Therefore, the formulation of this charter must be taken as an urgent action needing to be addressed by the countries in the Southeast Asia region.

## **CHAPTER 3**

### **REFINEMENT OF SPECIFIC FIELDS OF CONSERVATION AND OTHER GUIDELINES**

### **3.0 Introduction**

The guidelines adopted by the international organisations since the Venice Charter 1964 can generally be grouped into three broad categories such as those that provide main conservation and restoration principles, those that have been adopted at the regional and national levels and those that focus on the refinement of specific fields of conservation. While the last chapter discussed the scope and main concern of the guidelines that fall under the first two categories, this chapter, therefore focus specifically on guidelines that concern the refinement of specific fields of conservation.

#### **3.1 Guidelines on Specific Fields**

There are at least seventeen guidelines in the form of charters, recommendations, principles or conventions that have been produced and adopted by ICOMOS and UNESCO since 1990 that provide clarification and refinements on specific issues of conservation, that ranges from the concern for education and training in conservation, to recording of heritage buildings, management of tourism, authenticity, risk-preparedness, landscape, and archaeology. Other guidelines are on underwater heritage, cultural tourism, intentional destruction, structural destruction, wall painting and lately intangible heritage and digital heritage. Table 2.1 and Appendix 1, provide a full list of these guidelines. From this list, there are a few guidelines that discuss important issues of conservation that relate directly to the scope of this Research:

- i. **Authenticity:** The Nara Document on Authenticity adopted by the Agency for Cultural Affairs, Japan and UNESCO in 1994.
  - ii. **Recording:** Principles for the Recording of Monuments, Groups of Buildings and Sites adopted by ICOMOS in 1996
- **Authenticity :** The Nara Document on Authenticity adopted by the Agency for Cultural Affairs, Japan and the UNESCO in 1994.
- 

The Venice Charter 1964, did not discuss ‘authenticity’ as such, but in a couple articles cautioned the need for extra care in restoring historic properties, such as:

**Article 9:2**

Restoration 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

**Article 12:2**

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 historical evidence.

It was only in 1972 that ‘authenticity’ was firstly mentioned in an international charter.

The third resolution of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings, (UNESCO, 1972a) states:

The authenticity of historical monuments or groups of buildings must be taken as a basic criterion and there must be avoidance of any imitations, which would affect their artistic and historical value.

but without providing any explanation or further clarification of the word ‘authenticity’.

Similar concern on ‘authenticity’ and the need to take extra care in restoring and conserving cultural property were also mentioned in Articles 22, 24 and 36 of UNESCO (1972a), Article 2 of the Council of Europe (1975a), Operational Guidelines (UNESCO 1977), Article II-D of ICOMOS Canada (1982), Article D of ICOMOS Canada (1983), and Article 2 of ICOMOS (1987). None of these articles, however, except the Operational Guidelines, elaborates the scope of ‘authenticity’. The Operational Guidelines for the Implementation of the World Heritage Convention which was prepared for the purpose of informing State Parties to the Convention, of the principles which guide the work of the World Heritage Committee was adopted by UNESCO in 1977<sup>1</sup> (Appendix 3). Article 24 of the Operational Guideline requires that a cultural property nominated for inclusion in the World Heritage List be considered for inclusion only if it meets one or more of the ‘cultural heritage’ criteria and the ‘test of authenticity’ criteria.

**Article 24 (b) (i)**

Meet the test of authenticity in design, material, workmanship or setting and in the case of cultural landscapes their distinctive character and components

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<sup>1</sup> World Heritage Convention 1972 is discussed under sub-chapter 3.3.

Following Japan's decision to rectify to the World Heritage Convention in 1992, conservation authorities within the country expressed to ICOMOS their apprehensions concerning global acceptance of Japanese approaches to conservation and authenticity. The Japanese feared that their practice of periodically dismantling significant wooden structures would possibly be seen as inauthentic if judged from the UNESCO framework (Carlos, 2000:63). For this reason, a conference was held in Nara, Japan in November 1994 to discuss the scope of authenticity and its application in relation to the World Heritage Convention.

**Article 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.

The Nara Document on Authenticity 1994, acknowledges that the concept of authenticity is a vague one and may be subjected to different cultural and social interpretations and recommends that 'authenticity' to be evaluated based on the diverse cultural heritage and the values of these heritages to the culture and society concerned.

**Article 11:2**

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.

and not to be evaluated against fixed criteria of design, material, workmanship and setting alone, but to consider amongst others "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" (Article 13:2). Partly due to this criteria, ICOMOS and the World Heritage Committee in 1999 reverted their decisions over the acceptance of Vigan in the list of World Heritage Site, which is discussed in sub-chapter 6.3.

Taking this recommendation, UNESCO is now amending its Operational Guidelines, among others, elaborating the test of authenticity to be parallel to those adopted at the Nara Conference in 1994.

- **Recording : Principles for the Recording of Monuments, Groups of Buildings and Sites adopted by the ICOMOS in 1996**
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Documentation of historical properties has always been the concern of many international guidelines. The Venice Charter 1964, for example, highlights that there are three important steps in documentation: recording, archiving and disseminating. Article 16 clearly states:

**Article 16: Publication**

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.

Article 4 of UNESCO (1968); however, emphasises the importance of having a complete inventory of cultural property at national and local levels, and states:

**Article 4**

Protective inventories of important cultural property, whether scheduled or unscheduled, should be maintained. Where such inventories do not exist, priority should be given in their establishment to the thorough survey of cultural property in areas where such property is endangered by public or private works.

Similarly Article 13(a) and Article 26 of UNESCO (1972a) also urge each Member State to compile an inventory of the cultural and natural heritage as a matter of urgency and to establish appropriate documentation services within the country. The Council of Europe (1975) not only recommends that each European country compile an inventory of their historical buildings and sites, but also establish protective zones around the historical properties. Perhaps the first comprehensive recommendation related to inventory and documentation of historical properties were mentioned by Articles 18 to 20 of UNESCO (1976), that ask the Member States to:

- i. draw up a list of historic sites and their surrounding at national, regional and local levels.
- ii. prioritise these historic sites according to their need for protective plans.



- iii. conduct comprehensive survey to include: archaeological, historical, architectural, technical and economic data and to include, if possible, demographic data and an analysis of economic, social and cultural activities, ways of life and social relationships, land-tenure problems, the urban infrastructure, the state of the road system, communication network and the reciprocal links between protected areas and surrounding zones.
- iv. grade the sites according to their heritage values.

Similar concern is also mentioned by Article 23 of the Burra Charter (1978), Article IV-A of ICOMOS Canada (1982), Article D (Documentation) of ICOMOS Canada (1983) and Article 3 of ICOMOS New Zealand (1992). Similar to those articles relating to education and authenticity, as discussed above, these articles provide recommendations for implementation by the international and/or national countries, but without specific guidelines on how these recommendations should be carried out. In order to provide better understanding and guidance to the international countries, ICOMOS in 1996, through its working committee on photogrammetry adopted the Principles for the Recording of Monuments, Groups of Buildings and Sites at its General Assembly in Sofia, Bulgaria that sets out five guidelines relating to recording: reasons, responsibility, planning, content and management.

The Principles, first of all, define recording as “the capture of information which describes the physical configuration condition and use of monuments, groups of buildings and sites, at points in time” (page 2); and it should be seen as a priority in several circumstances; when compiling a national, regional and local inventory; conducting research and conservation activities; when the heritage is at risk; during change of use and responsibility and when pursuing any intervention work. Secondly, it places the overall responsibility of adequate recording, quality and updating of records on the shoulders of managers of cultural heritage at all levels within the country. Thirdly, it gives several possible methods for recording depending on the type of heritage and the resources available within the countries, such as written descriptions and analyses, photographs, rectified photography, photogrammetry, geophysical survey, maps, measured plans, drawings and sketches, replicas or other traditional and modern technologies; and strongly recommends the use non-intrusive techniques as the methods of recording. The Principles also recommends the content of recording to include:

**Article 4 : Content of Records**

- a. the name of the building, group of building and 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
- f. the exact location with maps, plans and aerial photographs
- g. type, form and dimensions of the building
- h. the interior and exterior characteristics
- i. the traditional and modern technology and skills used in construction and maintenance
- j. evidence to establish the date of origins, authorship, ownership, the original design, extent, use and decoration
- k. evidence to establish the subsequent history of its uses, associated events, structural or decorative alterations, and the impact of human or natural external forces
- l. the history of management, maintenance and repairs
- m. representative elements or samples of construction or site materials
- n. an assessment of the current condition
- o. an assessment of the visual and functional relationship between the heritage and its setting
- p. an assessment of the conflicts and risks from human or natural causes, and from environmental pollutions or adjacent land uses.

Lastly, on issues relating to management, dissemination and sharing of records, the Principle recommends that the original records should be preserved in a safe archive, which has a good environment that can ensure the permanency of the information, while the back-up copies should be stored in a separate safe location. Copies of these records should be made accessible to managers, professionals and the general public for reference and further research.

In general, this Principle has summed up all the recommendations relating to recording and documenting of cultural heritages as highlighted by previous charters and sets a relatively high standard and expectation; especially in areas related to content of records. For some of the western countries, like the United Kingdom, for example, it might not be such a big problem for the heritage managers to implement this recommendation since the practice of recording has long started and developed; but for newer countries in the east, especially, where resources are very limited, the standard sets by this recommendation is quite high to achieve, as in the cases in Hoi An and Vigan, which are discussed in Chapters 5 and 7 of this thesis.

In order to provide a complete picture on the scope and main concern of international guidelines, this chapter also takes note on the principle of World Heritage Convention 1972 and its Operational Guidelines, as well as briefly discussing two other guidelines produced by other international agencies, which specifically focus on the management of the World Heritage Sites and Cities. These two guidelines are generally based on the principles adopted by the many international charters and recommendations and the requirement of the Operational Guidelines of the World Heritage Committee. First, is the 'Management Guidelines for the World Cultural Heritage Sites' produced by the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) in 1998 and the second is 'A Management Guidelines' produced by the Organisation of World Heritage Cities (OWHC), Canada in 1991.

### **3.2 Other Conservation Guidelines**

Besides the numerous conservation guidelines issued mainly by UNESCO and ICOMOS since the Venice Charter 1964, as discussed in Chapter 2 and Sub-Chapter 3.1 above, that provide guidance for the international countries to manage and protect their heritage property in general, there are other guidelines issued by related international organisations that help the State Parties to the World Heritage Convention to manage their World Heritage Sites. The World Heritage Convention 1972 or Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted by the General Conference of UNESCO on 16<sup>th</sup> November 1972 in Paris<sup>2</sup> with the main objective to identify the world's natural and cultural heritage sites considered to be of

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<sup>2</sup> The World Heritage Convention 1972 is discussed in more details under Sub-Chapter 3.3

outstanding universal value, so that proper care and protection can be applied to these sites for current and future generations. The Convention draws up a list of properties called the World Heritage List, under one of these three categories: cultural property, natural property or mixed. To help the State Parties to the Convention manage and protect their inscribed sites, especially, those listed under cultural properties, UNESCO in collaboration with other organisations has also issued guidelines for the protection and management of the World Heritage Sites. These guidelines are:

- i. Management Guideline for the World Cultural Heritage Sites, issued by the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) in collaboration with UNESCO and ICOMOS in 1998 (Fielden and Jokilehto, 1998).
- ii. A Management Guide issued by the Organisation of World Heritage Cities (OWHC), Canada in 1991 (OWHC, 1991).

### 3.2.1 Management Guidelines for the World Cultural Heritage Sites

Management Guidelines for the World Cultural Heritage Sites (Fielden and Jokilehto, 1998) was initially prepared by a group of conservation experts during a meeting in Rome in 1983 in draft form; and was later published by the ICCROM in 1993 and updated to include the most current happenings and principles in 1998 (Fielden & Jokilehto:viii-xi). It is intended specifically “to help site management staff to become alert and self-sufficient, with adequate resources and active support from their central government” (p. x). The Guideline, in general, provides recommendations for implementation by State Party in several areas: preparation of management plan, maintenance programme, staffing and personnel services, treatment of authenticity, urban planning and management of tourism. On areas related to inventory, administration and legal instrument, the Guideline provides the following recommendations:

#### i. Inventory and Documentation

The Guideline stresses the importance of site managers and staff to understand the significance of the sites, so that the values of the sites can properly be preserved; it

therefore recommends as a matter of urgency - for those countries who have not yet implement - to collect, catalogue and make accessible all pertinent published literature relating to the site; and further recommends each State Party to draw a full inventory of their cultural property including its contents and the landscape. This inventory should provide, at the very least, a brief description of the site, the important dates in its history, and its location. The State Party is also to systematically record their heritage property using drawings, sketches and photographs and to include satellite photos, aerial photograph as well as aerial and terrestrial photogrammetry either by hand recording, rectified photography or video at one extreme; or the use of electronic theodolites, stereo-photogrammetry, computer-aided design or image photographic recording at the other extreme, depending on the resources available. The Guideline also makes recommendation related to the management of this inventory. Firstly, the inventory of cultural property is to be systematically catalogued using a computerised system, including to consider the use of geographical information system (GIS) for better management and retrieval; and recommends the appointment of a competent consultant with experience of setting up computers for the documentation of cultural heritage, who will manage the electronic recording and cataloguing as well provide training to supporting staff. Secondly, these records should be protected against disasters such as fire, flood or theft by making at least two copies of each and storing them in separate places, with one copy in fireproof storage; and thirdly, the Guideline recommends the appointment of trained librarians and archivists to manage these records as well as allocation of adequate spaces and other supporting facilities.

Generally, the recommendations related to inventory and documentation of cultural property provided by this Guideline is in agreement with recommendations stipulated in various international charters and ICOMOS (1996) specifically, but these Guidelines, compared to other charters provide a range of alternatives for possible implementation by the State Parties and cautions the possible problems associated with each option. For example, the problems of acquiring suitable software and hardware, competent staff and quality of inputs when opting for electronic recording and documentation.

## **ii. Administration and Staffing**

The Guideline recognises the importance of having a professional administrative body or bodies with adequate numbers of properly trained personnel as a prerequisite to successful management of cultural heritage sites and makes the following recommendations:

### **a. Administrative body**

It is recommended that an administrative body, or a Site Commission, which would function as the guardian to the heritage site to be established with its primary duty is to professionally conserve and manage the site. The form of the Site Commission should be dictated by practical considerations, and its name should fit into the national administrative structures; and to be staffed by experienced specialists from various professionals such as architects, archaeologists, planners and lawyers. Amongst its many task is “to accept and apply international conventions and charters while taking into consideration local and internal laws and customs, determine and oversee the implementation of the most acceptable ways of maintaining, using and protecting the site under its control” (Fielden & Jokilehto, 1998:47)

### **b. Staffing and Training**

The Guideline (pp.47-57) recommends that each State Party consolidate their management by having adequate numbers of properly trained personnel at all levels, from the senior managers to site supervisors and crafts persons; and identifies conservation architects<sup>3</sup> as the key profession in conservation work. Others are architectural conservators, art and archaeological conservators and heritage recorders, engineers and contractors; and further recognises a wide range of professionals who might be involved to a greater or lesser extent in the management of cultural heritage, such as archaeologists, architects, historians, building surveyors, chemists, crafts persons, technicians, engineers and politicians. Due to their range of expertise, it is essential for the State Party to

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<sup>3</sup> **Conservation architects** should possess basic and practical experience as general architects, as well as a knowledge and understanding of early building technology and design, combined with a thorough understanding of contemporary building practice. They should be able to coordinate the work of other professionals and knowledgeable in relevant code of practice and building regulations, conservation principles and have a good understanding in the pathology of buildings.

draw up clear concepts of conservation to guide conservation practice and to provide appropriate training at all levels in four areas: principles, inspections, technology and legislation.

(Standards and Training:57)

In training, the first priority should be to impart the principles and ethics of conservation so that professionals have standards by which to evaluate proposed actions. Second, the role of the professional; should be examined and, if necessary, training in making inspections and reports should be provided. Third, the nature of materials and both traditional and present-day technology should be studied so that the appropriate solution for the projects can be developed with special attention to traditional skills and materials. Finally, legislation, documentation and planning procedures should be studied.

The Guideline also recommends the establishment of conservation facilities at local and national levels. These facilities to include:

- Documentation centres, such as libraries and archives, which can hold source materials, records and measured drawings.
- Craft workshops for treatment and/or conservation of specific cultural properties, which employ highly skilled staffs in various aspects of conservation.
- Conservation laboratory to be established at least one in every county that can provide support related to materials and technology of preservation and conservation.
- Specialised laboratory at university departments for the use of research scientists, lecturers and post-graduate students.

### **iii. Legal Instruments**

Besides inventory, administrative structures and staffing, the Guideline also make recommendations regarding legal instruments related to the protection of cultural property at national, regional and local levels. Without providing detailed explanation, the Guideline recommends four aspects related to legal instruments, that urges the State party to establish and/or consolidate:

- An act to establish the site as World Cultural Heritage and set up a Site Commissions.
- Statutes for the Site Commissions and rules governing financial procedures.

- Staff regulation and condition of employments
- Empowerment of the Site Commission to undertake and award conservation contracts.

This guideline which was prepared and edited by the two most prominent figures on conservation, Sir Bernard M. Fielden and Jukka Jokilehto, provides short but precise guidelines on the management of World Heritage Sites and has been promoted by the ICCROM in their training programmes.

### **3.2.2 The World Heritage Cities Management Guide (OWHC).**

Another guideline on the management of heritage cities was issued by the Organisation of World Heritage Cities (OWHC) in Canada in 1991, known as The World Heritage Cities Management Guide. The OWHC<sup>4</sup> is an international non-governmental organisation whose members are mayors of heritage cities inscribed in the list of World Heritage Site. As of January 2004, this organisation has grown from merely 41 cities in 1991 to more than 200 cities globally. The OWHC was founded with the main objective to assist mayors of World Heritage Cities to adapt and improve their management methods and strategies parallel to the requirement stipulated by the World Heritage Convention, 1972. In doing so, series of seminars, training for municipal managers and guidelines are being conducted and issued. The World Heritage Cities Management Guide issued in 1991 was the first attempt taken by the Organisation to help expose the managers of heritage cities to the different management methods practiced in several countries. Specifically, this Guide provides general explanations and recommendations related to:

- Integration of conservation within the planning process
- Achieving community objectives
- Organisational strategy
- Documentation and Evaluation
- Principles and Standards

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<sup>4</sup> OWHC was created during the First International Symposium of World Heritage Cities in Quebec, Canada in 1991 and was officially founded during the Second International Symposium in Fez, Morocco in 1993.



- Incentives
- Controls
- Education and Public Participation
- Environmental Control.

On matters relating to inventory and documentation, the Guide recommends two actions to be implemented by the mayors of historical cities (D2:11-22). First is preparation of a comprehensive inventory of historical building and /or site to include: structures, spaces, routes, vistas, special features, dynamic factors such as use and activity, economic and social values; as well as streetscape drawings, three-dimensional orthogonal projections or scaled models. Second, the Guide places the importance of good quality research over advance recording techniques that cover both historical including architectural and archaeological research. It also provides examples of management of an inventory, as a case study, by two historical cities in Europe<sup>5</sup>: In the historical city of Bern in Switzerland the authorities prepare the city's aerial mapping using a combination of stereo-photogrammetric and manual inventory note sheets to record the city's roofscape and cellarscape. Another is the management of data by the city of Rome, Italy where the documentation of the city's buildings and structures is integrated through the city's computerised data management system that combines the mapped data from cadastral surveys and aerial photogrammetry with conventional data concerning use, condition and tenancy; as well as preparing three dimensional images of particular facades, streets and sites by means of combining aerial photography, video camera and laser disk.

On matters relating to management or organisational strategy, the Guide recommends the city mayors to focus on three levels: development of conservation teams that include and integrate the contributions of individuals from a variety of disciplines, utilisation of a conservation process to define the city's character, as well as understanding and realisation of conservation plans. On issues related to conservation teams, in particular,

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<sup>5</sup> The City of Bern Switzerland was inscribed on the list of World Heritage Sites in 1983 and the City of Rome, Italy in 1980. The third example given was the city of Quebec in Canada for management of archaeology sites.

conservation departments within civic government, the Guide highlights two characteristics of a successful team:

**(D1:5)**

Representatives from a variety of the research and investigation disciplines working together with each other; and

A team approach to decision-making and programme planning in which the various disciplines contribute equally in choosing directions.

On matters relating to principles of conservation, the Guide highlights the importance of international guidelines, as guiding principles in the management of historical cities, and clarifies the inconsistency of words that have been used, and urges the historical city to develop a charter of its own.

**(Section B:9)**

**Principles**

generalised ideas, universal in scope, which are to be respected in work

**Charter**

a clear statement of principles of most relevance in the local situation, adapted in language and tone to its own exigencies (Section D:25)

**Standards**

measurable targets, usually local/regional in scope, responding to specific local/regional circumstances or constraints, and providing yardsticks against which compliance can easily be measured.

**Recommendation**

desired actions, or activities, usually local in scope, to satisfy applied principles and standards.

In general, this Guide provides a brief introduction on the principles of conservation, similar to those recommended by the many international guidelines, but its strength lies on selected case studies. For each conservation issue, the Guide provides examples of its applications in selected cities. In total there are twenty-eight case studies discussed as shown in Table 3.2 below. However, these studies, which were based on those done prior to 1991 are now outdated.

**Table 3.1**  
List of Case Studies discussed by the OWHC (1991)

<b>No</b>	<b>Conservation Issues</b>	<b>Case Studies</b>
1	Integrated Administrative Structure	1 Rome, Italy 2 Edinburgh, Scotland
2	Master Plan	3 Quito, Ecuador 4 Havana, Cuba 5 Bath, United Kingdom 6 Ferrara, Italy 7 Salamanca, Spain
3	Assessing Development	8 Salamanca, Spain 9 Budapest, Hungary
4	Housing	10 Istanbul, Turkey 11 The Medina of Tunis, Tunisia
5	Traffic Control	12 Bath, United Kingdom 13 The Medina of Tunis, Tunisia
6	Heritage Recording	14 Bern, Switzerland
7	Archaeological Research	15 Quebec, Canada
8	Documentation and its Management	16 Rome, Italy
9	Principles and Charters	17 Bath, United Kingdom 18 Split, Yugoslavia 19 Quebec, Canada
10	Design & Conservation Guidelines	20 Rome, Italy 21 Lamu, Kenya
11	New Construction Guidelines	22 Valetta, Malta
12	Incentives	23 Dubrovnik, Yugoslavia 24 Mexico City, Mexico
13	Training Programme	25 Salvador De Bahia, Brazil
14	Public Education	26 Quebec, Canada
15	Environmental Controls	27 Goteborg, Sweden
16	Earthquake and Natural Disasters	28 Dubrovnik, Yugoslavia

### **3.3 The World Heritage Convention 1972.**

Perhaps the next important event in the history of conservation after the Venice Charter 1964 was the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972 or commonly known as the World Heritage Convention.

Resulting from the merging of two separate movements in conservation: the first focusing on dangers to cultural sites, and the other dealing with conservation of nature, this convention witnessed the unprecedented agreement on the protection of heritage on world wide basis.

The idea to preserve and protect cultural heritage at an international level was prompted in the 1950's when the governments of Egypt and Sudan made an appeal to UNESCO in 1959 over the decision to build the Aswan High Dam in Egypt, which would flood the valley containing the Abu Simbel temples - a treasure of ancient Egyptian civilisation. UNESCO launched an international campaign that resulted in the acceleration of archaeological research in the areas to be flooded; dismantled, moved and reassembled the Abu Simbel and Philae temples to higher ground at the cost of about US\$80 million, of which half of this amount was donated by some 50 countries. The success of the campaign shows the importance of nation's shared responsibility in conserving outstanding universal cultural sites. The success of the Abu Simbel Dam campaign led to other safeguarding campaigns, such as Venice in Italy, Moenjodaro in Pakistan and Borobodur in Indonesia to name a few (WHC 2000:3).

The idea to combine the protection of both cultural and natural sites came from the United States in 1965 that proposed the World Heritage Trust to protect "the world's superb natural and scenic areas and historic sites for the present and the future of the entire world citizenry" (WHC, 2000:3) and by the International Union for Conservation of Nature (IUCN) in 1968 . It was later in 1972 a single text was agreed at the 17<sup>th</sup> UNESCO General Conference in Paris.

The World Heritage Convention was significant to the development of conservation in the 20<sup>th</sup> century in many aspects, especially on the management of heritage. Firstly, it seeks to identify the cultural and natural heritage of outstanding universal value throughout the world and ensuring its protection and preservation through international co-operation:

(UNESCO 1972:Article 6.1)

Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Article 1[cultural heritage] and Article 2 [natural

heritage] is situated, and without prejudice to property rights provided by national legislation, the State 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.

The cultural and natural heritage of outstanding universal value in any national territory who adhere to the Convention are accepted as belonging to all the people of the world, and it is a duty of international community to ensure the protection and safeguarding of this heritage. To ensure the proper identification, protection, conservation and presentation of these heritages, the World Heritage Committee<sup>6</sup> and the World Heritage Fund<sup>7</sup> were established.

Secondly, the World Heritage Convention sets out the duties of States Parties - the countries which adhere to the World Heritage Convention.

**UNESCO 1972:Article 4**

Each State Party to this Convention recognised that the duty of ensuring the identification, protection, conservation, preservation and transmission to future generations of the cultural and natural heritage referred to in Article 1 [cultural heritage] and 2 [natural heritage] and situated on its territory, belongs primary to that State.

The States Parties are asked to manage their heritage by:

- integrating the protection of heritage into a comprehensive planning programme;
- protecting the heritage by appropriate legal, scientific, technical, administrative and financial measures;
- setting-up appropriate administrative services with adequate staffing for protection of heritage;
- developing scientific and technical studies and research related to heritage; and
- establishing national or regional training centres.

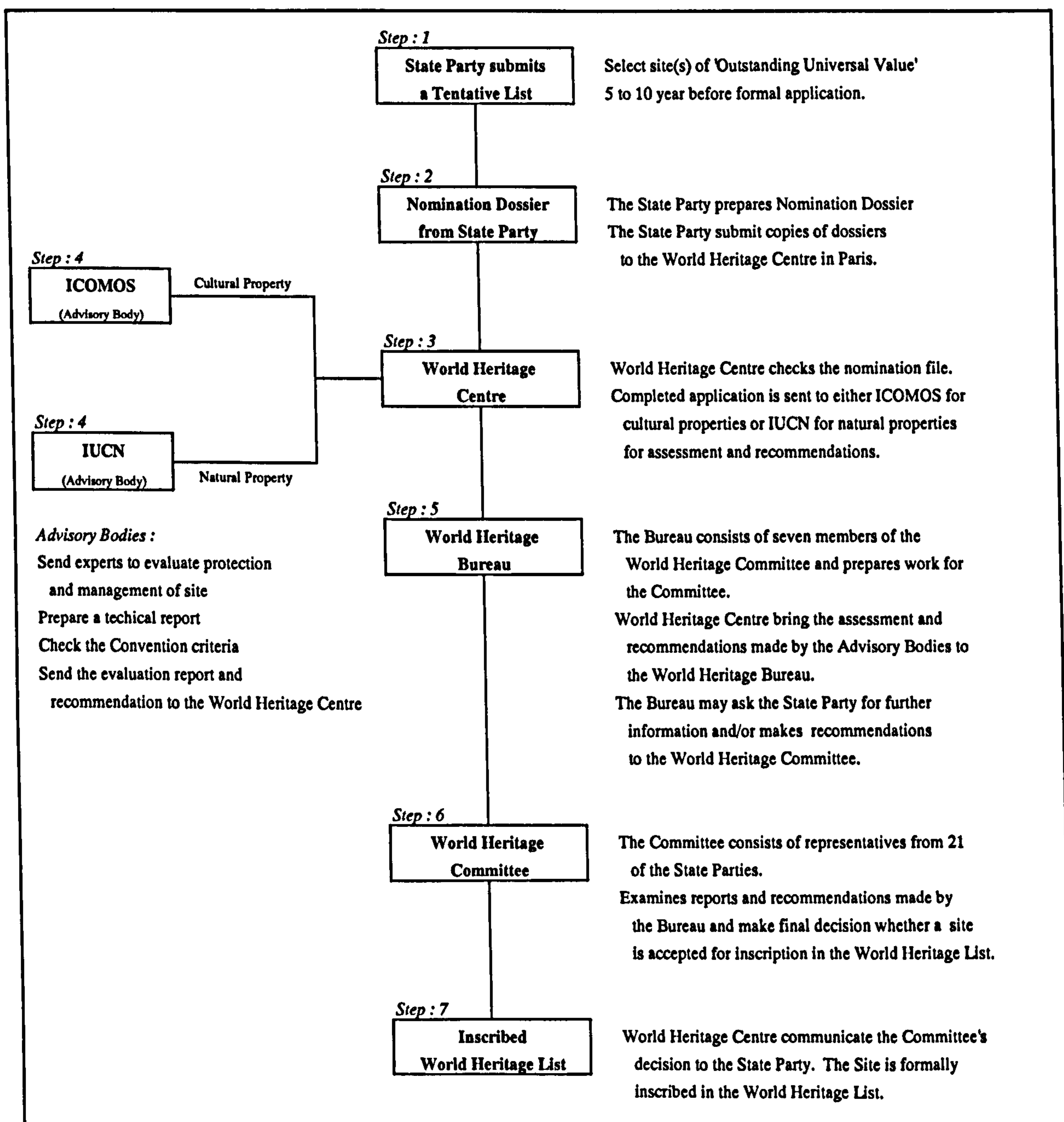
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<sup>6</sup> Is an Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Values that has 15 members elected by the State Parties to the Convention; its duties among others are to identify, monitor World Heritage Sites.

<sup>7</sup> Is a trust fund composed of contributions from a number of sources including compulsory contributions made by the State Parties; and provides financial resources for international assistance.

Thirdly, the World Heritage Convention defines the natural and cultural sites that can be considered for inscription in the World Heritage List<sup>8</sup>. Table 3.2, provides a flowchart for the inscription to the World Heritage List as stipulated by the Operational Guidelines 1999.

Table 3.2  
Flowchart for the inscription to the World Heritage List



<sup>8</sup> Is a list of properties forming part of the cultural heritage and natural heritage that have outstanding universal values. *Cultural Heritage* refers to monuments, groups of buildings and sites with historical, aesthetic, archaeological, scientific, ethnological or anthropological value. *Natural Heritage* refers to outstanding physical, biological and geological formations, habitats of threatened species of animals and plants and areas with scientific, conservation or aesthetic value. (UNESCO 1999a).

For more detail information on the Establishment of the World Heritage Sites please refer to the Operational Guidelines attached as Appendix 3.

whereas Table 3.3 provides the number and percentage of sites that have been accepted by the World Heritage Committee since its first meeting in 1977<sup>9</sup>.

**Table 3.3**  
The number of applications received and accepted by the World Heritage Committee since 1977

No	YEAR	MEETINGS	PLACE	RECEIVED BY WORLD HERITAGE BUREAU (WHB)	ACCEPTED BY WORLD HERITAGE COMMITTEE (WHC)	PERCENTAGE ACCEPTED
1	1977	1st WHCommittee	Paris, FRANCE	0	0	0.0%
2	1978	2nd WHCommittee	Washington, USA	28	12	42.9
3	1979	3rd WHCommittee	Cairo, EGYPT	123	45	36.6
4	1980	4th WHCommittee	Paris, FRANCE	60	28	46.7
5	1981	5th WHCommittee	Sydney, AUSTRALIA	49	27	55.1
6	1982	6th WHCommittee	Paris, FRANCE	37	24	64.9
7	1983	7th WHCommittee	Florence, ITALY	76	29	38.2
8	1984	8th WHCommittee	Buenos Aires, BRAZIL	39	23	59.0
9	1985	9th WHCommittee	Paris, FRANCE	38	30	78.9
10	1986	10th WHCommittee	Paris, FRANCE	31	31	100.0
11	1987	11th WHCommittee	Paris, FRANCE	63	41	65.1
12	1988	12th WHCommittee	Brasilia, BRAZIL	43	27	62.8
13	1989	13th WHCommittee	Paris, FRANCE	25	18	72.0
14	1990	14th WHCommittee	Banff, Alberta CANADA	33	17	51.5
15	1991	15th WHCommittee	Carthage, TUNISIA	50	22	44.0
16	1992	16th WHCommittee	Santa Fe, USA	36	23	63.9
17	1993	17th WHCommittee	Cartagena, COLUMBIA	60	33	55.0
18	1994	18th WHCommittee	Phuket, THAILAND	54	25	46.3
19	1995	19th WHCommittee	Berlin, GERMANY	51	24	47.1
20	1996	20th WHCommittee	Merida, MEXICO	65	37	56.9
21	1997	21st WHCommittee	Naples, ITALY	55	48	87.3
22	1998	22nd WHCommittee	Kyoto, JAPAN	57	31	54.4
23	1999	23rd WHCommittee	Marrakesh, MOROCCO	103	53	51.5
24	2000	24th WHCommittee	Cairns, AUSTRALIA	77	70	90.9
25	2001	25th WHCommittee	Helsinki, FINLAND	50	31	62.0
26	2002	26th WHCommittee	Budapest, HUNGARY	26	9	34.6
27	2003	27th WHCommittee	Paris, FRANCE	37	24	64.9
<b>TOTAL</b>				<b>1366</b>	<b>782</b>	<b>57.2</b>

<sup>9</sup> Minutes of Meetings of World Heritage Bureau and World Heritage Committee since 1977 available at the World Heritage Centre in Paris, as well as in electronic copies at: <http://whc.unesco.org/toc/mainf10.htm>.

Nomination dossiers prepared by the State Parties are submitted to the World Heritage Centre in Paris<sup>10</sup>, where the applications are checked and processed. For nominations of cultural property the World Heritage Centre forwards the applications to the ICOMOS<sup>11</sup> headquarter in Paris for evaluation and recommendations; for natural property, the Centre forwards the applications to the IUCN<sup>12</sup>. Evaluations and recommendations from these advisory bodies are then taken by the World Heritage Bureau<sup>13</sup> before final decision are made by the World Heritage Committee.

As of January 2004, UNESCO has inscribed 754 sites<sup>14</sup> as the World Heritage consisting of 582 cultural heritage, 149 natural heritage and 23 mixed heritage from 121 countries or State Parties. From these cultural heritage sites 196 are recognised as World Heritage Cities (OWHC, 2004). The overall percentage of acceptance to the List is relatively low (57.2%). This is due to non-compliance of nomination dossiers submitted by the State Parties to the criteria set by the World Heritage Committee, such as unclear core and buffer zones, weak legal instruments, no management plans, and not satisfying the criteria of 'outstanding universal values' and 'authenticity'. However, it is not within the scope of this Research to study the management of World Heritage Sites at international level, ie by the World Heritage Committee and World Heritage Centre, thus provides opportunity for future research.

### 3.4 Summary and Conclusion

Chapter Two concludes with three findings on the scope and general concern of international guidelines since the Venice Charter 1964, this chapter concludes with an additional four.

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<sup>10</sup> World Heritage Centre is the secretariat to the World Heritage Committee and its Bureau. The secretariat is responsible for the daily administrative and technical management for the Committee and its Bureau and has the responsibility for the implementation of their decisions.

<sup>11</sup> ICOMOS is an international, non-government organisation, founded in 1965, with an international secretariat in Paris, France. Article 8(3) of the World Heritage Convention requires that a representative of ICOMOS attend meetings of the Committee in an advisory capacity. (UNESCO, 1972)

<sup>12</sup> The International Union for Conservation of Nature and Natural Resources (IUCN) is an international, non-governmental organisation founded in 1948 that seeks to ensure the conservation of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. Article 8(3) of UNESCO (1972) requires that a representative of IUCN attend meetings of the Committee in an advisory capacity.

<sup>13</sup> World Heritage Bureau prepares the work for the World Heritage Committee and meets twice a year. It consists of 7 members of the 21 State Parties who are members of the World Heritage Committee.

<sup>14</sup> Table 3.4 gives 782 sites in total. The differences in number are due to submissions of already inscribed sites to change their boundaries or names.



**iv. From the last decade of the 20<sup>th</sup> century, the focus of conservation guidelines was towards the refinements of specific fields of conservation.**

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The focus of international guidelines adopted mainly from the last decade of the 20<sup>th</sup> century (Table 2.1) shifted slowly from the development of regional and national charters towards the refinement of specific fields of conservation. In total, there are now seventeen international guidelines that provide guidance on a range of conservation issues such as landscape, archaeology, authenticity, underwater heritage, education, recording and risk preparedness, to name a few. On ‘authenticity’, Agency of Cultural Affairs, Japan (1994) acknowledges that its concept is a vague one and may be subjected to different cultural and social interpretations and recommends that ‘authenticity’ is to be evaluated based on the diverse cultural heritage and the values of these heritage to the culture and society concerned. On recording, ICOMOS (1996) provides details guidelines on the practice of recording heritage buildings and sites within historical cities, which place responsibility of recording on the shoulders of every country either at national, regional or local levels. It also provides possible methods of recording and recommends the contents of record that covers not only basic information such as name, address, maps and history, but details characteristics of buildings and sites such as type, form, dimensions, interior and exterior characteristics, technology as well as assessments of current condition, visual and functional relationship, and conflicts and risks.

Other guidelines that focus on the refinement of specific fields of conservation are: ICOMOS (1998) on landscape, ICOMOS (1990) on archaeology, ICOMOS (1993) on education, ICOMOS (1996a) on underwater heritage, Tokyo National University (1997) and ICOMOS (1998) on risk-preparedness, ICOMOS (1999c) on historic timber structures, ICOMOS (1999b) on cultural tourism, ICOMOS (2000) on built vernacular, UNESCO (2001d) on underwater heritage, ICOMOS (2003) on structural restoration, ICOMOS (2003a) on wall paintings, UNESCO (2003) draft on intangible heritage, UNESCO (2003a) draft on intentional destruction and UNESCO (2003b) draft on digital heritage. Since these guidelines are not directly related to the scope of this Research, their scope and main concerns therefore are not discussed.

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- v. **Management Guidelines for the World Cultural Heritage Sites produced by the ICCROM and the UNESCO provides comprehensive recommendations and should be translated into different languages and to make it available on-line.**
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Besides the numerous guidelines on the protection of cultural heritage issued mainly by UNESCO and ICOMOS since the Venice Charter 1964 (Table 2.1), there are two other guidelines currently available that help the State Party to the Convention to manage and protect their World Heritage Sites:

- i. **Management Guidelines for the World Heritage Sites (Fielden and Jukilehto, 1998) and**
- ii. **A Management Guide (OWHC, 1991)**

(Fielden and Jukilehto, 1998) provides brief explanation about the policy of World Heritage Convention 1972 and recommendations related to the management of inscribed sites. Specifically, it touches on areas related to the general management of historic sites such as management plan, information management, research planning, cost control, inventory, administration and legal controls. It also provides guidelines on maintenance programme, staffing and personnel services, treatments of authenticity, planning of heritage towns and management of tourism.

On inventory of cultural property, the Guidelines agree with ICOMOS (1996) on recording that each State Party should draw a full inventory of their historic properties at national, regional and local levels to include not only basic information such as name, location and plans, but to include their contents, landscapes, assessments of defects and risks, as well as various means of recordings from more traditional methods such as sketches and manual drawings to the use of electronic media such as AutoCadd and GIS. It also emphasises the importance of keeping these documents safe by making duplicate copies and to store them at different locations; and to manage them professionally. On administration and staffing, the Guideline recommends the establishment of a specialised site commission with its primary duty to professionally conserve the historical sites concerned. It also recommends the State Party to appoint adequate numbers of properly trained personnel at all management levels, as well as to

establish documentation centres, craft workshops and conservation laboratories at national and local levels.

In short, this Guideline provides short but comprehensive principles on range of management issues for reference of international communities. For the Guideline to reach a wider audience, this Research recommends this Guideline be translated into different languages and to make it available on-line.

**vi. A Management Guide issued by the OWHC in 1991 provides range of case studies on aspects of conservation, but these are now out-dated.**

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Compared to Fielden and Jokilehto (1998), this Guide provides very brief explanations relating to management issues in historical cities such as organisational strategy, integration of conservation within the planning process, incentives and documentation. However, the strength of this Guide is on the case studies provided. In total, there are 28 case studies presented that each focus on specific conservation issue as shown in Table 3.1. In a way, this Guide compliments the numerous guidelines provided by UNESCO and ICOMOS since the Venice Charter 1964 (Table 2.1) and Fielden and Jokilehto (1998) by providing different ways of interpretation and implementation of guidelines at national levels. However, these case studies, which were based on the practice prior to 1991 are now out-dated. It is recommended that the OWHC should update this Guide by providing only best practices in its now more than 200 member cities.

**vii. Besides the Venice Charter 1964, the World Heritage Convention 1972 is another most important event in the history of conservation in the 20<sup>th</sup> century.**

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Perhaps the two most important events in the history of conservation in the 20<sup>th</sup> Century were the adoption of the Venice Charter 1964 and the World Heritage Convention 1972. While the Venice Charter set the foundation for the establishment of a number of conservation guidelines from late 1960s to date that provide principles for conservation, restoration and adaptation internationally; the World Heritage Convention, which was adopted by UNESCO at its 17<sup>th</sup> General Conference in Paris set the stage for international collaboration in protecting heritage on a world- wide basis. The

Convention seeks to identify the cultural and natural heritage of outstanding universal values throughout the world and ensuring their protection and preservation by the establishment of the World Heritage Committee that has duties, amongst others, to list these natural and cultural heritages in the World Heritage List. The Convention also sets out the duties of State Parties in relation to the protection of heritage at a national level and the establishment of the World Heritage Fund. There are now 754 sites inscribed by UNESCO as World Heritage Sites, of which 196 are recognised as World Heritage Cities<sup>15</sup>.

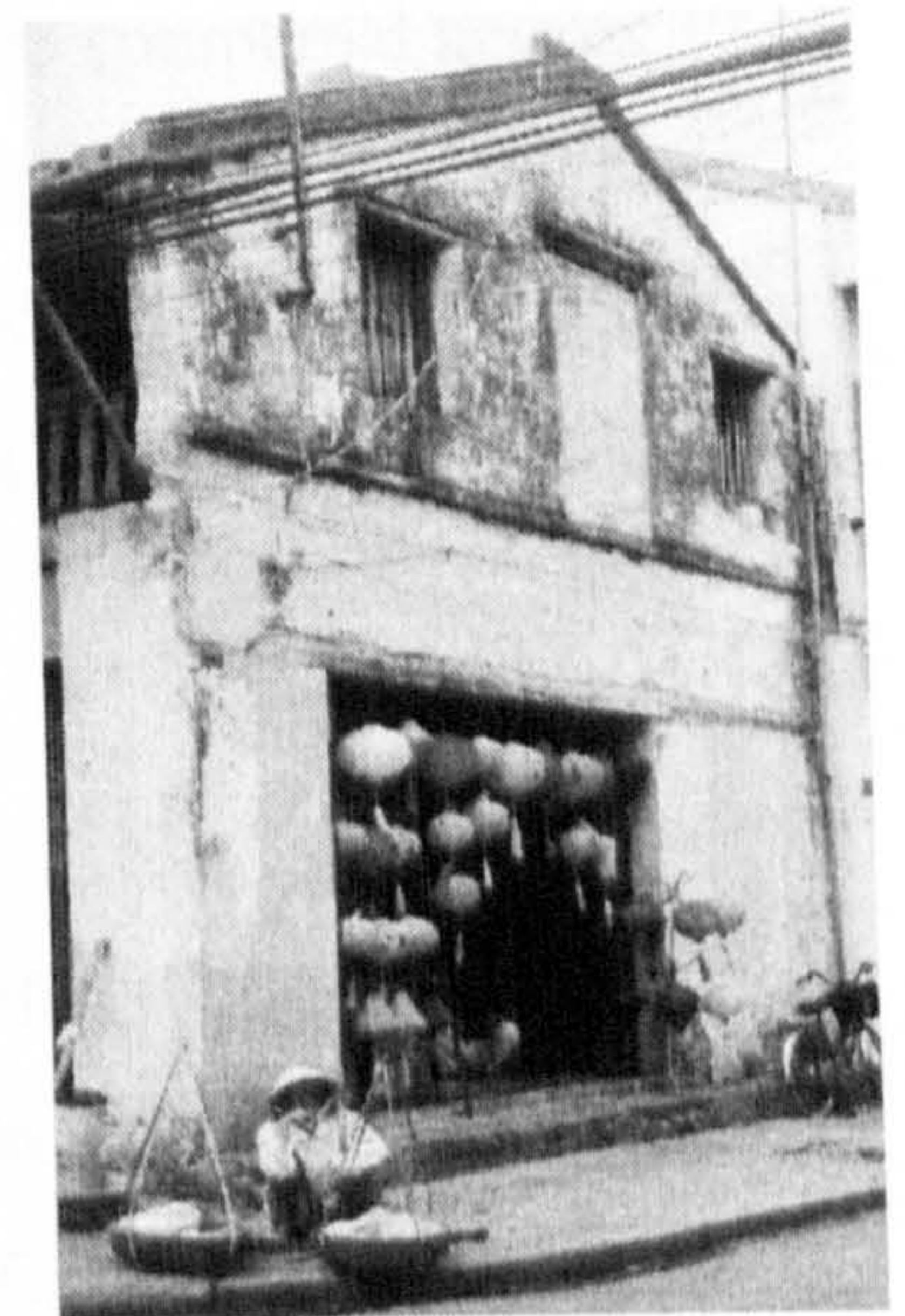
Nomination of cultural properties to the List starts with the submission of a Nomination Dossier by the State Party to the World Heritage Centre in Paris, the Secretariat, before formal evaluations and recommendations by ICOMOS and the World Heritage Bureau, with final decision of the acceptance lying with the World Heritage Committee. Since its first meeting, the World Heritage Committee has received 1366 applications for inscriptions, but only 782 (57.2%) were accepted (Table 3.3). This relatively low percentage is due to many common reasons such as unclear core and buffer zones, weak legal instruments, no management plans, and not satisfying the criteria of ‘outstanding universal value’ and ‘authenticity’. In the Southeast Asia region, there are now three cities that have been recognised as World Heritage Sites: Luang Prabang in Laos inscribed in 1995; the Ancient Town of Hoi An, Viet Nam inscribed in 1999 and the Heritage City of Vigan, Philippines also inscribed in 1999. From these cities, the last two are selected as case studies for this thesis due to their similar historical, cultural and social contexts with other historical cities in the region such as Penang and Malacca in Malaysia, as discussed in sub-chapter 1. 3. The cultural significance and management of these two historical cites are discussed in the following four chapters.

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<sup>15</sup> Articles 26-34 of Operation Guidelines provide details category and types of Heritage Towns.

## CHAPTER 4

### THE ANCIENT TOWN OF HOI AN VIET NAM



*“Hoi An is an outstanding material manifestation of the fusion of cultures over time in an international commercial port and is exceptionally well preserved example of a traditional Asian trading port”*

World Heritage Committee, November 1999.

## **4.0 Introduction**

One of the case studies selected for this Research is the Ancient Town of Hoi An located in the Socialist Republic of Viet Nam. Hoi An was inscribed in the World Heritage List in 1999 under category (ii) and (iv) of the Operational Guidelines, and is the second city in Viet Nam to be inscribed after the Complex of Hue Monuments in 1993. This chapter; therefore, firstly intends to provide a general historical overview of the country that witnessed many years of war and occupation by foreign powers that to some degree has helped to shape the planning and architecture of Viet Nam. The chapter, however, focuses in more detail on the architectural significance of cultural properties in Hoi An, in particular its shophouses. Out of 849 historical buildings within the conservation zones, 743 (91 %) are shophouses, the rest are communal houses, pagodas, shrines, community halls, temples, bridges and tombs<sup>1</sup>. The chapter defines the main characteristics of these shophouses and the typological differences that can be identified. It also highlights main threats, as well as assessing restoration methods adopted by the local authorities.

### **4.1 The Socialist Republic of Viet Nam**

The Socialist Republic of Viet Nam is the seventh member of ASEAN<sup>2</sup> and can be identified geographically on the globe at 16 00 North and 106 00 East. To the West the country is bordered by Laos and Cambodia, to the North by China and to the East and South by the South China Sea. Covering an area of 329,600 square kilometres, the country stretches for more than 1650 kilometres from North to South. Geographically, Viet Nam is divided into five different regions: the northern mountain terrain with heights reaching above 3000 meters, the Annamite Mountain range which stretches from the North to the South, the narrow coastal strip which stretches more than 3000 kilometres along the South China Sea, the Red River Delta in the North and the Mekong Delta in the South of the country. The last two regions are the most populated and developed due to their fertile land and the natural irrigation from Red River and Saigon River, respectively.

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<sup>1</sup> Nomination Dossier to the World Heritage Committee, 1998.

<sup>2</sup> Joined ASEAN on the 28<sup>th</sup> July 1995 after Malaysia, Indonesia, Thailand, Singapore, Philippines and Brunei.

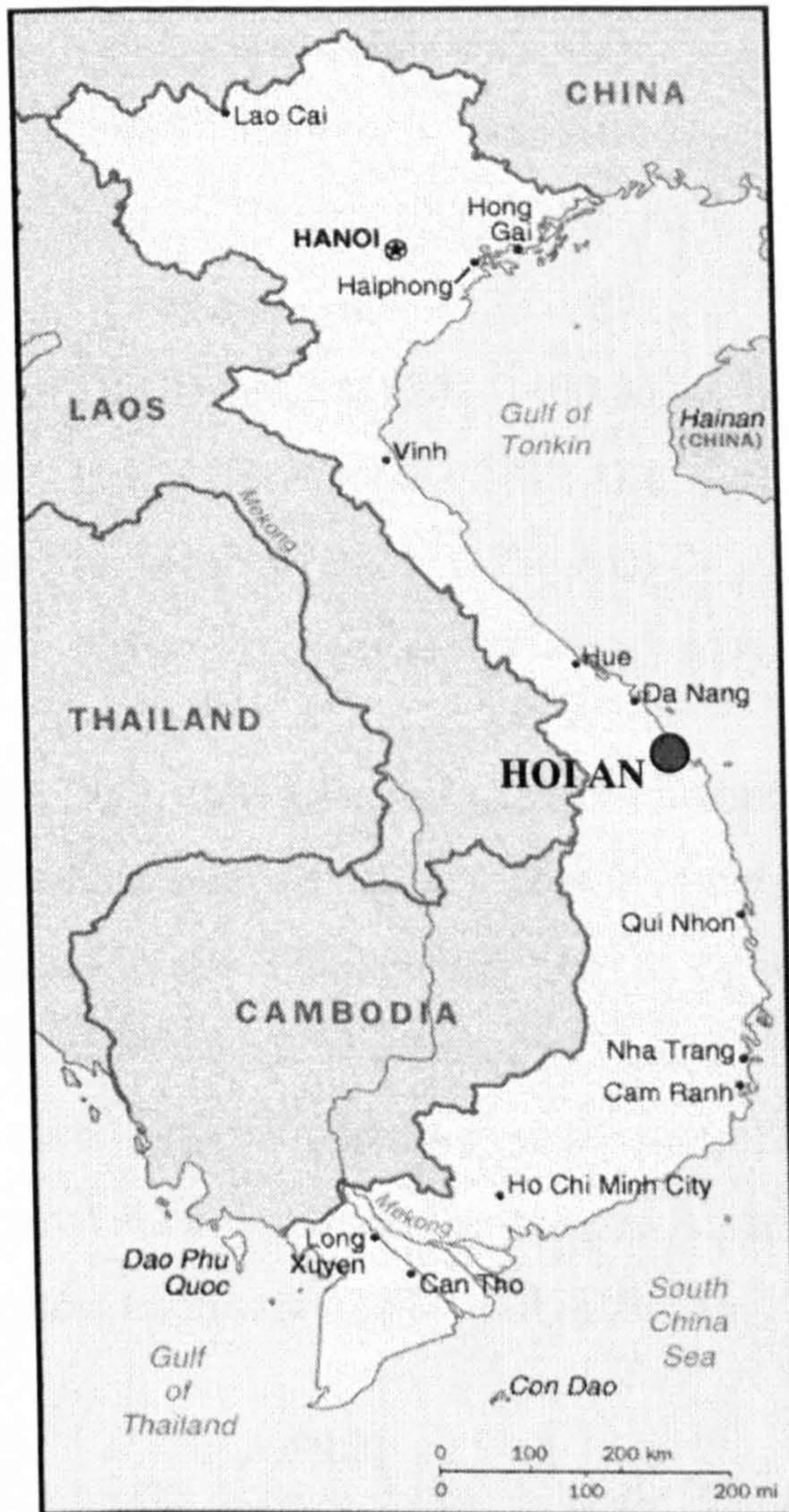


Figure 4.1: Map of Viet Nam  
(Sources: CIA, 2002)

Viet Nam has two climatic zones with a moderate climate in the North and a tropical climate in the South. With a population of 77 millions<sup>3</sup>, Viet Nam is the second most populated country in Southeast Asia after Indonesia. The largest and the most populated cities in Viet Nam are Hanoi in the north, Ho Chi Minh City, previously known as Saigon in the south and Danang in the centre. Hanoi, the capital, has a population of 2.6 million (HAPD, 2003:1) and has become one of the most populated cities in Southeast Asia. Even though Viet Nam has more than sixty ethnic groups, 90% of the population are of Vietnamese origin, the rest are mainly Chinese, Khmer and Cham; with Vietnamese as the sole official language in the country (CIA:2).

Historically, the people of Viet Nam were Viet<sup>4</sup> descendents who settled south of Yellow River of China and developed their skills in agriculture along the Red River Delta [now in North Viet Nam], but in 111 BC the area fell under Chinese rule as a result of a Han [of China] invasion. The Chinese named the land An Nam<sup>5</sup>. However, in 939 AD, the Viet fought back and won a battle against the Tang Dynasty of China and established an independent state of An Nam. The Kingdom of An Nam was since ruled by eight Viet dynasties before her fall to colonial power, the French in 1883 (Yaohong, 2003).

<sup>3</sup> Based on 1999 Census

<sup>4</sup> There were two main races in China: Han and Viet. The Hans who were good in hunting and warfare settled north of Yellow River and the Viets settled to its south.

<sup>5</sup> The name given by the Chinese that refers to people of the "Pacific South" or "Land Conquered by the China". The name was changed to Dai Viet by the Ly and Tran Dynasties (1054 -1400) and Le and Nguyen Dynasties (1428 – 1802)

- Ngo Dynasty (939 – 967 AD)
- Dinh Dynasty (968 – 980 AD)
- Tien Le Dynasty (980 – 1009 AD)
- Ly Dynasty (1009 – 1225 AD)
- Tran Dynasty (1225 – 1400 AD)
- Ho Dynasty (1400 – 1407 AD)
- Le Dynasty (1428 – 1776 AD)
- Nguyen Dynasty (1792 – 1883 AD)

In 1588, during the rule of the Le Dynasty, the Kingdom of An Nam was in effect divided into two regions: Tonkin in the north and Annam in the south . Tonkin was ruled by the Trinh Family from its capital in Hanoi and Annam by the Nguyen Family from its capital near Hue. The Nguyen Lord of Annam established and re-opened several coastal ports such as the port of Faifo (Hoi An) and Touran (Da Nang) and invited foreign traders to come to Annam. Hoi An was expanded and soon became the most important trading port in Annam<sup>6</sup>,

(VNA,1999:2)

The Nguyen Lords reopened foreign trade at Hoi An, which stimulated the town's development and resulted in an immigration policy open to diverse population. Hoi An saw its most brilliant stage of development during the time of the Nguyen Lords

By the middle of the 18<sup>th</sup> century, the Nguyen Lords of Annam had expanded their territories further south to the Cochin China [South Viet Nam] region, which was originally part of the Khmer Empire<sup>7</sup>. The extensive Annam Kingdom which stretched from Hue , its capital, to the southern tips of the country near the Gulf of Siam, was far more powerful than the Tonkin Kingdom in the north which at that time was invaded by the Manchou of China (Yaohong, 2003:4). With help from the French who were in the region for trade and missionary missions, Nguyen-Anh, a senior general of the Nguyen Dynasty, backed his country against the Manchou and launched an attack towards the north. The Manchou were defeated and Nguyen-Anh reunited Tonkin, Annam and Cochin China in 1802 as the Empire of Viet Nam. Nguyen-Anh established himself as

<sup>6</sup> Huy Le (1991:20) mentioned that Hoi An was a village named Hoai Pho and Cam Pho based on a written notes by Duong Van An , 1553; and named Haifo on the map of Alexandre de Rhodes in 1651.

<sup>7</sup> Khmer Empire stretches from what is now part of Myanmar, Thailand, Cambodia, Laos and Viet Nam.



emperor ; and in return allowed the French to settle in the sea-port of Danang and Islands of Con Son (Columbia, 2001).

After the death of Nguyen-Anh, his second son, Prince Mien Tong who was backed by the Chinese faction, was appointed the new king, since his eldest brother, Prince Canh who was educated under Western ideas and was backed by the French had died at the age of 21. Fearing that the opening up of the kingdom to western influence and expansion of trade links with the West, especially with the French, would undermine the structure of monarchy, the new king executed and demoted most of Prince Canh's followers (Yaohong, 2003), Vietnamese Christian converts and French nationals (Columbia Enc., 2001). This provided an excuse for French military operations, which began in 1858 and resulted in the seizure of the region by the French, starting with Cochin China in 1862, Cambodia in 1863, Annam [Central Viet Nam] and Tonkin [North Viet Nam] in 1883 and finally Laos in 1893.

In 1887, the French formed a Union of Indochina<sup>8</sup> that comprised four states: Tonkin, Annam , Cochin China and Cambodia; and later in 1893 added Laos to the Union and administered the region from its headquarter in Hanoi. The French ruled Indochina for 57 years until the Second World War, which started in 1940. During this period, the French faced numerous rebellions and oppositions from the local nationalists, especially from the Eastward Movement<sup>9</sup> and the newly formed Communist Party of Indochina, formed in the early 1920's and lead by nationalist leader Ho Chi Minh<sup>10</sup>. When the World War II started in 1940 and saw the Japanese dominance in the region, the French surrendered. The conflict between the French and the Japanese during World War II saw the rise of the Vietnamese independence movement, the Viet Minh<sup>11</sup> led by Ho Chi Minh. In March 1945, the Japanese recognised the autonomous state of Viet Nam

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<sup>8</sup> The cultures of Indochina were influenced by India and China.

<sup>9</sup> Is a nationalist resistance movement established in 1907 and led by Phan Boi Chau and Cuong De (Yaohong, 2003:6)

<sup>10</sup> Ho Chi Minh (1890 – 1969), President of North Viet Nam and the most influential political leader in the 20<sup>th</sup> century. Studied and lived in France, London and the United States. Became involved in the French socialist movement and was a founding member of the French Communist Party. He studied revolutionary tactics in Moscow and China (1925-27). Founded the Communist Party of Indochina which later became known as the Vietnamese Communist Party. Returned to Viet Nam during World War II and organised a Vietnamese independence movement and raised a guerrilla army to fight the Japanese (Columbia Enc., 2001)

<sup>11</sup> Viet Minh [League for the Independence of Viet Nam] a coalition of Communist and nationalist groups that opposed the French and the Japanese during World War II.

comprising Tonkin, Annam and Cochin China and placed it under the rule of Bao Dai, the last emperor of Annam. However, the defeat of the Japanese by the Allies in August 1945 also witnessed the collapse of the Bao Dai government to the Viet Minh Party that proclaimed Tonkin, Annam and Cochin China as the Democratic Republic of Viet Nam on 2<sup>nd</sup> Sept. 1945.



Figure 4.2  
Ho Chi Minh (1890 – 1969)

(Declaration of Independence, 1945:para 18)

The French have fled, the Japanese have capitulated, Emperor Bao Dai has abdicated. Our people have broken the chains, which for nearly a century have fettered them and have won independence for the Fatherland. Our people at the same time have overthrown the monarchic regime that has reigned supreme for dozens of centuries. In its place has been established the present Democratic Republic.

In March 1946, the French signed an agreement with Ho Chi Minh, recognising Viet Nam as a free state within the Indochina federation and the French Union, but both parties disagreed over the inclusion of Cochin China [South Viet Nam] as part of Viet Nam. This resulted in a bloody guerrilla war between the French and the Vietnamese, known as the French Indochina War (1946 –1954) that witnessed the defeat of the French in 1954 and signalled the end of ninety-two years of French power in Viet Nam and Indochina as a whole. In June 1954, both parties compromised to end the war and signed an agreement at the Geneva Conference that divided Viet Nam at latitude 17° North, while waiting for general election in July 1956. North Viet Nam where the Viet Minh were the strongest went to the Communist government of Ho Chi Minh, and South Viet Nam was placed under the control of the French backed government of Bao

Dai. The general election never took place, instead, the Republic of South Viet Nam gained complete independence from the French and received recognition from Western countries including Great Britain and the United States.

With the help of the communist leaders of China and the USSR, Ho Chi Minh, who became the first president of the Democratic Republic of North Viet Nam since 1954, consolidated his country both in terms of economic and military strength and launched a guerrilla war against the South. Fearing the influence of communism towards the South, and possible political instability of the region, the United States became involved and began air raids on North Viet Nam in 1961. The Viet Nam War between the North and the South - who allied with the United States - lasted for fourteen years and ended when on April 30, 1975 the North Vietnamese entered Saigon with little opposition. The United States, who withdrew from the country in 1973, did not come back to help Nguyen Van Thieu, the then current president of the South.

In July 1976, both the North and the South were reunited as the Socialist Republic of Viet Nam with the capital remaining in Hanoi. Saigon was renamed Ho Chi Minh City. In 1995 the United States extended full recognition to Viet Nam and soon on the 28<sup>th</sup> July 1995, the county was admitted as the seventh member of the Association of Southeast Asian Nations (ASEAN).

## 4.2 The Ancient Town of Hoi An

Hoi An is located in Central Viet Nam about 30 km south of Danang City and 600 km south of Hanoi in Quang Nam province, the Middle Centre region of Viet Nam<sup>12</sup> (Figure 4.3) It is one of the biggest towns in the Quang Nam Province<sup>13</sup> with a population of 77,000 people<sup>14</sup>.

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<sup>12</sup> There are ten regions in Viet Nam: Northern Uplands, Northern Midlands, Red River Delta, North Centre, Middle Centre, Central Highlands, South East, South Central Coast, Mekong Delta and Southern Lowlands. Middle Centre region where Hoi An is located has nine provinces : Ha Tinh, Quang Binh, Quang Tri, Thua Thien Hue, Da Nang, Quang Nam, Quang Ngai, Binh Dinh and Phu Yen.

Quang Nam province has: 2 towns (Hoi An and Tam Kay), 6 plain districts and 6 mountainous districts.

<sup>13</sup> The other is Tam Kay south of Hoi An

<sup>14</sup> Based on the figured stated in the Nomination Dossier, 1998.

Hoi An or previously known as ‘Ketchem’, ‘Kachim’ and ‘Champapura’ during the Khmer Empire and ‘Faifo’ or ‘Feifo’<sup>15</sup> during the Le and Nguyen Dynasties, is a relatively new town compared to other port towns in Viet Nam. It was only set up in the 16<sup>th</sup> century under the Le Dynasty (1428-1776), thrived in the 17<sup>th</sup> and 18<sup>th</sup> centuries and started to decline in the 19<sup>th</sup> century (Huy Le, 1990). However, it is an important heritage town of Viet Nam because “... parts of the town – streets, alleys, the harbour, houses, religious construction – still stand relatively intact, and one will be surprised by their architectural richness and variety” (Huy Le, 1990:17).



Figure 4.3 : Location of Hoi An in Viet Nam  
(Source : SWU, 2000: 3)

Hoi An attracted many merchants and sailors from the East and the West to its port in the past - first were the Chinese then the Japanese. When Emperor Muc Tong of the Chinese Ming Dynasty lifted his ‘closed-door’ policy<sup>16</sup> in 1567 (Dai Doan, 1990:169), many Chinese merchants sailed south to the port towns in Southeast Asia such as those in Viet Nam, Java, Malaya, Borneo and Siam to trade their much desired silk and war

<sup>15</sup> Ishizawa, 1990:23

<sup>16</sup> Chinese ‘closed-door’ policy was introduced by Emperor Wu of Ming Dynasty (1368-1644) in the 14<sup>th</sup> century that prohibits any contact with the outside world; Chinese fleets were not allowed to leave the country (Shigeru, 1990). It was also during this period the Great Wall was completed providing protection against invasions from the North.

products (Luc, 1999:1). In Viet Nam, the Nguyen Lord took this opportunity and opened several ports along the South China Sea with the hope of improving his region's socio-economic status: Thanh Ha, Nuoc Man, Saigon and Faifo or Hoi An, are some of those . The Chinese traders who sailed from the port of Guangzhou preferred to conduct their trade in Faifo because of its close distance from Guangzhou which only took "... three days and three nights if the winds are favourable" (Dai Doan, 1990:171) and the abundance of spices and other merchandise that they could bring back to China.

The end of 'closed-door' policy by the Ming Emperor of China, however, did not include free trade with Japan because the Emperor was angry over the increase in number of Chinese seaports being attacked by Japanese pirates (Luc, 1999:1) and this resulted in increasing difficulty for direct trade between the two countries. During this period the Japanese desperately needed high quality Chinese raw silk for their royal families and war materials for their army and therefore took alternative ways to buy them. They sailed south towards Vietnamese ports of Hoi An in Cochin China and Pho Hien in Tonkin where many Chinese traders had already made settlements in the town. Gradually the Japanese came to trade in Hoi An and by the beginning of the 17<sup>th</sup> century the Japanese traders had made settlements in the town and mixed with the local people through intermarriage and the adoption of local customs. They built houses, Buddhist temples and pagodas and bridges similar to those in Nagasaki, Japan (Daigaro, 1990:31-32). In the Ancient Town of Hoi An today, the Japanese Bridge that connects Tran Phu and Nguyen Thi Minh Khai Streets is one of the main surviving monuments and has become the most important cultural monument in the town. However, houses on Tran Phu Street where the Japanese made their first settlement in Hoi An have some resemblance with those in Japan, but Daigaro (1990:33) concluded that "houses were built by Japanese here, but Japanese architecture exists no more".

The Japanese traders came and stayed in Hoi An for several decades until 1636 when the Government of Japan banned trading with foreigners (Huy Lee, 1990). On the other hand, the Chinese traders kept coming to Hoi An and slowly started to take over the Japanese businesses, streets and houses. By 1695, there were more Chinese than Japanese in Hoi An as stated by Giang (1990: 140) "Only four of five Japanese families

were left. Commerce had passed into the hands of the Chinese who had taken over Japanese Street which they would then widen towards the north”.

Like the Japanese, the Chinese also settled in Hoi An. They built houses, communal houses and temples and rebuilt the Japanese houses and bridges in the Chinese style (Giang, 1990:140). Many of these buildings are still standing in Hoi An until the present days such as houses on Tran Phu Street, the Temple of Quangong, and the meeting halls of Guangzhao, Hainan and Fujian and several tombstones (Quang Tru:202-203).

Hoi An not only attracted the Chinese and the Japanese, but other traders from nearby towns and those from the West. The Portuguese, the Dutch and the French at one point or another all traded in Hoi An. The Portuguese, for example, who conquered Malacca in 1511 sailed further East to Hoi An in 1535 in search of spices. They traded in Hoi An with the Japanese and the Chinese until the middle of the 17th century until the Dutch came to the region in 1636 to 1741 (Huy Le, 1990:21). The French who first came to Hoi An in 1641 did not venture into trading but focused more on missionaries reasons and only established their trading post in Hoi An in 1773 (Quynh Tran, 1990:194-95). However, none of these Western traders made permanent settlements in Hoi An.

The popularity of Hoi An as an important trading port in the East started to decline in the nineteenth century when the new port, Danang - just 30km north of Hoi An, was preferred by the traders because, “it was naturally favoured to accommodate vessels of bigger sizes, particularly those steamboats coming from the West which did not have to depend on monsoons and tidal movements” (Trung Quoc, 1990:187). The occupation of Danang by the French in 1802 (Columbia, 2001) and the fall of Annam to the French in 1883 saw more trading vessels in Danang than Hoi An (Trung Quac, 1990:188). Hoi An was soon eclipsed by the new port and was left untouched until the present day.

#### **4.2.1 Hoi An as the World Heritage Site**

The inscription of cultural and natural properties in Viet Nam in the list of World Heritage Sites was relatively new. To date there are five properties in the country that have been inscribed by the World Heritage Committee, they are: The Complex of Hue Monuments (1993), Ha Long Bay (1994,2000), Hoi An Ancient Town (1999), My Son

Sanctuary (1999) and most recently the Phong Nha-Ka Bay National Park inscribed in 2003.

The Ancient Town of Hoi An was inscribed to the list in 1999 at the 23<sup>rd</sup> World Heritage Committee Meeting in Marrakesh, Morocco under criteria (ii) and (iv) of Operational Guidelines that states:

Criteria (ii) : exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design.

and noted that “Hoi An is an outstanding material manifestation of the fusion of cultures over time in an international commercial port”. The port of Hoi An with streets filled with single and double storey shophouses remains as it was in the 17<sup>th</sup> to 19<sup>th</sup> centuries, but only smaller boats now dock and only for domestic trading.



Figure 4.4: Waterfront of Hoi An today

Criteria (iv) of the Operational Guidelines states:

Criteria (iv) : be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stages(s) in human history.

and noted that “Hoi An is an exceptionally well preserved example of a traditional Asian trading port”.

Compared to other traditional Southeast Asian trading ports, especially Malacca and Penang, which also have collections of similar Chinese shophouses, temples and community halls, Hoi An stands out in the eyes of conservationists because much of its buildings and streets remain untouched,

(SRV, 1998:2)

its individual characteristic is that it has been conserved integrally with the reasonable combination of shophouses and Vietnamese traditional wooden houses built in an integrated style.

Most of the buildings remain the same as they were originally built in-terms of their design, materials and workmanship. The houses are still being occupied by the descendants of the same families and the streets remain narrow without much use by motorised vehicles. There are still *sampans* and smaller fishing boats docking at the port and several community halls and temples punctuating the streetscape of Hoi An.

As required by the Operational Guidelines, the government of Viet Nam prepared and submitted the Nomination Dossier of Hoi An to the World Heritage Committee in 1998, a year after the Tentative List<sup>17</sup> of the country was submitted. The Dossier was jointly prepared by the Ministry of Culture and Information (MoCI) in collaboration with international agencies, mainly the UNESCO regional office in Bangkok with the help of a conservation consultant in the United Kingdom<sup>18</sup>. Being a cultural property, the nomination was accessed by ICOMOS prior to the formal evaluation by the World Heritage Committee. The mission-visit headed by Dr Nikom Musigakawa from ICOMOS Thailand visited Hoi An in January 1999 (ICOMOS, 1999a) and made favourable recommendations to the World Heritage Bureau, who later supported the ICOMOS recommendations to the World Heritage Committee for inscription<sup>19</sup>. Together with Vigan in the Philippines, Hoi An were the first active settlements or towns in Southeast Asia to be inscribed under the World Heritage Sites by UNESCO<sup>20</sup>. Figures 4.5 and 4.6 show the core zone of Hoi An as inscribed by UNESCO.

### 4.3 The Townscape of Hoi An

The inscribed town of Hoi An, known as the Ancient Town of Hoi An, is relatively small with an area of only 30 hectares of core zone with an additional 280 hectares of

<sup>17</sup> Each State Party to the World Heritage Convention to submit an inventory of property which it intends to nominate for inscription to the World Heritage List during the following five to ten years (UNESCO, 1972: Article 11)

<sup>18</sup> David Michaelmore Consultancy and Conservation of Historic Buildings, Wakefield, United Kingdom.

<sup>19</sup> Table 3.3 provides flowchart of nomination process.

<sup>20</sup> The Complex of Hue in Viet Nam, inscribed in 1993 is not a settlement, but more of a monument.



buffer zones (Buffer Zone I and II) and has a population of 12,000<sup>21</sup>. Bounded by the Thu Bon River on its South, the core zone stretches only three blocks north, up to Phan Chu Trinh Road. To the East, the town is bordered by Hoang Dieu Road and to the west it ends at the tapering junction of Phan Chu Trinh and Nguyen Thi Minh Khai Roads. In total it covers an area of only about 1 kilometre long from East to West and about 300 metres wide from North to South. Within these zones, there are 857 properties in total, off which, 591 are recognised as having significant cultural value and the remaining 266 are new constructions<sup>22</sup>. Figure 4.6 shows the satellite view of the Ancient Town and its relation to the Thu Bon River

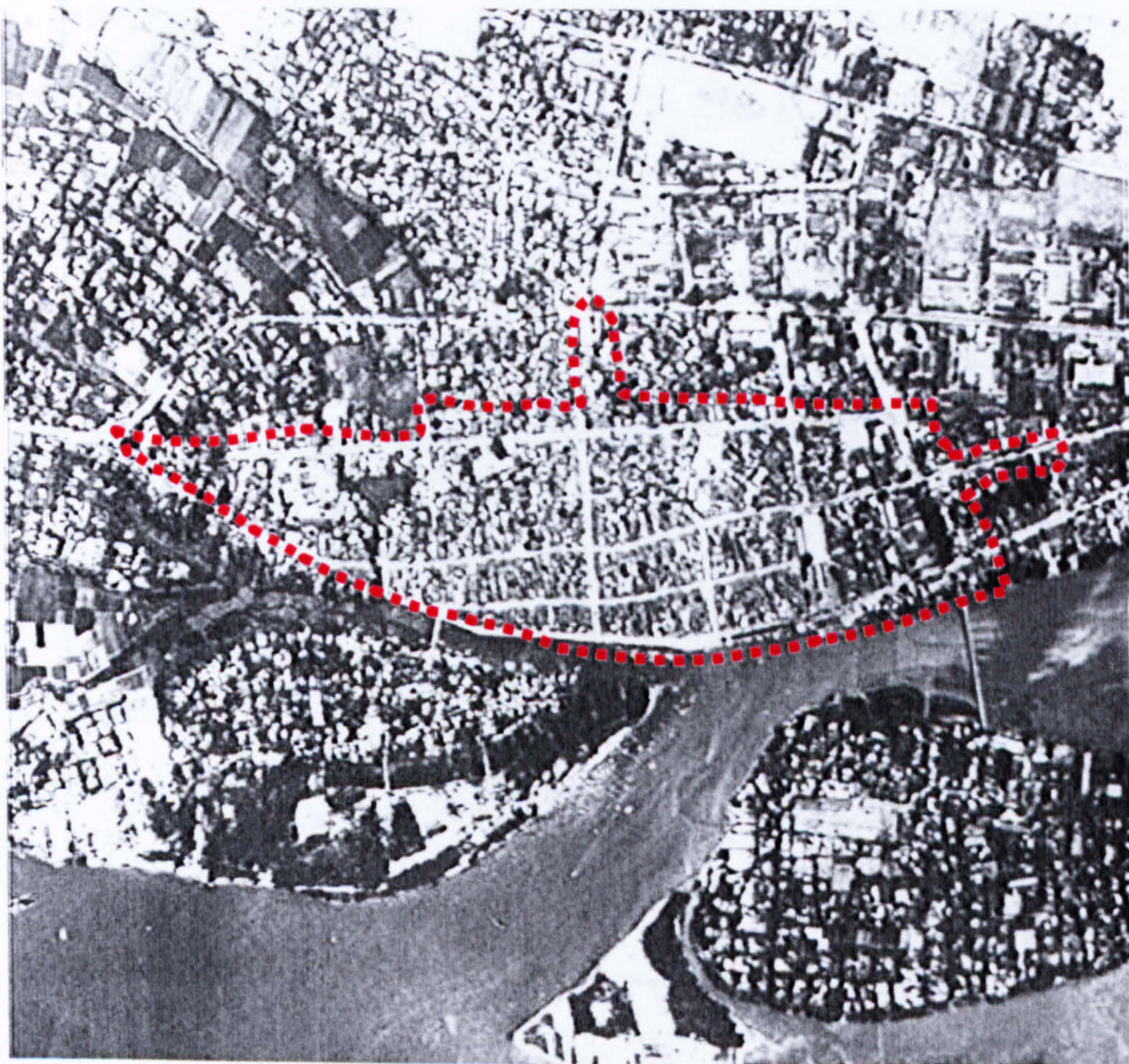


Figure 4.5 : The satellite view of Hoi An (Source: SRoV, 1998).  
The core zone is indicated by the red boundary lines.

<sup>21</sup> Based on the figure produced in the Nomination Dossier 1998.

<sup>22</sup> Figures provided by Mrs Tuan, Head of Inventory

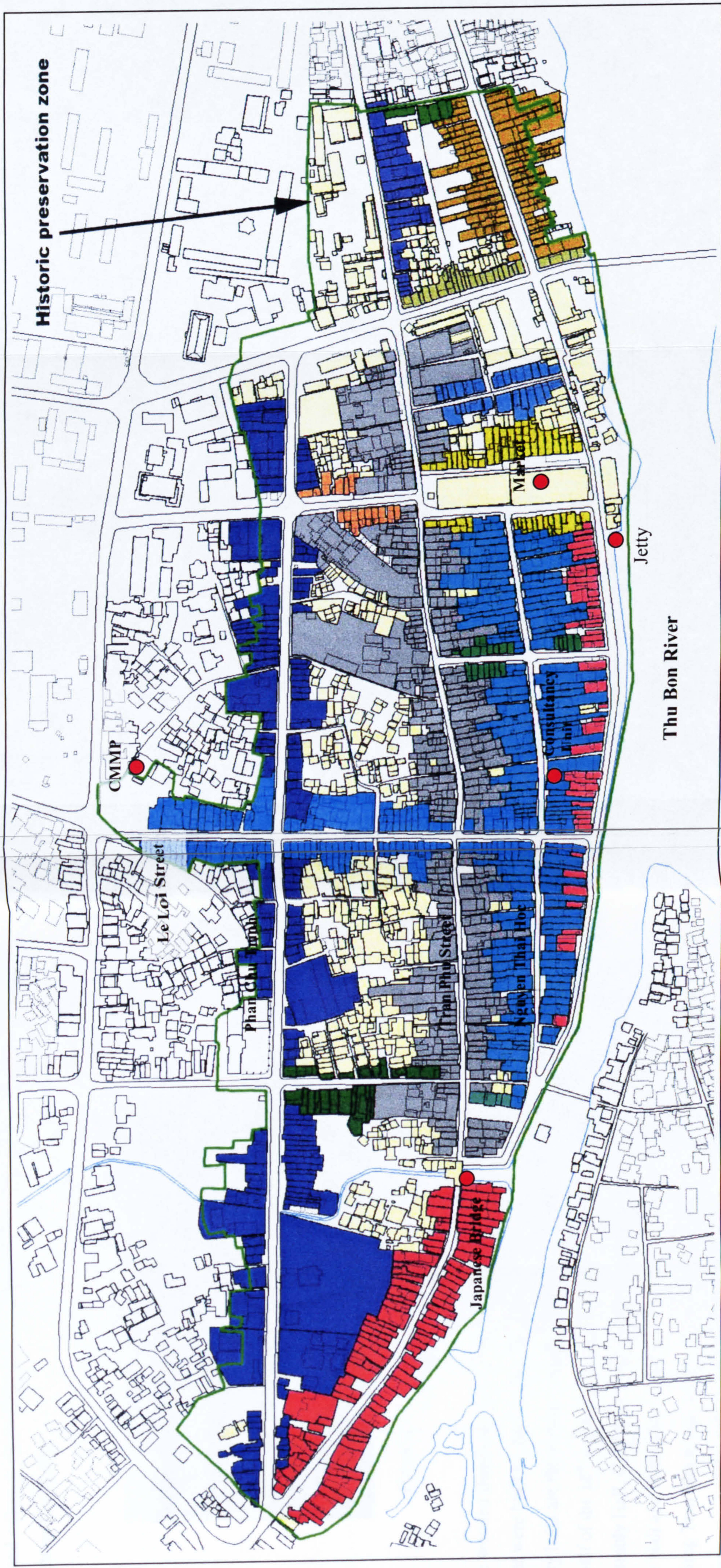


Figure 4.6 : The core zone of Hoi An (Sources : JICA Consultant, Mr. Nagumo Ichiro)

The large collection of wooden shophouses in Hoi An, that date from as far back as the 18<sup>th</sup> century are mainly intact and retain their original character, which has principally contributed to the town being inscribed in the list of World Heritage Sites in 1999. The Thu Bon River that at one time was used by the Japanese, the Chinese and the Western merchants and sailors is now silted and cut off from the sea and can only accommodate smaller boats and *sampans*.



Figure 4.7 : Only small boats and *sampans* can dock at the waterfront during high tides.

Beside the wooden shophouses, there are collections of Chinese temples and communal houses that were built by the Chinese immigrants. These religious buildings and community halls are the remnants of the extensive practice of Buddhism in the town in the later half of the 18<sup>th</sup> century and in the early 19<sup>th</sup> century. Such buildings are, Phuc Kien Assembly Hall, Cantonese Assembly Hall, Hai Nam Assembly Hall, Chinese Assembly Hall and Trieu Chau Assembly Hall; these face the Thu Bon River and are located along Tran Phu Street, the main street in the Ancient Town of Hoi An. Even though there are no official figures available on the number of Buddhists in Hoi An currently, these temples and halls are frequently visited by the locals, especially during the religious festivals, and by tourists. Generally, these religious buildings and halls are now in good condition and have been well-maintained by the communities concerned.

The Ancient Town of Hoi An is known not only for its wooden shophouses, temples and halls but also due to its streetscape. There are several important streets within the inscribed town that run from East to West and are parallel to the waterfront: Bach Dang,

Nguyen Thai Hoc, Tran Phu and Phan Chu Trinh are to mention some of these, as well as a few that run perpendicular, such as Le Loi, Hoang Van Thu, Tran Quy Cap and Nguyen Hue. They were incrementally laid out by the Japanese in the late-16<sup>th</sup> century, starting from Tran Phu Street and later continuing with other streets during the Chinese settlement in the late 17<sup>th</sup> century (Dao Kinh, 1990: 222). On both sides of the streets, especially those that stretch from East to West, rows of one or two storey shophouses, temples and halls were built facing the streets; allowing the buildings to be either North or South facing – an ancient Chinese planning principle that emphasised the building central axis to run North-South (Rosli, 2001). Originally built for pedestrians and non-motorised vehicles, these streets are narrow measuring between four to five metres in width. Today, much of the character of these streets remains unaltered except that new road surfaces have been laid and drainage and other infrastructure have been added or improved. To further safeguard these streets and other historic properties against noise and vibration, the local authority in 1997 prohibited the use of motorised vehicles except motorcycles (HATPC, 1997:Article 16).

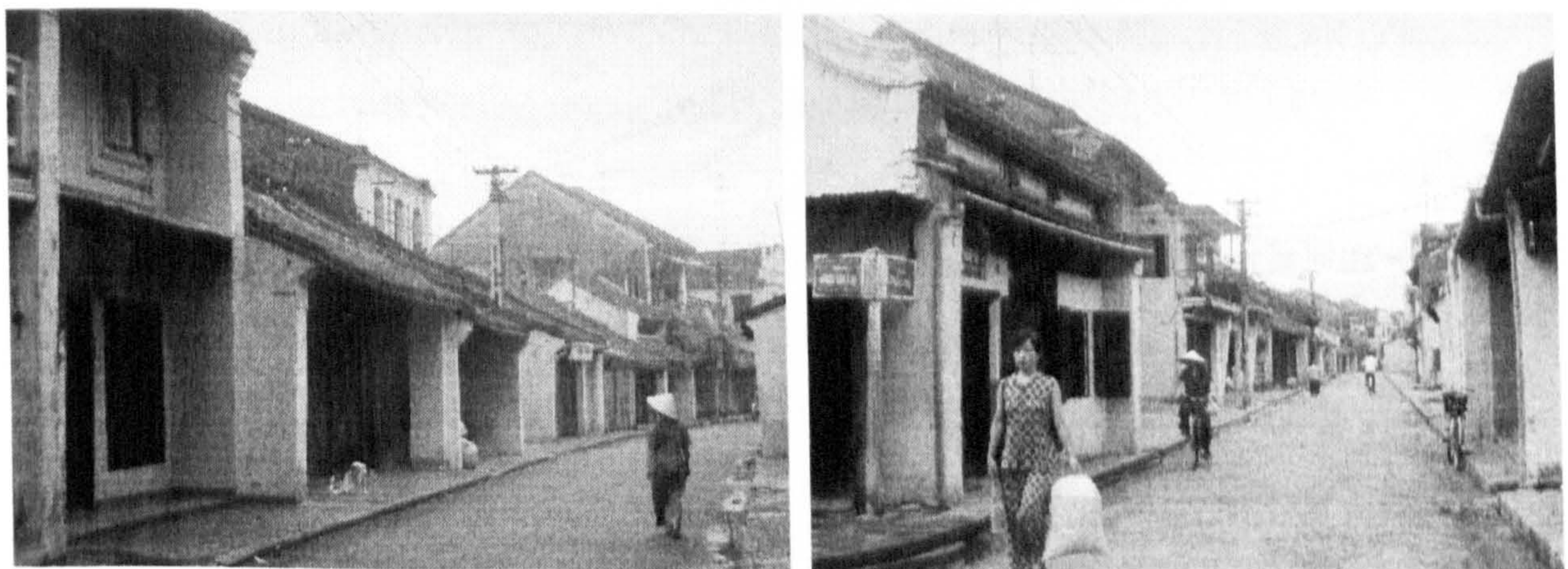


Figure 4.8: View of Tran Phu Street in early mornings.

Tran Phu Street, which runs from East to West is considered to be the most important street in Hoi An, since it has the most concentration of historic buildings, numbering 188 in total; and is believed to be the first street laid by the Japanese in the late 16<sup>th</sup> century. Towards the West, the street ends with the Japanese Bridge, which is the most known historic property in Hoi An. It was built in the 17<sup>th</sup> century by the Japanese and has undergone several repairs (Dao Kinh 1990a:219). Uniquely, a small shrine is incorporated into the bridge at its centre and for centuries it has fulfilled both utilitarian and spiritual needs. To the East, the street ends at the partially enclosed wet-market.

Architecturally, the market has no significant historic value but it serves as an important node where local fishermen and farmers come to trade.

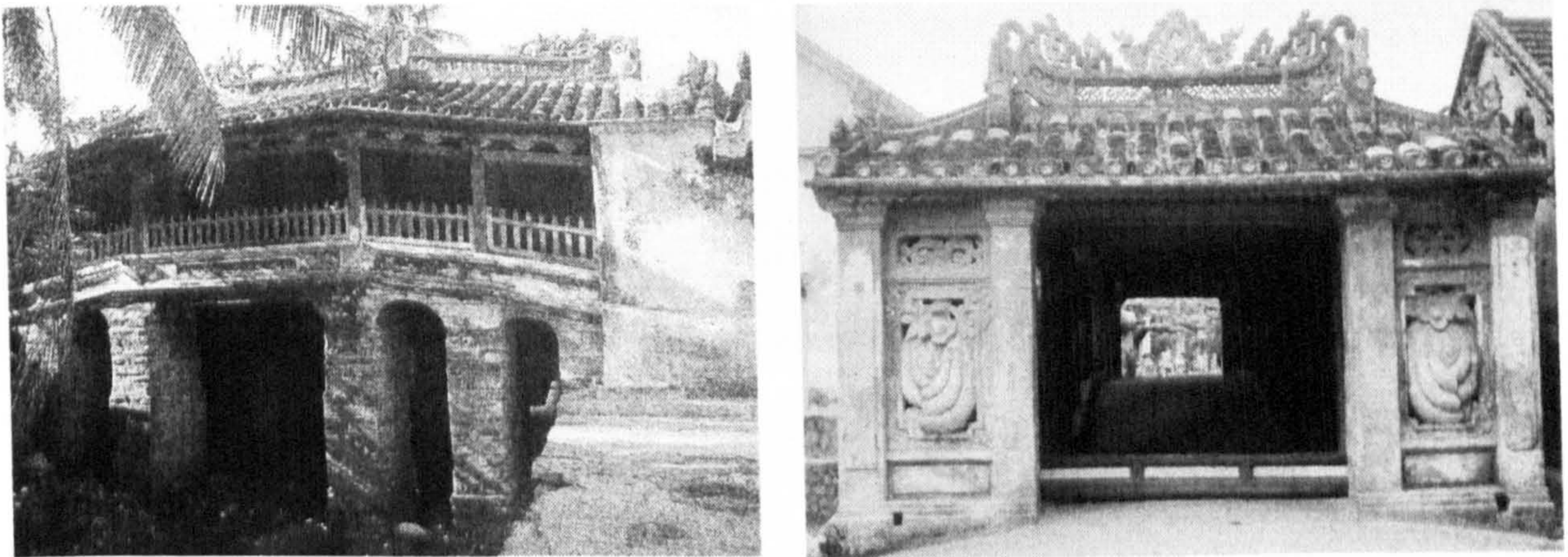


Figure 4.9: Tran Phu Street ends with the Japanese Bridge to its West .

Perpendicular to Tran Phu runs Le Loi Street that divides the ancient town into Western and Eastern and is the busiest street in Hoi An since it is the main street that links Hoi An with the adjacent towns. Gradually sloping down towards Thu Bon River, Le Loi is the ‘gate-way’ to the ancient town where the local conservation office, the Hoi An Centre For Monuments Management and Preservation, is located.

Hoi An’s waterfront has remained important to the town, just in the way it was a few hundreds years ago, but its use is limited to domestic purposes and where local farmers from nearby villages and islands bring their produce into the market every morning using *sampans* and small boats. At high tide, the waterfront becomes busiest with fishing boats docking, fruits and drinks stalls are set up and passenger boats dock and leave with overloaded goods, bicycles, motorcycles and farm animals. There is no purposely-built structure that acts as a focal point of the waterfront, only a concrete embankment that stretches along the edges. The houses on Bach Dang Street that face the river, however, are uniform in height and character. Mainly two-storey high and roofed with concave clay tiles, some of these buildings remain as shophouses while quite a number have been converted into restaurants that serve both local and Western cuisines, as well as, museums and budget hotels. Towards the Western ends of Bach Dang Street, shophouses are double-fronted, with one side facing the river and another facing the inner street, Nguyen Thai Hoc. Compared to other shophouses in the

Southeast Asia region, the double-fronted houses are unique to Hoi An and to Viet Nam in general.

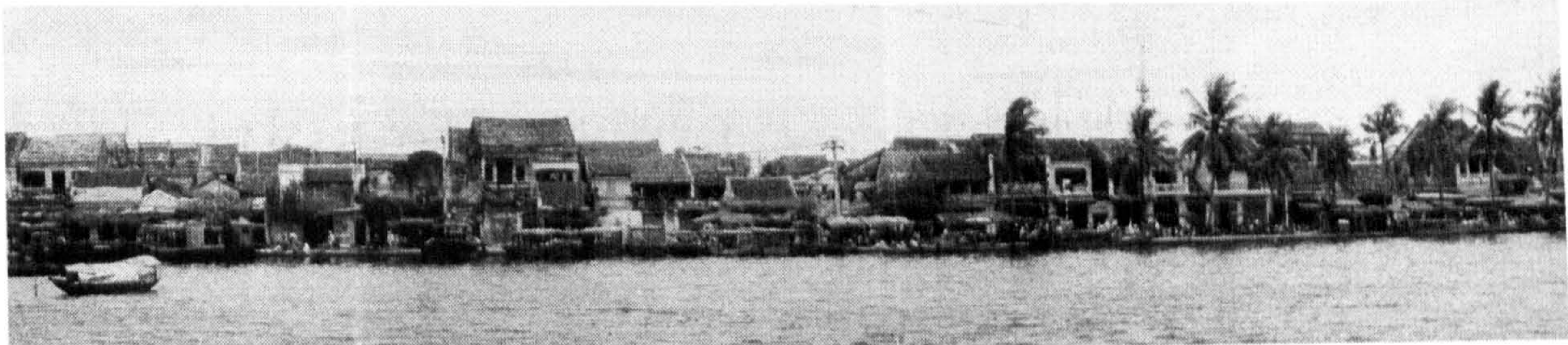


Figure 4.10: Waterfront of Hoi An today, remain busy, but can only be used by sampans and smaller boats.

#### 4.4 The Shophouses of Hoi An

The inscribed town of Hoi An is mostly known and remembered for its rows of wooden shophouses which are mostly unaffected by new developments. Totalling more than 800 units, these houses line Hoi An's streets, and are still used by the descendents of the original owners. Mostly one and two storey structures, these houses share common architectural designs, materials, construction techniques and uses and therefore have helped to create a uniform character of the town. Even though the Portuguese, the British and the French merchants at one time or another had come and settled in Hoi An, only the Japanese and the Chinese stayed long enough to leave an architectural legacy. Based on a picture scroll (Figure 4.11), which depicts the journey of a rich Japanese merchant that sailed from Nagasaki to Hoi An in the early-17<sup>th</sup> century<sup>23</sup>, Daigoro (1990:32) concluded that when the Japanese arrived in Hoi An, they built houses on Japanese Street<sup>24</sup> similar to those in Nagasaki in Japan, which features row of two storey timber houses, built on ground, facing the main street, large verandas and two-tiered roofs. None of these houses are in existence now (Tuang, 1990:206), but traces of these characteristics can be found in the shophouses of Hoi An today. When the Chinese merchants came to Hoi An after the Japanese, in the late 17<sup>th</sup> century they soon accumulated wealth and slowly started to build their own houses and settlements. They built their houses in a very much similar manner to those in southern China (Tuong,

<sup>23</sup> The picture scroll depicts the journey of a rich Japanese merchant, Chaya Shinroku that set sail from Nagasaki, Japan to Hoi An. The scroll is now in custody of Jomyo Temple in Nagoya, Japan.

<sup>24</sup> Japanese Street is believed to be Tran Phu Street now (Diagoro, 1990)

1990), where they came from, but modified to conform to the existing Japanese houses and the established local architecture.

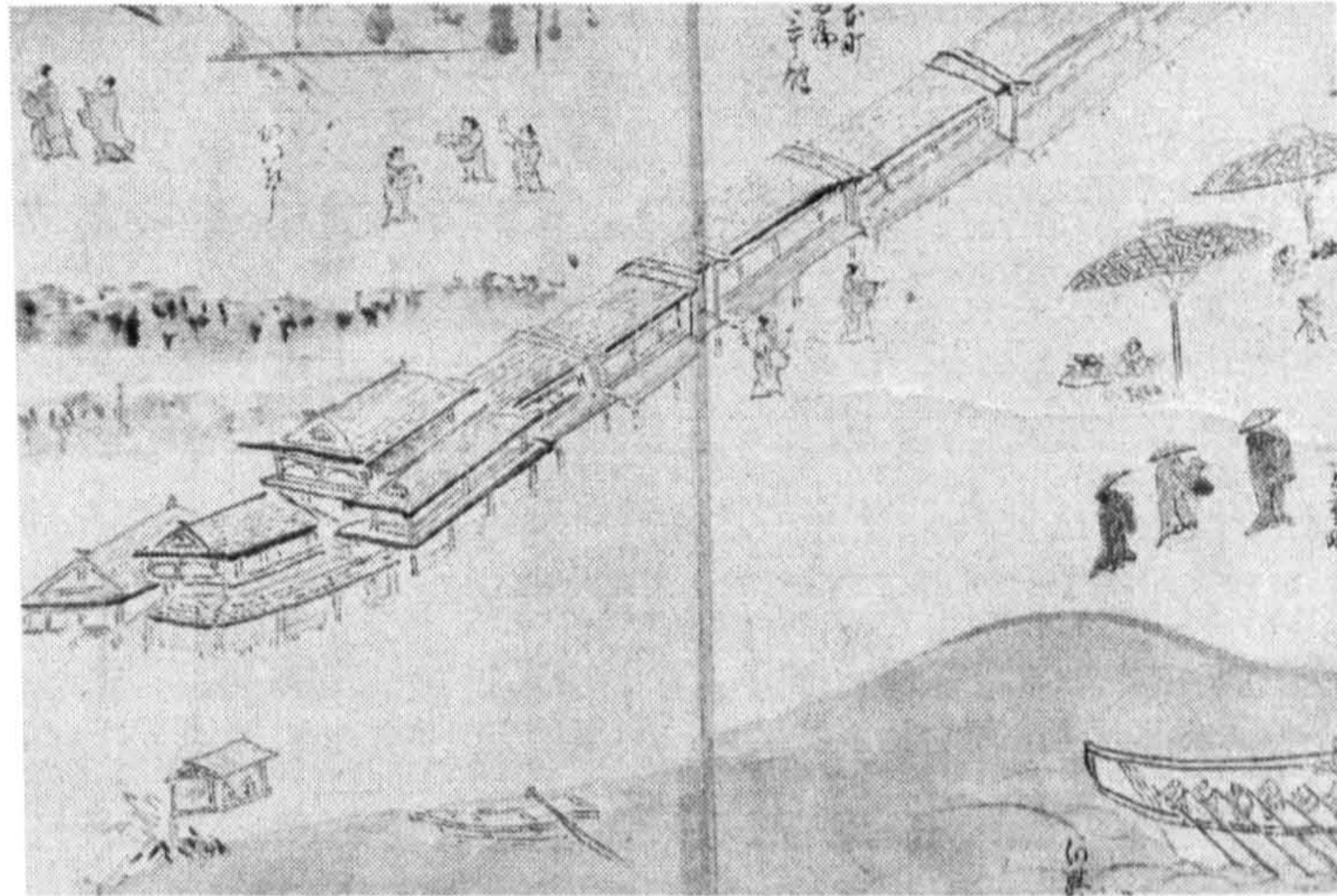


Figure 4.11  
Japanese settlements in Hoi An during the 17<sup>th</sup> Century  
(Sources : SWU, 2000:32)

#### 4.4.1 Characteristics of Shophouses

The shophouses in Hoi An, generally, share similar design and characteristics with those found in other towns in Southeast Asia, such as Malacca, Penang, Singapore and La-Gung, Taiwan, but with subtle differences. Some of the characteristics are described below.

##### a. Long and narrow plan.

Generally the houses measure between six and eight metres in width and thirty metres in length, sometimes even extending to forty-five metres giving a ratio between 1:5 to 1:8. Mostly are either one or two storey in height, the spatial planning of these shophouses are clear with important rooms arranged in sequence along the main axis of the house. Since the shophouses are meant to be used both as business premises and as living units, the spaces inside are generally divided into two parts: the front being spaces for the public and face the streets, and the back consists of utilitarian spaces for the family (Figure 4.12). Separating the two spaces is a void and/or internal garden (courtyard), which functions as 'negative space' within the house. It separates the public and the private domains so that each can function without interfering with the other. The void also allows natural lights to penetrate inside the house and brighten up the internal spaces since the houses have no side windows, and simultaneously helps to reduce the

problem of glare. It also encourages cross-ventilation within the house, as well as functioning as a utilitarian space where the owners dry their clothes, do their gardening and relax in the afternoon.

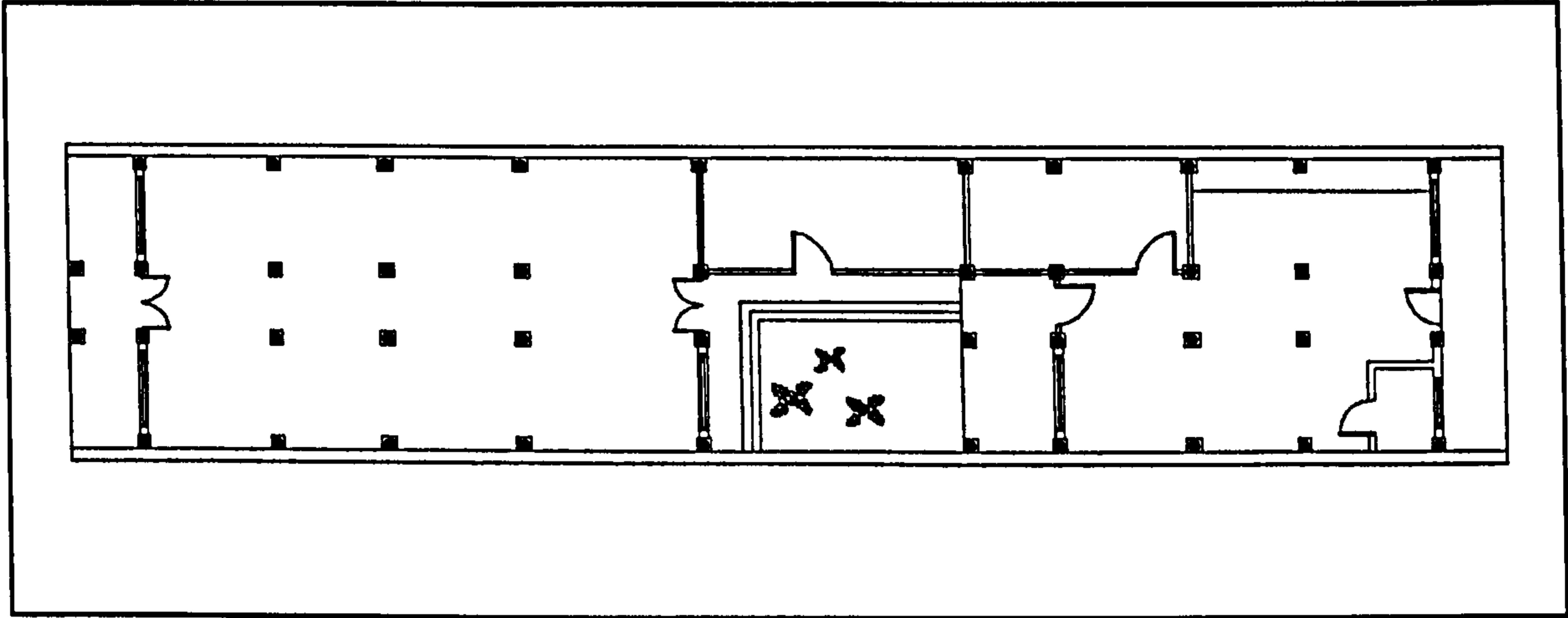


Figure 4.12: Typical Floor Plan of Hoi An Shophouses

Unlike the shophouses in Malacca, Penang and Singapore, those in Hoi An have their party walls extended all the way to the street, thus creating individual front porches<sup>25</sup>. These shophouses (in Hoi An) have a permanent front wall instead of floor to ceiling removable timber panels, less decorated but formal. Generally the front façade consisting of three bays: smaller central bay with two equal side bays; the main axis of the house is often emphasised by the main door in the central bay and two round timber columns in front. The two side bays, normally equal in dimension, have permanent walls with large windows. These subtle differences have distinguished shophouses in Hoi An from those in other towns in Southeast Asia.

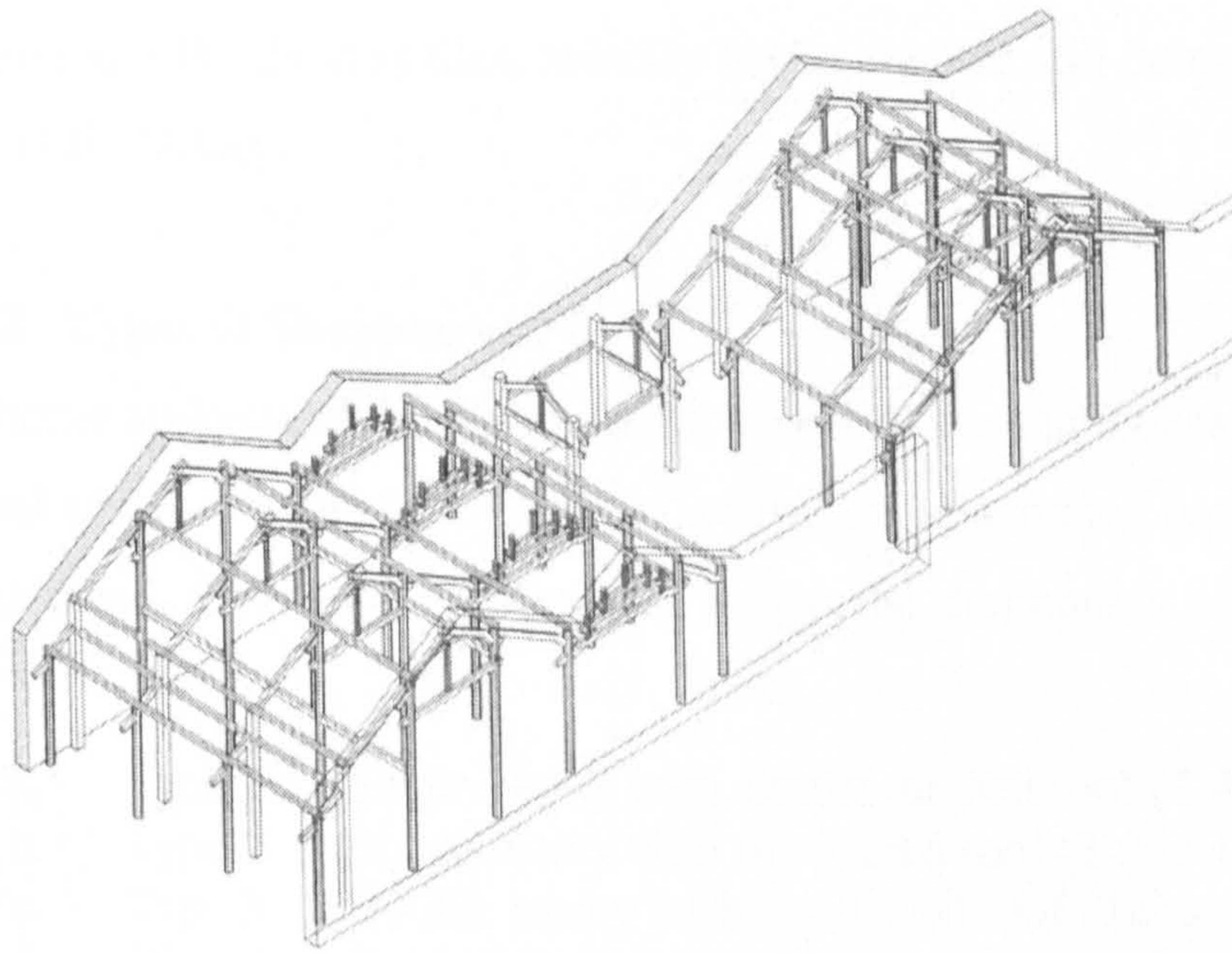
#### b. Materials and Constructions

Like other shophouses in Southeast Asia, the buildings in Hoi An are also constructed using post and lintel construction with timber columns and beams. Both the front and the back portions of the houses have independent structures, but the former, the shop, is higher and has more elaborate details than the back portion. Normally constructed using 24 or 28 columns of different heights and sizes, placed in rectangular grids of either 4 x 6 or 4 x 7, the front portion, the shop, features an elaborate roof construction

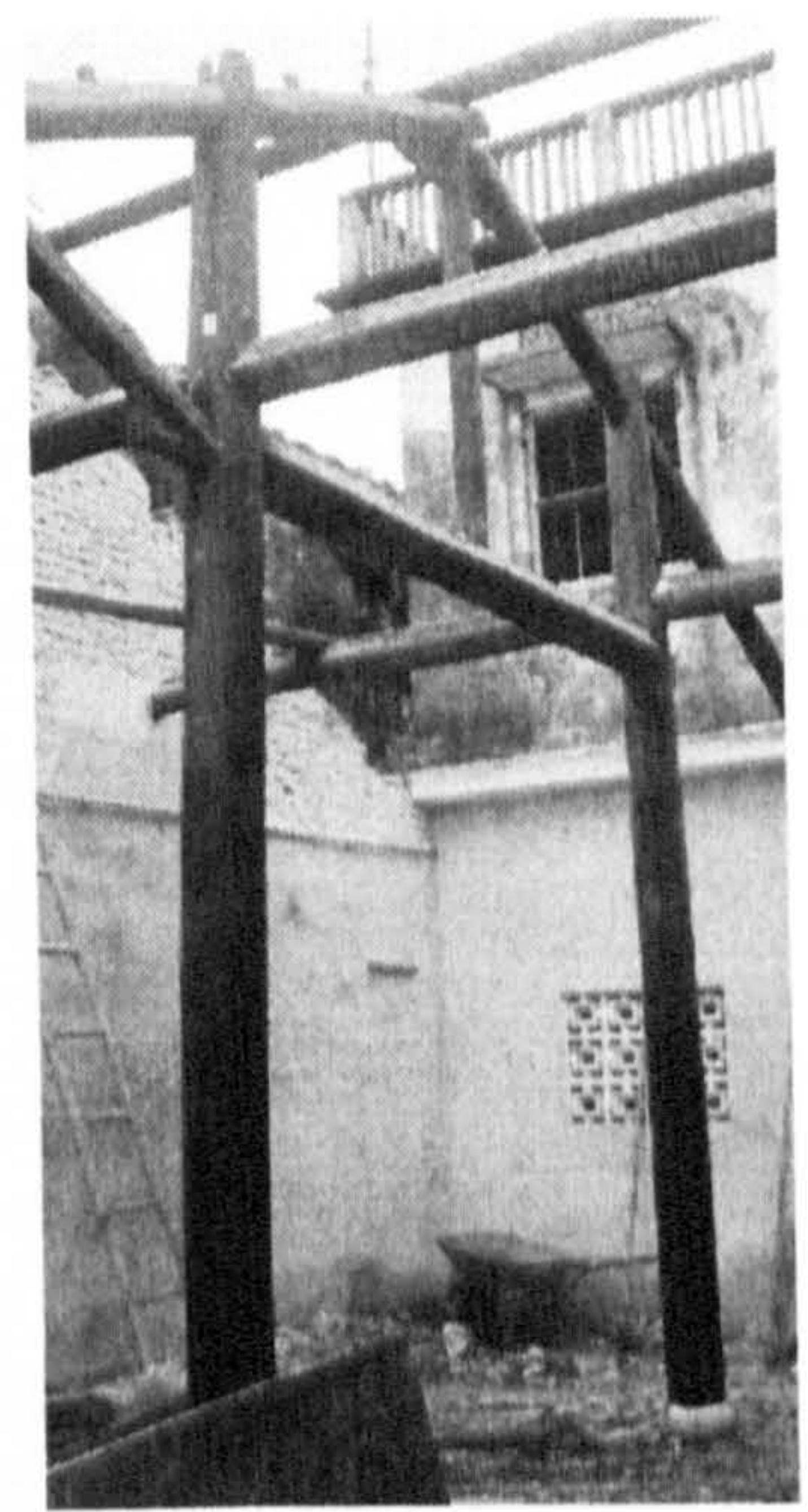
<sup>25</sup> Those in Malacca and Penang have 'five-foot' pedestrian way instead of individual porches.



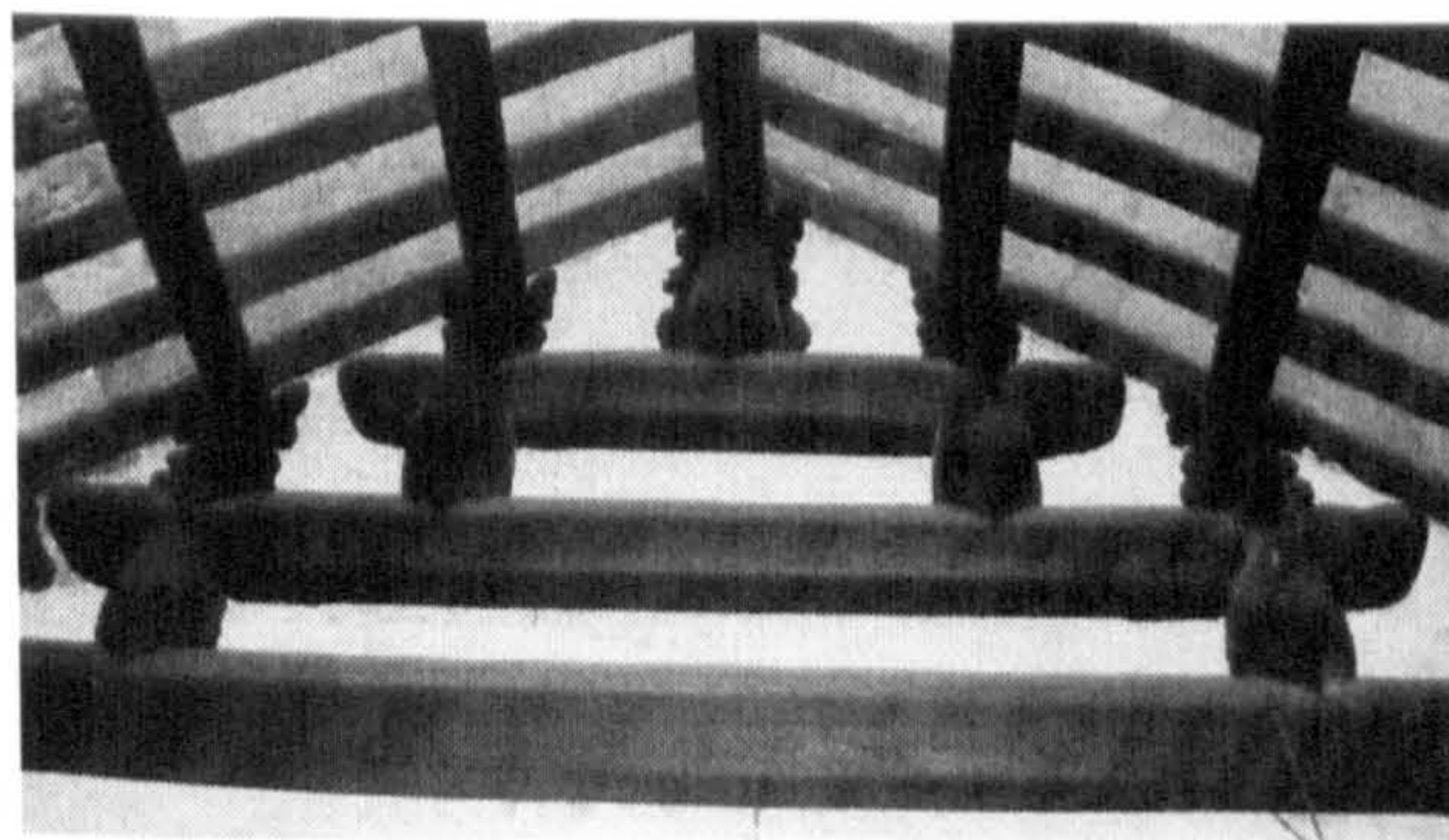
combining the typical Chinese style that emphasised a series of cantilevered brackets set on columns or the much simpler Vietnamese style construction (Figure 4.13) known as *Gassho* (SWU, 2000:44), formed by two angled members joined together at the top. For the back portion, the houses, the roof construction is normally simpler where *Gassho* style is adopted. The columns are normally hard wood round sections tapering towards the top. To protect them from rising damp and termite infestation, the columns sit on solid stone pads of about 200 to 300mm thick.



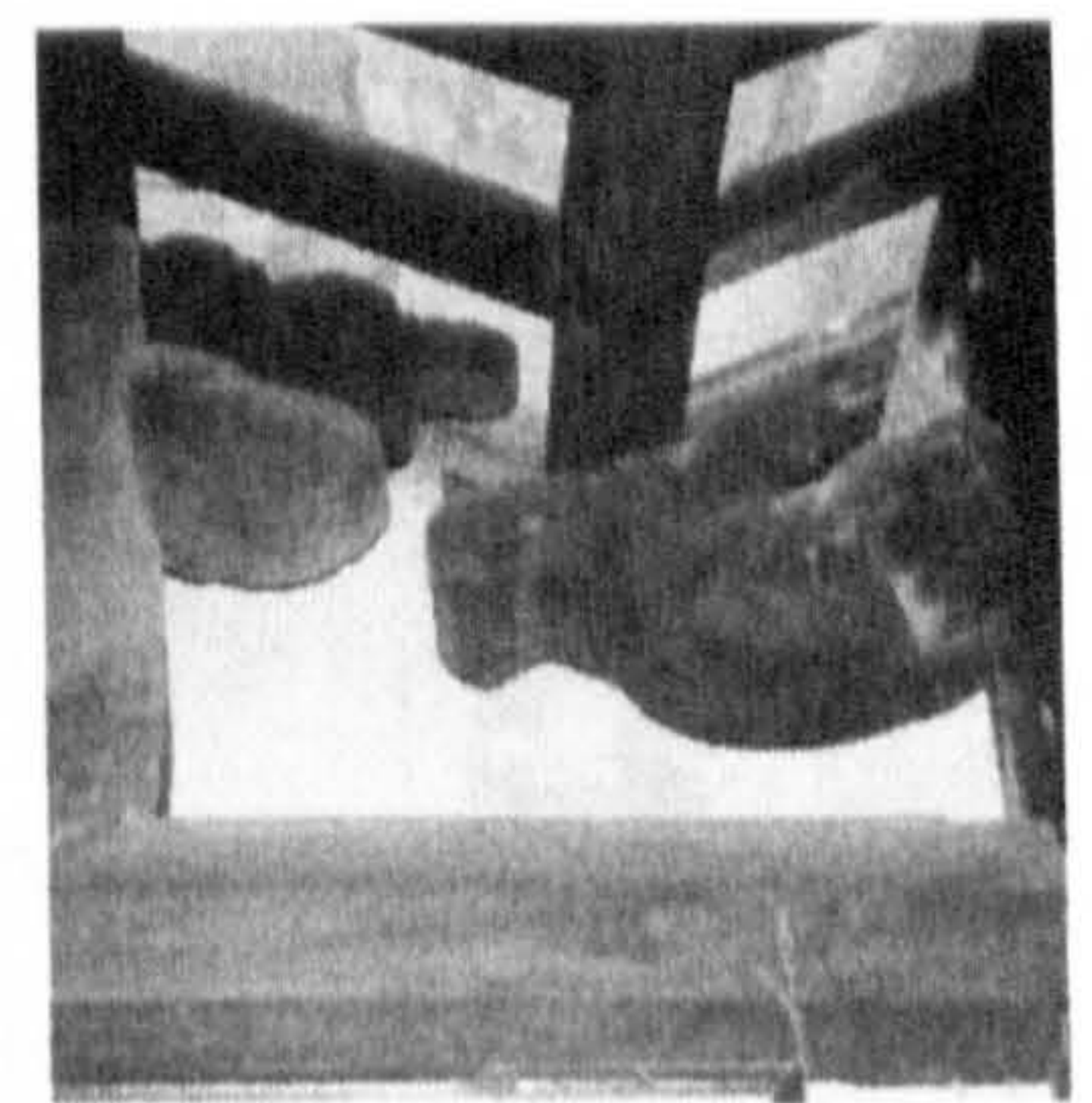
Structure of Hoi An shophouses (Source :SWU, 2000:45)



Gassho-style



Chinese-style



Details

Figure 4.13  
Details of roof construction , combination of Chinese and Gassho styles.

The uniform and cohesive character of the shophouses in Hoi An is achieved not only by adopting common planning and construction details, but also by the use of similar clay tiles as roof covering and brick and lime plastering for party walls. Commonly

known as 'Chinese tiles' or 'yin-yang' in other parts of Southeast Asia, each roof tile measures about 150 x 200mm, slightly curved and are put together directly on roof battens in alternate rows of concave and convex and are held together by lime mortars. These tiles have been produced locally since the 17<sup>th</sup> century and at present are still being produced at Thanh Ha Village some 3 km from the ancient town centre. The shophouses in Hoi An are separated from neighbours by a party wall constructed out of red-clay bricks, plastered with lime mortar and finished in layers of natural pigmentations. The common colours being indigo blue, orca-yellow, light green and bright red. Like the clay tiles, red-clay bricks are also still being produced locally at Thanh Ha Village.

#### 4.4.2 Types of Shophouses

To better understand the design characteristic of the shophouses, this Research makes visual analyses of the front facades<sup>26</sup> so that some common typologies can be established. Generally, the Research groups the shophouses under five different styles:

- a. Type 1 : Single storey with simple pitched roof (Table 4.1)
- b. Type 2 : Single storey with two-tiered roof (Table 4.1)
- c. Type 3 : Double storey with two-tiered roof (Table 4.2)
- d. Type 4 : Double storey with simple pitched roof (Table 4.2)
- e. Type 5 : Double storey with Western façade (Table 4.3)

The first type is the simplest type of shophouse in Hoi An and is believed to be the oldest style built in the early 18<sup>th</sup> century (Tuong, 1990:206). These houses have relatively low pitch roofs, timber front façades and brick plastered with lime mortar for the party walls. The latest style is the double storey houses with Western facades built in the late 19<sup>th</sup> to early 20<sup>th</sup> centuries during the French occupation, which feature brick walls plastered with lime mortar and washed with natural pigments, as well as formal façades with decorated plaster motifs and friezes in three equal bays. The other types of house (Type 2 – 4), are the variants between these two styles. The specific features and the common characteristics of each style is given in the following Tables 4.1 to 4.3:

<sup>26</sup> Due to research limitation (sub-chapter 8.4), analysis on internal planning (spatial analysis) was not possible.

Table 4.1: Characteristics of single storey houses.

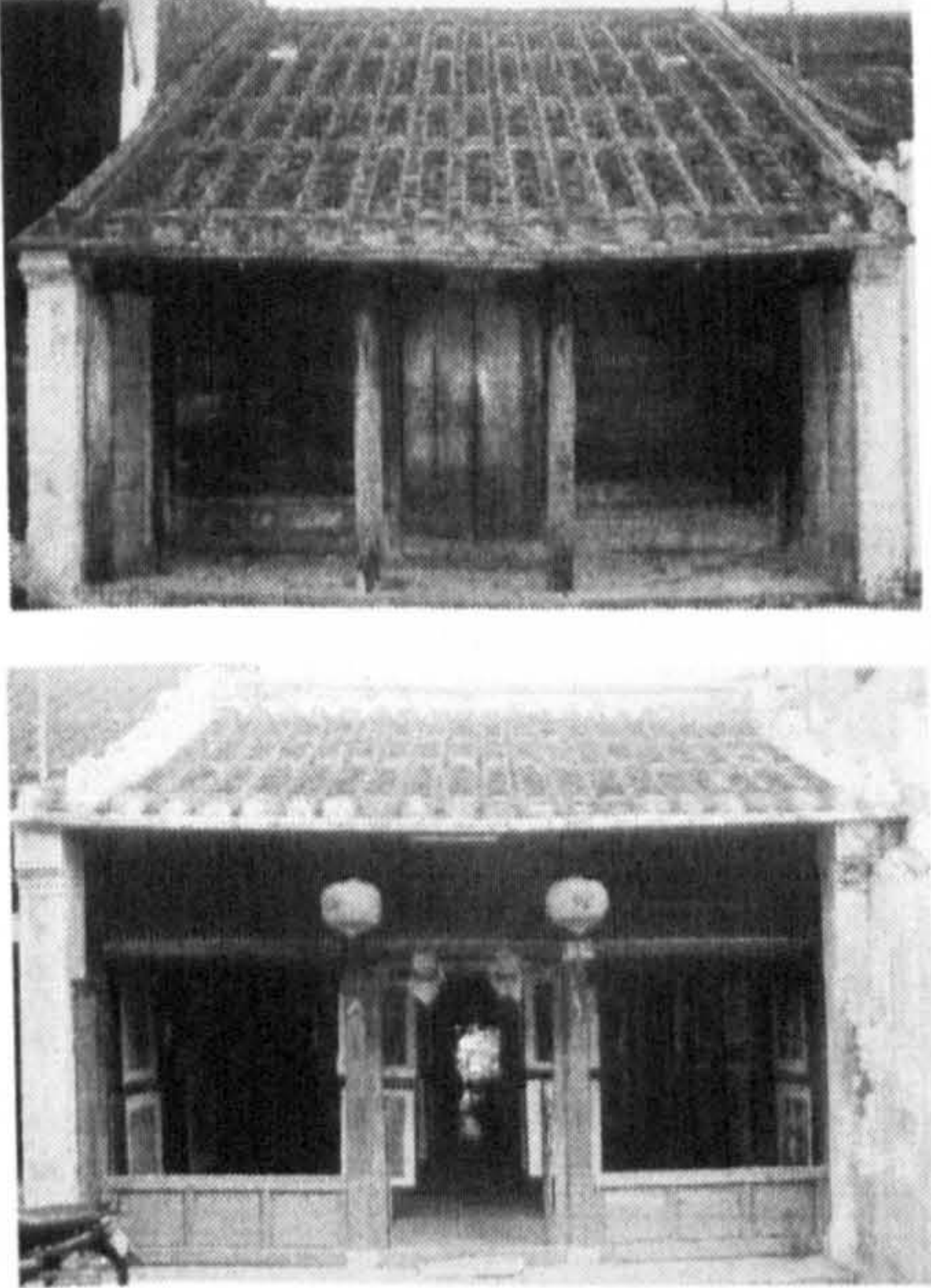
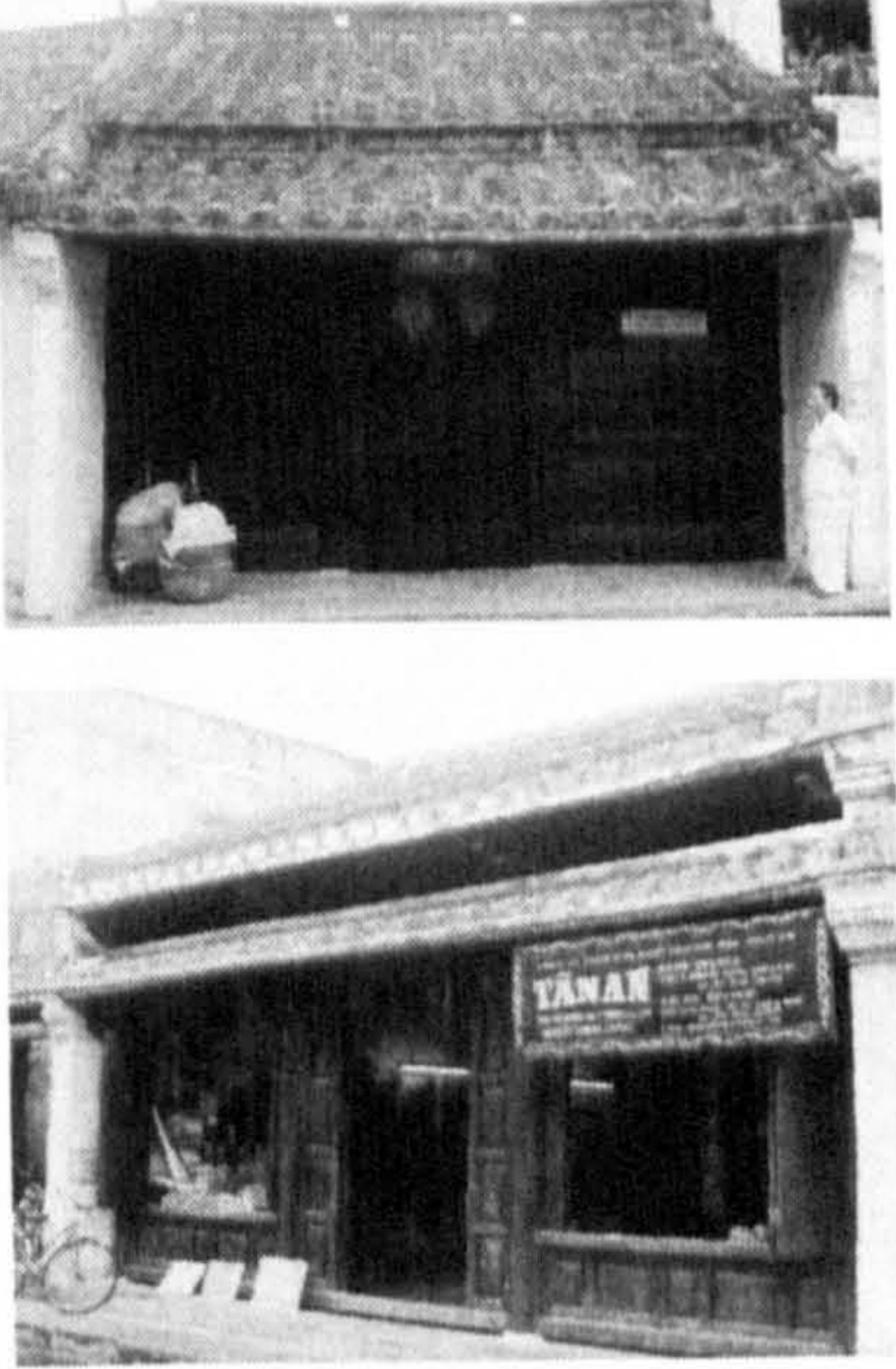
<p style="text-align: center;"><b>Type 1</b> <b>Single storey with simple pitched roof</b></p> 	<p style="text-align: center;"><b>Type 2</b> <b>Single storey with two-tiered roof</b></p> 
<p><b>Special Characteristics:</b></p> <ul style="list-style-type: none"> <li>• The simplest type of houses in Hoi An and believed to be the oldest style. Relatively low in height, this type of houses have low pitch roof and without gutters.</li> </ul>	<p><b>Special Characteristics:</b></p> <ul style="list-style-type: none"> <li>• Higher roof structure of about 4.75 meters to the ridge compared to the previous type of only 3.75 meters.</li> <li>• Two-tiered roof. The larger roof covers the main spaces of the house where as the lower roof covers the outside porch.</li> <li>• In some cases the spaces in between these roofs are not closed so that more natural light can penetrate to the interior spaces as well as to encourage natural ventilation.</li> </ul>
<p><b>Common Characteristics:</b></p> <ul style="list-style-type: none"> <li>• Clay tiles roof in 'yin-yang' arrangements where lime mortar is used to hold these tiles together. To further secure the tiles in place, horizontal bands of tiles are fixed above the vertical lines at several intervals. The roof has simple ridge without decoration.</li> <li>• A few small 'skylights' are placed near the ridge to brighten up the internal spaces naturally.</li> <li>• The floor plan of the front portion, the shop, is simple but formal with a series of free-standing columns that divide the spaces instead of walls.</li> <li>• The formality of the floor plan is expressed strongly in the elevation, which is also symmetrical and formal.</li> <li>• The front façade is normally of timber and is divided into three bays with a smaller bay in the centre and equal bays on each side.</li> <li>• The main entrance is always in the central bay. Large windows with removal or sliding panels are in the two side bays</li> <li>• The two party walls are extended on to the street creating an individual porch in front of each house, and at the same time protecting the house against sunlight and heavy rain.</li> <li>• To further support the rather heavy roof structure, two identical columns, normally round in form, are used. These columns which rest on stone slabs help to celebrate the main entrance.</li> </ul>	

Table 4.2: Characteristic of double storey houses.

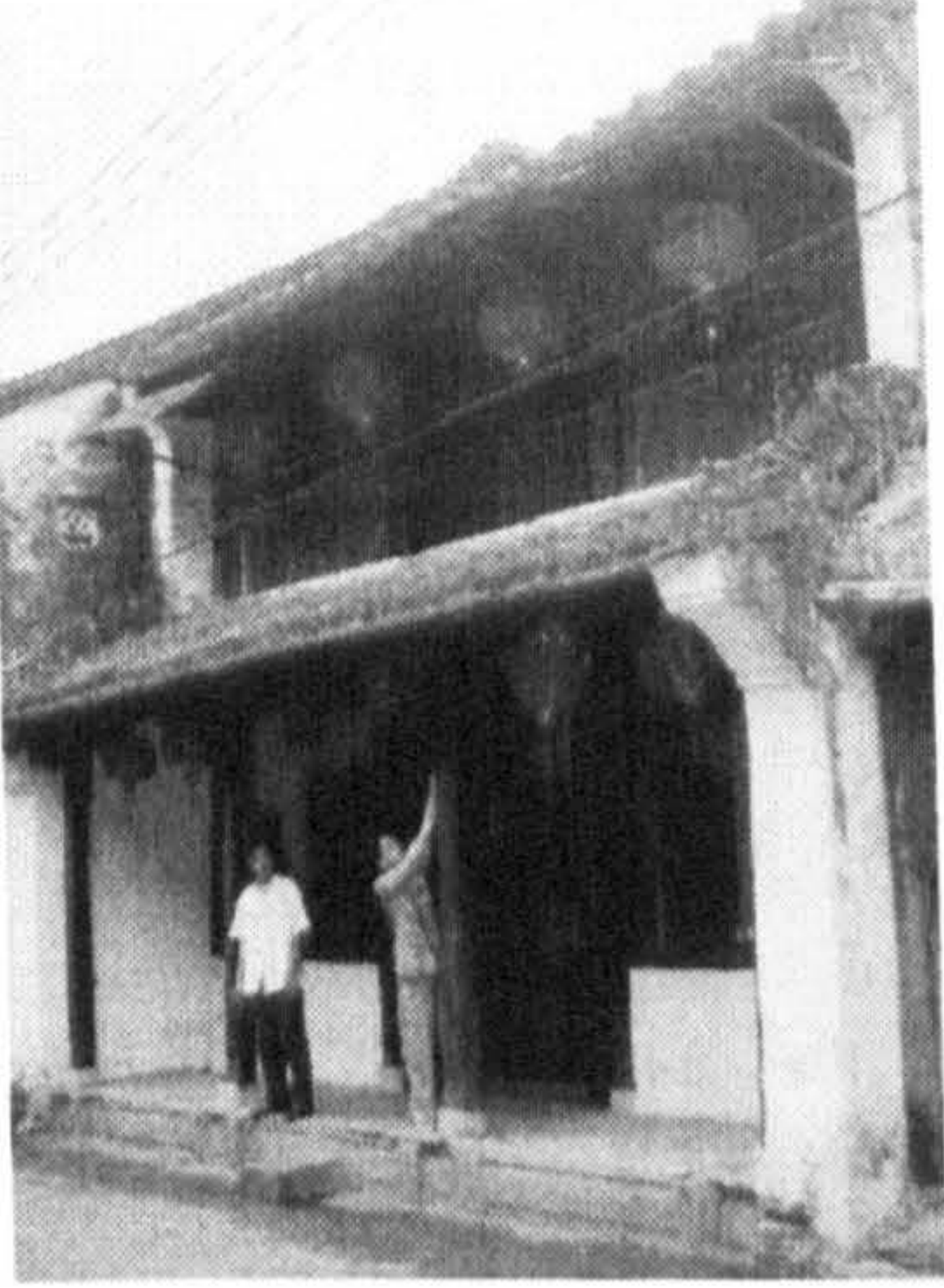
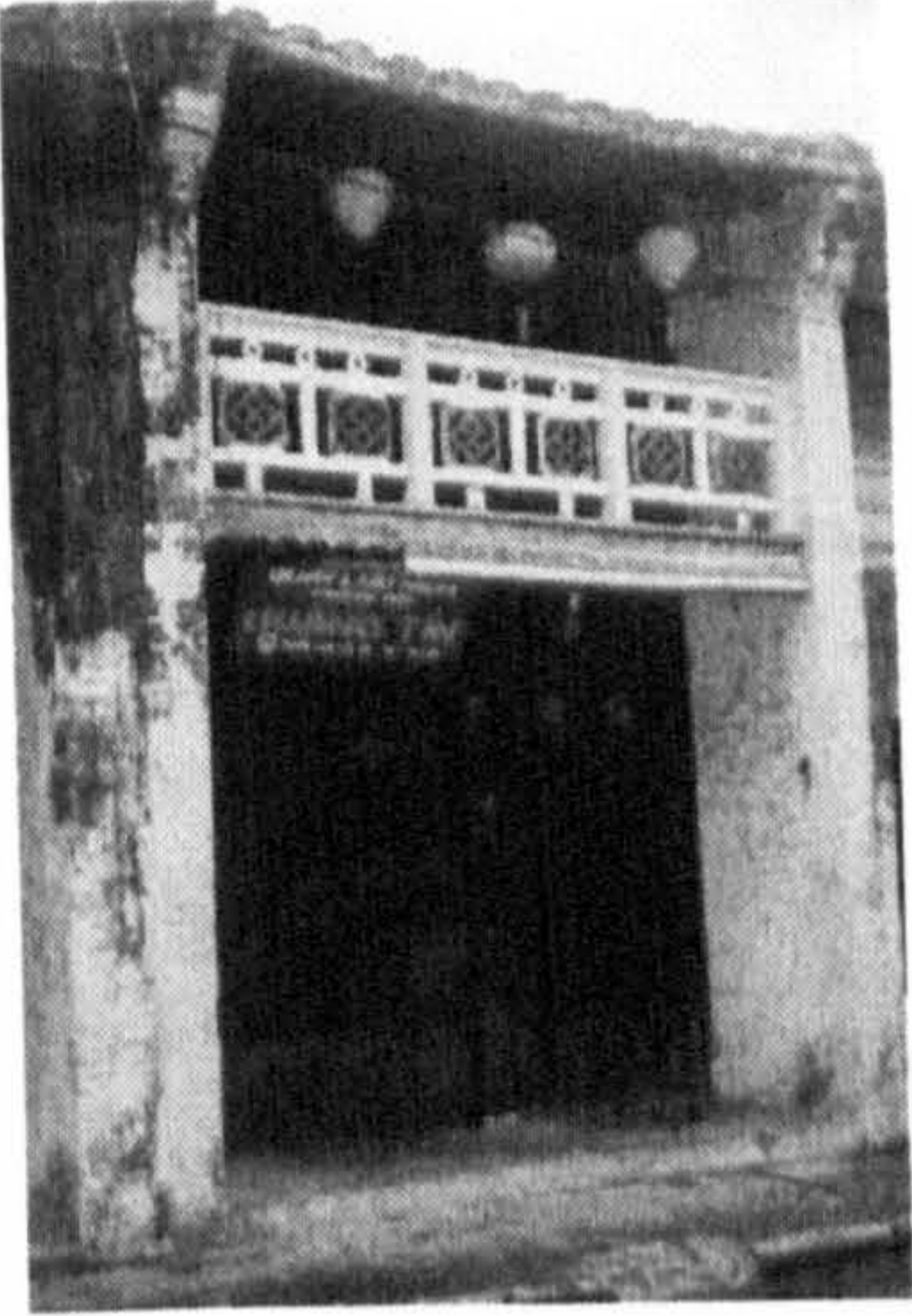
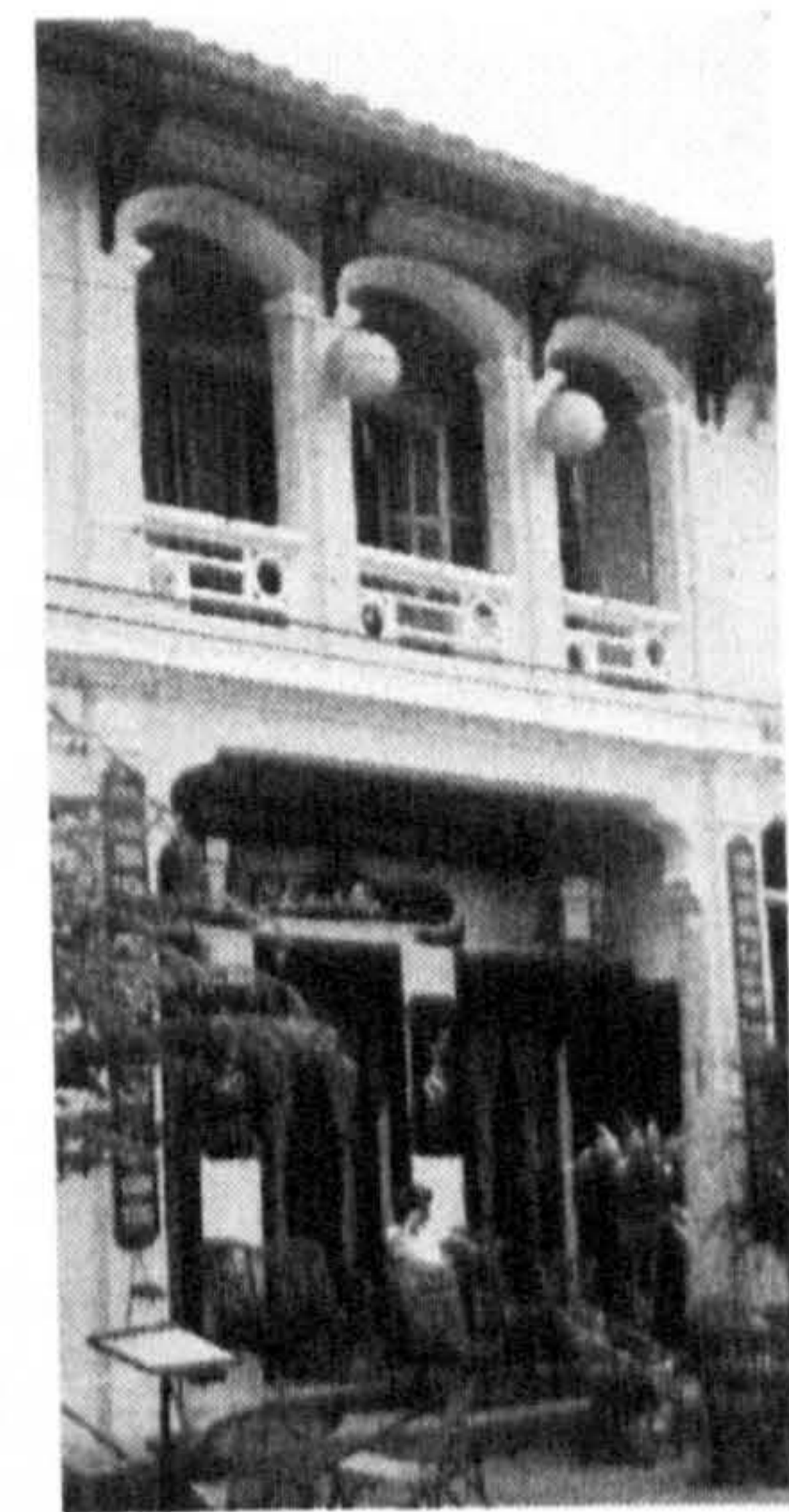
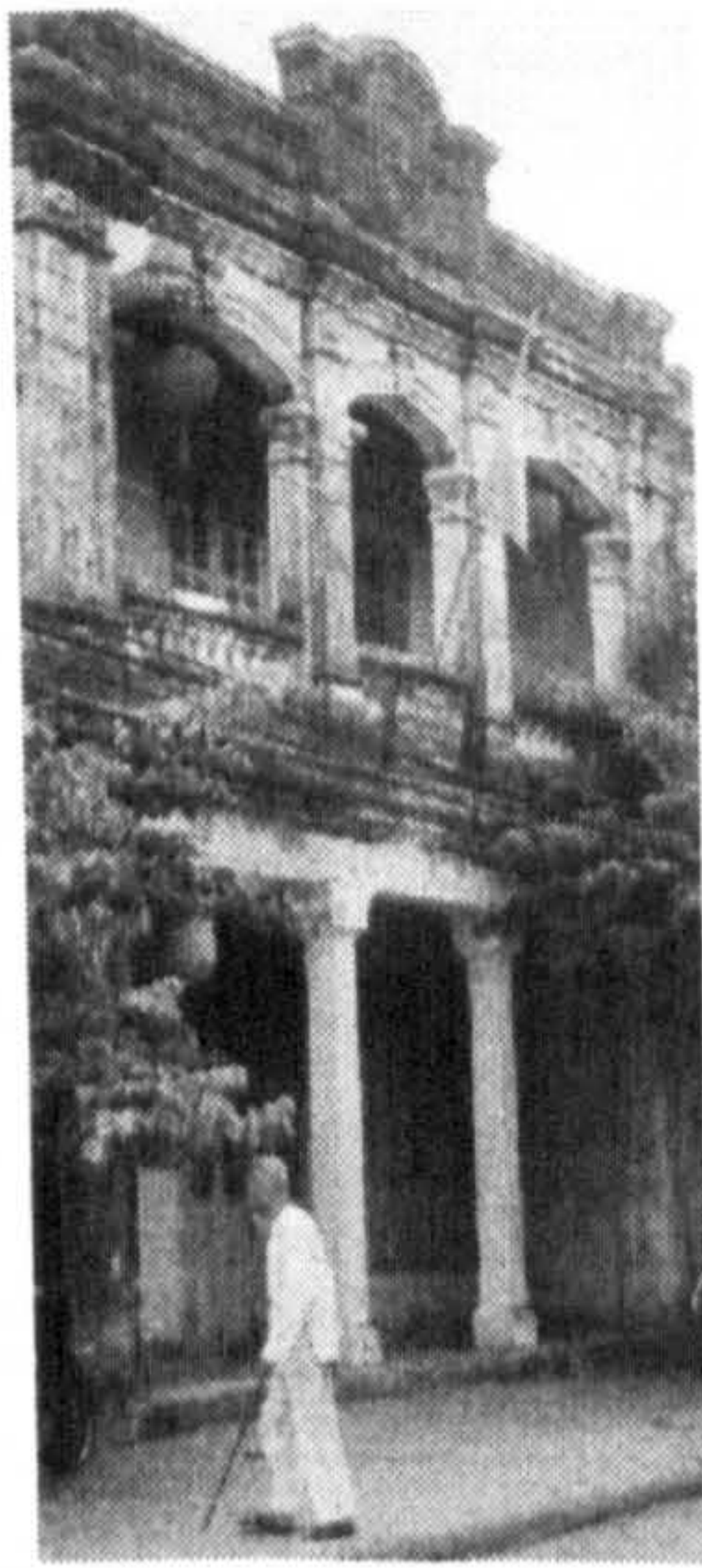
<p style="text-align: center;"><b>Type 3</b> <b>Double storey with two-tiered roof</b></p> 	<p style="text-align: center;"><b>Type 4</b> <b>Double storey with simple pitched roof</b></p> 
<p><b>Specific Characteristics:</b></p> <ul style="list-style-type: none"> <li>• Two storey height with two-tiered roof. The larger roof covers the main spaces of the house whereas the lower roof covers the outside porch.</li> <li>• No outside balcony on the first floor.</li> <li>• Front porch has columns that support the roof structure and help to better define this semi-public and/or transition space.</li> <li>• The house has a better relationship with the street and with adjacent single storey houses due to its roofed front porch.</li> </ul>	<p><b>Specific Characteristics:</b></p> <ul style="list-style-type: none"> <li>• Two storey height with one layer pitch roof that covers both the main spaces and the front porch</li> <li>• Normally have external balcony overlooking the street in front.</li> <li>• Front porch has no central columns, but part of the balcony is supported by large timber beams that span from one party wall to another.</li> <li>• Is considered as a transition style towards the western façade.</li> </ul>
<p><b>Common Characteristics:</b></p> <p>In many aspects, the two storey houses share similar characteristics with those single storey houses such as :</p> <ul style="list-style-type: none"> <li>• Clay tiles roof in 'yin-yang' arrangements where lime mortar is used to hold these tiles together. To further secure the tiles in placed, horizontal bands of tiles are fixed above the vertical lines at several intervals. The roof has a simple ridge without decoration.</li> <li>• The floor plan of the front portion, the shop, is simple but formal with series of free-standing columns that divide the spaces. In some cases a void is created in the central bay.</li> <li>• The formality of the floor plan is expressed strongly in the elevation, which is also symmetrical and formal.</li> <li>• As in the single storey houses the front façade is made of three bays with smaller bay in the centre and equal bays on each side; and is normally of timber or a combination between timber and brick walls.</li> <li>• The main entrance is always in the central bay. Large windows with removable or sliding panels are in the two side bays</li> <li>• The two party walls are extended to the street creating an individual porch in front of each house, and at the same time protecting the house against intense sunlight and heavy rain.</li> <li>• Compared to the single storey houses, the roof construction of double storey houses is more elaborate with combination of <i>Gassho</i> and Chinese styles.</li> </ul>	

Table 4.3: Characteristics of two storey houses with Western facade

**Type 5**  
**Double storey with western facade**

**Specific Characteristics:**

- Very similar to other types of two storey houses except their facades are much influenced by the western styles.
- Have three equal bays instead of narrower bay in the middle
- Very symmetrical facades with arch windows
- The columns or in this case the pilasters, sit on bases.
- The façades are decorated with plaster motifs and friezes that indicate the division between the two floors
- The roof have minimum eaves and in some cases are hidden by parapet walls
- Brick façades with lime plastering. Often finished with lime washed in blue and orange-yellow.
- Always have balcony overlooking the front street with decorated railings.
- The houses are wider set back from the streets (about 3 metres) compared to other houses.

**Common Characteristics:**

This type of house share similar characteristic with other two storey houses, such as:

- Clay tiles roof in 'yin-yang' arrangements where lime mortar is used to hold these tiles together. To further secure the tiles in placed, horizontal bands of tiles are fixed above the vertical lines at several intervals. The roof has a simple ridge without decoration.
- The floor plan of the front portion, the shop, is simple but formal with a series of free-standing columns that divide the spaces. In some cases a void is created in the central bay.
- The formality of the floor plan is expressed strongly in the elevation, which is also symmetrical and formal.
- The main entrance is always in the central bay.
- The two party walls are extended to the street creating an individual porch in front of each house, and at the same time protecting the house against intense sunlight and heavy rain.
- Compared to the single storey houses, the roof construction of double storey houses is more elaborate with a combination of *Gassho* and Chinese styles.

#### 4.5 Halls and Temples of Hoi An

Besides the shophouses, there are other important cultural properties in Hoi An Ancient Town, mainly the assembly halls and temples. These buildings were built by the Chinese immigrants during the late 18<sup>th</sup> and early 19<sup>th</sup> centuries. They can be found mainly on Tran Phu Street, such as: Phuc Kien (Fujian) Assembly Hall, Cantonese Assembly Hall, Chinese Assembly Hall, Hai Nam Assembly Hall, Trieu Chau Assembly Hall and Quan Cong's Temple. It is interesting to note that all these buildings were built with their fronts facing the South where Thu Bon River is located. These communal buildings feature similar characteristics to other Chinese temples in Southeast Asia region, in that,

(Loh, 1998: 50-51)

- The overall structure of the temples can be divided into three sections – lower, middle and upper. The lower being base plinth or platform, the middle being pillars and the upper is the truss system of wooden brackets, which supports the crossbeam and the weight of the roof.
- The roof ridge, which may be horizontal or curved, is decorated with auspicious animals mainly dragons, which symbolise strength, justice and power. Normally two dragons are facing the pearl, known as the celestial pearl that represents the sun and the Yang force or energy, at the centre of the ridge.
- The basic layout is very formal and symmetrical with the main axis lying in the centre of the temple complex. The main spaces are: entrance gate, front courtyard, prayer pavilion, main hall, altar, rear courtyard and rear garden.
- The gable walls are raised higher than the roof ridge and are straight, stepped, bow-shaped or wavy. The horizontal wall frieze is either decorated with flower motifs or mythical animals
- The use of five colours that represent the world – green(wood), yellow(earth), white(metal), black(water) and red(fire).

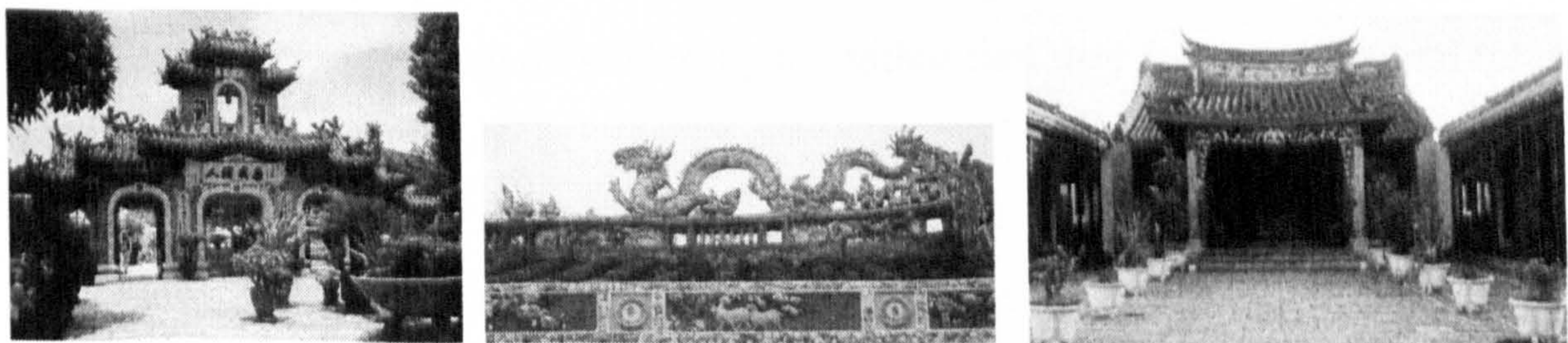


Figure 4.14: Fujian Temples and typical dragon on roof ridge.

Due to the limitations of time available in Hoi An, and it not being within the scope of this research, the specific planning and architecture of assembly halls and temples in Hoi An, therefore were not gathered and researched.

## **4.6 Threats and Defects**

As a whole, the cultural properties<sup>27</sup> in Hoi An today are generally in good condition. Its narrow and winding streets retain their original character and no motorised vehicles are allowed within the core zone except motorcycles. Common scenes of Vietnamese women wearing conical hats mainly on foot and some on bicycles are the living examples of what the streets of Hoi An looked like a couple of hundred years ago. Similarly, its shophouses are generally in good condition. The brick walls plastered with lime mortars are structurally sound and so are the timber columns and beams inside these buildings. The single and double storey shophouses are remarkably preserved with no alteration and modification made to the front facades, roofs and overall height. Despite common problems associated with the clay roof tiles such as algae and molds and the occasional leaks, not a single historical house has replaced the clay tiles with modern materials. The communal halls and temples scattered along the streets of Hoi An, however, are in better state than the shophouses in general. The waterfront, that at one time functioned as an important port, is still there but silted. Although Hoi An no longer functions as international port, it remains an important trade centre for the nearby villages.

Since the inscription of Hoi An in the World Heritage List in 1999, increasing number of tourists are visiting the town and this to some degree, has changed the type of business traditionally available in Hoi An to restaurants, tailor-made shops, art galleries and furniture stores. The houses are being repaired, both by the authorities and the owners to meet the general level and quality of service expected by the tourists. Even though the cultural properties in Hoi An are not left neglected and derelict, and their restoration are closely being monitored by the authorities, they face a few natural threats that must be highlighted.

### **a. Monsoons and Floods**

Being located in the tropical region and only few miles inland from the South China Sea, Hoi An receives the direct impact of the north-eastern monsoons that occur between October to February every year and bring with them continuous heavy rain and

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<sup>27</sup> Cultural properties defines by the UNESCO and the ICOMOS to include monument, site and groups of buildings (Chapter 2)

high winds. Since most of the historic structures in Hoi An are brick structure either single or double storied, high wind does not really affect these properties. The clay roof tiles are not dislocated due to being embedded using lime mortar. However, heavy rains often cause flash floods and sometimes monsoon floods last for several days or weeks. Monsoon floods in 1994 and in 1999, just months after Hoi An was inscribed, were the worst that Hoi An had ever experienced with water levels reaching to almost two metres above ground near the river banks and flooding hundreds of historic properties in the ancient town.



Figure 4.15:  
Parts of Le Loi Street were affected by  
1994 flood. (Source SWO, 2000:7)

The 1999 disaster flooded seven provinces in Central Vietnam including Quang Nam Province where Hoi An is located and damaged 192,313 houses, including 5,687 others which collapsed and 73 lost their lives in Quang Nam Province alone<sup>28</sup>. Heavy rainfalls coupled with poor irrigations at Thu Bon and Vu Gia Rivers were reported as the main causes of the tragedy. Similar disasters, but on a smaller scale were also reported in 2000, 2001 and 2002<sup>29</sup>. Even though it is not within the scope of this research to focus on the threats and risk preparedness of the town, it must be highlighted that the Government of Viet Nam at all levels must take all the necessary actions to prevent similar incident from recurring. The local authority should initiate an improved 'risk-preparedness plan' for such disaster. Related international agencies on cultural properties especially the World Heritage Committee, can help Hoi An by providing both financial and technical support for prevention and improvement programmes in Hoi An and in Viet Nam in general.

<sup>28</sup> Disaster Management Unit, Flood Damage Summary in Central Viet Nam, 1999. No figures available for Hoi An.

<sup>29</sup> Information from CMMP, local authorities during the Field Work in 2002.



### b. Fungi and Termites Infestation

Most of the buildings in Hoi An are reasonably well maintained and are in good condition. This is perhaps due to the buildings being continually inhabited; none of the buildings surveyed during the study visit in 2002 was left unattended. However, there are two obvious defects that affected some buildings: one related to the growth of fungi on walls, timber structures and roofs of houses and another is timber defects due to termite infestations. These two problems were identified by the UNESCO Mission in 2000<sup>30</sup> and remedial steps were also recommended. Even though the problems relating to fungi are not as serious as those created by termite infestations, it must be mentioned that some of these fungi as identified by Yeomans (2000) can cause significant decay in timber if left to grow over a long period. The visit in 2002, also identified that fungi and weeds were growing on the roofs of some houses to the extent that they had caused damage to the roof tiles resulting in roof leaks. Actions were then taken by the authorities to kill these weeds by using chemical sprays just weeks before the field work. However, these actions may not necessarily solve the problem of leakage since the dying weeds shrink and lose their moisture contents, therefore leaving gaps for possible water penetration. The owners and the authorities must therefore monitor the effectiveness of this effort before such measure can be recommended for other buildings in the future.

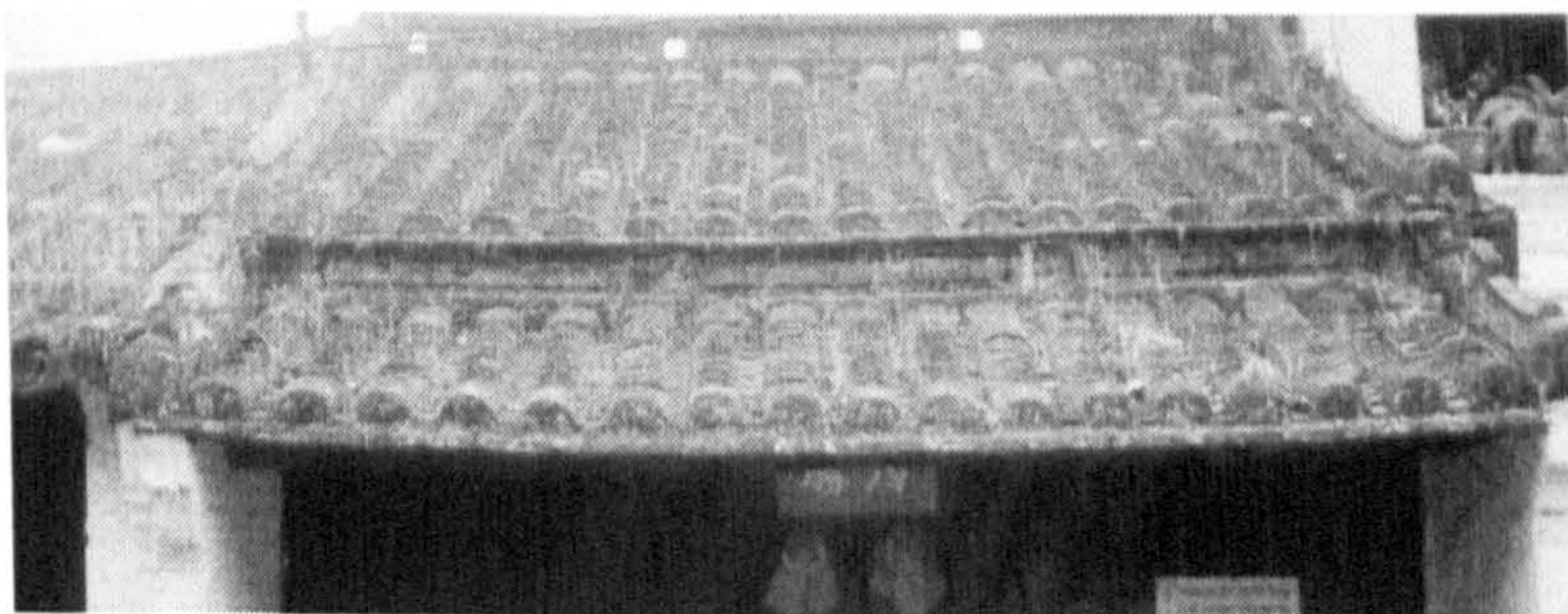


Figure 4.16:  
Fungi and weeds on roof tiles

A more serious problem faced by the owners and the authorities in Hoi An is timber defects due to termite infestation. The Nomination Dossier (SRoV, 1998:10) highlights that widespread termite, worm and fungus are one of the factors affecting the historic properties in Hoi An. Yeomans (2000) who surveyed the buildings in Hoi An and Hue indicates that there are several types of subterranean termites identified by the Hue

<sup>30</sup> Headed by Dr. David Yeomans & David Michaelmore from 29<sup>th</sup> February – 6<sup>th</sup> March 2000.

Monuments Conservation Centre, but the most dangerous is *Coptotermes formosanus*<sup>31</sup>, which can cause massive destruction to buildings. The study visit in 2002, found several buildings on Nguyen Thai Hoc Street to be badly infested by termites, in particular no: 104, which was then under restoration. Most of its main columns and rafters were affected. Yeomans (2000); however indicates that problems with termites and fungus will not commence if the buildings are dry and well maintained (p.4) and identifies two possible spots within a building that are prone to such attacks:

- at upper levels where there are long-term roof leaks.
- at column bases where the end grain of the columns remain damp due to annual floods or roof leaks and therefore lose their durability. The problem is greater if timbers are taken from juvenile instead of matured trees.

The authorities in Hoi An are well aware of these problems, but until this moment no survey has been conducted by any agencies, either local or international, to identify the extent of damage and the number of houses affected. The problems, however, are being tackled piecemeal as individual buildings are being restored. The owners of the buildings, when asked, are also aware of these problems, but without technical knowledge and equipment are unable to detect the extent of termite attack until it is too late to save the timbers (since subterranean termites stay in contact with the soil, within the timbers or inside saliva tubes).

#### 4.7 New Interventions

As a whole, the value of cultural heritage in the ancient town of Hoi An is high. Most of the traditional shophouses remain unchanged in terms of materials used, design, scale and façade treatments. The credit must go the local authority, the Centre for Monument Management and Preservation, which is entrusted with approval and monitoring of all extension and renovation plans, as well as to the owners of these houses who support all recommendations and activities organised by the authorities and who take pride in their buildings and heritage. The field work in 2002 identified no new structures built

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<sup>31</sup> *Coptotermes formosanus* are hugely prolific reproducers, and can cause massive destruction to buildings. A single colony could contain several million termites and could forage up to 100m in search of food.

or being built within the ancient town and no illegal extensions or renovations being carried out by the homeowners. There are, however, several houses mainly on Tran Phu and Nguyen Thai Hoc Streets that are being restored by local authorities in collaboration with Japanese teams.

The restoration of shophouses in Hoi An began in 1993 following an international symposium held in Danang that discussed the many aspects of cultural heritage in Hoi An<sup>32</sup> and witnessed inputs from international participation such as those from Japan, France, Australia, China and the Soviet Union. Due to the closed historical ties between the government of Japan and Viet Nam, an agreement was reached between these two countries that Japan International Cooperation Agency (JICA) and Showa's Women University of Japan would provide technical and financial assistance to restore several shophouses in Ho An. The first project was the restoration of a single storey house at No. 121 Tran Phu Street in 1995, followed by restoration of a double storey house at No. 80 on the same street. Since then there have been several more houses restored by these Japanese teams<sup>33</sup>. Financial help was also received from UNESCO in 1996 to restore the single storied house at No. 113 Nguyen Thai Hoc and from the government of Canada to restore temples and assembly halls in 2002. There are also several houses that have been restored by the owners themselves with technical and some financial assistance from local authorities and JICA such as those at No. 23, 152 and 131 on Tran Phu Street. The commitment of JICA to continuously support restoration projects financially in Hoi An and to train the local professionals, and to gradually entrust the locals with taking over the planning and supervision, must be acknowledged.

During the field work in 2002, the opportunity was taken to assess the methods adopted by the local authorities who have worked in more than ten shophouses in close collaboration with the Japanese teams. Various means were used, such as visiting the completed and on-going restoration projects, discussions with local authorities, professionals as well as with a JICA expert who is being seconded to Hoi An. The opportunity was also taken to visit two houses that were being restored by the owners with some financial assistance from the local authority, the People Committee of Hoi

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<sup>32</sup> The International Symposium on the Ancient Town of Hoi An, Danang, 22 – 23<sup>rd</sup> March 1990.

<sup>33</sup> Houses No: 142, 48 on Tran Phu; house no: 113 on Nguyen Thai Hoc and House no: 6 on Nguyen Thai Minh Khai.

An and JICA: one at No 26 Tran Phu Street and another at No.104 Nguyen Thai Hoc Street. There are a few observations, mainly relating to the technical aspects of restoration that should be highlighted:

- i. **Method of restoration:** In the case of the restoration projects completed by the local authorities in collaboration with JICA, the projects were completed in the shortest time possible, perhaps a little bit 'heavy handed' in their approach and 'over-done'. In all projects for example, roof tiles were completely changed with new tiles instead of trying to use the existing tiles or replacing them with used ones. Most purlins and battens were replaced, little repaired on columns and mostly new wall panels were installed. It gives the impression that the projects were about reconstruction rather than restoration. Perhaps they were unavoidable cases - since I did not have the opportunity to survey the houses in their derelict states before restoration began - but as commonly agreed, in any conservation project, careful, sensitive and minimum intervention is always the best.

The method of restoration adopted by JICA was another concern, where the houses are completely dismantled, except for the two party walls, and later re-assembled in proper order following general cleaning and rectification of all defects. There was not a single house restored by JICA without being fully dismantled. This particular method of restoration is acceptable if there is a need to relocate the houses, but not necessarily for in-situ restorations since re-assembly will never be the same as originals and will normally result in more change than necessary. Another concern was related to the protection of the houses during restoration especially against rains and water penetrations. A visit to No. 104 Nguyen Thai Hoc during 2002 was disappointing in this sense, since the house was left unprotected after the roof had been removed, leaving the timber structures exposed to external weather conditions. Similarly, not enough care was given in storing timbers after they were taken down. The members were left stacked in a corner regardless of their state of preservation and without any system. Normally, for such restoration methods, timbers are placed according to their numbering systems and their extent of defects. The lack of care on site will

make locating the particular timber more difficult and it may cause unnecessary damage to the timbers concerned.



Figure 4.17:  
Restoration of No. 104 Nguyen Thai Hoc. The timbers were left unprotected and stacked without enough care.

- ii. **Traditional materials:** Hoi An, in a sense, is fortunate since not much modern development has happened in the ancient town centre, therefore much of its heritage both tangible and intangible remain unchanged. The traditional carpentry village of Kim Bong, located about 20 minutes boat ride from the ancient town, has timber works that are still in operation. The villagers, young and old work at several workshops specialising in wood construction, carvings and wooden furniture. The highly skilled workers provide a continuous supply of carpenters for the restoration works. Similarly the pottery village of Thanh Ha, located 3km from the ancient town specialises in the production of clay tiles, bricks and pottery since the 16<sup>th</sup> century. The sources of material, methods of production and the quality have remained the same for hundreds of years. Unlike many historical sites that have difficulties in getting materials produced using traditional techniques, Hoi An is exceptional. The supply of traditional materials produced under traditional condition and the availability of skilled labour in this sector have not been a problem except that quality timber is now much more expensive and in many cases has to be imported from nearby regions or neighbouring countries

(Yeomans, 2000:6). The products from these villages are used not only for restoration works in Hoi An, but further north to Hue, and Hanoi and to the south towards Ho Chi Minh City. To ensure continuous production and supply of materials and labour for restoration projects throughout the country, the government of Viet Nam and UNESCO have recently provided substantial grants for both villages (VNA, 2003).

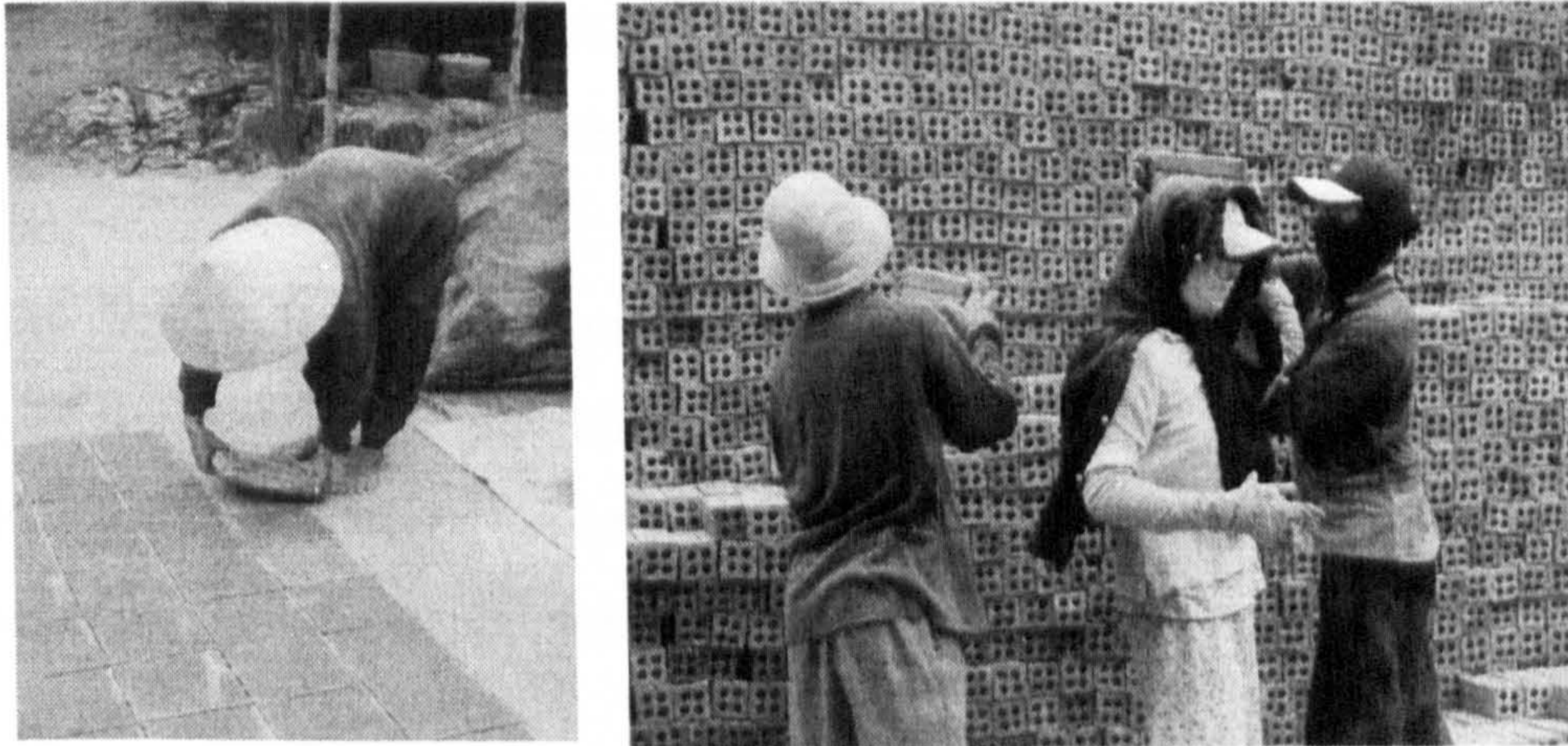


Figure 4.18:  
Production of clay tiles and bricks has remained the same for six hundred years.

- iii. **‘Transfer of technology’**: JICA involvement in the restoration of historical buildings in Hoi An began in 1995 where the main objective was to train local professionals and authorities on both technical and management aspects, as well as to provide appropriate funds, with the hope that the local professionals one day will be able to restore similar houses independently. With help from highly experience staff from Showa’s Women University, JICA has been very successful in this mission and this ‘transfer of knowledge’ is much appreciated not only by local authorities but international agencies at large. In the subsequent projects, JICA inputs were gradually reduced and the tasks of running the projects taken over by the local partners. The ‘transfer of knowledge’ from the Japanese teams to the locals has been quite successful with more buildings now being restored by local experts, such as the shophouses No: 104 Nguyen Thai Hoc Street, No : 26 Tran Phu and Kong Tu Miew Temple, which were under restoration when the field work happened in 2002.

#### 4.8 Conclusion

The Ancient Town of Hoi An is one of the historical cities in Southeast Asia that remains largely intact, both in terms of its tangible and intangible values. Physically, the town has not changed significantly. The narrow and winding roads are still being used mainly by pedestrians, the waterfront remains as the main focal point and busiest during high tides, the market is still being used the same way as it has always been with traders and customers wearing their conical hats. Traditional villages are still producing bricks, tiles and wood carvings using traditional techniques.

Architecturally, Hoi An is filled with more than 800 shophouses that line both sides of its streets, as well as several temples and communal halls. These shophouses are still being used by the descendents of the original owners and generally share common planning, materials, construction techniques and uses:

- Long and narrow plan with public spaces, the shop, are at the front facing the street and private spaces, the house, are located either at the back or on the first floor. These two domains are separated by a void or internal garden that helps to brighten up the internal spaces, encourage ventilation, reducing extensive glare, and acts as utilitarian space for gardening, relaxing and drying clothes.
- These houses are built using post and lintel construction with timber columns and beams. The front and the back portions have independent structures that emphasise the roof construction technique. The front is more elaborate featuring a combination of Chinese roof construction and local *Gassho* style, where as, the back features a simpler *Gassho* style. The roof materials are of curved clay tiles held together by lime mortar, the walls are of clay bricks plastered with limes and finished with natural colour pigmentations.

The shouphouses in Hoi An, can be grouped into five styles depending on their facades and roof designs:

- i. Single storey with simple pitched roof, is the simplest type that features low pitch roof that covers the public domain;
- ii. Single storey with two-tiered roof which has a higher roof that covers the main spaces of the house and lower roof that covers the front porch;
- iii. Double storey with two-tiered roof. Two storey high with higher roof covers the main spaces and the lower roof covers the front porch;
- iv. Double storey with simple pitched roof that features two storey structure with one layer pitch roof that covers both the main spaces and the front porch. Normally have external balcony;
- v. Double storey with Western facades, is very much similar to the previous, but their facades are influenced by the Western styles.

Even though the shophouses in Hoi An retain much of their original design, they suffer from defects due to fungi and termite infestation. The most obvious fungi attacked was on the roof of the houses and on damp masonry walls, which causes the roof tiles to dislocate and the walls, as well as the roof to crack, thus allowing for rain water penetration to the inside. This has encouraged attacks from colonies of termites.

No new buildings are being built within the core zone of Hoi An and no new extensions that could jeopardise the heritage values of the town are allowed to happen. In fact, not a single building within the historical zones has replaced its roof material to other than curved clay tiles produced locally. There are; however, several buildings that have been restored by the local authorities with assistance received from JICA since 1993.

Generally, the restoration method introduced by JICA that generally involves dilapidation survey, total dismantle, repair and reassemble are acceptable, but it requires fine tuning especially related to the numbering system, security, storage, repair and records. This method which can be considered as major intervention, should be compared with alternative methods that are more sensitive, such as in-situ repairs without total dismantle.



Chapter Eight, concludes with four main findings on cultural property of Hoi An and the following chapter deals with management of Hoi An at local level. In particular, the study on its current management structures, practice of inventory and legal instruments.

## CHAPTER 5

### MANAGEMENT OF HOI AN



## 5.0 Introduction

The previous chapter provides background information on Hoi An and discusses the value of its main cultural property, mainly its shophouses, as well as its current state of conservation. This chapter; therefore attempts to discuss the overall management of Hoi An, in particular to assess whether the existing legal instruments on cultural properties, management structures and documentations are effective in safeguarding the historic properties in the town. Firstly, the chapter discusses the scope and limitation of all legal instruments enacted in the country that relate to the protection of cultural properties and the Ancient Town of Hoi An either at national, provincial or local levels. In total there are eleven instruments in the form of Ordinances, Decisions or Decrees that have been enacted since the first Ordinance on the protection of cultural properties, at national level, was passed in 1984. Secondly, the chapter also attempts to assess the effectiveness of the existing management structure at local level, specifically the roles and functions of the Centre for Monument Management and Preservation (CMMP) and thirdly it attempts to assess the current practice of documenting and recording of cultural properties in Hoi An.

### 5.1 Legal Instruments on Cultural Properties

In the Socialist Republic of Viet Nam, as well as other countries in the world, the duty of protecting a nation's cultural and natural heritage lies on the shoulders of the State and its people, and has been formalised by legal instruments at national, provincial and local levels. The first legal instrument at national level that provides a comprehensive definition, scope and protection of cultural and natural properties in the country was enacted only in 1984<sup>1</sup>, several years after the country was formally united as the new Socialist Republic of Vietnam in 1976. This instrument, known as Ordinance No. 14/1984 was drafted with the intention to recognise the important cultural properties in the country and to identify the agencies responsible for the management and protection of these properties. Even though the scope of this Ordinance was mainly focused on the recognition and protection, it can be considered as a major achievement of the government, which had gone through many years of bloody wars. It reflects the commitment of the government at that time to ensure that the rich heritage of the

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<sup>1</sup> There were two ordinances related to cultural properties enacted in 1945 and 1957 (Binh:54) which are now superseded and invalid (SRoV, 1984: article 27)

country is properly protected against mistreatment, vandalism and wrong doings. No new ordinances on cultural properties at national level were enacted for many years after 1984, except in 1992 when the 1980 Constitution was amended. A clear statement that indicates the commitment of the government and all citizens to continue protecting the country's heritage was included that says:

**(SRoV 1992: Article 34)**

The State and society seek to preserve and develop the national cultural heritage; they take good care of preservation and museum work; they look after the repair and maintenance of, and seek to obtain the best effects from, historical vestiges, revolutionary relics, items of the national heritage, artistic works, and places with beautiful scenery. All acts in infringing historical vestiges, revolutionary relics, art works and places with beautiful scenery are strictly forbidden.

However, no amendment was made to Ordinance No. 14/1984 and no new instrument was introduced. When Hoi An was inscribed on the list of World Heritage Site in 1999, this Ordinance was the only legal instrument on cultural heritage enacted at national level, but provides the basis for related Decisions on cultural properties being made at both provincial and local levels across the country. For the Ancient Town of Hoi An, for example, there are two Decisions made by Quang Nam Province People's Committee and six by Hoi An Town People's Committee that focus on the recognition, protection, restoration and management of historic properties in the town from 1984 to 1999. Table 5.1 shows all ordinances and decisions passed by related government bodies at national, provincial and local levels that relates to the protection of cultural properties in Hoi An.

### **5.1.1 Ordinances at National Level.**

Ordinance No.14/1984 was the main legal instrument on cultural properties in Viet Nam from 1984 to 2001, limited in scope, but the basis for many specific legal instruments on cultural property being made at local levels. In 2001, a more comprehensive law on cultural property, known as Ordinance No. 28/2001: the Law on Cultural Heritage in Viet Nam, was passed by the Central Government that provides protection for both tangible and intangible cultural heritage of Viet Nam and obligations and responsibilities of the many State agencies. Together with 1984 Ordinance, these legal instruments are the two most important laws on cultural properties in Viet Nam to date.

**Table 5.1**  
**Legal Instruments on Cultural Properties enacted at National, Provincial and Local Levels that relate to the Ancient Town of Hoi An.**

National Level	1984	Ordinance No: 14/1984 (31 <sup>st</sup> Mar 1984) Ordinance on Protection and Use of Historical & Cultural Relics & Places of Interest
	1985	Decision No: 506/1985 (19 <sup>th</sup> Mar 1985) To Recognise Hoi An Ancient Urban Quarter as a National Historic-Cultural Relic
	2001	Ordinance No: 28/2001 (29 <sup>th</sup> Jun 2001) The Cultural Heritage Law
Provincial Level (Quang Nam)	1987	Decision No:1796/1987 (6 <sup>th</sup> Jul 1987) Regulation on Protection and Use of Hoi An Ancient Urban Centre Vestige
	1996	Decision No 1683/1996 (10 <sup>th</sup> Aug 1996) Promulgation of the Statute for Organising and Managing Tourist Activities
Local Level (Hoi An)	1997	Decision No:1611/1997 (3 <sup>rd</sup> May 1997) Regulation on Management, Conservation & Exploitation of Hoi An Monument & Landscapes
	1998	Decision No: 37/1998 (5 <sup>th</sup> Feb 1998) Establishment of the Hoi An Join Working Team for Cultural & Civilised Tourism Check
	1998	Decree No: 03/1998 (16 <sup>th</sup> March 1998) Tourists' Indecent Dressing
	1998	Dispatch No: 220/1998 (10 <sup>th</sup> Jun 1998) Fire Prevention for the Historic Town of Hoi An
	1999	Decree No:03/1999 (23 <sup>rd</sup> Feb 1999) Organising the Hoi An Ancient Night on the 14 <sup>th</sup> of Lunar Month
	1999	Decree No:08/1999 (6 <sup>th</sup> Aug. 1999) Strengthening Preservation Work in the Historic Town of Hoi An

**i. Ordinance No.14/1984**

This ordinance was passed by the State Council of the Socialist Republic of Viet Nam on March 31, 1984 that set the foundation for the protection of cultural and natural

heritage in the country. It has become the main source of reference for more specific ordinances and decisions enacted at various provinces and towns across the country until the present day. In Hoi An, for example, Decision No:1611/1997 that has become the main reference was based on this ordinance. Ordinance No. 14/1984 stipulates in general provisions, recognition, protection, awards and punishments relating to the management of historic properties and is significant to the country in that it:

a. (Articles 1 and 2).

Recognises that nationally important historical properties in Viet Nam are considered either as historical and cultural relics or as scenic spots. The former is associated with cultural heritage and the latter with natural heritage; and places the management of these properties directly under the Ministry of Culture;

b. (Article 8)

Asks local and provincial People's Committees to prepare and propose all historical relics within their jurisdiction to be included in the list of historical and cultural relics or scenic spot for final approval by the Ministry of Culture;

c. (Article 12)

Delegates the management of locally important historical properties to related People's Committees at both provincial and local levels, but all conservation and restoration projects and activities must be forwarded to the Ministry of Culture for final approval (article 15).

d. (Articles 4 and 26)

Prohibits any damage, destruction and illegal occupation, illegal exchanges and trading (article 4); and violations (article 26), but does not state specifically the nature and type of punishments.

This ordinance allows for the many important cultural and natural heritages in Viet Nam to be recognised as national heritage; therefore, appropriate protection can be applied. It also provides clear management of historic properties in the country entrusting the

Ministry of Culture with responsibility for the overall management of all historic properties across the county, which operates through the Cultural and Information Service of the People's Committee of each province and/or town and delegates the day-to-day management of the listed properties to the local People's Committees concerned (Article 12).

**ii. Decision No: 506/1985**

As stipulated in the 1984 Ordinance, the Ministry of Culture was entrusted to take full responsibility of all historical and cultural relics in the country and mandated the Ministry to make final approval for inclusion in the list. Therefore in 1985, the Ministry approved the proposal made by the People's Committee of Quang Nam for the ancient town of Hoi An to be considered as a national historical and cultural relic by issuing Decision No: 506/1985 on 19<sup>th</sup> March 1985. As a national heritage, the Ancient Town of Hoi An was put under direct management of the People's Committee of Quang Nam (Article 3), but any construction and exploitation within the ancient town were still subjected to final approval from the Ministry in Hanoi (Article 2).

**iii. Ordinance No. 28/2001, the Cultural Heritage Law**

To consolidate Ordinance No. 14/1984, and to provide protection of both tangible and intangible heritage, which has become the concern of international communities, the government of Viet Nam enacted Ordinance No. 28/2001 known as the Cultural Heritage Law on the 29<sup>th</sup> June 2001 and became effective on January 1, 2002. It promotes activities and values of heritage, provides protection for both tangible and intangible cultural heritages and defines the rights and obligations of organisation and individuals towards the cultural heritages in Viet Nam. Related to the management and protection of cultural property, this Law is significant because it:

**a. (Article 4: Scope and Definition).**

Considers the "historical and cultural relics" and "scenic spots" as defined by Article 1 of Ordinance No. 14/1984 as part of "tangible cultural heritages" and broadens the scope of national heritage to include "intangible cultural heritages". "Tangible cultural heritage" is now defined as:

Material products of historical, cultural or scientific value, including historical cultural relics, famous landscapes and beauty spots, vestiges, antiques and national precious objects

Compared to the scope and definition of heritage as defined by UNESCO (1972a), that clearly grouped the heritage into cultural and natural, this Ordinance considers both as part of “tangible cultural heritage”. It refers to cultural heritage as “historical cultural relics” and natural heritage as “famous-landscapes and beauty spots”.

Historical cultural relics are construction works and sites, as well as vestiges, antiques and/or national precious objects pertaining to such works and sites and having historical, cultural and/or scientific value

Famous-landscapes and beauty spots are natural sceneries or places where exists a combination of natural scenery and architectures with historical, aesthetic and/or scientific value.

The term “scenic spot” as introduced by Ordinance No. 14/1984 was therefore dropped.

The Law also clarifies and differentiates the principles of preservation, renovation and restoration of historical-cultural relics and famous-landscapes and beauty spots:

Preservation is “the activity to prevent and minimise dangers of damage without changing inherent original elements ...”

Renovation is “the activity to repair, reinforce and/or embellish...”

Restoration is “the activity to reconstruct ruined historical-cultural relics ...”

Compared to international guidelines, in particular the Burra Charter 1979 (amended 1999), which clarifies the above principles, these definitions are contradictory. What is considered “restoration” is referred to by the Burra Charter (1999) as “reconstruction” and what is considered “renovation” is referred to by the Burra as “maintenance”. In fact, none of the international guidelines since the Venice Charter 1964 has used “renovation” as possible principles of conservation. The government of Viet Nam, is therefore recommended to review these



definitions, especially the terms and definitions of “renovation” and “restoration”, to be parallel with the international acceptance;

**b. (Articles 5-7: Ownership)**

The Ordinance provides five types of heritage ownership in Viet Nam: entire population’s, collective, joint, private and others and places “all cultural heritages under the ground, in the mainland, on islands, in the mainland waters, territorial waters, exclusive economic zones and continental shelf” (Article 6) and “cultural heritages discovered with unidentified owners and recovered in the course of archaeological exploration and excavation” (Article 7) are under the entire population’s ownership;

**c. (Article 28: Criteria for consideration)**

The Ordinance provides five criteria for consideration to be recognised as historical-cultural relics, and two criteria as famous-landscape and beauty spots. Criteria five that states, “architectural works in groups or single with typical architectural and/or artistic values for one or several historical periods” is where Hoi An falls.

**d. (Articles 29-31: Ranking)**

The Ordinance provides three possible rankings of heritage in the country and the bodies responsible for the ranking of each:

- i. Provincial level relics, which have value to the local community; and mandated the President of the provincial-level People’s Committee to decide on the ranking
- ii. National relics, which have value to the nation; and mandated the Minister of Culture and Information to decide on the ranking
- iii. Special national relics, which have extreme value to the nation; and mandated the Prime Minister to decide on the ranking and to propose to the United Nations Educational Scientific and Cultural Organisation (UNESCO) for inclusion in the World Heritage List, and where Hoi An falls.

e. **(Article 32: Protection Zones)**

The Ordinance allows for the creation of protection zones:

**Zone 1:**

Covers the relic and immediate area(s), which must be protected in their original state.

**Zone II:**

Buffer area surrounding Zone I, where limited development including new buildings are allowed, and to seek approval for such development either from Minister of Culture and Information for national and special national relics or from the Presidents of the provincial People's Committee for provincial relics.

Since Hoi An is considered as a special national relics, it must therefore be protected in total with no new developments allowed within the core zone. The developments within the Buffer Zone are allowed with approval from the Ministry of Culture and Information.

f. **(Articles 33-35: Preservation and Restoration)**

With regard to preservation and restoration projects within the heritage zones, the Ordinance delegates the approval of such projects to “the competent State agencies, provided that the relic’s original elements are preserved to the utmost” (Article 33) . Otherwise such approval must be obtained from the Ministry of Culture and Information (Article 34-35). In Hoi An, the “competent State agency” is the Centre for Monument Management and Preservation (CMMP) which is answerable to the People’s Committee of Hoi An. The role and responsibility of this Centre is discussed under sub-chapter 5.2.

### **5.1.2 Decisions at Provincial Level.**

Besides the national Ordinances of No. 14/1984 and No. 28/2001, there are two Decisions made by Quang Nam People’s Committee related to the management and conservation of Hoi An since 1985 to date, one was made in 1987, Decision No. 1796/1987 that delegates the day-to-day management of Hoi An to the Hoi An People’s

Committee and another was made in 1996, Decision No. 1683/1996<sup>2</sup> that stipulates and encourages tourism in Hoi An.

**i. Decision No: 1796/1987**

Article 12 of Ordinance No. 14/1984 delegates the day-to-day management of historic properties to the related People's Committee. In the case of Hoi An, that committee was the Quang Nam People's Committee. This Decision was enacted by the People's Committee of Quang Nam on 6<sup>th</sup> July 1987 with the main objectives to entrust the People's Committee of Hoi An to do the day-to-day management of the ancient town, to classify the buildings according to their historical and architectural importance and to provide some guidelines for interventions.

(Article 2).

The Provincial People's Committee confer the organisation of management and inspection of lawful implementation for Hoi An ancient urban vestige protection on the Director of Department of Culture and Information [under Quang Nam province] and the Chairman of Hoi An town People's Committee<sup>3</sup>

The delegation of responsibility from provincial to local levels means that the management of Hoi An ancient town since 1987 was put directly under the local authority, who in-turn can get advice and approval from the Department of Culture and Information in Quang Nam instead of from the department's headquarters in Hanoi.

This Decision was also significant in that it:

**a. (Article 4-5: Classes)**

provides general classification of buildings and sites in the ancient town into four categories according to their historical and architectural values (Article 4) and the extent of assistance provided for each category (Article 5); which is summarised in Table 5.2.

**b. (Article 6: Use)**

<sup>2</sup> The contents of this Decision do not directly affect the management of Hoi An, but rather on organising tourist activities; therefore is not within the scope of this Research and not discussed.

<sup>3</sup> The Department of Culture and Information stated above is the armed of Ministry of Culture in Quang Nam Province where as Hoi An Town People's Committee is the local authority of Hoi An.

The Decision allows the change in use from ordinary house to either shops, hotels or cultural entertainment places, provided that original elements and structures are retained.

**Table 5.2**  
Classification of the buildings and sites and level of assistance provided by the State according to Decision 1796/1987

<b>Classification</b>	<b>State Ownership</b>	<b>Private or Collective</b>
<b>Class 1</b> Buildings and sites with special values	No alteration or demolition is allowed. Maintenance and repair are under the State: expertise, materials and financial.	No alteration or demolition is allowed. State provides technical expertise and materials, but some financial help.
<b>Class II</b> Buildings and sites with values	No alteration or demolition is allowed. State provides technical advice, limited supply and no financial help.	No alteration or demolition is allowed. State provides technical advice, limited supply and no financial help.
<b>Class III</b> Civil or public architectural works of minor value	Same as Class II	Not applicable
<b>Class IV</b> Works without architectural and aesthetic values	Demolition is allowed	Demolition is allowed

**c. (Article 7: No new construction)**

The Decision prohibits any new construction within the ancient quarter of Hoi An; however under special circumstances new construction can be allowed if approved by the province people's committee ie the Quang Nam People's Committee. This article, however, is superseded by Article No. 32 of Ordinance No. 28/2001 as discussed above that only allows new constructions within the Buffer Zone with approval from the Ministry of Culture and Information.

**5.1.3 Decisions at Local level**

Therefore, since 1987, the day-to-day management of Hoi An has been under direct responsibility of its local authority known as Hoi An Town People's Committee. To consolidate the management of historical and cultural relics at local level, the Hoi An

Town People's Committee established a new department under its organisation that specialises in all aspects related to the conservation and management of cultural heritage of Hoi An (SRoV, 1998:13) in 1996. Known as the Centre for Monument Management and Preservation (CMMP), this department is answerable to the Chairman of Hoi An Town People's Committee and liases directly with the Department of Culture and Information of Quang Nam Province. The task, responsibility and scope of this department is discussed in more depth under sub-chapter 5.2: Management Structures.

Similarly, legal instruments at local level are also being consolidated. The first legal instrument, enacted by Hoi An Town People's Committee was only passed in 1997, prior to the formal application of Hoi An to be listed in the World Heritage List. This instrument, Decision No.1611/1997, has been the most comprehensive tool that provides overall scope of protection of all historical relics in Hoi An. This was followed by five other instruments enacted between that year to 1999 that compliment Decision No. 1611/1997 as shown in Table 5.1. No new decrees or decisions, however, have been passed after the town was inscribed in 1999 until the present day.

#### **Decision No:1611/1997**

This Decision was passed by Hoi An Town People's Committee on the 3<sup>rd</sup> May 1997 that set out the management, conservation and use of the historical and cultural heritage in Hoi An and is significant because:

a. (Article 1: Scope)

The Decision defines the heritage of Hoi An as “monuments” and “landscape” instead of “historical and cultural relics” and “scenic spots” defined by Ordinance No. 14/1984 at national level and extends the scope of historical and cultural heritage in Hoi An beyond the Ancient Quarter to include rural villages, ancient architectural constructions such as tombs, markets, bridges, temples and shrines; museums and natural landscapes;

b. (Article 5-6: Responsibility)

It stipulates the responsibility and scope of conservation work provided by the local authority, ie the Hoi An Town People's Committee and its specialist agency, the Centre for Monument Conservation and Management,

...include management of study, discovery, inventory, registration works and identification of forms; recommendation for state recognition of monuments and landscape; management of compilation and performance of planning of monuments and landscapes; actual determination and control of implementation of actual stipulations on protection, repair, restoration, maintenance and exploitation of monuments and landscapes; inspection and control of activities and in other domains related to conservation and museum work



Figure 5.1:  
Main cultural heritage of Hoi An are recognised as “monument” by  
Decision No. 1611/1997. (Source: Long, Duang Minh, 2001)

c. (Articles 10-13: Conservation Boundaries)

The Decision establishes the boundaries of Hoi An ancient urban quarter and three protection areas: Area I (Core Zone), Area II (Buffer Zone I) and Area III (Buffer Zone II);

d. (Article 14: Intervention)

The Decision stipulates the general principles of intervention of historic properties, in particular the shophouses of Hoi An according to their classification: special class, class I, class II and class III, which is discussed under sub-chapter 5.3 of this Thesis.

e. (Articles 15-17: Protection of Area I (Core Zone)

The Decision provides protection for Area I (Core Zone) such as:

- prohibits any widening and introduction of new streets in the ancient quarter except for fire prevention purposes (Article 15);
  - prohibits the use of car, lorries and motor-boat, in flood seasons, within its boundaries (Article 16);
  - allows installation, construction, repair and upgrading of necessary infrastructure without damage to its historical properties.
- f. (Article 23: Ticketing)
- To help restore the historical property, the Decision introduces the entrance ticket system for tourists as a mean to generate revenue<sup>4</sup>;
- g. (Article 25: Restoration Fund)
- The Decision allows for setting up a Monument Restoration Fund that can receive contributions from local and foreign individuals and organisations for conservation and restoration purposes.
- h. (Article 26-27: Awards and Penalties)
- The Decision provides rewards to those who contribute significantly to conservation efforts “as regulated by Viet Nam State Authority” and punishes offenders “administratively or sued according to current criminal law”. And was told that the incentives come in the form of restoration funds and plaques and penalties in the form of financial fines.

This Decision is the most comprehensive instrument enacted by the local authority to date, and to some extent has provided sufficient protection for historical cultural heritage in Hoi An. It compliments the law enacted by Quang Nam Province in 1987 and carefully defines the boundaries of the ancient town with its protecting zones, entrusting the Centre for Monument Conservation and Management as the body responsible for all aspects of conservation and restoration, introduces various means to generate revenues for restoration works and defines general guidelines for intervention.

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<sup>4</sup> The ticket cost VND50,000 (USD3.00) and allows admission to: 1 of 3 museums, 1 of 3 Assembly Halls, 1 of 4 Old Houses, either Japanese Bridge or Quan Cong’s Temples.

There are five other instruments enacted by Hoi An Town People's Committee in 1998 and 1999, as shown in Table 5.1 that help to protect the town, but these instruments focus on matters relating to tourism and, therefore, is not within the scope of this Research.

#### **5.1.4 Sub-Conclusion**

The Ancient Town of Hoi An is now protected by two main legal instruments at national level: Ordinance No. 14/1984 and Ordinance No. 28/2001, one instrument at provincial level: Decision No. 1796/1987 and one at local level: Decision No. 1611/1997.

Ordinance No. 14/1984 was effective for several decades and has entrusted the Ministry of Culture with responsibilities for the protection of heritage at national level. At local level, the Ordinance delegates the responsibilities to the Peoples' Committee concerned. In the case of Hoi An, it was the Quang Nam People's Committee. Ordinance No. 28/2001 that updated the protection of heritage in Viet Nam to include both tangible and intangible heritages. It re-defines the scope of heritage in Viet Nam that include tangible cultural heritage, intangible cultural heritage, historical cultural relics and famous-landscapes and beauty spots. However, its definition of "renovation" and "restoration" are conflicting with those accepted by the international guideline, especially the Burra Charter 1979 (amended 1999). The Ordinance also makes provisions for ranking the country heritage into provincial, national and special national relics as well as zoning, approval of new constructions, and approval of preservation projects. At local level, Ordinance No. 1611/1997 was enacted just before the formal submission to the World Heritage Committee was formally made. It clarifies many issues related to protection of heritage within the Ancient Quarter that includes scope, responsibility, conservation boundaries, intervention, zoning, ticketing, restoration funds as well as awards and penalties. However, this Decision lacks the following:

- a. No attractive incentive was introduced as a way to encourage the public to restore their own houses except State rewards for achievements (article 26).



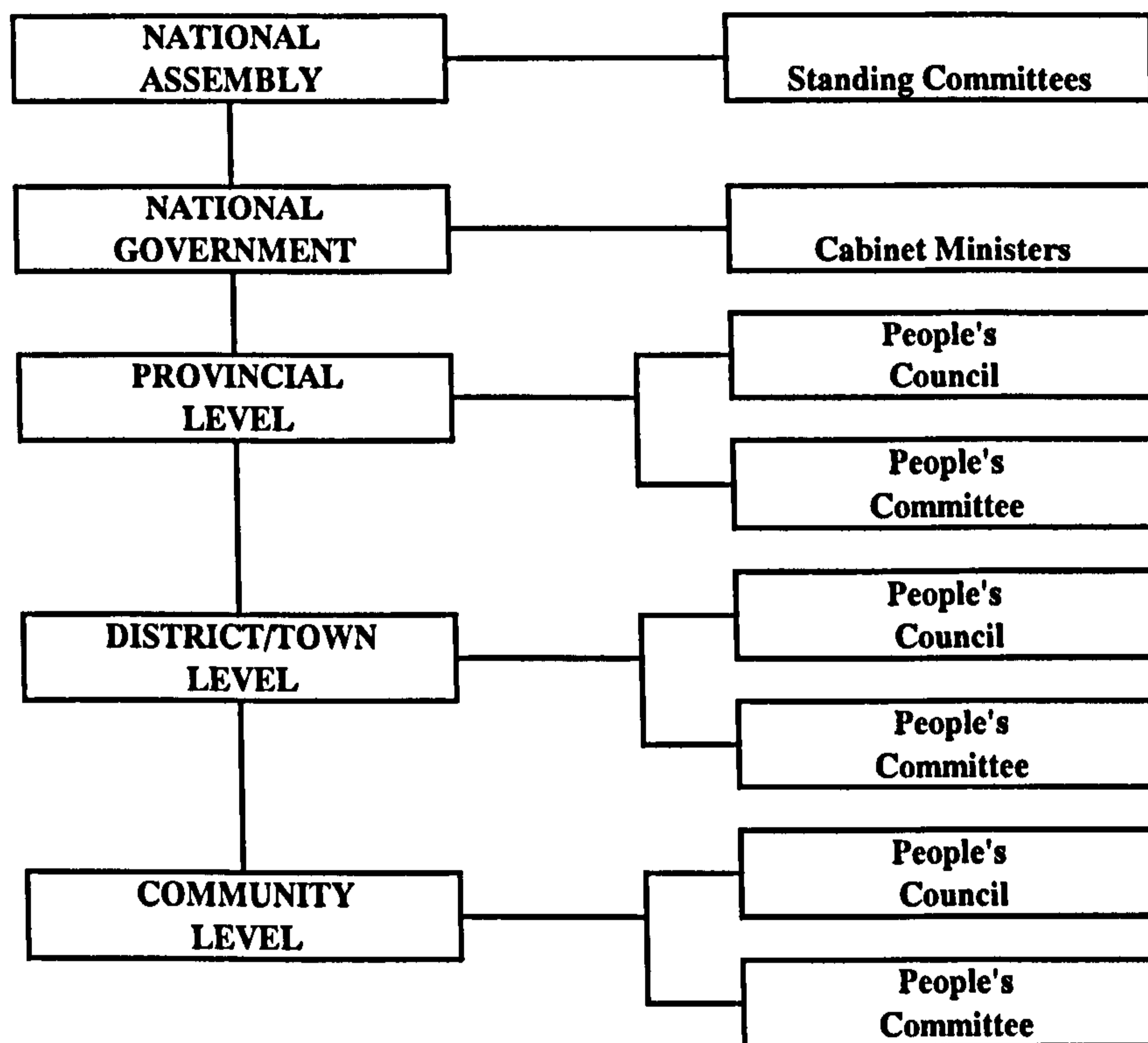
- b. No clear penalty for illegal and non-compliance to the Law. Article 27 only states, “... shall be punished administratively or sued according to current criminal law” without giving specific fines or schedule of fines and penalties. For this Law to be effective, clearer penalties should be included.
- c. The principles for intervention as stipulated in Table 5.2 above are too general and broadly defined. Perhaps some specific guidelines or conservation manual for homeowners should now be drafted that focuses on the principles, methods, techniques and examples of restoration.
- d. It only covers protection and management of tangible cultural heritage of the town and not intangible heritage, which Hoi An is also known. Since the Cultural Heritage Law No: 28/2001 is now in effect, the Hoi An People’s Committee should seriously consider amending this Decision so that both tangible and intangible heritage of Hoi An can be protected and properly managed.

This Research, therefore, makes two recommendations - Recommendations (i ) and (ii) - in sub-chapter 8.1.2 for consideration of the concerned parties in Hoi An.

## **5.2 Management Structures**

The governmental administration organisation of Viet Nam is a rather “complicated system” (Nguyen ND., 2001:263). Similar to other socialist governments, the country is headed by a President who is elected by members of a National Assembly, whereas the Prime Minister and Cabinet Ministers carry out overall management of the country. The administrative apparatus under the Government is divided into three levels: Province, District/Town and Community; at each level there are two administrative units: the People’s Council and the People’s Committee. The former, whose members are elected by the public, is responsible to the Central Government, and who has the power to pass resolutions for implementation of the law at local level. The latter, whose members are elected by the People’s Council, is the executive organ at local level which has the responsibility to implement the law and the resolutions of the People’s Council. (SRoV, 1992). Table 5.3 shows, in general, the administrative system of the Socialist Republic of Viet Nam.

Table 5.3:  
General administrative system of Viet Nam.



### 5.2.1 Management at National Level

Management of tangible and intangible cultural heritage in Viet Nam has always been under the responsibility of the State. Ordinance No:14/1984 spelled out clearly that the Ministry of Culture<sup>5</sup> (article 1 and 2) is the agency of the government that has been entrusted to manage all national heritage and information. Decree No: 63/2003 issued in June 2003 stipulates the functions, duties, power and organisational structure of the Ministry, and reaffirms that the many tasks of the Ministry are to include: management of cultural heritage, art performance, museums, movies, fine-arts, photographs, exhibitions, press, publications, copyrights, libraries and advertisements.

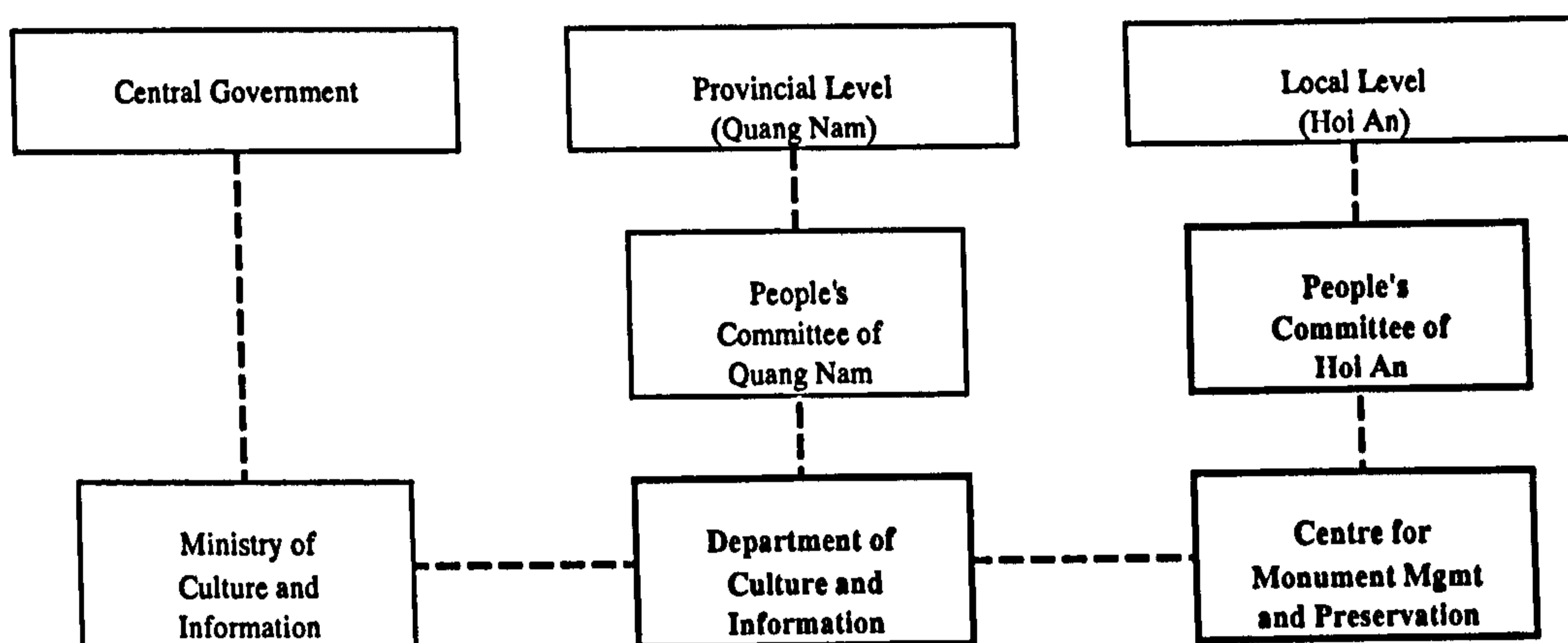
Administratively, there are now sixteen departments under the The Ministry Culture and Information (MoCI), each responsible for specific aspects of Viet Nam's culture; for example, the Department of Conservation and Museology has responsibility over the management of all museums in the country as well as over matters relating to conservation of cultural property, both moveable and immovable. At provincial level, the Ministry is assisted by the Department of Culture and Information, which is under

<sup>5</sup> In 1993 was re-named as the Ministry of Culture and Information

direct management of the People's Committee concerned. For the Ancient City of Hoi An, the overall management of its cultural properties lies with the Centre for Monument Management and Preservation (CMMP) established in 1997, which is answerable to the People's Committee of Hoi An. CMMP establishes direct link with the Department of Culture and Information, at its provincial level for advice and guidance, as well as to seek approval for construction of new buildings within the heritage zones of Hoi An.

Table 5.4 provides diagram of the relationship between the Centre for Monument Management and Preservation with its People's Committee and the Department of Culture and Information of Quang Nam Province.

Table 5.4  
Management structure of cultural property in Hoi An.



### 5.2.2 Management at Local Level

Ordinance No: 14/1984 also delegates the day-to-day management of cultural properties in each province or town<sup>6</sup> in Viet Nam to the People's Committees concerned (article 12). The Ancient town of Hoi An which is located in Quang Nam Province, was first recognised as a historical-cultural relic of Viet Nam in 1985 when the Ministry of Culture issued Decision No:506/1985 to recognise the town as such. It was put under the direct management of the People's Committee of Quang Nam (article 3), but any construction and exploitation within the ancient town must be forwarded to the Ministry of Culture in Hanoi, some 600 kilometres away, for final approval (article 2). Decision No: 1796/1987 by the People's Committee of Quang Nam; however, transfers the

<sup>6</sup> There are 61 provinces and cities in Viet Nam, where Quang Nam Province is one of them.

management of Hoi An to the People's Committee of Hoi An and establishes a link with the Department of Culture and Information in Quang Nam (article 2). To better manage the ancient town, the People's Committee of Hoi An in 1996 established a specialised unit under its structure known as the Centre for Monument Management and Preservation (CMMP), the functions of which among others are to plan, manage and approve all cultural and historical programmes, constructions and activities in Hoi An; and later in 1997 it issued Decision No: 1611/1997, which formally recognises the Centre as such. The management of cultural and historical sites, constructions and activities within the Ancient Town of Hoi An, has since been under this Centre of which offices are located on the main streets of the ancient quarter.



Figure 5.2: Main office of the Centre for Monument Management and Preservation on Le Loi Street.

**i. Centre for Monument Management and Preservation (CMMP)**

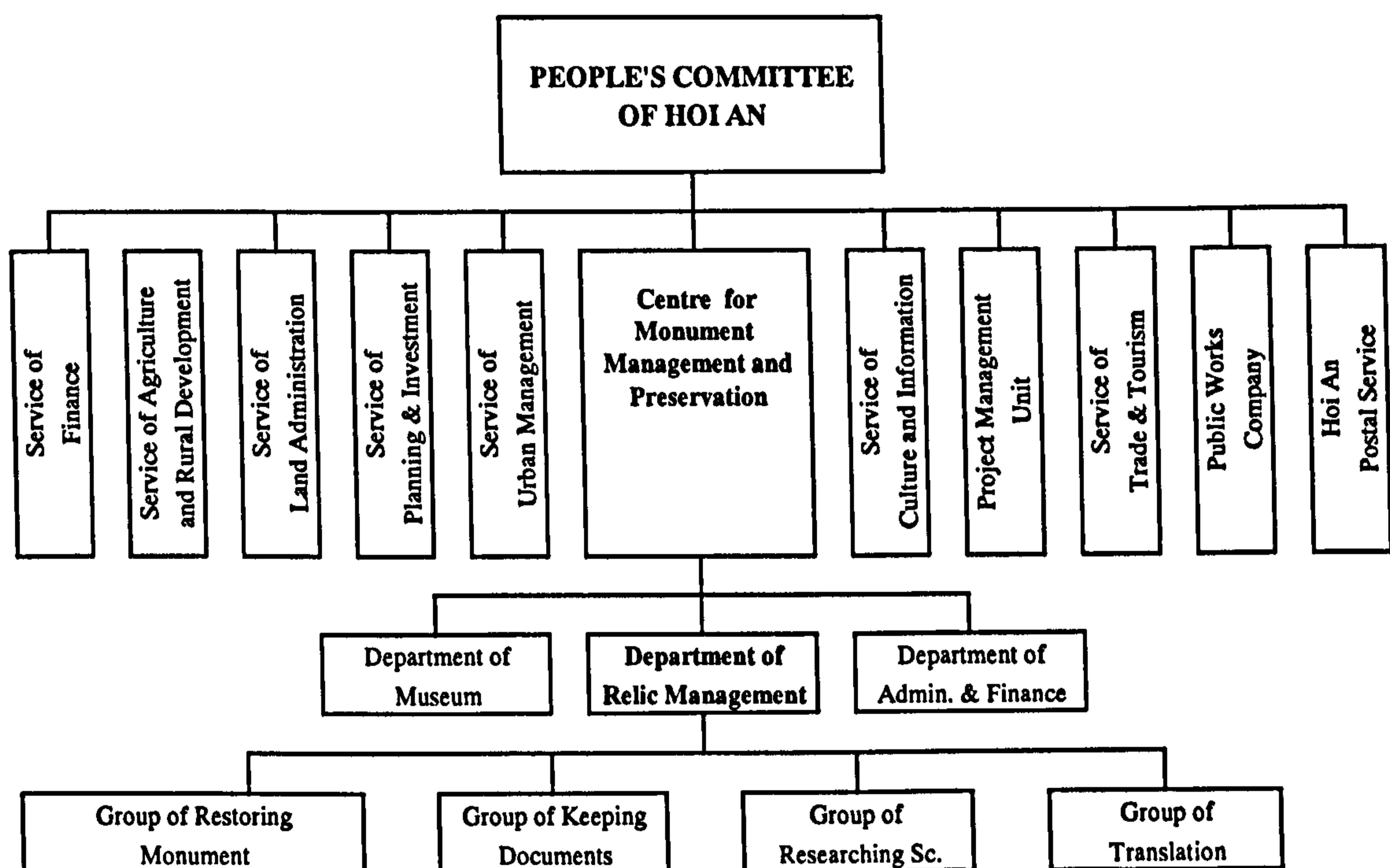
The Centre is one of the eleven departments under the People's Committee of Hoi An and its main task are to manage local museums and conservation works in Hoi An.

Within the Centre, there are three specialised departments: Relic Management, Administration and Finance and Museum. The Department of Relic Management is the department directly responsible for the restoration and conservation of the ancient town; its tasks include:

- Receive applications for restoration
- Make recommendation for approval from the town People's Committee.
- Provide technical supports and advice to homeowners
- Inspection of restoration works
- Issue and implements guidelines and regulations
- Keep records and inventory

Being an autonomous department under the Hoi An People's Committee, the Centre for Monument Management and Preservation (CMMP) has the advantage of structuring itself so that it can function effectively. Four sub-specialised groups are formed under the Department of Relic Management: Restoring Monuments, Keeping Documents, Researching Science and Translation. Table 5.5 shows the structure of the Centre for Monument Management and Preservation and its links to the People's Committee of Hoi An.

Table 5.5  
Organisational Chart of the Centre for Monument Management and Preservation



The Group of Restoring Monument is the biggest unit, but is only staffed by nine people. It has the most responsibility except those related to documentation, researching and translation which are taken over by other Groups. Its main responsibilities, amongst others are: to implement most of the regulations stipulated in Decision No: 1611/1997, to provide technical advice to homeowners, to process applications for restoration, to manage the traditional pottery village of Thanh Ha and carpentry village of Kim Bong, to liaise with outside agencies and to supervise approved projects. In a town where there are no private professional firms for building owners to get advice and professional services, this Group therefore takes up this task. A special unit is formed under the Restoring Monument called the Consultancy Unit which operates from a different office

inside the ancient quarter. Staffed by two young professional architects, one engineer and two technicians, this Consultancy Unit is very often visited by homeowners to get reference and technical advice on restoration. In certain cases where the restoration of particular buildings become necessary due to their high heritage values, this unit will help owners to prepare a full set of drawings for submission. The role of this Unit as ‘consultant’ to the owners, therefore, will certainly ensure that the proposed plans for restoration comply with the general principles set by the Centre.

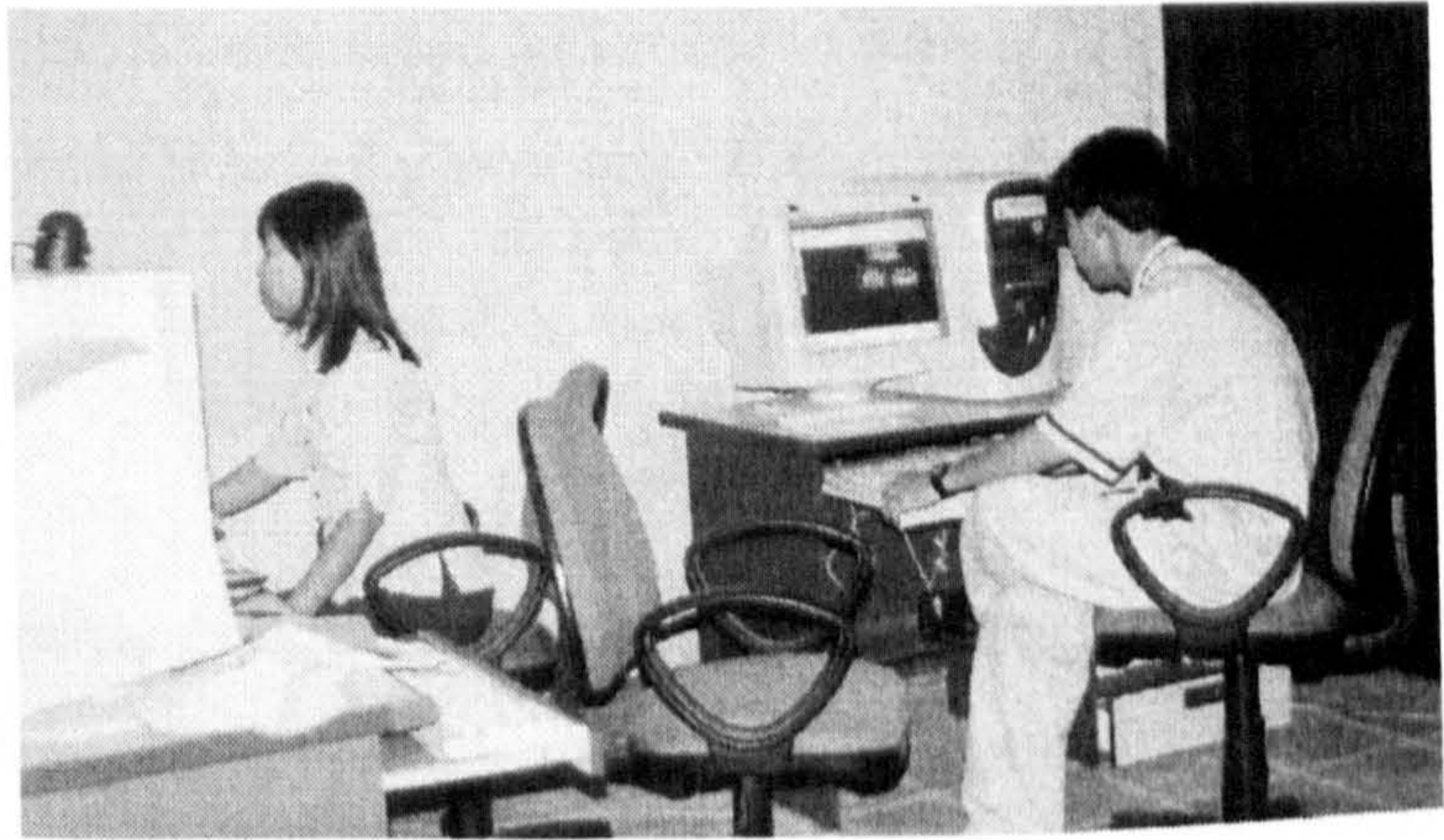
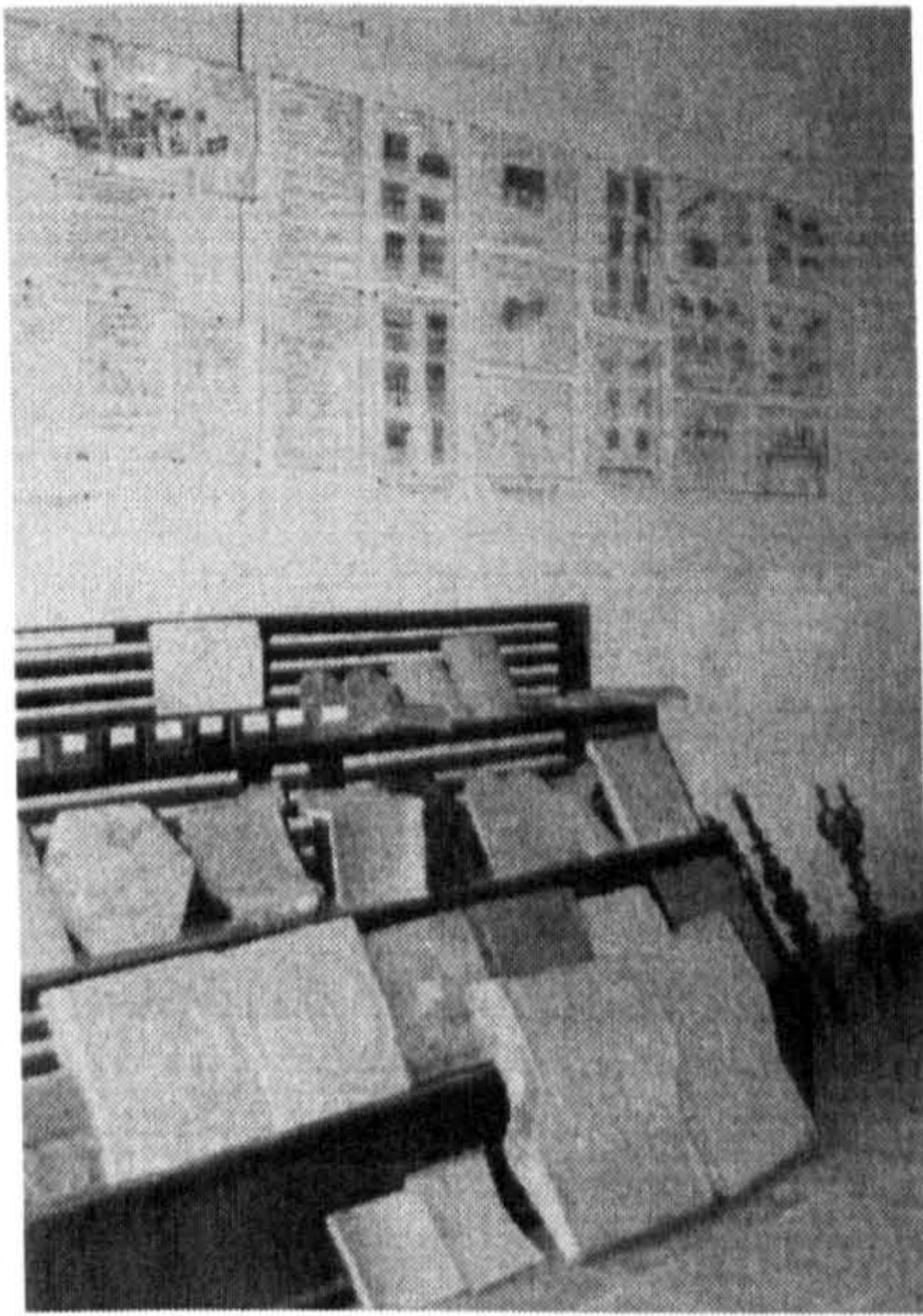


Figure 5.3  
Consultancy Unit at No: 55 Nguyen Thai Hoc

The staff at this Unit not only provide technical support to homeowners, but are entrusted by the Centre to assist the Group of Keeping Documents in documenting heritage buildings and sites in Hoi An<sup>7</sup> as well as to carry out joint supervisions on restoration works with those from the Service of Urban Management. Compared to professional staff at the Service of Urban Management, the architects and engineer at this Unit are much more familiar with the needs and requirements of conservation and have primarily supervised all the restoration works within the Ancient Quarter. There are a couple of observations that must be highlighted:

- Multi-faceted tasks

It is quite obvious that the professional staff at this Unit carry a heavy burden and have multi-faceted tasks with regards to implementation of conservation projects

<sup>7</sup> The role of Consultancy Unit related to inventory is discussed under sub-chapter 5.3

in Hoi An. At the early stage of development, the staff may assist the homeowners in preparing restoration drawings and specifications for compliance with the current regulations, mainly Decision No. 1611/1997. Once the applications are formally submitted (Table 5.6), the staff at this Unit are invited to assess the applications before making recommendations to the People's Committee of Hoi An for approval. During the restoration projects, the staff then monitor and to some extent supervise the projects for compliance to the approved plans. On one hand, the multi-faceted tasks provided by the Consultancy Unit, help to ensure that the restoration plans are prepared and completed according to current requirements, but on the other hand there may arise a conflict of responsibility and they are prone to abuse.

- **Methods of restoration**

Sub-chapter 4.7 discusses the methods of restoration adopted by the local authority, CMMP, that follows the method introduced by JICA, that is, preparation of drawings, survey, dismantle, repair and re-assemble. The staff at the Consultancy Unit were directly involved in restoration projects led by JICA and have gained tremendous knowledge and skills with regard to conservation processes and standards. The 'transfer of knowledge' from JICA's team to local professionals, in particular, CMMP has been very successful. Several on-going projects visited in 2002 such as the one at No. 26 of Tran Phu Street and No. 104 Nguyen Thai Hoc Street, saw a bigger role played by the CMMP. These projects were carried out in similar methods as those completed by JICA and were supervised by staff of the Consultancy Unit. Lack of protection against external weather, numbering system and storage, as discussed under sub-chapter 4.7, are a few problems identified.

Group of Keeping Documents is the second largest unit under CMMP which has only three staff. It is a specialised unit under the Centre that is only concerned with the inventory and documentation of buildings and sites in Hoi An. The role, responsibility and the potentials of this Group are further discussed under sub-chapter 5.3. The other two Groups : Researching Science and Translation are literally non existent. They will only be formed on an adhoc basis where and when necessary. The Translation Group

normally consists of a few staff from the Department of Administration and Finance who translate formal documents to English or French or vice-versa and act as interpreters for the Centre. The Group of Researching Science, when formed, will get professional assistance and advice from the Ministry of Culture and Information in Hanoi or from the well established laboratories at the Hue Monuments Conservation Centre which is about 120 kilometres north.

## ii. Staffing

Headed by well qualified personnel, the Centre in general, has proven to be efficient and effective. Within several years of its establishment, the Centre has promulgated regulations on restoration, made links with outside bodies and international agencies, properly approved and to some extent supervised restoration projects and therefore has gained respect from higher authorities, international agencies and the general public. In 2000 for example, three restoration projects on Tran Phu, Nguyen Thi Minh Khai and Nguyen Thai Hoc Streets were recognised as “Excellent Project” for UNESCO Asia Pacific Heritage Awards. However, given the number of historical properties in Hoi An and its scope of work, the Centre, in particular the Department of Relic Management is clearly under staffed. With only twelve staff in total, only the head of the Centre has a Master Degree. Table 5.6 below shows the number of staff in the Department of Relic Management.

Table 5.6  
Number of Staff under the Department of Relic Management

No	Groups	Postgrad. Degrees	Basic Degrees	Others	Total
1	Restoring Monument	1	4	4	9
2	Keeping Documents	0	1	2	3
3	Researching Science	n/a	n/a	n/a	n/a
4	Translation	n/a	n/a	n/a	n/a
	Total	1	5	6	12

Besides the Centre of Monument Management and Preservation, which is responsible for all conservation and restoration works in the ancient quarter, there are two other services under the People’s Committee that are directly related to conservation works



and activities. First is the Service of Culture and Information, which has been entrusted to manage all cultural activities and another is the Service of Urban Management which is responsible for all construction works in Hoi An. The Service of Culture and Information together with the Service of Trade and Tourism organise cultural events in Hoi An, such as the increasing popular monthly 14<sup>th</sup> Lunar Nights Celebration where the residents who come in full traditional costumes will put up traditional performances near the waterfront for locals and tourists. On these nights no vehicle and electric lights are allowed in the ancient town, except colourful traditional lanterns in different colours, shapes and sizes. The Service of Urban Management is responsible for accepting applications for all construction projects in Hoi An including restoration projects within the ancient town. However, for such restoration projects this unit will forward the applications to the Centre for Monument Management and Preservation for further comments and actions.

### **iii. Approval Process**

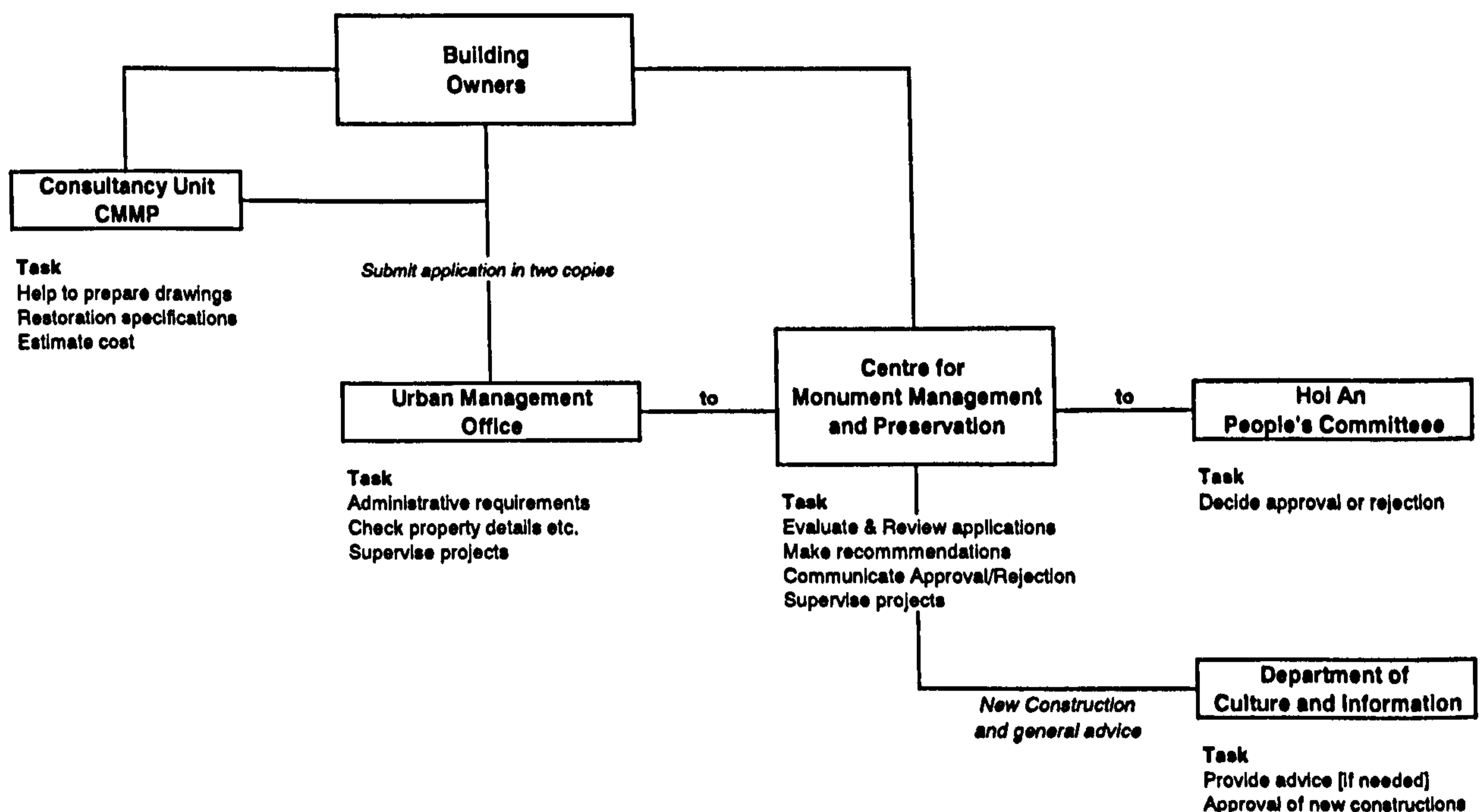
The process of securing an approval permit for restoration works within the ancient town of Hoi An starts with a formal application by building owners to the Service of Urban Management which is mainly responsible for new constructions in Hoi An. For restoration projects, this unit simply checks all the administrative requirements such as the status of the said property, ownership and legal documents and forwards the application to the Centre for Monument Management and Preservation for detailed comments before approval by the Hoi An People's Committee. Since the establishment of the Centre for Monument Management and Preservation in 1996, all applications for restoration works within the ancient town of Hoi An are to be approved by the Hoi An People's Committee after considering recommendations made by the Centre. This task was formally recognised by article 5 of Decision no: 1611/1997. The Centre has been trusted to provide important services related to all restoration projects within the ancient quarter such as:

- Receive applications from building owners through the Urban Management Service
- Evaluate all applications
- Get advice from the Ministry of Culture and Information [if necessary] but not compulsory.

- Recommend for approval/rejections
- Forward applications with recommendations to Hoi An People’s Committee for final decisions
- Issue decisions of Hoi An People’s Committee
- Provide supervisions.

After considering and evaluating the applications, the Centre makes recommendations for final approval or rejection by Hoi An People’s Committee and later communicates the decision to the owners. Within the Core Zone (Area I), no new construction is allowed (Article 32, Ordinance No. 28/2001); for Buffer Zones (Areas II and III) new constructions are subjected to the guidelines provided by Article 32 of Ordinance No. 28/2001 and are to be approved by the Department of Culture and Information of the People’s Committee of Quang Nam Province. Together with the Service of Urban Management, the Centre for Monument Management and Preservation supervises the construction works. Table 5.7 below shows the process for securing approval permits for all restoration works and new developments in the Ancient Town of Hoi An.

**Table 5.7**  
**Process for securing approval permit within the heritage zones of Hoi An.**



**iv. Homeowner's Manual and Conservation Guidelines.**

Article 14 of Decision No. 1611/1997 protects the historical buildings in the Ancient Quarter of Hoi An by providing guidelines for intervention, so that the historical and architectural values of these buildings can be maintained and enhanced. This guideline, which is summarised in the following table imposes strict controls over buildings under Special Class and Class I, where “restoration must comply with principles of sustainment of original function of each part and the entire construction and conservation of original elements”, but allows for replacement, if they cannot be avoided.

**Table 5.8**  
**Principles of Intervention of Shophouses**

<b>Classification</b>	<b>General Principles</b>
a. Special Class	<i>For front and back portions:</i> Original functions, spaces, height, constructions and elements must be retained. Replacement of elements is allowed, but must be similar to the original design, material and character.
b. Class I	<i>For front and back portions:</i> Original functions, spaces, height, constructions and elements must be retained. Replacement of elements is allowed, but must be similar to the original design, material and character
c. Class II	<i>For front portion (shop):</i> Original functions, spaces, height, constructions and elements must be retained. Replacement of elements is allowed, but must be similar to the original design, material and character  <i>For back portion (house):</i> Its interior can be changed and improved. Maintain roof structure and its materials to be the same as roof tiles in the front portion.
d. Class III	<i>For front portion (shop):</i> Must retain roof tiles, but its interior can be renovated to adapt to the new functions as approved.  <i>For back portion (house):</i> Must retain roof tiles, but its interior can be renovated, extended and changed without affecting the surrounding environments.

Even though this guideline seems to be quite general in nature where it only provides general guidance on what can and cannot be done when restoring buildings under each class, it helps both the authority and the public to understand the degrees of intervention allowed under each class. For the authority, especially the Centre, which has technical staff and who can evaluate the technical issue fairly, this guideline may seem appropriate and detailed enough. However, for the public a more detailed guideline is required.

### **5.2.3 Sub-Conclusion**

The day-to-day management of the Ancient Town of Hoi An has been under its People's Committee since 1987 by virtue of Decision No. 1796/1987 enacted by the Quang Nam People's Committee. When a specialised conservation unit known as the Centre for Monument Management and Preservation (CMMP) was established under the People's Committee of Hoi An in 1996, it takes the tasks and responsibilities on matters related to conservataion and preservation within the Ancient Quarter of Hoi An. To date, this Centre has consolidated itself and gained respect from locals and international communities. As an autonomous specialised unit, the Centre issues conservation guidelines, receives applications for restoration, provides technical support, recommends approval or rejection and supervises projects. It is answerable directly to Hoi An People's Committee and establishes direct links with the Department of Culture and Information at Quang Nam Province. The Centre is now supported by three departments: Museum, Administration & Finance and Relic management. The latter, is the department in charge of preservation and restoration of buildings and sites in Hoi An. It has four specialised units or groups: Restoring Monument, Keeping Document, Researching Science and Translation. While the structure of CMMP is good and effective, there are several findings that deserve attention:

- i. The Group of Restoring Monument is the core unit (group) under the Department of Relic Management (DRM). It now performs all of the functions related to conservation and restoration except those related to inventory and documentation, which is taken over by the Group of Keeping Documents. This range of responsibilities has not only exerted pressure on the Group, but limits its focus;

- ii. The Consultancy Unit, which operates under the DRM, has proved to be useful and effective and has been appreciated by the homeowner. However, there are a few weaknesses identified:
- The Unit is now under staffed with only three professionals and two technicians;
  - The staff has a wide range of responsibilities, thus resulting in a multi-faceted task;
  - The method of restoration adopted by the Unit, which is similar to that introduced by the JICA teams, is not necessarily the best.
- iii. The Groups of Reseraching Science and Translation under the DRM are literally non-existent and only operate on an ad-hoc basis. Therefore, their potentials cannot be tapped;
- iv. Currently, there is no specialised unit under the CMMP or the HoiAn people's Committee that deals with aspects of control and education, thus there are no strict controls over the implementation of projects, as well as low conservation awareness among the public ( Binh, 2002:53);
- v. The Centre for Monument Management and Preservation is currently headed by well-qualified personnel, but as a whole is clearly under staffed. With only twelve staff in total, the Centre is over stretched;
- vi. Decision No. 1611/1997 provides basic guidelines for intervention within the Ancient Quarter (Table 5.7), but to encourage proper maintenance, repair and restoration by homeowners detailed guideline must be made available.

This Research, therefore makes five recommendations- Recommendations (iii) to (vii)- in sub-chapter 8.1.2 for consideration of various parties in Hoi An and Viet Nam in general.

### **5.3 Inventory and Documentation**

Soon after Hoi An Ancient Quarter was recognised as a National Historic-Cultural Relic by the Central Government in 1985 (Decision No: 506/1985), the Quang Nam People's Committee in 1987 issued a Regulation on Protection and Use of Hoi An Ancient Urban Centre, known as Decision No. 1796/1987, that amongst others provides general classification for buildings and sites in the ancient quarter into four categories: Class I, II, III and IV (Articles 4 and 5), the details of which are stated under sub-chapter 5.2, but this Decision does not provide information about the boundaries of the Ancient Quarter in detail. In preparation for the formal application to the World Heritage Committee for the town to be listed in the list of World Heritage Sites, The People's Committee of Hoi An issued Decision No. 1611/1997 that stipulates the regulation on management and conservation of the Ancient Quarter. Articles 10 – 13 of the Decision deal directly with the zoning of the Ancient Quarter where the Core and Buffer Zones are carefully defined. The Core Zone, Area I, with an area of only 30 hectares is protected by two layers of Buffer Zones, Areas II and III which cover about 280 hectares in total. Figure 5.4 shows the general demarcation of zones based on this Decision.

Within each area, the Decision stipulates the extent of works and activities that can be carried out. Within Area I, for example, no new construction is allowed, enlargement of streets is prohibited and circulation of motorised vehicles such as cars, lorries and motor-boat (in flood season) is also prohibited. Whereas in Areas II and III, new construction is allowed, but the design must be in harmony with those buildings in Area I in terms of roof form, colours and materials; and allowable height is 13.5 metres or 2-storey for construction in Area II and 16.0 metres or 3-storey for construction in Area III. Compared to some of the World Heritage Cities in Southeast Asia or in other parts of the world which only have one layer of protection zone, the Core Zone of Hoi An in a way is well protected.

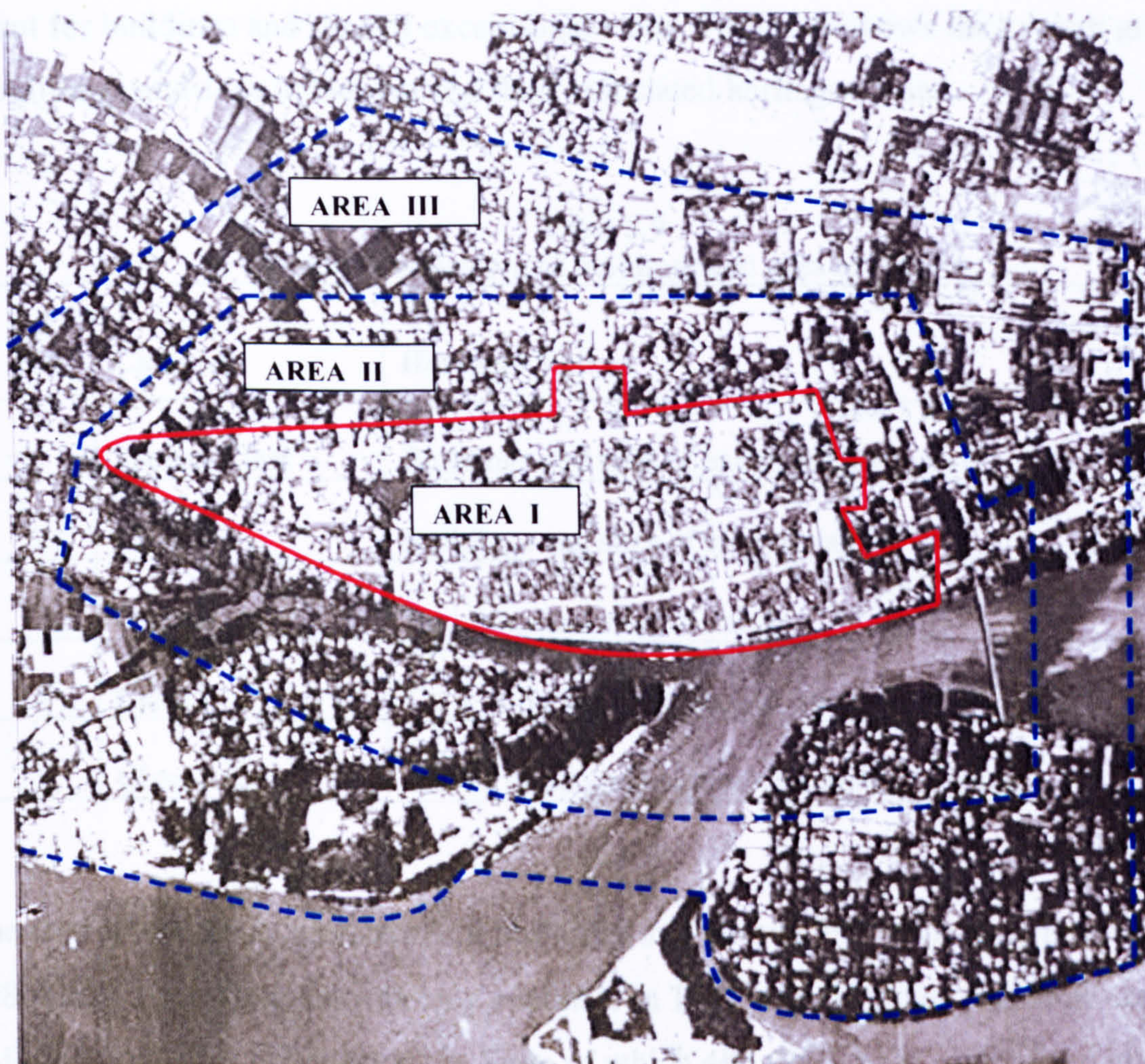


Figure 5.4: Core and Buffer Zones of the Ancient Quarter  
(Source: Nomination Dossier, SROV 1998)

### 5.3.1 Current situation

Decision No. 1611/1997 also provides provisions for grading the buildings and sites in Hoi An according to their historical and architectural values. The four-classification system introduced by the Quang Nam People's Committee in 1987, as discussed under sub-chapter 5.1.2 (Table 5.2), is extended to five categories, where a higher class or Special Class is introduced. It was not clear why and when the Special Class category was introduced, but the initial inventory completed in 1995, which was used as an appendix to the Nomination Dossier in 1998, shows that 22 buildings in the Ancient Quarter were already categorised under Special Class<sup>8</sup>. There were no formal documents found on the criteria of this grading system but the Centre for Monument Management and Preservation (CMMP) made it clear verbally that the Special Class is

<sup>8</sup> Nomination Dossier to World Heritage Committee, 1998.

meant for buildings and sites of exceptional value. Table 5.9 shows the current grading of buildings and sites in Hoi An and their associated heritage values.

Table 5.9  
Current classification of buildings and sites in Hoi An

No	Category	Heritage Values
1	Special Class	Buildings and sites of exceptional values
2	Class I	Buildings and sites of special values
3	Class II	Buildings and sites of values
4	Class III	Civil or public architectural works of minor value
5	Class IV	Works of no architectural and aesthetic value.

The inventory and categorisation of buildings and sites in Hoi An started in the late 1980s, but a complete list was only available in 1995, which shows that there were 674 buildings and sites inside the Core Zone of which 483 (72%) are categorised under Special Class to Class III<sup>9</sup>. More complete and up-to-date figures received during the study visit in 2002, however, indicate that within the Ancient Quarter, there are 1262 buildings in total, of which 849 (67%) are categorised under Special Class to Class III, and the 413 (33%) are under Class IV. These figures are summarised in the table below.

Table 5.10  
Number of building according to Areas in the Ancient Quarter, as of July 2002

No	Conservation Area	Classes		Total
		SC - III	IV	
1	Area I (Core Zone)	591	266	857
2	Area II & III (Buffer Zones)	258	147	405
	Total	849 (67%)	413 (33%)	1262 (100%)

Most of these buildings, 857 or 68% can be found inside Area I (Core Zone), which are mainly shophouses, whereas the remaining 405 (32%) are isolated temples, community

<sup>9</sup> Ibid



halls, tombs and bridges on streets and villages within the Buffer Zones. The shophouses in Area I, mostly one and two-storey in height can be found on both sides of the narrow streets of Hoi An, mainly on Tran Phu, Phan Chu Trinh and Nguyen Thai Hoc. Table 5.11 shows a detailed breakdown of buildings and their classification according to streets in Area I.

Table 5.11  
Number of building and their classification according to streets in Area I

No	Streets	Classes					TOTAL
		Special	I	II	III	IV	
1	Tran Phu Street	14	38	57	79	82	270
2	Phan Chu Trinh	6	2	16	61	71	156
3	Nguyen Thai Hoc	4	24	63	29	17	137
4	Le Loi	6	7	20	50	16	99
5	Bach Dang	0	8	13	24	51	96
6	Tran Quy Cap	0	2	6	24	8	40
7	Hoang Van Thu	0	5	5	10	0	20
8	Nhi Trung	0	2	0	0	16	18
9	Nguyen Hue	2	0	2	11	2	17
10	Chau Thuong Van	0	0	0	1	3	4
	<b>TOTAL (SC - IV)</b>	32	88	182	289	266	857
	<b>TOTAL (SC - III)</b>				591	266	857
	<b>Percentage</b>				69%	31%	100%

Compared to the classification system practiced in the United Kingdom or in England specifically which has only three grades: I, II\* and II, the four grades in Ho An<sup>10</sup> are manageable, provided there are clear criteria for consideration under each class. However, in the absence of clearer and more detailed grading guidelines than those stipulated by the Decision No. 1796/1987 of Quang Nam People's Committee, the local authority, in particular the Centre for Monument Management & Preservation, admitted having difficulties in deciding the appropriate classes for each building. The Class III category, which supposedly refers to only civil and public works has been used to include other buildings including shophouses that are privately owned. Clearly, the grading criteria stipulated under Article 4 of Decision No. 1796/1987 are now obsolete.

<sup>10</sup> Excluding Class IV because this refers to buildings and sites without historical or architectural values.

The actual day-to-day management of inventory in Hoi An was under the responsibility of the Hoi An People's Committee from the mid-eighties, when Hoi An was first recognised as a National Historic-Cultural Relic, to the establishment of the Centre for Monument Management & Preservation (CMMP) in 1996. The Centre, which now has a specialised unit that deals with inventory of cultural properties in Hoi An, called the Group (Unit) of Keeping Documents (Table 5.5) is now in charge of all aspects relating to the inventory and documentation of historic properties in the Ancient Quarter of Hoi An; such as to record all the town's cultural properties, to grade them accordingly, to assess their current conditions and to properly archive the documents. The Group of Keeping Documents, which formally had only three staff and is headed by Mrs Tuan has its own small room or office space within the Centre's premises. Equipped with basic tools and stationery, the office is furnished with only several office tables and chairs, drafting tables, fans and several tall bookracks filled with files containing information of cultural properties in the town. The Group, however, does get assistance from professional staff and technicians from the Consultancy Unit, who have a more equipped office on Nguyen Thai Hoc Street, when and where required.

Currently, the Group has managed to survey all buildings and sites within the Core Zone and about 90% within the Buffer Zones<sup>11</sup>. The last 10% of the properties are mainly newer buildings in Area III, which have no historical or architectural significance to the town. For each building surveyed, basic information is recorded on one A4 form manually; such as the building's address, ownership, year it was built, type of building and general dimensions. In addition to this form, pages of sketches of floor plans, elevations are also included. Drawn in pen or pencil, the plans are drawn in freehand and are not to scale, but all critical dimensions are shown as a guide. No pictures, sketches, videos or three-dimensional images of the buildings are available. Information on each property is kept safe in a folding file, which is properly coded and shelved neatly on the open bookshelves in the office. However, for completed and on going restoration projects, which total not more than thirty, detailed plans, sections, elevations are available in AutoCadd format as well as photos and sketches. These records are also available on the computer, with back-up files, in the Consultancy Unit on Nguyen Thai Hoc Street. Mrs Tuan, the Head of the Group explained that the focus

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<sup>11</sup> Information received from Mrs Tuan, Head of Keeping Documents during the site visit in 2002.

of the Group for the last several years was to get a full list of all the buildings within the Ancient Quarter and to grade them accordingly; and further explained that the Group is now focusing on up-dating and completing the records.

Given the limited infrastructure to carry out the documentation work and the number of staff available, the effort made by CMMP, in particular its Group of Keeping Documents must be congratulated. At the very least, the Centre now has records of each building, stored in a properly coded file, therefore, making it easier for referencing and retrieving. However, there are several observations and comments that should be highlighted so that the process and the standard of documentation of cultural properties in Hoi An can be improved.

**a. Level of documentation**

Even though most of the historical buildings and sites in Hoi An have been recorded by the local authority, the level of recording or the contents of records is fair. For each building only basic information is gathered, such the address, the ownership, sketches of floor plans and elevations. Compared to the recommendation made by ICOMOS (1996) on Recording as discussed in Chapter 3, this information is far from perfect. In the event of disaster, resulting in the loss of property, these records are insufficient for use for repair and reconstruction. While the use of standard A4 form as a 'summary sheet' is good, additional information should also be recorded, such as:

- the interior and exterior characteristics
- building materials and construction techniques
- details and ornamentations

as well as three dimensional images such as photographs, videos and drawings. ICOMOS (1996) also recommends for detail assessments on the current state of repair, the visual and functional relationship between the building and its setting and assessment of risk and threat.

**b. Quality of documentation**

Besides the low level of information recorded, quality of documentation is another concern. Most of the floor plans and elevations available in the inventory files are in the form of freehand sketches and are not to scale. They are mostly 'data sheets' that were used during the inventory exercises. There is no doubt that these raw data are very valuable, but the way in which they are being presented are inconsistent with important dimensions are sometimes missing.

**c. Security of records**

Currently all inventory files are neatly stacked vertically on an open shelf in the office of Mrs. Tuan, the Head of Keeping Documents Group. Each file is properly coded and tagged for easy referencing and retrieving. However, these files are at risk against:

- natural disasters such as the annual monsons and floods that normally happen in October to February.
- termite infestation, since the buildings in Hoi An, as discussed under sub-chapter 4.6, are very often attacked by termites.
- creeping and flying insects such as dry termites, cockroaches and rats.
- possible fire since the buildings are of timbers.
- Vandalism.

Equally important is to have a back-up copy of these files to be stored in a separate safe location as recommended by Article 5 of ICOMOS (1996) that reads "a complete back-up copy of such records should be stored in a separate safe location".

**d. Sharing of information**

Security of records is one problem, sharing of information is another. ICOMOS (1996) recommends:

**Article 5(3):**

Copies of such records should be accessible to the statutory authorities, to concerned professionals and to the public, where appropriate, for the purpose of research, development controls and other administrative and legal processes.

Currently, the inventory records are kept at the CMMP with restricted access and are only available for governmental use. It has not been the practice of the office to share these records with people outside the government agencies or with the public. Practically speaking, access to the public is non available. Perhaps this is partly due to the political structures of the country that embraces communism where domestic information is known to be highly confidential. However, for the public and other professionals to benefit from this inventory, they should be allowed to have access to these records. It is best if the original copies are kept restricted, but the back-up copies are made available to the public.

**e. Staffing**

Table 5.5 provides the number of staff within the Department of Relic Management where the Groups of of Keeping Documents (GKD) remains. Currently, the GKD only have three full time staff including its head, Mrs. Tuan, but none have expertise on electronic and digital mapping. However, this group does get assistance from architects and technicians at the Consultancy Unit, who update the records digitally. Given the number of historic buildings in Hoi An and the high standard sets by ICOMOS (1996), the three full-time staff at the GKD are insufficient to satisfactorily produce good inventory records. This is compounded by lack of infrastructures. The GKD is provided with basic furniture, such as tables, drafting tables, chairs and bookracks and shared photocopy machine, but no digital cameras, videos, computers, printers and scanners.

**5.3.2 Sub-Conclusion**

The Ancient City of Hoi An is now clearly defined as Core and Buffer Zones by the issuance of Decision No. 1611/1997 by the People's Committee of Hoi An. The Core Zone, Area I, has an area of only 30 hectares and is protected by two layers of Buffer Zones, Area II and III, which have an area about 280 hectares in total. Within these zones there are 1262 buildings in total, of which 849 (67%) are recognised as having heritage values. Within Core Zone, there are 591 heritage buildings and sites and the

remaining 258 are located in Buffer Zones. Both Decision 1796/1987 and Decision No. 1611/1997 provides general classification of heritage buildings in Hoi An according to their historical and architectural values in five grades: special class and classes I – IV. However, there is no document available on the criteria of these grading except a general guideline that stipulates Special Class is for buildings and sites with exceptional heritage values, followed by Class I with special values, Class II for values, Class III for civil or public works of minor value and Class IV for works without heritage value (Table 5.7). The day-to-day management of inventory within the Ancient Quarter of Hoi An is under the responsibility of the Centre for Monument Management and Preservation (CMMP), specifically its specialised unit known as the Group of Keeping Documents (GKD). With only three full time staff and limited resources and infrastructure, the Group has managed to survey more than 90% of all properties in Hoi An, but their the level of information recorded for each property is basic. This Research has identified several weakness related to documentation of historic properties in Hoi An that deserve attention:

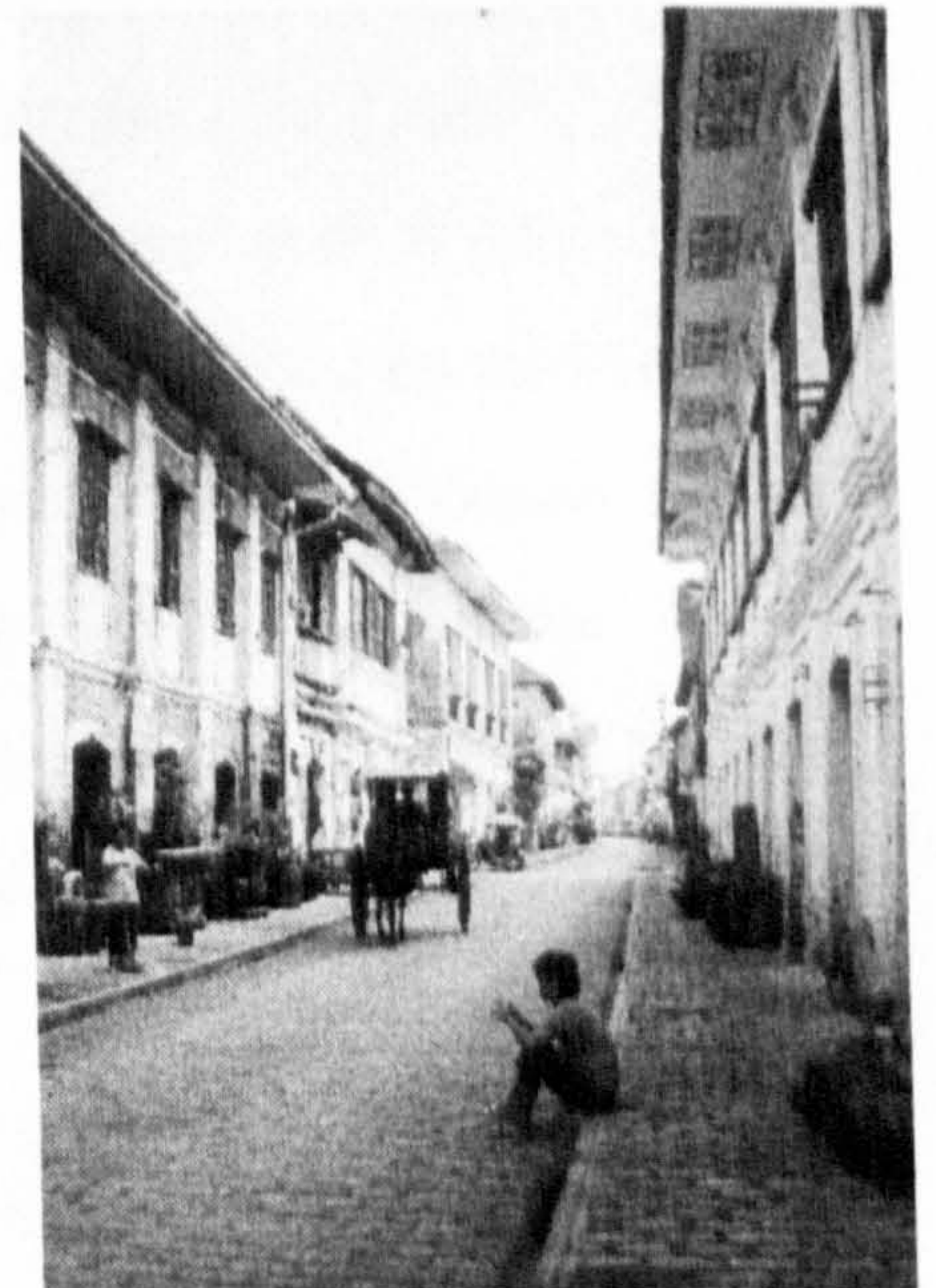
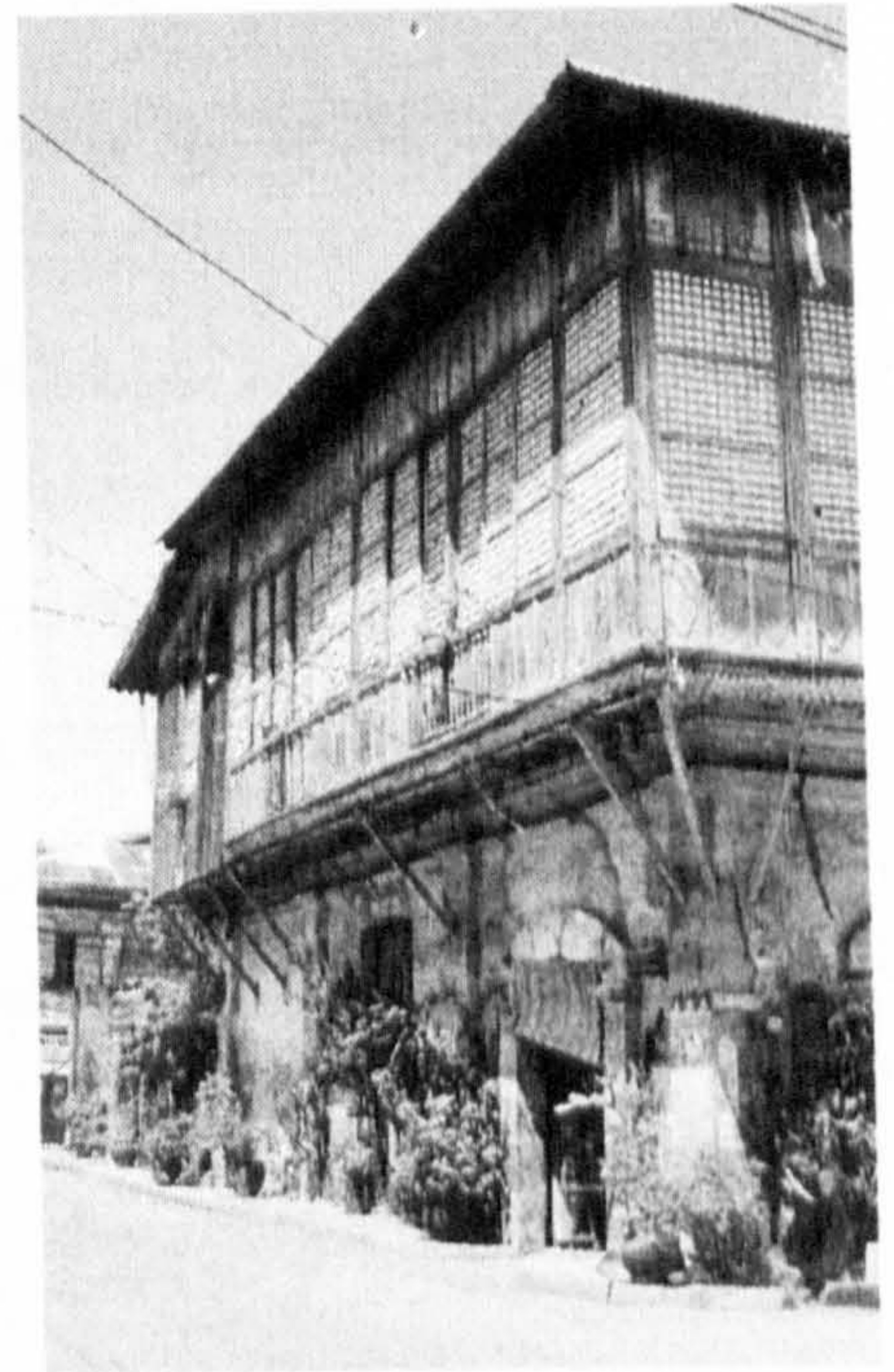
- The level of information gathered or collected for each historic property is basic with sketches of plans and sections. No three dimensional drawings, and no assessment of defects and threats;
- The quality of documentation is poor. All the sketches or notes are primarily ‘data sheets’ which are very important, but none of these drawings and sketches are drawn professionally and to scale;
- The security of records is poor. While information on each property is kept neatly in a folder, but filed in open shelves. These files are subjected to risk such as annual monsoons and floods, termite infestation, fire, insects and vandalism. In the absence of duplicate copies, the security of current records must be taken as primary concern.
- It has not been the practice of the CMMP to share these records with other individuals or agencies except those governmental officers; therefore the sharing of information is literally not happening.

- It is clear that the CMMP, in particular its Group of Keeping Documents is under staffed and lacks infrastructure. With only three full time staff including the head, this unit faces a monumental task.

To improve the standard of documentation, this Research; therefore makes four recommendations - Recommendations (viii) to (xi) - in sub-chapter 8.1.2 for consideration of various parties in Hoi An.

## CHAPTER 6

# THE HISTORICAL CITY OF VIGAN PHILIPPINES



*“Vigan, is the most intact example in Asia of a planned Spanish colonial town, established in the 16<sup>th</sup> century. Its architecture reflects the coming together of cultural elements from elsewhere in the Philippines and from China with those of Europe to create a unique culture and townscape without parallel anywhere in East and South East Asia”*

ICOMOS report to the World Heritage Centre, September 1999.



## 6.0 Introduction

The second case study selected for this Research is the Historical City of Vigan in the Republic of the Philippines. Vigan was inscribed to the World Heritage List in 1999- after its first submission in 1988 was rejected- the same year as Hoi An under categories (ii) and (iv) of the Operational Guidelines and is the second cultural property in the Philippines to be inscribed after the Baroque Churches in 1993<sup>1</sup>. Similar to Chapter 4 of Hoi An that discussed its architectural significance, this chapter starts with a brief historical background of Vigan and the Philippines that witnessed Spanish occupation in the country for more than 300 years that directly shaped the urban planning and architecture of Vigan. Unlike Hoi An that faced little problems in the process of being inscribed in the World Heritage List, Vigan's first submission to the World Heritage Committee in 1988 was rejected. This chapter, therefore, attempts to clarify the sequence of events that relate to the two submissions. The focus of this chapter; however, is on the architectural significant of cultural properties in Vigan, in particular its urban planning that follows the principals of the Spanish's Law of the Indies 1573 and its ancestral houses. It highlights the design characteristics of these houses and the way in which they can be categorised; main threats are identified and new interventions are assessed.

### 6.1 Vigan and the Philippines

The Philippines is an archipelago of 7,107 islands that stretches from the south of China to the northern tips of Sabah, Malaysia. Geographically located between latitude 4<sup>o</sup> 23' to 21<sup>o</sup> 25' north and longitude 116<sup>o</sup> to 127<sup>o</sup> east, the country has a land area of 299,764 square kilometres with its length of 1,850 kilometres. The country is divided into three geographical areas: Luzon in the north, Mindanao in the south and a collection of smaller islands in between called Visayas. The Islands of Luzon and Mindanao are the larger ones but the former is the most developed where the capital city- Manila- is located. Given this geographical location, the Philippines can be classified as a tropical country with abundant rainfall, high temperatures, ranging between 21<sup>o</sup> C to 32<sup>o</sup> C and

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<sup>1</sup> The four churches are: Nuestra Senora de la Asuncion in Santa Maria, Illocos Sur; San Agustin in Intramuros, Manila; San Agustin in Paoay, Illocos Norte and Santo Tomas de Villanueva in Miag-ao, Iloilo.

high humidity. With a population of 76.5 million<sup>2</sup>, the Philippines is the third most populated country in Southeast Asia after Indonesia and Viet Nam.

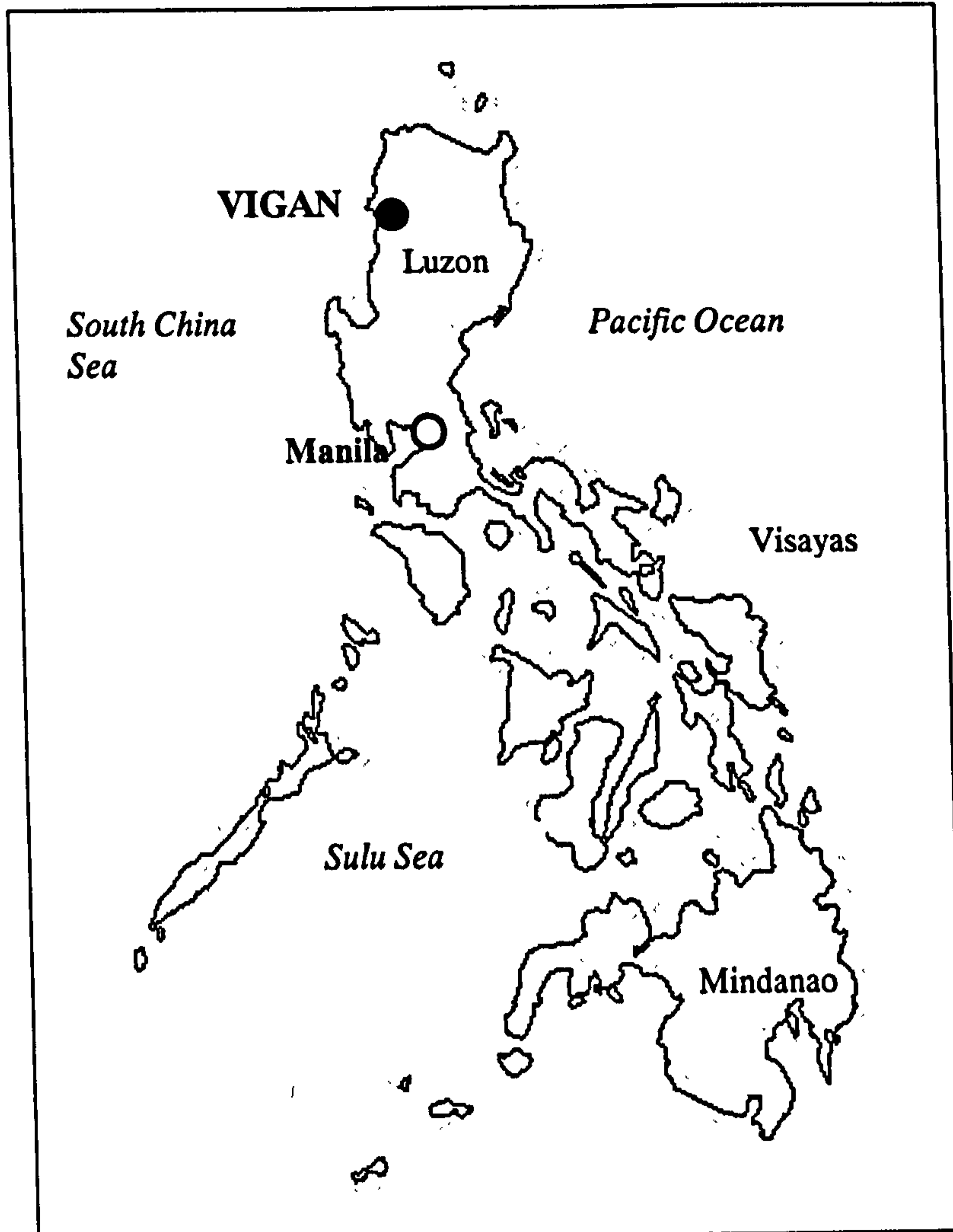


Figure 6.1  
Outline map of the Republic of the Philippines.

The World Heritage City of Vigan is a small city in the Island of Luzon in the Republic of the Philippines. Located 480 kilometres north of Manila, Vigan is located at  $120^{\circ} 23' 15''$  longitude and the parallel  $17^{\circ} 34' 30''$  north latitude. Situated in the Province of Illocos Sur<sup>3</sup>, Vigan can be reached from Manila either by highway or by air to the nearest commercial airport in Laoag, 80 kilometres north of Vigan in the Province of Illocos Norte.

<sup>2</sup> Based on 2000 Census provided by the National Statistic Office of the Philippines.

<sup>3</sup> There are 14 regions, 73 Provinces and 60 cities in the entire Philippines. Adjacent Provinces are Illocos Norte, Abra, Mountain Province, Benguet and La Union.

Vigan is now the capital of Ilocos Sur Province. With a total land area of 2,511 hectares or 25.11 square kilometres or 1.06 percent of the total Ilocos Sur land area, it is divided among 39 villages (*barangays*) of which nine are classified as urban and thirty are classified as rural areas. Bounded by the municipalities of Bantay on the north, Santa on the east, Caoayan on the south and Sta. Catalina on the west, as well as a stretch of China Sea on the southwest, Vigan generally has a flat topography.

The origin of the name ‘Vigan’ came from the Ilocano word “kabiga-an” or “kabigbigaan” which means a place abounding in tuberous “biga” plants<sup>4</sup> that used to grow on the bank of the Mestizo River.

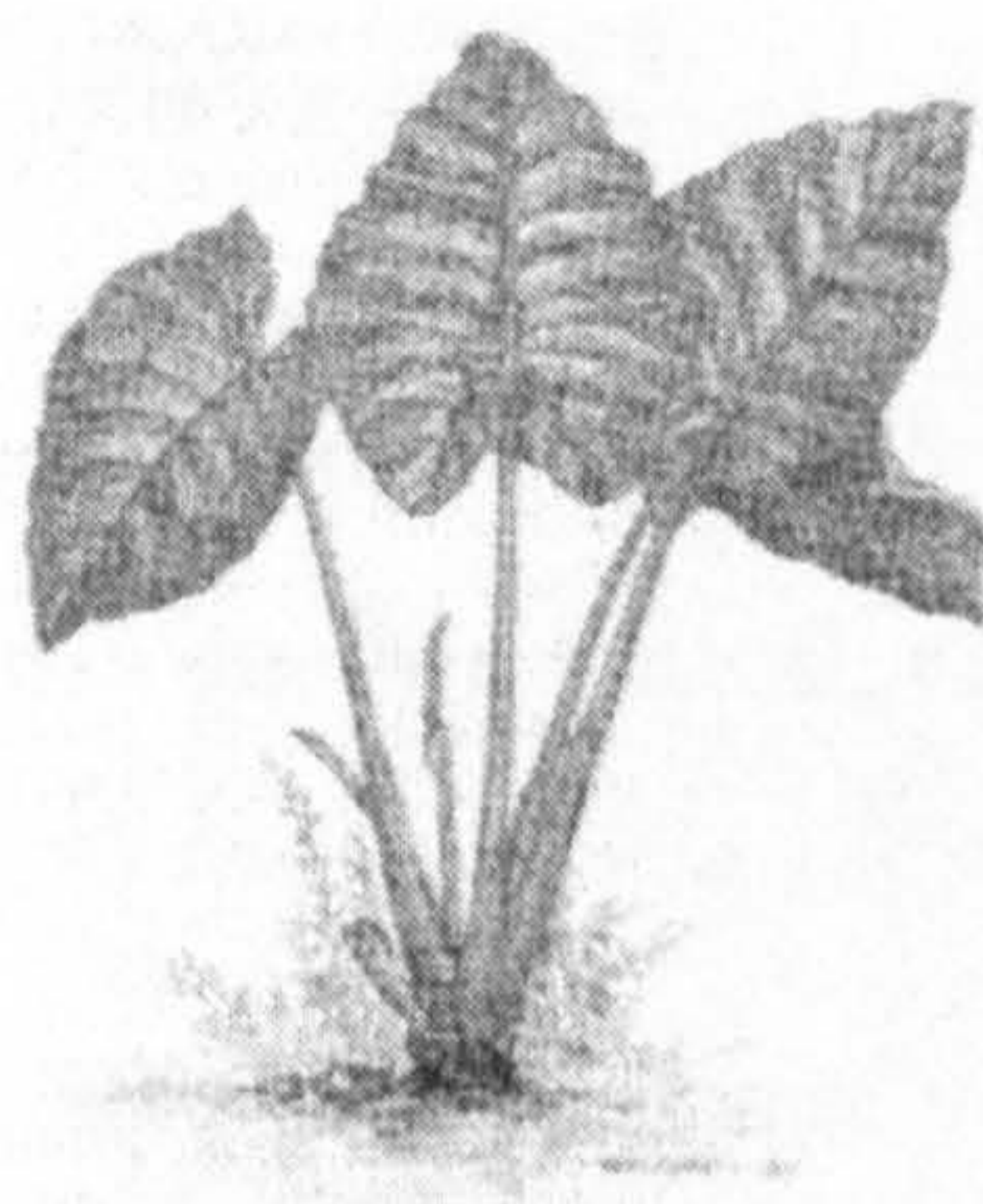


Figure 6.2: ‘Biga’ plant (*Alocasia Macrorrhiza* Schott).  
Source: Republic of the Philippines (1989)

Vigan was once an island shaped like a triangle, detached from the mainland of Luzon Island by three rivers – the Great Abra, the Govantes and the Mestizo . The Mestizo River played an important role in the development of trade and human activities in Vigan during the 15<sup>th</sup> to the 19<sup>th</sup> Centuries. Many Chinese merchants from China and some Muslim traders from Borneo sailed through the South China Sea to Vigan up Mestizo River. These traders, mainly Chinese, intermarried with the natives and settled in Vigan and started a multi-cultural community. Vigan soon became another important trading port in the Far-East together with Aceh in Indonesia, Malacca in Malaya [now Malaysia] and Hoi An in Viet Nam.

By the early 16<sup>th</sup> century these trading ports grew in importance to the trade industries in the region and had become a meeting point between traders from the East, mainly

<sup>4</sup> “Biga” is a local plant of yam family; known as *alocadia indica*

from China and those from the West, mainly the Arabs and the Indians. They came to trade and exchange much sought after goods at that time such as spices, gold and silks. The popularity of these trading ports had attracted not only the Chinese, the Malays, the Arabs and the Indians but also the merchants from the distant West, the British, the Dutch, the Portuguese and the Spanish.

## 6.2 Spanish in Vigan

Many great Spanish explorers were known during the Age of Exploration from about the 14<sup>th</sup> till the 16<sup>th</sup> century who helped to expand the Spanish colonial territories all over the world. Explorers such as Christopher Columbus, Juan Ponce De Leon and Hernando De Soto discovered South American and the West; and Vasco da Gama<sup>5</sup> and Ferdinan Magellan explored the East.

The Spanish expeditions of discovery and conquest to the new lands in the East, lead by Ferdinan Magellan, happened partly due to political, economic and religious reasons:

(Constantino, 1975: 40)

The Spanish monarchs [during King Philip] themselves were anxious to expand their empire and to protect their claimed domains in the East, from their rivals, the Portuguese. They were equally interested in bringing back to Mexico and Spain the gold and spices thought to be abundant in the isles of the West - *Las Islas del Poniente* - the Spanish name for the East Indies from the Philippines to New Guinea.

The same evidence can be found in a letter written by the second Governor of the Philippines, Guido de Lavezares<sup>6</sup> to King Philip II of Spain, dated 29<sup>th</sup> June 1573 :

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<sup>5</sup> **Christopher Colombus.** Was born in Genoa, Italy. Discovered Bahamas, Cuba and the Dominican Republic and Haiti (1492); Caribbean Islands (1493-1496); South American mainland (1498 – 1500).

**Juan Ponce de Leon** (1460 – 1521). Was born in Palencia, Spain . Explored the Florida Keys and the West Coast of the Island including Puerto Rico and Cuba. Died at the age of 61 in Cuba.

**Hernando De Soto .** Was born at the turn of the sixteenth century in Spain and was raised in the new colony of Panama. Discovered portions of Central America (1516); Nicaragua and Honduras (1523) and Peru (1532).

**Vasco Da Gama** (1469 – 1524) was born in Sines, Portugal. Commanded an expedition in 1497 to discover the route to India around South Africa. Crossed India Ocean to Calicut (now Kazhikode in Kerala). Founded Portuguese colony in Mozambique in 1502. Became the first European to reach India by sea route around Africa. Died in Goa at the age of 55 (Hall, 2002)

<sup>6</sup> Guido de Lavezares was successor to Miquel Lopes de Legazpi. Hold the post from 1572-1575.

(Licuanan V.B., Mira J.L., 1993: 30)

These two ships now carry 136 marks [measurement of weight, 1 mark equal to 8 ounces] of gold which had come from the natives as tributes of the first products of this land. I hope in our Lord, that from hereon, Your Majesty shall be served. I am also sending to New Spain 372 *quintales* [measurement of weight, 1 quintale equal to 100kg] of cinnamon which I had ordered brought from the Island of Mindanao where there is an abundance of it. Now, there is no need for the Portuguese to take cinnamon to the kingdoms and dominations of Your Majesty because from these parts a greater quantity than can be used in Europe can be sent as long as there are ships. I am also sending to New Spain cuttings from the cinnamon tree and of pepper to be planted there for the benefit of Your Majesty. I also sent a tamarind tree to New Spain and I have been informed that it has already borne fruit...with the passing of each day, more natives get baptized and receive our holy faith and religion.

The Spanish explorer, Ferdinand Magellan discovered the Philippines in 1521 after sailing from Spain in 1519 with 264 crew in five ships; he was defeated while trying to spread Christianity in the Island of Mactan. The expedition returned to Spain in 1522 with only one ship, Victoria, with 18 men on board (Weir, 2002).



Figure 6.3: Ferdinand Magellan (1480 – 1521).  
Sources Hall (2002)

After Magellan's discoveries and between 1525 and 1542, four more expeditions were made from Spain to this 'new land' which was later named formally "Philippines" by the commander of the fourth expedition, Ruy Lopez de Villalobos, after Prince of Asturias, heir to the Spanish throne, later King Philip II (1556 – 1598), (Weir, 2002:1). However, the Philippines was not formally organised as a Spanish Colony until 1565 when King Philip II appointed Miguel Lopez de Legazpi<sup>7</sup> as the first Governor of the Philippines. Legazpi established his base in Manila and later took possession of the whole Island of Luzon that he called the "New Kingdom of Castile" (City of Manila, 2002: 1)

<sup>7</sup> Miguel Lopez De Legazpi landed at Cebu in April 27, 1565 and took possession of Cebu and neighbouring islands for Spain; took possession of Manila in May 19, 1571.

Legazpi's successor Governor Guido De Labezares who took control of the Philippines after the death of Legazpi in 1572 continued to strengthen Spanish rule in the Philippines and was active in spreading Christianity to the natives, who were then principally Muslims. An anonymous report dated 20<sup>th</sup> April 1574 states: "The truth is that the natives here on this islands of Luzon that we Spaniards usually call Moros are not really such [referring to the Turks] because they do not know the law of Mohammed nor do they understand it. Only in some coastal towns they refrain from eating pork and this is only because they have been with Moros of Borney who taught them some of the tenets of the sect of Mohammed" (Licuanan .B., Mira J.L., 1991:1). In 1573 he ordered Don Juan Salcedo, grandson of Legazpi, to subdue Vigan in Samtoy<sup>8</sup>. In a letter to King Philip II of Spain, Governor Labezres wrote:

(Heritage City of Vigan, 1999: 1)

it seemed best to send Captain Juan de Salcedo with 70 or 80 soldiers to people the coast of Los Illocano on the shores of the river called Bigan.



Figure 6.4  
Juan de Salcedo

*"Juan de Salcedo, grandson of Governor Miguael Lopez has served and serves Your majesty in this parts in the position of Infantry captain. He is a person, who worked hard and is still doing so in whatever he is ordered to do in the conquests, discoveries and pacification of these islands, as in all other things that have come up for the service of Your Majesty. In all of this , including going on expeditions of great importance, that he has been assigned in this land, he has acquitted himself very well and so he is worthy and deserving that Your Majesty remember to reward him"*

In a letter from Governor Guido de Lavezares to King Philip, dated 29<sup>th</sup> June 1573. ( Licuanan V.B., Mira J.L., 1991: 32)

Captain Salcedo sailed from Manila with 45 soldiers on eight armed boats and entered the mouth of the Mestizo River and proceeded towards Vigan on June 13<sup>th</sup>, 1573 (King, 1999:1). Without much opposition from the people of Vigan, Salcedo landed at the shore of the Abra River called "El Mestizo" and was asked by the Governor Guido De

<sup>8</sup> Before the Spanish came, the northwestern part of Luzon was known as Samtoy. It became one big province named Illocos under Spanish rule until it was split into Illocos Sur and Illocos Norte by a royal decree in 1818. (Quilala 1996)

Labezares to name the land as “Villa Fernandina de Vigan”, in honour of King Philip II’s son, Prince Ferdinand, who died at the age of four. In a letter to the Viceroy of New Spain, dated 26<sup>th</sup> July 1574 Governor Guido De Labezares wrote:

(Licuanan V.B., Mira J.L., 1991: 112)

In order that the natives might be better instructed in the teachings of our holy faith, I sent captain Juan de Salcedo there and commissioned him to see to its [lands of Illocos] settlement; to appoint a judge and councilmen and choose a location near Vigan river because it has good surroundings and good products, and to name the settlement **Villa Fernandina** in honor of Prince Fernando, Our Lord. I designated Juan de Salcedo Lieutenant Governor.

In 1758 Vigan was once again re-named Cuidad Fernandina de Vigan when its status was elevated as a city by virtue of a Royal Decree in 1758 which approved the transfer of the Seat of the Diocese of Nueva Segavio from Lallo to Vigan (Heritage City of Vigan, 1999:2)

The Spanish ruled the Philippines and Vigan in general for more than 330 years until the Spanish lost to the Americans in the Spanish-American War in 1898. An agreement was signed on December 10<sup>th</sup>, 1898 in Paris, the Treaty of Paris<sup>9</sup>, where the American officially took control of the Philippines from the Spanish. The American consequently ruled the country for 47 years before granting independence on July 4<sup>th</sup>, 1946.

During the 333 years of colonisation, amongst other things, the Spanish had converted the majority of the population of the country to Roman Catholicism and had established towns and forts across the country that were based on the Spanish ideas of town planning. In particular, they followed the ‘rules’ or principles embodied in the ordinance passed by King Philip II in 1573, known as ‘The Law of the Indies’. The forts of Santiago in Manila, Del Pilar in Zamboanga City, San Pedro in Cebu and the towns of Taal and Vigan are a few examples.

Similarly the architecture of churches and houses was also influenced by the Spanish style. The churches were replaced and re- built in stone instead of bamboo, palm fronds

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<sup>9</sup> The Treaty of Paris was signed on December 10, 1898 in Paris. By the Treaty, Cuba gained its independence and Spain surrendered the Philippines, Guam and Puerto Rico to the United States In return, the United States gave Spain US\$20 million as 'suppression debt' which was later seen as the purchase price for the Philippines (Constantino 1975: 286)

and wood, an attempt to glorify the houses of God since the latter were seen as too impermanent and flimsy. The style of these churches followed the style of churches in Mexico and South America and was Baroque, in character.

(Villalon, 2001:266)

An architecture was forced to develop in the Philippines in an attempt to follow the Baroque style, in vogue in Europe during the 17<sup>th</sup> and 18<sup>th</sup> centuries

Similarly, the vernacular houses of *bahay-na-kayo* or *bahay-na-kubo* (Figure 6.11) were also transformed. From simple huts built on stilts using local materials such as bamboo, palms and wood to grandeur two-storied houses of *bahay-na-bato*, built in stone and quality timbers, commonly known as ancestral houses.



Figure 6.5  
Ancestral house of Vigan

There are now almost 200 of these houses in the City of Vigan, which line both sides of its narrow streets. Mostly intact in their design and character, ancestral houses are the most important cultural property in Vigan; in the Philippines and in the East in general. Example of Spanish town and buildings, which are still intact, can only be found in the City of Vigan. For this reason, Vigan is seen to satisfy the requirement of ‘universal value’ required by the World Heritage Committee and was granted the status of World Heritage Site in 1999.



### 6.3 Vigan as the World Heritage Site

Inscription of cultural and natural properties in the Philippines to the World Heritage List is relatively new. To date there are only five properties in the Philippines that have been inscribed on the World Heritage List: three were inscribed as natural properties<sup>10</sup> and two as cultural properties. The two cultural properties are Baroque Churches of the Philippines<sup>11</sup> inscribed in 1993 and the Heritage City of Vigan which was inscribed during the 23<sup>rd</sup> Session of World Heritage Committee in Marrakesh, Morocco in 1999. .

#### 6.3.1 First Nomination in 1988

The inscription of Vigan to the World Heritage List was indeed considered as second submission since the first submission for inscription in 1988 was rejected at the 13<sup>th</sup> Session of the Bureau of the World Heritage Committee, that was held in Paris from 27<sup>th</sup> - 30<sup>th</sup> June 1989. The meeting examined 20 nominations from State Parties in total, but made recommendation to the World Heritage Committee to only inscribe five properties, to defer six properties and to reject nine other properties (UNESCO 1989:6). All three properties submitted by the Republic of the Philippines for consideration of the Committee: Town of Taal, Historic Centre of Intramuros de Manila and Town of Vigan were rejected without much elaboration given and only noted that "...these sites did not meet the criteria for inscription on the World Heritage List, as defined for the purpose of implementing the Convention" (UNESCO 1989:8)<sup>12</sup>. However, a report from ICOMOS to the World Heritage Committee dated September 1989<sup>13</sup> (ICOMOS, 1989) with regard to the inscription of Vigan as World Heritage List indicates that the decision not to recommend Vigan on the World Heritage List was reached after a series of evaluations conducted by ICOMOS. First was a mission to the Philippines by Spanish architect Alvaro Gomez-Ferrer that was carried out from 20<sup>th</sup> Aug to 1<sup>st</sup> Sept

<sup>10</sup> The natural properties are : Tubbataha Reef Marine Park inscribed in 1993 during the 17<sup>th</sup> Session of World Heritage Committee at Cartagena, Columbia; Rice Terraces of the Philippines, Cordilleras inscribed in 1995 during the 19<sup>th</sup> Session of World Heritage Committee Meeting in Berlin, Germany; and Puerto-Princesa Subterranean River National Park inscribed in 1999.

<sup>11</sup> The four churches are: Nuestra Senora de la Asuncion in Santa Maria, Illocos Sur; San Agustin in Intramuros, Manila; San Agustin in Paoay, Illocos Norte and Santo Tomas de Villanueva in Miag-ao, Iloilo.

<sup>12</sup> The meeting was chaired by Mr A.C.Da Silva Telles from Brazil and attended by 33 state members of the Bureau, observers and representative from advisory bodies. No representative from the Philippines or other Southeast Asia countries were present.

<sup>13</sup> The final version of the Report was prepared by Professor Leon Pressouyne from the University of Paris I who was at that time the Vice-President of ICOMOS.

1988. This was followed by deliberation at the meeting of the Bureau of ICOMOS held from 23<sup>rd</sup> -24<sup>th</sup> February 1989 and finally a gathering of opinion from experts on Southeast Asian cultural heritage conducted from 25<sup>th</sup> February to 15<sup>th</sup> November 1989. As an advisory body to the World Heritage Committee, ICOMOS recommended that Vigan should not be considered for inscription on the World Heritage List for the two main reasons.

- i. Vigan was seen as an important heritage town to the Philippines, but not to the world and therefore does not fulfil the criteria of 'outstanding universal values'<sup>14</sup>. The final ICOMOS report states "This cultural property has not been shown to have sufficient exemplarity, and the urban and architectural quality of Vigan is in no way comparable to that of Spanish cities in the Caribbean such as Cartagena de Indias (Colombia) or Trinidad (Cuba)".
- ii. Vigan was also thought not to fulfil another important criteria of inscription, that is, 'authenticity' when the report states, "Only 14 out of 161 old/traditional houses in Vigan still had tiled roofs others are temporary roofed with corrugated sheet metal".

Accepting the recommendation of ICOMOS and the Bureau, the World Heritage Committee, in its 13<sup>th</sup> Session meeting in Paris from 11<sup>th</sup> -15<sup>th</sup> December 1989 rejected all three submissions from the Philippines. However, exceptionally, suggested that "the Philippines authorities contact ICOMOS and the Secretariat so as to study the possibilities of elaborating a new nomination made up of particularly significant elements of the very special heritage of the Philippines" (UNESCO, 1989a:XIV.46C). This made it possible for Vigan to resubmit its nomination to the World Heritage Committee in the near future, after considerable improvements in its conservation management, strategies and policies.

The rejection of Vigan and two other properties from the Philippines for inscription on the World Heritage List, indirectly meant that these properties and in particular the town of Vigan, would lose the potential of being 'protected' both nationally and

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<sup>14</sup> One of the criteria for inscription. Refer to paragraphs 6, 24 and 44 of Appendix 3 for more information.

internationally and Vigan as a whole continued to be exposed to threats such as dereliction and mistreatment. To protect Vigan from threats against economic progress, population growth, unplanned tourist development and modern infrastructures the private sector initiated an extensive awareness campaign in the early 1990s under strong criticism from local leaders and businessmen (Ricardo, 1998:1). In 1992, a group of private homeowners established better networking between themselves by forming Save Vigan Ancestral Homes Association (SVAHAI) with the main objective to promote the preservation and restoration of the built heritage of Vigan. The first project they embarked on in 1993 was geared towards an awareness campaign: Viva Vigan Festival of the Arts was launched. It was a week-long celebration to promote local arts, crafts and more importantly the built heritage. The support received from the public and the local media was beyond expectation and the first festival was a success and proved to be a significant stimulus for the local tourist industry. Encouraging public response has made the festival a yearly event. Over the past years, the Viva Vigan Festival has become one of the biggest cultural events in Luzon Island, attracting both domestic and foreign visitors. The effort made by SVAHAI to increase public awareness on conservation of built heritage in Vigan was boosted when in 1994 a group of local businessman and professionals residing in Manila organised the KaiVigan Foundation to assist SVAHAI in conservation projects. In 1996, SVAHAI and KaiVigan started an inventory project, documenting historic structures in Vigan with financial help received from the Toyota Foundation, Japan and by 1998, the inventory of 120 ancestral houses was completed.

The efforts to increase public awareness on the rich heritage of Vigan and the need to consolidate conservation activities and programmes started by the SVAHAI in early 1990s is complimented by several actions taken by the Municipality of Vigan, especially from 1995, when Mayor Eva Marie Medina<sup>15</sup> was elected to office. Firstly, in an effort to provide clear objectives and guidelines on the conservation of Vigan, the Mayor initiated the preparation of a Vigan Conservation Plan through international cooperation with the Commission of the European Union<sup>16</sup>, where through its

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<sup>15</sup> Her grandfather, Jose Singson was Vigan Mayor; her father Titong Singson was also Vigan Mayor for 17 years and then the governor until 1980; Uncle Chavit Singson was also a governor, to name a few.

<sup>16</sup> European Union (EU) has provided two main categories of assistance to the Philippines since 1976: Development Co-operation and Economic Co-operation. To date the EU has provided 445 million Euro of grants to the Philippines, the second largest after Japan (CEU, 2004: 2)

consultant-Tourconsult International<sup>17</sup> - the Commission is to prepare a Conservation Plan for the Historical Centre of Vigan. In its report (1996:7-9), the Commission proposed four main courses of action to be taken by the Municipality of Vigan:

- a. Strengthen the Legal Framework to harmonise all the laws that have a bearing on the preservation, restoration and conservation of old structures in the historic centre of Vigan, mainly to review Presidential Decrees 260, 756, 1505 which I intend to discuss in more depth under Legal Instruments of Chapter Seven.
- b. Establishment of conservation boundaries within the Municipality of Vigan so that appropriate rules and guidelines can be adopted, which I discuss in more depth under Inventory of Cultural Properties of Chapter Seven.
- c. Delineation of specific new build-up areas and its intended uses within and around the established boundaries.
- d. Establishment of a governing body, to be named the Vigan Historical and Heritage Authority, to oversee the development of the historic town to ensure the conformity of development of established design standards and guidelines and to ensure compliance to all building standards and zoning regulations.

The Commission's report gave impetus to protect the heritage of Vigan at both local and national levels. In August 1996, President Fidel Ramos displayed his concern by issuing Executive Order No. 358/1996 : Creating a Presidential Commission for the Restoration, Conservation and Preservation of Vigan Heritage Village. The Order recognises Vigan as a major tourist destination in the North of Luzon, and establishes a management body at national level under the Department of Tourism, to be named Vigan Heritage Commission (VHC). The Commission is mandated to provide "overall policy direction, coordination, management and implementation of Vigan" (RoP,1996:Section).

The international assistance from the European Union to the Philippines in 1996 was only the beginning. In February 1997 UNESCO stepped in and selected Vigan as one of the five pilot sites<sup>18</sup> in Asia and the Pacific region for its studies on conservation

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<sup>17</sup> Consultants for the development of international tourism, with head office in Rome, Italy.

<sup>18</sup> The original LEAP pilot sites are Bhaktapur (Nepal), Lijiang (China), Luang Prabang PDR), Hoi An (Viet Nam) and Vigan (Philippines). LEAP activities initiated in Lijiang, Luang Prabang, Hoi An and Vigan have resulted in the inscription of the sites in the UNESCO World Heritage List of Cultural Properties. Bhaktapur and other Monument Zones in the Kathmandu Valley were inscribed earlier in the World Heritage List). Other LEAP pilot sites include Penang and Melaka (Malaysia), Levuka (Fiji Islands), Kandy (Sri Lanka), Khokana (Nepal) and the Cordillera Rice Terraces (Philippines).

programmes. Known as Integrated Community Development and Cultural Heritage Site Preservation through Local Effort Programme (LEAP), UNESCO has extended financial assistance to SVAHAI in the preparation of an Owner's Manual for the Maintenance and Restoration of Heritage Properties. The manual was prepared in collaboration with UNESCO consultant, David Michaelmore Consultancy and Conservation of Historic Buildings of United Kingdom, experienced in producing similar manuals for other World Heritage Cities in the region, such as the town of Hoi An in Viet Nam, the Kathmandu Valley in Nepal and Lijiang in China. The manual has helped the authorities, the professionals and the public to understand the reasons for preserving ancestral houses in Vigan, the role of local and national agencies, the different approaches towards conservation, the importance of legislative framework, and the expectation and preparation for the World Heritage Site.

Secondly, legal instruments related to cultural property were updated and new ones introduced. For example, Ordinance No. 12/1997 that defines the Core and Buffer Zones of Vigan, was introduced, and Ordinance No.14/1997 that provides guidelines for the conservation of Vigan<sup>19</sup> was enacted. Thirdly, the Vigan Heritage Commission created by Executive Order No. 358 a year before, was seen as inadequate by locals and authorities alike because:

(Ricardo 1998:4)

more than two-thirds of the commissioners are head of national agencies. Only five members (the provincial governor, the municipal mayor and three private citizens) are Vigan residents. While all members, including the executive directors are political appointees, none of them is a conservation expert.

Therefore local management structure was introduced in 1997 to replace the Vigan Heritage Commission, known as Preservation and Conservation Authority of Vigan (PCAV). Placed under the supervision of the Office of the Mayor, this new management body consists of thirteen members representing major stakeholders in Vigan and national agencies and have the following functions and powers (Section 3):

- a. To introduce conservation policies that satisfy the national and international practices of conservation, and to monitor the implementation of these policies.
- b. To manage cultural property within the Core and Buffer Zones.

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<sup>19</sup> Discussed in more detail under sub-chapter 7.1 on Legal Instruments.

- c. To be a fiscal body to receive grants, donations, fees etc to support conservation programmes.
- d. To carry out inventory and documentation of all conservation works
- e. To review and recommend approval or refusal of all interventions within the protected zones based on current requirements.

The desire to have Vigan listed on the World Heritage List was made clear as stated in the preamble of the creation of Conservation Authority of Vigan, “it shall be responsible for the conservation and development of the Historic Town of Vigan as a World Heritage Site as embodied in the 1972 World Heritage Convention” (Municipality of Vigan 1997b:1)

### **6.3.2 Second Nomination in 1998**

In 1998, ten years after the first submission, a second nomination dossier to include Vigan in the World Heritage List was therefore prepared by the authorities of Vigan and SVAHAI. A comprehensive and more complete nomination dossier than the first submission consisted of main texts that conform to the requirement of the Operational Guidelines and with 22 annexes<sup>20</sup>. An ICOMOS expert, Professor Yukio Nishimura from Japan was appointed to evaluate the nomination dossier<sup>21</sup> and consequently visited Vigan in January 1999 for several days; and recommended that Vigan can now be inscribed in the World Heritage List provided that the Philippines government re-define both the Core Zone and the Buffer Zone. In the Core Zone, the Philippines government was asked to exclude The Divine Word of Vigan College in the north-eastern corner, a four storied structure of modern design. Within the Buffer Zone, they were asked to exclude the former Vigan Central School, which is now used as an extension of the bus terminal.

In its report to the World Heritage Committee dated September 1999, ICOMOS reverted its decision in 1989 and states that, “ICOMOS now acknowledges that comparison with Spanish colonial towns in Latin America and the Caribbean is not a valid one: historic towns should be evaluated in a regional context rather than globally”

<sup>20</sup> The original Nomination Dossier is available at the Documentation Centre, ICOMOS, Paris.

<sup>21</sup> Information received from Ms Regina Duringhello, Co-ordinator of WHC at ICOMOS, Paris.

(ICOMOS, 1999:3). No feedback was received from ICOMOS as to why this statement was made, but it could easily have responded to the UNESCO conceptual framework of ‘Global Strategy’ adopted in 1994 that encourage fair representation of countries to the World Heritage List and the adoption of principles relating to ‘authenticity’ by UNESCO at the Nara Conference also in 1994<sup>22</sup>.

The suggestion by ICOMOS for the Philippines government to re-define the boundaries was taken up by the Bureau of the World Heritage Committee. In its Twenty-Third Session<sup>23</sup> the Bureau decided to refer back the nomination to the Philippines government requesting modifications to the boundaries of the nominated area and its buffer zone as suggested by ICOMOS.



Figure 6.6 : Images of Vigan, inscribed as World Heritage Site in 1999

As an immediate reaction from the Municipality of Vigan, Ordinance No. 6/1999 was enacted amending the previous Ordinance No. 12 /1997<sup>24</sup> as recommended by the World Heritage Committee. In full compliance with the requirement of the Committee, Vigan was finally accepted to the World Heritage List during the 23<sup>rd</sup> meeting of the

<sup>22</sup> ‘Authenticity’ is briefly discussed in sub-chapter 3.1.2

<sup>23</sup> Decision was reached at the 23<sup>rd</sup> Session of Bureau Meeting held in Paris from 5-10<sup>th</sup> July 1999, and taking consideration of the recommendations made by the ICOMOS Expert Mission who visited Vigan in Jan 1999. The Philippines Government was given until 15 September 1999 to comply for consideration at the 23<sup>rd</sup> Extraordinary Session of the Bureau in Marrakesh, Morocco from 26 - 27<sup>th</sup> Nov 1999

<sup>24</sup> Is discussed in more details under sub-chapter Legal Instruments.

World Heritage Committee<sup>25</sup> in Marrakesh, Morocco. Inscribed on the World Heritage List as The Historic Town of Vigan (Id No. 502 Rev) on the basis of fulfilling the criteria (ii) and (iv) of the Operational Guidelines:

**Criteria (ii)** : *exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design.*

Where it was also noted that, “Vigan represents a unique fusion of Asian building design and construction with European colonial architecture and planning” (UNESCO, 1999:34)

**Criteria (iv)** : *be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stages(s) in human history.*

Where it was also noted that, “Vigan is an exceptional intact and well-preserved example of a European trading town in East and Southeast Asia” (UNESCO, 1999:34)

#### **6.4 The Urban Planning of Vigan**

The City of Vigan today has 9,094 households with a population of 45,090 people<sup>26</sup> within its 9 urban areas (*poblaciones*) and 30 villages (*barangays*), and covers a land area of 25.11 square kilometres (Florentino, 2001). The Heritage City of Vigan, as inscribed in 1999 in the World Heritage List however only covers an area surrounding the town centre with a land area of about 30 hectares or roughly 1.2% of the total land area. The 30 hectares have been further zoned into Core and Buffer Zones as required by the Operational Guidelines, UNESCO with the Core Zone being 17.25 hectares (57.5%) and the Buffer Zone 12.75 hectares.

The Core Zone is an L-shaped area, bounded by the Goventes River to the north and Mestizo River to the East. It encompasses the two main plazas in Vigan : Plaza Burgos and Plaza Salcedo, and several public buildings on the north and northwest of the plazas, extended to include the four main streets in Mestizo district : Gov.A.Reyes, Plaridel, Crisologo and V.Del Los Reyes. The Buffer Zone, which is formed with the

<sup>25</sup> The 23<sup>rd</sup> Meeting of the World Heritage Committee was held in Marrakesh, Morocco from 29 Nov - 4 Dec 1999 and approved 52 other nominations on Cultural Property.

<sup>26</sup> Based on census 2000. Census 1986 recorded 35,994 people and census 1995 recorded 42,067 people.



objectives to provide authenticity of setting and protection of core zone, is also formed in an L-shape following the general shape of the core zone (Figure 6.7).

#### **6.4.1 The Law of the Indies, 1573<sup>27</sup>**

The overall layout and urban structure of the historic core zone that consists of public plazas and series of streets in regular checkerboard pattern, as it is today, was established during the Spanish occupation in the eighteenth century at the time when the existing St. Paul's Cathedral was rebuilt<sup>28</sup> in 1790. As in many other cities and towns established by the Spanish around the globe during this period, such as Santa Fe in New Mexico (1610), Alamos in Mexico (1748) and Albuquerque (1898), common planning features such as central plazas surrounded by important public buildings, narrow streets in regular grid pattern and uniform building type could be recognised. In the Philippines and in the East generally, Vigan is the only ex-Spanish town that retains this original urban layout, which contributed significantly to the inscription of Vigan as the World Heritage Site.

The similarities in the layout of many Spanish towns and cities in the 16<sup>th</sup> to the 19<sup>th</sup> century was not a coincidence, rather a well planned and executed urban settlement pattern that followed King Phillip's ordinance called the *Law of the Indies* issued on the 13<sup>th</sup> July 1573. The ordinance was issued soon after the conquest of Mexico by the Spanish; and when the Spanish soldiers, settlers and missionaries were all building in haphazard and piecemeal fashion. Its main purpose was to provide general guidance and a 'set of rules' for the establishment of new towns in the Americas. Being one of the main Spanish towns, even though not in the Americas, the layout of Vigan was, to a large degree, conformed to the Law of the Indies, 1573.

#### **6.4.2 The Plazas**

The main features of the town of Vigan are its two plazas : Salcedo and Burgos. Located near the intersection of the Govantes and Mestizo rivers, these plazas have

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<sup>27</sup> The translation of this Law is provided by the (University of Miami, 2002).

<sup>28</sup> The St. Paul's Cathedral started out as a chapel of wood and thatch erected in 1574 by Juan de Salcedo when he first landed in Vigan at the lower ground close to Govantes River. The chapel was damaged by earthquakes in 1619 and 1627, and rebuilt in 1641 at the present site, but again damaged by fire in 1739.

remained the focal points of the town (Figure 6.7). Guided by principals of the Law of the Indies:

**Main Plaza (Article 112) :** The main plaza is to be the starting point for the town; if the town is situated on the sea coast, it should be placed at the landing place of the port, but inland it should be at the centre of the town. The plaza should be square or rectangular, in which case it should have at least one and a half its width for length in as much as this shape is best for fiestas in which horses are used and for any other fiestas that should be held.

**Smaller plaza (Article 118) :** Here and there in the town, smaller plazas of good proportion shall be laid out, where the temples[building] associated with the principal church, the parish churches and the monasteries can be built...

**Lots for Church Buildings (Article 119) :** For the temple of the principal church, parish, or monastery, there shall be assigned specific lots; the first after the streets and plazas have been laid out, and these shall be a complete block so as to avoid having other building nearby, unless it were for practical or ornamental reasons

**Church Buildings (Article 124) :** The temple in inland places shall not be placed on the square but at a distance and shall be separated from any other nearby building, or from adjoining buildings, and to be seen from all sides so that it can be decorated better; thus acquiring more authority; efforts should be made that it be somewhat raised from ground level in order that it be approached by steps...

**Allocation of lots (Article 126) :** In the plaza, no lots shall be assigned to private individuals; instead they shall be used for the buildings of the church and royal houses and for city use...

Plaza Salcedo, the main plaza, is rectangular in shape and measures approximately 75m x 150m [with the ratio of 1:2] and is bordered by churches and public buildings. To the East is St. Paul's Cathedral, to the south are Seminary and Municipal building, to the west is Provincial building and to the north are Archbishop's Palace and St. Paul's College. St. Paul's Cathedral is the main public building in Vigan. It was built at the present location in 1790 under the supervision of two Chinese, the Mestizo brothers, Tomas and Alejandro Arenas (Florentino, 2001). Similar to many churches built in the Philippines during this period, this Cathedral was built in Illocano or Earthquake Style that generally has a triangular façade, pitched roof, solid buttresses and relatively low height. An octagonal bell tower measuring 25 meters in height-made up of three stories-is built ten meters away from the Cathedral. Churches in this particular style are quite common in the northern part of Luzon Island that face threat from frequent earthquakes.

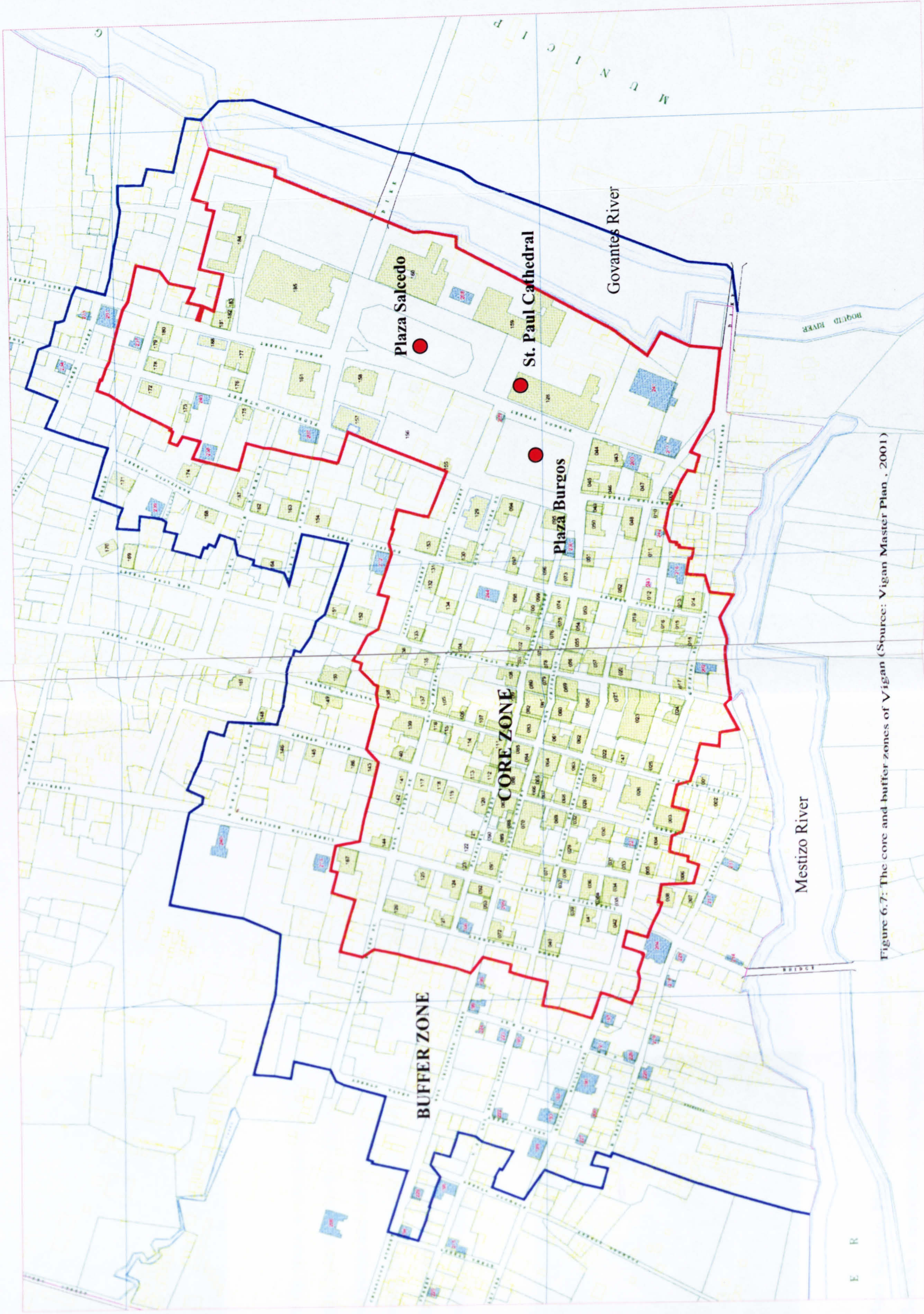


Figure 6.7: The core and buffer zones of Vigan (Source: Vigan Master Plan, 2001)

200

200

200

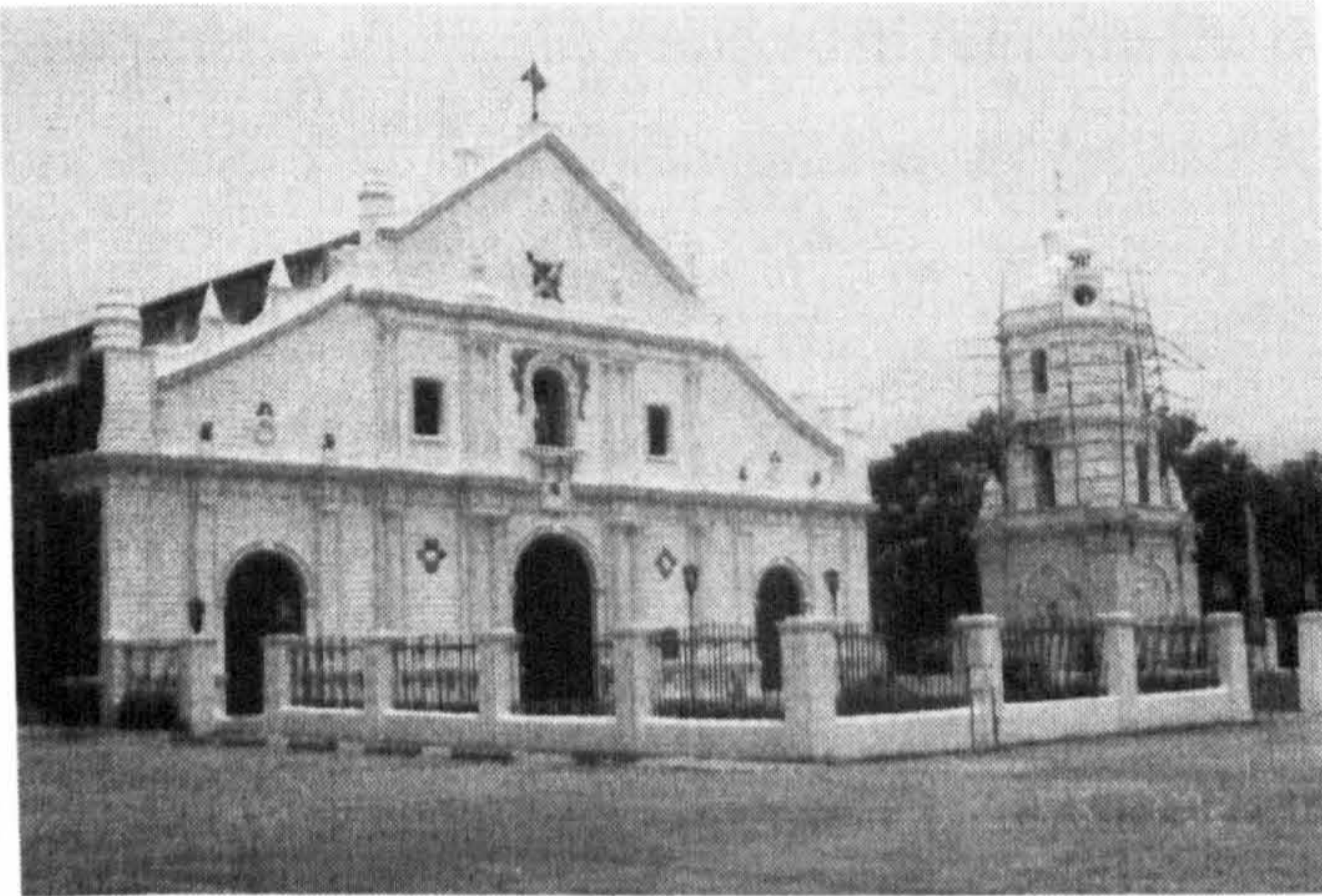


Figure 6.8 : Front façade of St. Paul's Cathedral with detached bell tower 10 meters to its south. The Cathedral has become the main focus of Plaza Salcedo.

At the centre of the plaza, an obelisk was built in the 17<sup>th</sup> century to commemorate the founder of Vigan, Juan de Salcedo. The Plaza has been used as venues of many formal and informal occasions and has become a common rendezvous for the public. The idea of the church being the focal point by building it on a higher ground as stipulated in the Article, as stated above, was achieved quite differently in Vigan. Instead of raising the Cathedral on steps, the vantage point is achieved by creating a sunken plaza in front of the Cathedral.

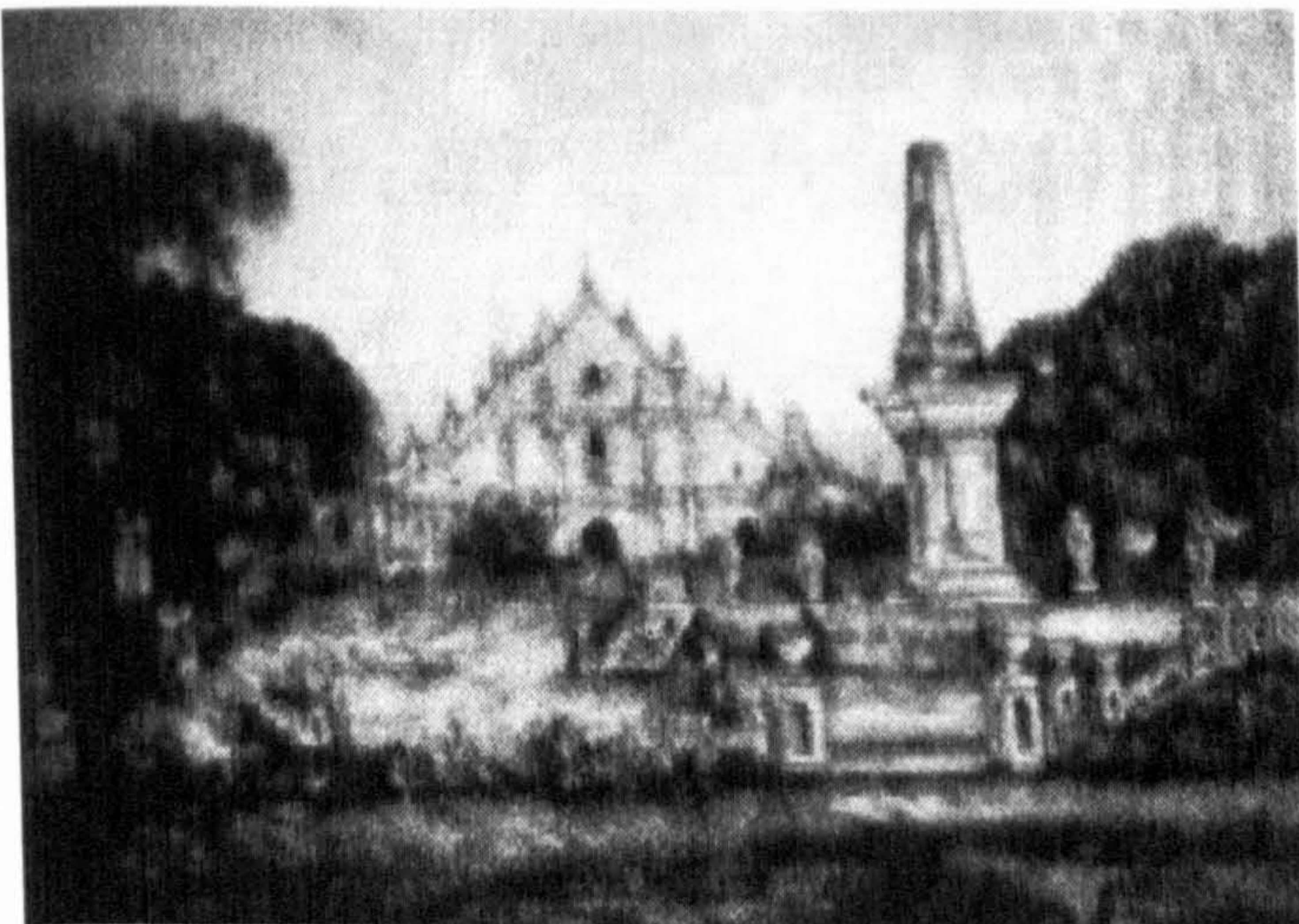


Figure 6.9: Original Plaza Salcedo with sunken gardens.  
(Sources : Florentino, 2001:6).

Besides the Plaza Salcedo, Plaza Burgos is another important public space in Vigan. While Plaza Salcedo is associated with Vigan as a town and has characteristic to be more formal, in terms of its setting and function, Plaza Burgos on the other hand is known as a famous meeting place for local residents, especially those staying in the town centre. Almost square in shape, Plaza Burgos faces north towards St. Paul

Cathedral and has the Seminary to its west and rows of residential houses towards the east and the south. Unchanged in function and form since the 18<sup>th</sup> century, this Plaza opens up to the main residential area-Mestezo district-through the four main streets of Vigan.

### 6.4.3 The Streets

The Law of the Indies, 1573 also provided clauses for layout of streets in Spanish towns. Articles 114 to 117, in particular, spelled out how the streets should be planned and their relationship to urban plazas and residential houses.

#### Principal Streets (Article 114)

From the plaza shall begin four principal streets: One shall be from the middle of each side, and two streets from each corner of the plaza;...

#### Width of Streets (Article 116)

In cold places, the street shall be wide and in hot places narrow; but for purposes of defence in areas where there are horses, it would be better if they are wide.

#### Future expansion (article 117)

The street shall run from the main plaza in such manner that even if the town increases considerably in size, it shall not result in some inconvenience that will make ugly what needed to be rebuilt, or endanger its defence or comfort

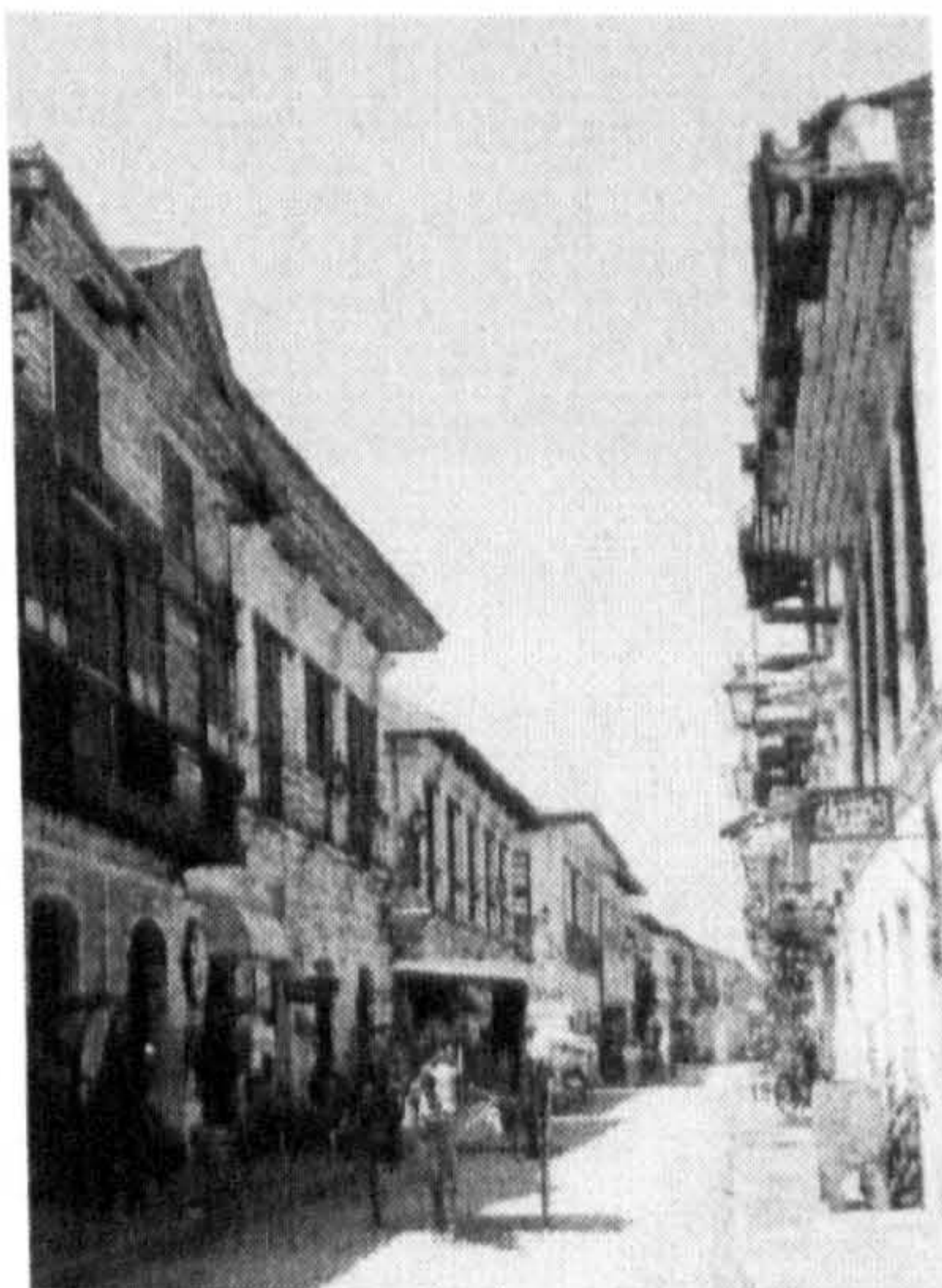


Figure 6.10: Narrow streets flanked by ancestral houses is the main character of Vigan

In Vigan, the street pattern, to some extent, does follow the principles of the Law. Even though, the main streets do not originate from each side of the plaza, as recommended by Article 114 of the Law, they all begin from or converge on the plaza. Running north to south, these streets are parallel to each other and are crossed by a series of smaller streets that run from east to west, creating regular blocks within a grid-iron urban fabric. In line with the suggestion made by the Law, Vigan expanded from

the plazas in this regular grid-iron and today it is the only surviving ex-Spanish city in the east to retain this original street pattern. Besides the way in which the streets should be laid out and their relationship to the plazas, the Law also suggested that these streets should either be wide or narrow in dimension depending on the location. Being located in the hot and humid region with daily temperatures ranging between 23<sup>o</sup>C and 33<sup>o</sup>C, the streets in Vigan are narrow. Measuring not more than 4 meters across and with 1.5 metres walkways on either side, these streets have now been re-paved with local stones set in sand. The original character of Vigan's streets remains largely intact despite some arguments relating to the materials used in the re-paving project completed in 1999. To ensure the protection of this character, both in its physical and functional form, the authority in Vigan has implemented a non-vehicle zone in this Mestizo-district which restricts any use of motor vehicle at any time and has re-introduced horse drawn carriages (*calesa*). Along these streets stand rows of two or three storey brick and timber houses, commonly known as ancestral houses<sup>29</sup>, for which Vigan is famous.

### 6.5 The Ancestral Houses of Vigan

Besides a fine example of a planned Spanish colonial town in the East that is characterised by a number of plazas surrounded by official buildings and churches, grid-iron street pattern, narrow streets with pebble stones and the sound and sight of the *calesa*, Vigan is fortunate to have a huge collection of vernacular town houses, commonly known as ancestral houses. The latest inventory recorded in 2001 by the Vigan Master Plan Team<sup>30</sup> indicates that there are 190 ancestral houses in both core and buffer zones of Vigan, the majority of which can be found on the narrow streets of Gov. A. Reyes, Plaridel, Gov. Crisolago and V.De Los Reyes.

Built by the Chinese *Mestizos*<sup>31</sup> (mixed blood) or *Sangleys* during late-18<sup>th</sup> to the early-20<sup>th</sup> centuries, during the rule of the Spanish Governor General, Narciso C. Zaldua<sup>32</sup>,

<sup>29</sup> Section 2 of Ordinance No.04/2000 defines ancestral houses as “structures, which has been in existence for not less than fifty years, the architecture of which is of Hispanic and Chinese influence”

<sup>30</sup> For more information on VMP, please refer to sub-chapter 7.2

<sup>31</sup> Chinese-Mestizos was the third social class in Philippines during 17<sup>th</sup> -19<sup>th</sup> centuries after *Peninsulares*, *Insulares* and Spanish-Mestizos . Other classes are Natives and Chinese who were at the bottom of social scale. The inter-marriages between Chinese men and Native women produced Chinese-Mestizos who very soon became rich landowners , retail merchants or artisans. (Constantino 1975:120-122).

<sup>32</sup> Narciso Claveria Y.Zaldua was Spanish 62<sup>nd</sup> Governor General in the Philippines. His term started from July 16, 1844 to December 26, 1849.

who required all natives to occupy the western side of the town, *gremio de naturales*; while the *Mestizos* were to occupy the eastern portion, *gremio de mestizos*, known today as the Old Mestizo District<sup>33</sup>. To further differentiate between the two social classes the Governor General instructed all mestizos to adopt surnames beginning with the letter “F” while the natives with the letter “A”. Accumulating wealth from the boom in trade and commerce, the *Mestizos* constructed large two-storey houses on the main streets of the city centre. Similar to the early urban planning of Vigan that followed the rules stipulated in the Law of Indies 1573, the architecture of these houses to a degree was also influenced by it. Three articles in the Law that correspond to the architecture of ancestral houses are:

(Article 132) : ... the settlers shall begin with great care and efficiency to establish their houses and to built them with good foundations and walls, to this effect they shall be provided with molds or planks for building them, and all the other tools needed for building quickly and at small cost.

(Article 133) : ... and each house in particular shall be so built that they may keep therein their horses and work animals and shall have yards and corrals as large as possible for health and cleanliness.

(Article 134) : They shall try as far as possible to have the buildings all of one type for sake of beauty of the town

Ancestral houses in the Philippines and in particular in Vigan are easily recognised. Uniform in style and design as recommended by article 134 of the Law, these houses are two-storey in height, rectangular in form, low angle hipped roof with wide eaves, and the use of quality timber for the first floor and plastered brick wall for the ground floor. This homogeneity in design and form has given Vigan a strong character and definitive appearance; and has contributed to the inscription of Vigan in the World Heritage List.

The architecture of ancestral houses in Vigan took its cues from pre-Spanish traditional houses in the Philippines, *bahay-na- kubo*, attuned to the tropical climate: with hipped roof, elevated living structure, open plan spaces and many openings. However, the design of these houses has evolved considerably during the Spanish occupation. The influence of Spanish and to a degree Chinese architecture, such as a sense of grandeur and solidity, the use of masonry and of ornaments has made the houses distinct and

<sup>33</sup> The two sections of the town are bordered by Rizal Street that run on north to south axis. Ancestral houses can be found mostly in the mestizo district.

unique. Compared to *bahay-na-kubo*, the ancestral houses of Vigan are monuments. Rectangular in plan, ancestral houses are two storied and built with either twelve or twenty columns; that forms modular bays of 2x3 for twelve columns, or 3x4 bays for twenty columns. With a distance of 4.5 to 5.0 metres between columns, it makes the built up area for each ancestral house range from minimum of 243 metres-square to the maximum of 600 metres-square.



Figure 6.11: *Baha-na-kubo*. Pre-Spanish houses of the Philippines: elevated from ground with living spaces on the upper floor and storage spaces on the ground floor, post and lintel construction and abundant use of natural materials such as *nipa*, bamboo and woods. (Sources : Zialcita, 1980:10)

### 6.5.1 Types of Ancestral Houses

Similar to the shophouses of Hoi An, the ancestral houses of Vigan can also be categorised according to their façade designs, and possibly based on spatial planning. However, due to the limitation of this Research and the difficulties in obtaining permission to survey the internal planning of these private houses, this Research analyses the houses based on their façade design and materials used.

Built as a house of commerce, with living spaces on the first floor and commercial spaces on the ground, the ancestral houses can generally be categorised into two main types: the ‘wood-brick’ and the ‘all-brick’ houses. The houses of the first type were built mainly during early 18<sup>th</sup> century and are of thick brick walls on the ground floor and wooden walls or panels on the first floor. The brick walls measuring between 600mm to 1500mm in thickness, are constructed using red clay bricks of various sizes, river stones and lime mortars as cavity wall. In between, various sizes of river stones and lime mortars<sup>34</sup> are filled in. The walls are finished with lime plastering and painted or washed with natural colour pigmentation. The wooden walls on the first floor, on the

<sup>34</sup> From the site visit it was understood that the mixture of lime used in the Ancestral Houses are: 1 part of lime (from oyster or prosaic rock), 2 parts of fine river sand, and some water. To make the mixture stickier some sugar cane, egg white and *molasses* leaves are added together with finely chopped bamboo, rice straw, sap of local plant named *sablot*, and some goat blood.



other hand, are made of quality local wood such as *Molave*, *Narra*, *Yakal* and *Ipil*.<sup>35</sup> These timbers are cleaned, put together using wooden pegs and for the main structure, using iron nails<sup>36</sup> and finished with protective oils.

The first type, wood-brick house, can further be divided into two sub-types: straight façade and *volada* façade. The straight façade (Figure 6.12) is the earliest type of ancestral house and has its second floor flush with the ground floor. On the other hand, the *volada* façade type (Figure 6.13) has its second floor extending over the ground floor and in some cases this extension is further supported with wooden bracing. A *volada* is a passageway encircling the living area on the first floor for servants to move around discreetly, which in some cases was also used as a balcony overlooking the streets.



Figure 6.12: Straight façade with the walls on the upper floor flush with the ground floor.

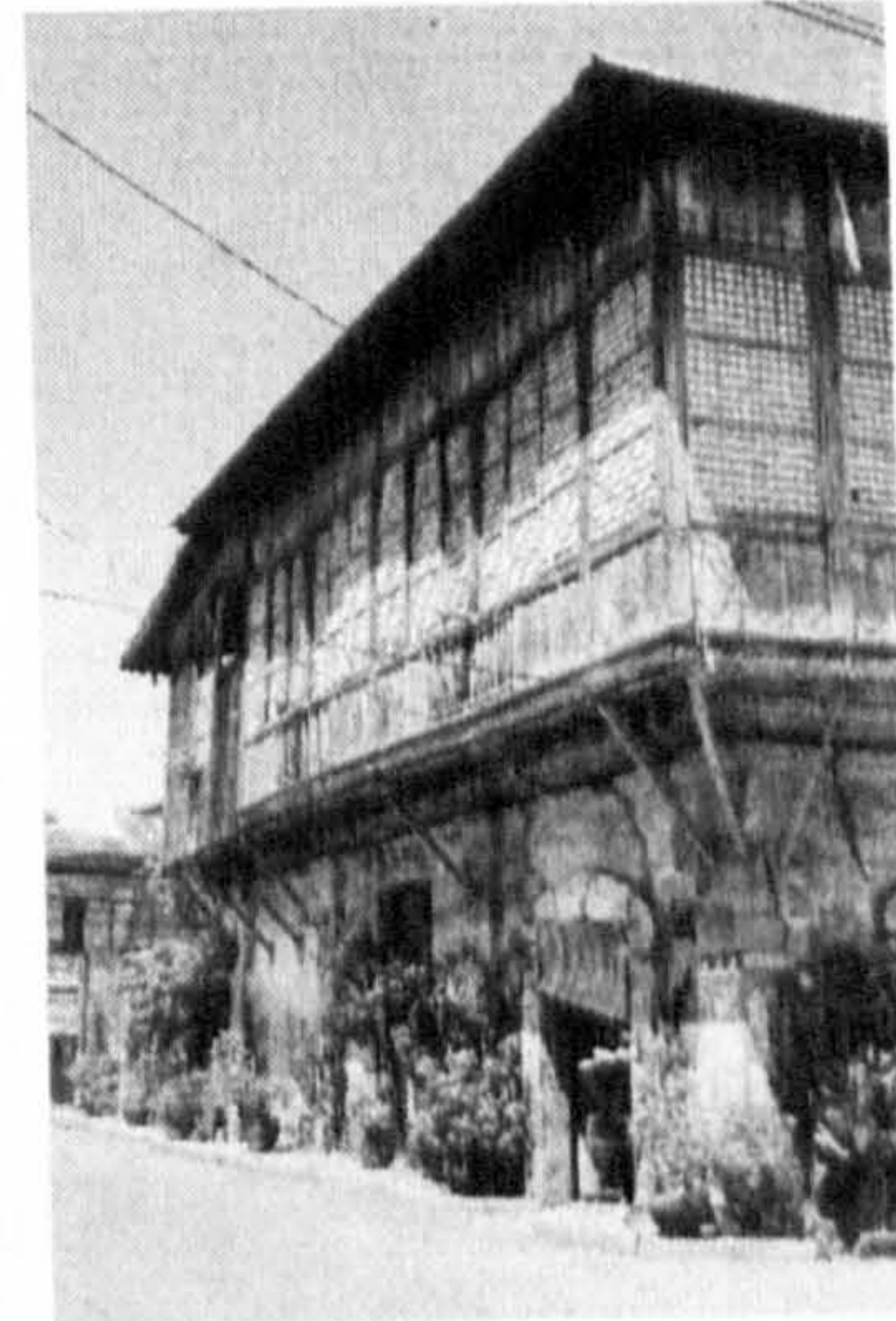


Figure 6.13: Projecting walls in the *volada* façade with cantilevered floor.

The second type of ancestral houses, the ‘all-brick’ houses, were built later than the ‘wood-brick’ type and could have been influenced by the 1797 decree, that was passed by Bishop Pedro Agustin Blaquier that states “no building or house be constructed near the Cathedral if it is not a stone building” (Rabang 1998:8). Compared to the ‘wood-

<sup>35</sup> *Molave* (*Vitex geniculata*) is hard wood timber, yellow-white in colour and mostly prized, normally is used for the main structure, and frames. *Narra* (*Pterocarpus santalinus*) is also hard wood timber but has finer grain, is being used for door and window panels as well as floor planks and walls. *Ipil* (*Eperua decandra*) and *Yakal* (*Dipterocarpus plagatus*) are hard wood timbers normally used for the roof structure.

<sup>36</sup> For better bonding, iron nails measures 10mm x 10mm and 200mm long is heated first and then hammered into the wood. The heated iron nails attracted the wood’s moisture and thus oxidized and form permanent bonding.

brick' type, the 'all-brick' houses have equal floor heights of 3.5 metres each. The walls are punctuated with big and deep openings with vertical pilasters and wide horizontal mouldings are strongly expressed.

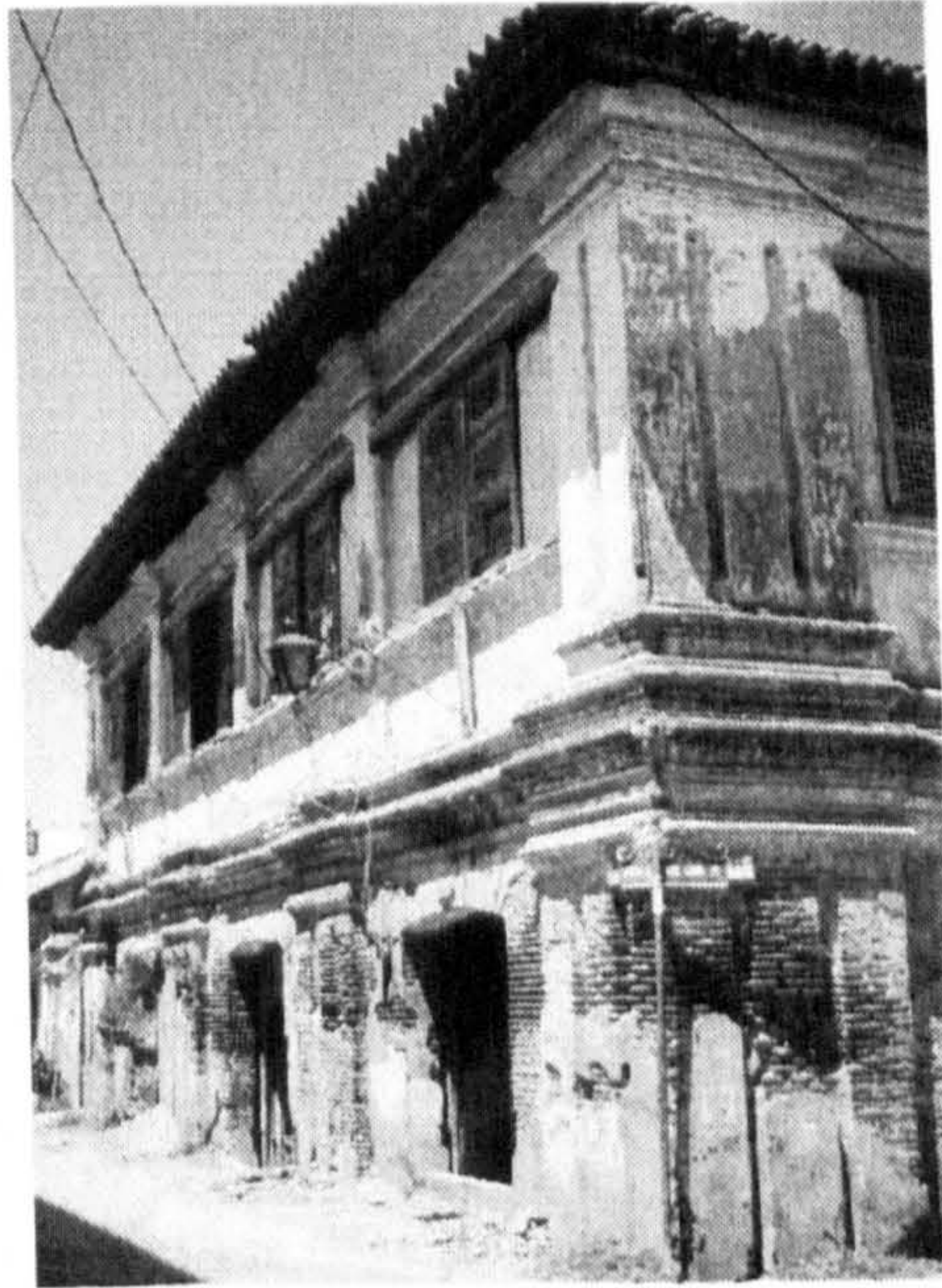


Figure 6.14: 'All-brick' house with thick brick walls extended to the ceiling and are punctuated with deep openings.

### 6.5.2 The Characteristic of Ancestral Houses

Both the 'wood-brick' and the 'all-brick' types of houses share similar spatial planning, construction and features a remarkable window design, that is unique to ancestral houses.

#### i. Spatial Planning

The ancestral houses generally share similar spatial planning (CoV, 2001a:56) and are mainly two-storied structures and all have a street frontage. One enters the house through an arch timber door that is wide enough to accommodate the width of a horse-drawn carriage into a reception hall (*zaguán*) on the ground floor. In some cases, a smaller door that is more in proportion to the human scale is inserted within the panels of this swing door (Figure 6.15). The door is set in a timber framed with mock keystone in the centre, providing some sense of formality and grandeur; and to some extent imitating the European design.

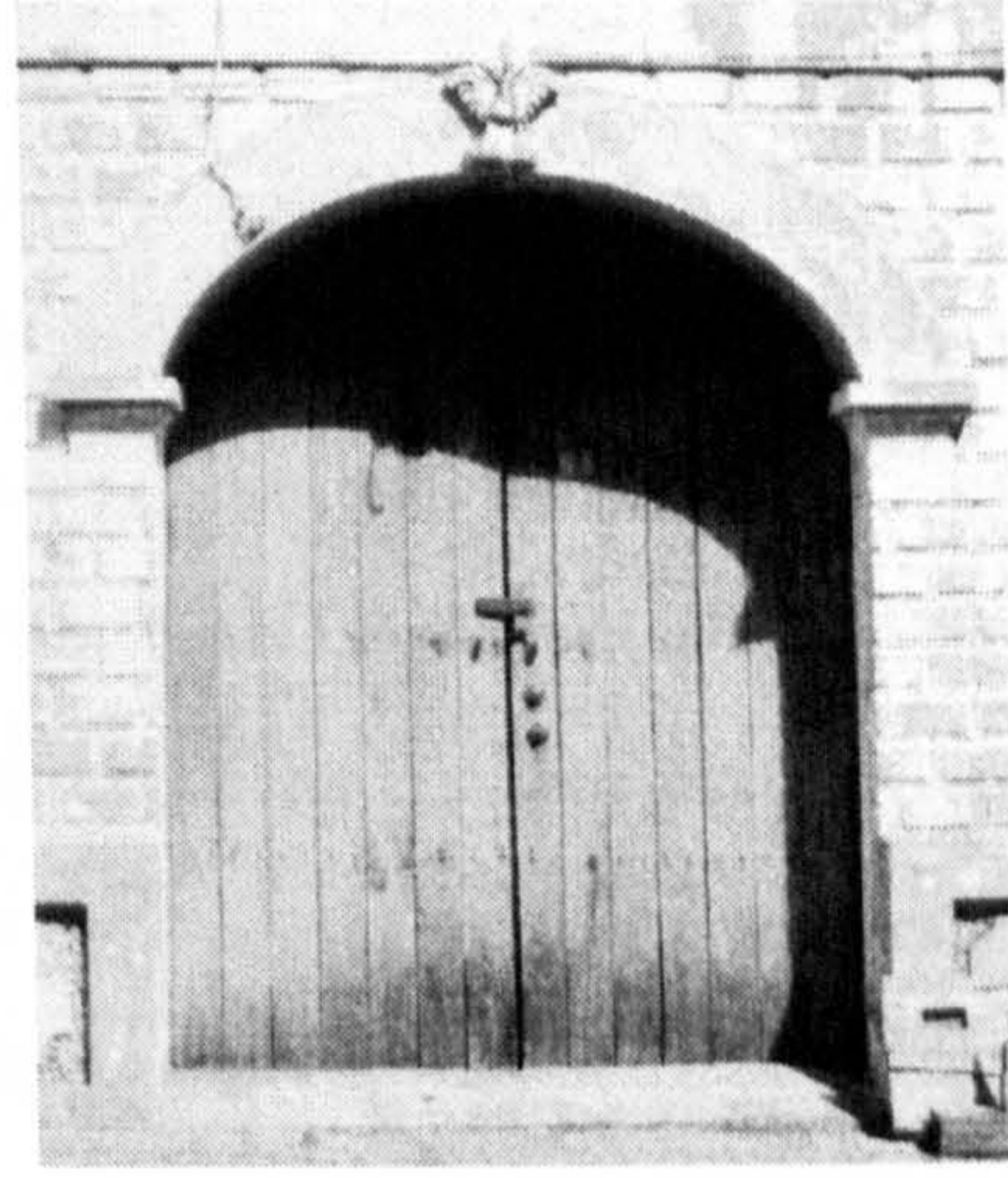


Figure 6.15: Huge front doors to the house for commercial purposes. Smaller door is inserted for the visitors and alike.

The rest of the spaces on the ground floor are used as either shops or storage areas. The floor is finished either with compacted earth or natural stones, but now is tiled with stone slabs. Influenced by the Laws of the Indies 1573 that states “each house in particular shall be so built that they may keep therein their horses and work animals...” (Article 134) the ground floor has high ceiling of about 3.0 meters and big swing doors to accommodate horse-carts and carriages (Figure 6.16).

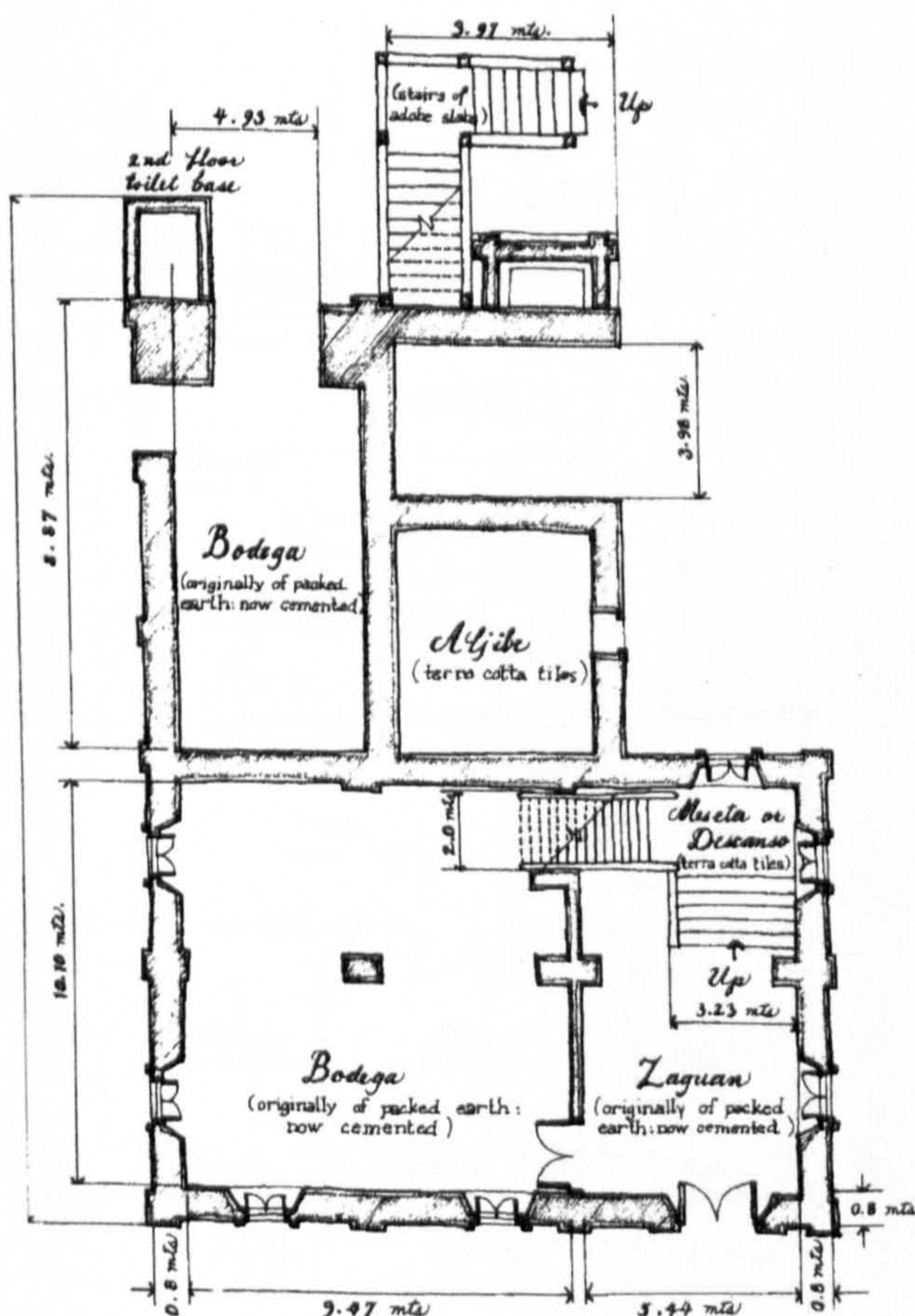


Figure 6.16: Typical ground floor plan of ancestral houses. (Sources Zialcita, 1980:121)

From *zaguan*, usually to one side, is a double-flight L-shaped staircase that takes visitors to the *ante sala* room on the upper level. The *ante sala* or *caida* is a long and narrow room that physically separates the upper floors into two distinct spaces at the front and the back. The front being living and bedrooms and the back are dining, kitchen, bathroom and terraces. It is in a way a transitional space to the living rooms from the ground where the visitors are being entertained. Visitors of higher societal standing and closed relatives would be taken to the main living space known as *sala*. Bigger than the *ante sala*, this space normally has a formal set-up with decorated front door, timber ceiling, polished timber floor, intricate wood friezes and a few elaborate windows that open onto the street. Being the most important space in the house, the *sala* is often decorated with quality wooden furniture and expensive artefacts and antiques.

Two bedrooms flank the room, one on either side. One room is allocated for the boys and the other for the girls in the family. The social separation between boys and girls and men and women is a common phenomenon in eastern society.

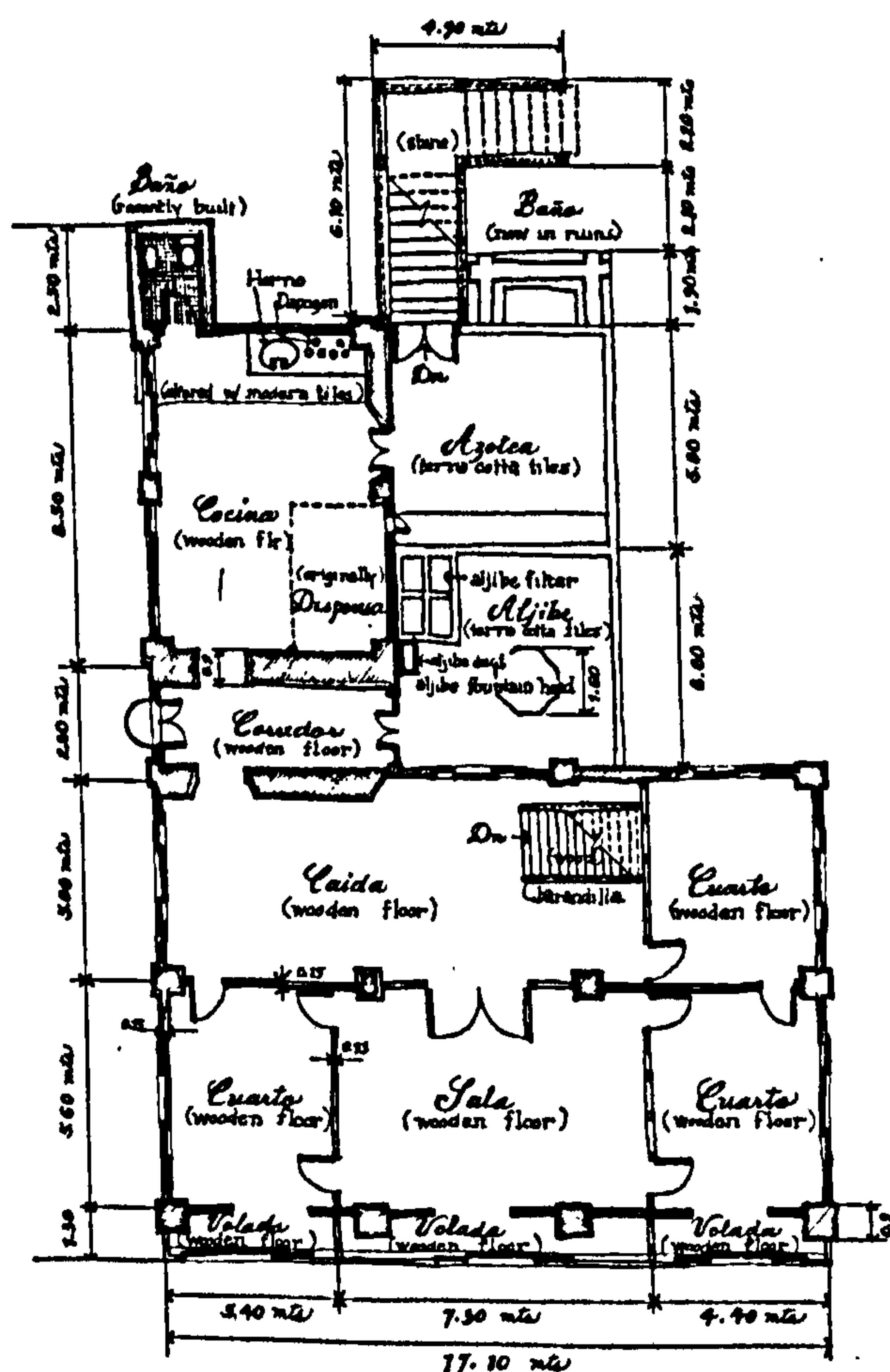


Figure 6.17: Typical first floor plan of ancestral houses. (Sources : Zialcita, 1980:121)

The rooms to the other side of the *ante sala* are the dining, kitchen, toilet and open terraces. These rooms are considered private spaces only for the use of house owners, relatives and close friends. To further differentiate these spaces –between public and private spaces of the houses – a small corridor is often inserted next to the *ante sala*. Not only functioning as a barrier to the public space of the house, this corridor has openings on both ends to allow light and air to circulate through as well as providing extra protection in case of fire.

## ii. Construction

Similar to pre-Spanish houses of *baha-na- kubo*, the ancestral houses are basically constructed using post and lintel construction. The main structure of the houses – columns and beams – is in solid timber. The columns are normally circular in section with diameter ranging from 200mm to 300mm and the floor beams are rectangular measuring 150mm to 200mm in width and 300mm to 450mm in depth. The timber used for the structure are local hard wood such as *molave* (*Vitex parviflora juss*), *Nara* (*Pterocarpus pallidus*) and *Ipil* (*Eperua decandra*) of which *molave* is the most prized and widely used. When freshly cut it is easy to work with, but after bleeding its sap in water, especially salt water, this wood becomes very hard. Coal-brown or yellow-white in colour depending on the finer variable of species, *molave* is bitter in taste and naturally repels insects and termites<sup>37</sup>.

Besides the sheer size and quality, the timber columns have another speciality: the way in which the columns are constructed at the foundation is quite an innovation.

Due to the geographical location of Vigan that faces natural threats such as typhoons, floods and earthquakes, the foundation of the houses must be strong and to some extent flexible enough to absorb vertical and lateral vibrations due to earthquake movement; and this can be seen at the foundations of both the external and internal columns. For the external or perimeter columns, the round timber posts do not simply sit on stone slabs as in the case of many *bahay-na- kubo*, instead they are embedded up to nine feet in the ground. These sit on solid granite ball that acts as ‘ball bearing’ (Figure 6.18);

<sup>37</sup> Information gathered based on the exhibition on Vigan 1800’s – A Photographic Journey Into a Faith-Culture Experience during the study visit to Vigan.

the post and the granite ball are in turn supported by a one foot thick solid granite stone base<sup>38</sup>.

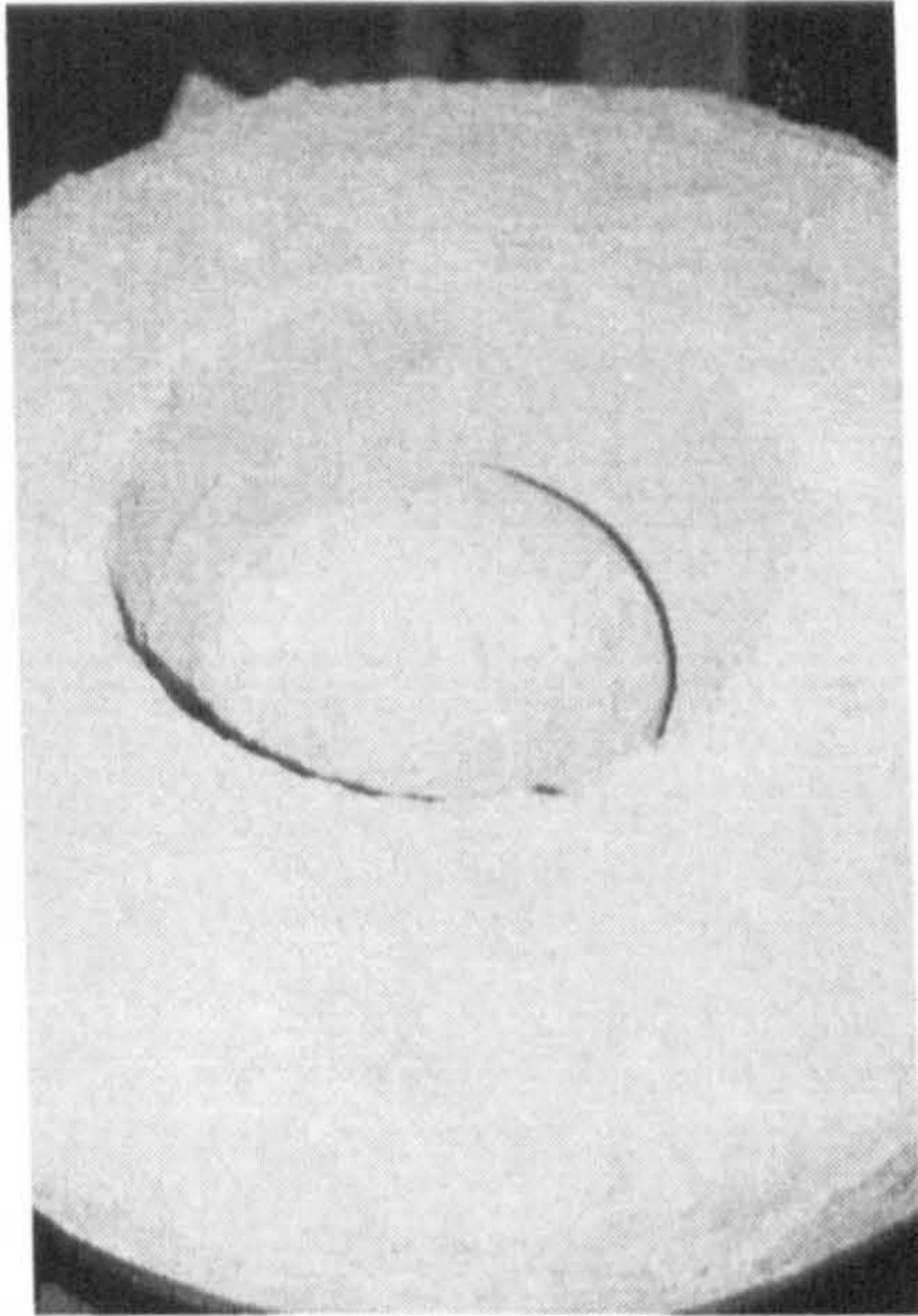


Figure 6.18  
Granite ball bearing is placed inside solid granite base, and supports timber column.

To further protect the columns from erosion and decay from flooding, a load-bearing brick wall is constructed around the post up to the ground floor. This fine innovation not only provides protection to the house during sudden vibration or movement, but has made the design's detail unique to the ancestral houses. In contrast, each internal column is simply supported by a two feet granite stone base that is rounded at the bottom to provide better spread of the house's load.

### iii. Windows

Besides this remarkable innovation, the ancestral houses are also distinguished by the characteristic of window design. As in the case of *bahay-na-kubo*, the ancestral houses are decorated with many large windows, especially on the first floor, that function not only as a means of allowing in natural light, but more importantly to encourage cross-ventilation. The windows are all full height from floor to ceiling and are placed between external columns. Similar in size and design, and with a proportion of 1:2, each window of the house has two layers of sliding panels and can be divided into two portions: the upper and the lower. The upper portion measures about 1.5 by 2.0 metres and the lower portion is about 1.5 by 1.0 metres in height.

<sup>38</sup> Information gathered from discussion with Architect Florentino during the Vigan 1800's Exhibition.

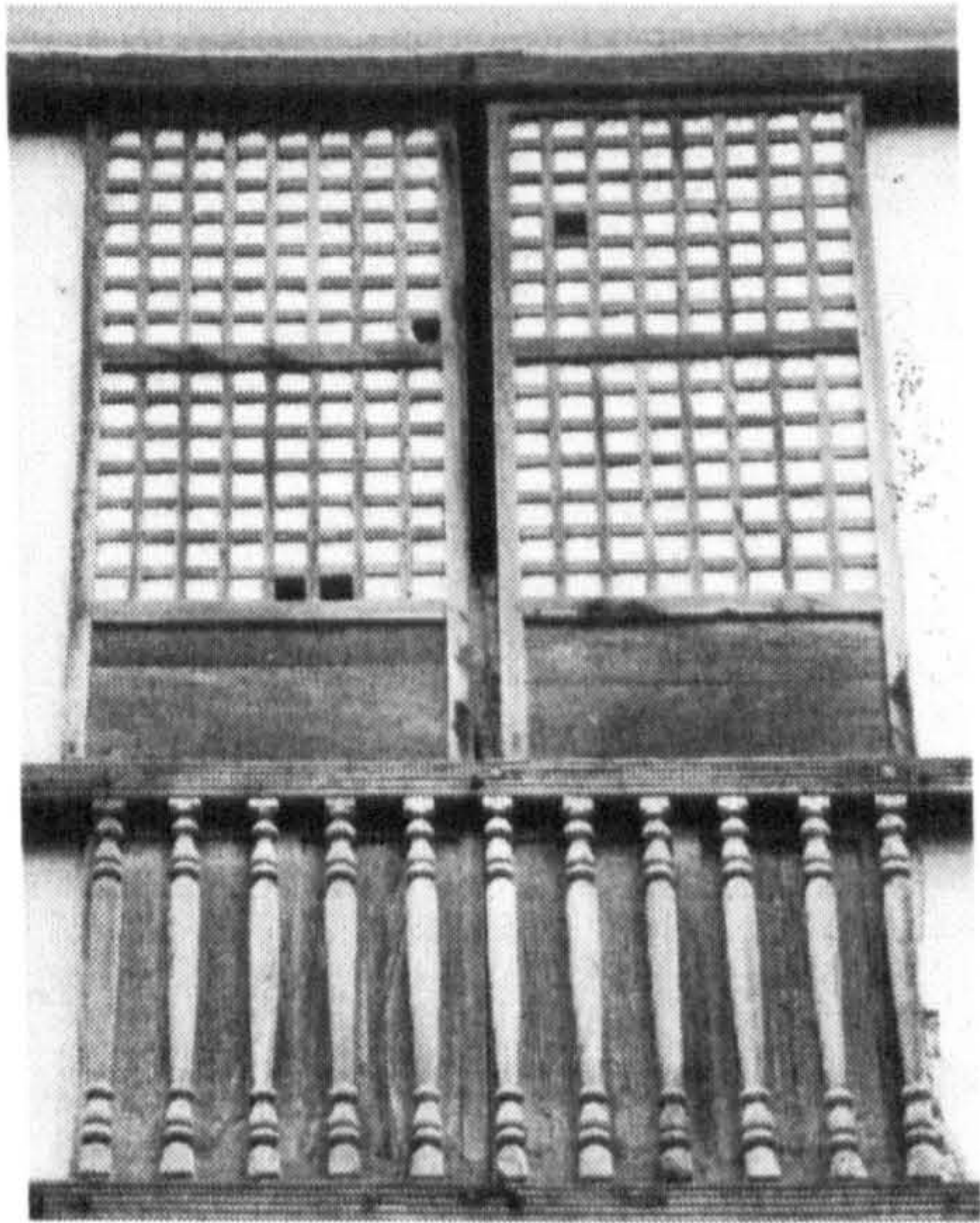


Figure 6.19: *Capiz* shells (*Placuna Placenta*) are framed in a wooden grids and are less likely to shatter compared to glass windows during earthquakes and typhoons.

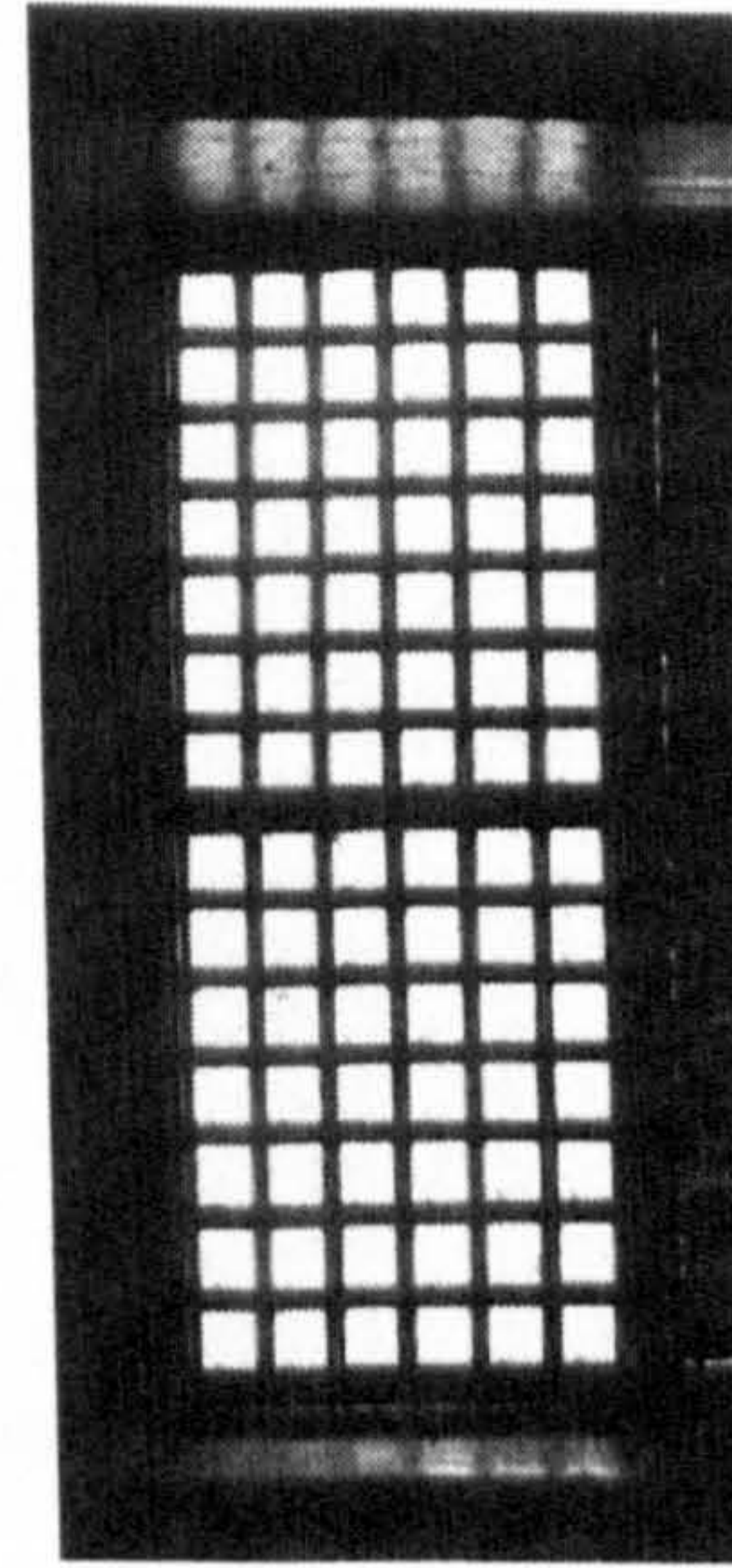


Figure 6.20: Once closed, *capiz* window provide visual privacy, but allow natural light to diffuse inside.

The first layer of the window, the *capiz* window, consists of two sliding panels of equal size and is finished with *capiz* shells within wooden grids. These relatively flat shells measure about 90 mm in diameter and are slightly tapering on one side. Translucent in colour, these shells can be found quite easily in the nearby seashores. The main function of this window is to provide visual privacy, to give protection from rain and high winds and to allow some diffused light to penetrate the inside of the house. This is important since the houses are placed adjoining one another and in the absence of diffused natural light the interior can be quite dark.

The second layer of the window, the *persiana* window, also consists of two sliding panels of equal size, and is placed directly behind the *capiz* window. In contrast with the *capiz* window, the *persiana* window is made of adjustable horizontal louvers that function as a barrier against the rather harsh direct sunlight, allowing air to penetrate and ventilate the interior of the house.

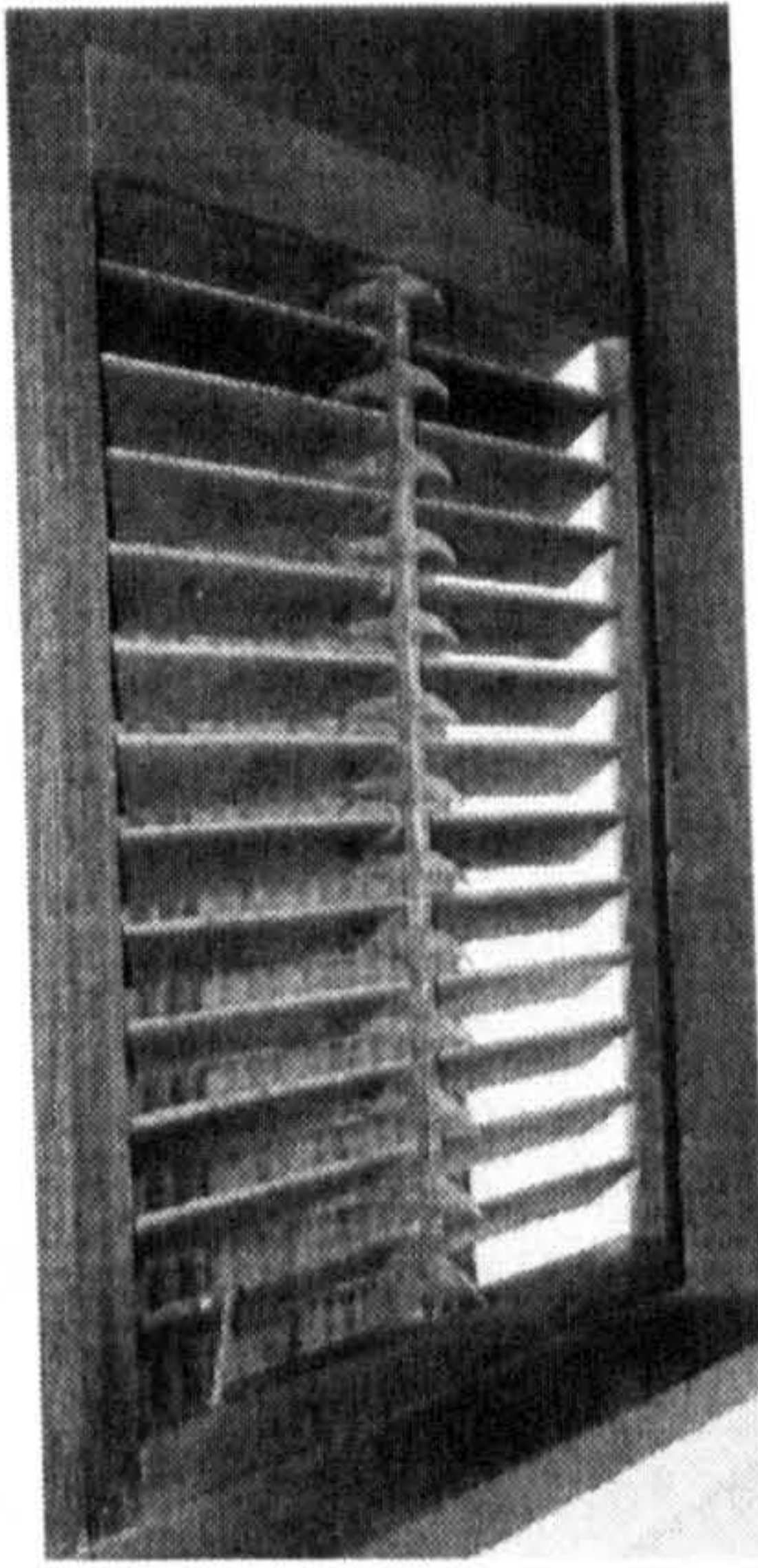


Figure 6.21: *Persiana* window with sliding panels of adjustable horizontal wooden louvers. It screens direct sunray but allows air to ventilate the house.

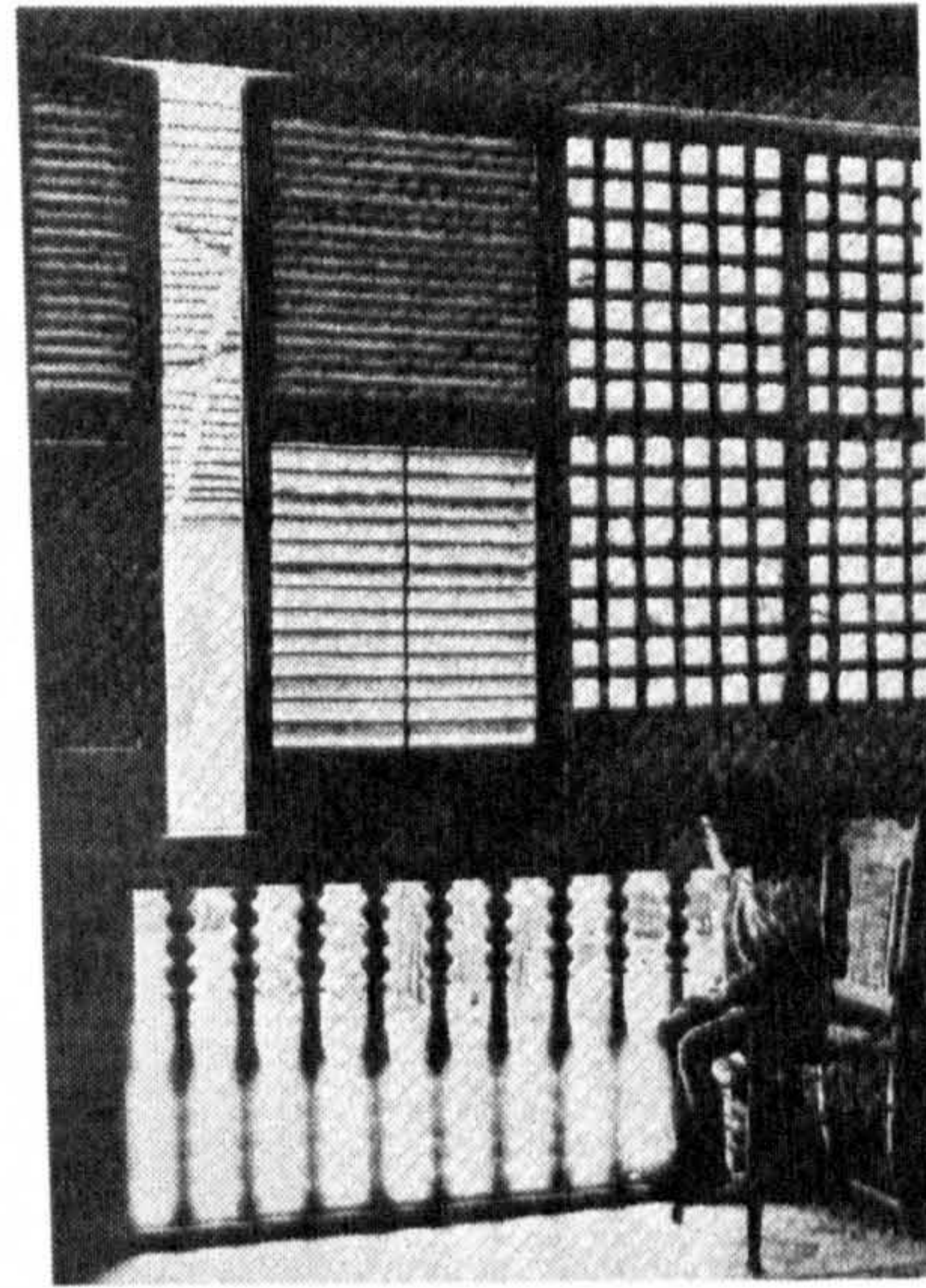


Figure 6.22: On sunny days, both *capiz* and *persiana* windows as well as *ventanillas* are normally opened, allowing light and air to penetrate inside and provide closer contact with the environment. (Source : Zialcita, 1980:158).

The lower portion of the window, the *ventanillas*, is adjustable by means of sliding panels. Once slid open, fixed decorated wooden balusters, known as *turno*, provide added security. The combination of *capiz*, *persiana* and *ventanillas*, indeed, provide the house owners with degrees of flexibility in adjusting the openings, depending on the level of privacy needed and the condition of the external environment.

The ancestral houses remain the most important cultural heritage in Vigan and are a living testimony of the wealth and prosperity of the people of Vigan during the second half of the 19<sup>th</sup> century, when Vigan was the centre for trade and commerce in the North of the Philippines. Influenced by foreign architecture, mainly the Spanish, the ancestral houses are clearly reminiscent of the vernacular *bahay-na-kubo*, a vernacular house form very much adapted to the region's climatic condition of heavy rainfall, high humidity and high temperature. As a single building, the ancestral house is much bigger, grander and more dominant compared to its predecessor; as a group of buildings that align the narrow streets of Vigan, these houses create a memorable characteristic of the City of Vigan.



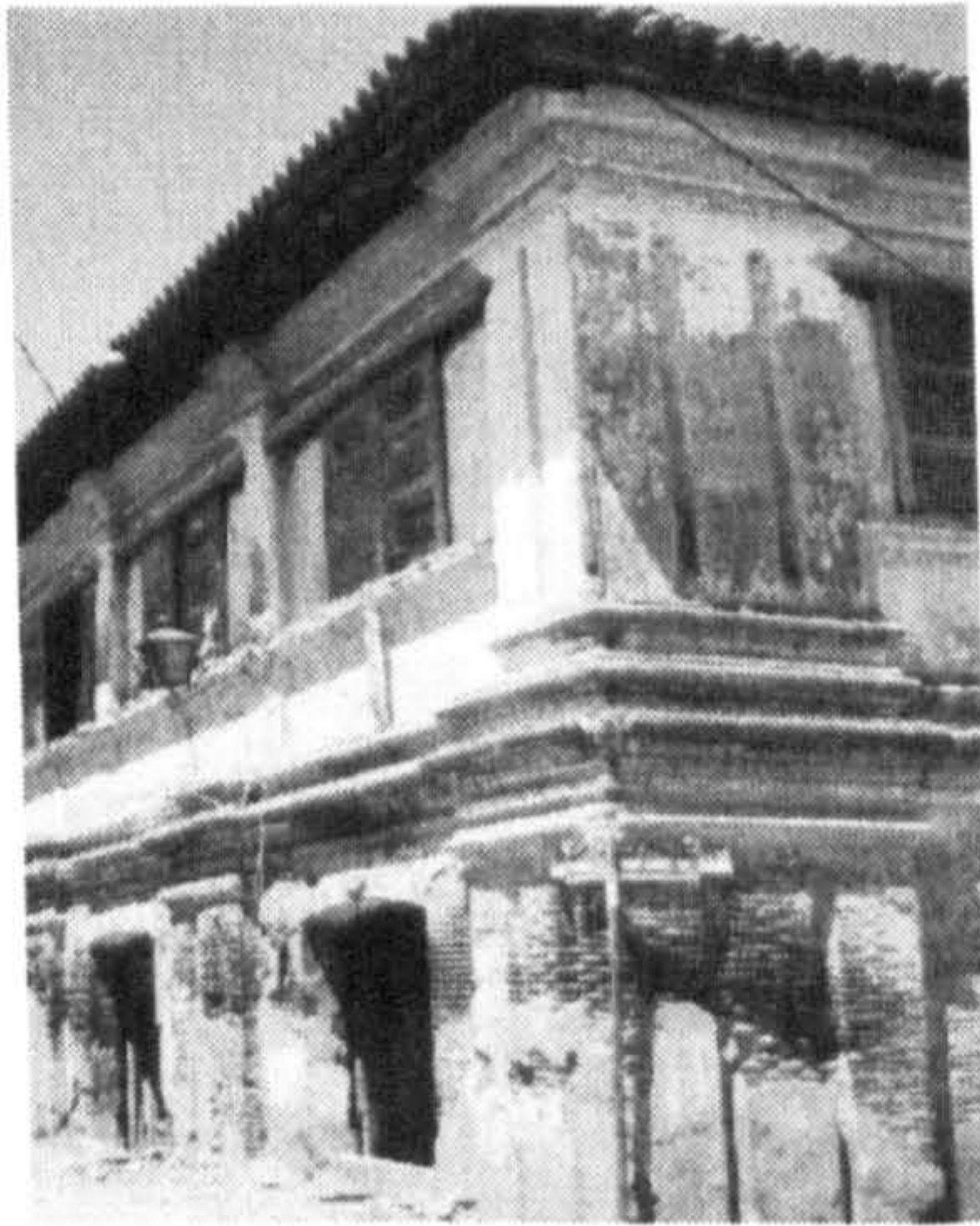
## 6.6 Building Defects

Most of the ancestral houses are now still being used by descendents of the original owners while the rest are either being rented to multiple tenants or are left unoccupied. A few houses, however, are left as ruins. The nomination dossier submitted in 1998 highlighted that out of 188 heritage properties in Vigan, only 86 structures (45%) are in a good condition. The rest are either in mediocre or in poor state of conservation (RoP:17). Vigan Master Plan 2000 (CoV:58) provides the different types of defects:

- subsidence with cracks on load-bearing walls
- degradation of wood trusses
- rising damp in walls
- chipping of plaster covering exposing the inner bricks
- deterioration and disappearance of exterior decorative elements

The field work in 2002, verified that most of the ancestral houses, especially those on the main streets of Crisologo and Plaridel, are in a bad state of conservation. No comprehensive reasons were gathered during the study visit as to why these houses are left to deteriorate, but a report presented in Lijiang, China (UNESCO, 2001b:28) highlights that the existing defects are due to five factors:

- i. The owners of ancestral houses do not have the financial means to restore their properties according to the guidelines set by local authority.
- ii. General belief among the homeowners that restoration and/or conservation is much more expensive than building new ones.
- iii. Majority of ancestral houses are under multiple-ownership; therefore it is difficult to reach agreement between them.
- iv. Lack of awareness of and enthusiasm for conservation among homeowners.
- v. Local architects and contractors are not totally familiar with appropriate conservation techniques.



Chipping lime plastering



Exposed brick works



Missing elements



Shoddy workmanship

Figure 6.23: The different types of defects in Vigan

Even though it is not within the scope of this Research to deal directly with issues related to defects, deterioration, neglect and maintenance, it must be clear that it is the responsibility of the local authority to encourage active participation and proper intervention by homeowners. Before any remedial action is taken, it is best if a thorough survey can be conducted to identify the extent of defects so that appropriate recommendations can be made. The issuing of conservation guidelines as part of Local Ordinance No. 4, 2000<sup>39</sup> was a good start providing technical knowledge and awareness to homeowners, but incentives should also be provided. Part of the following chapter discusses in more depth the scope of protection provided by this Ordinance and other legal instruments that are currently effective in Vigan.

<sup>39</sup> The scope of this Ordinance is discussed in more details in the following chapter.

## 6.7 New Interventions

The introduction of new architecture within any historical zones cannot be avoided and will continue to happen. If properly executed these interventions are able to provide protection against neglect and abandonment and will enhance the overall value of the heritage site. The Venice Charter 1964, for example, allows for replacements of historical elements provided they integrate well with the whole (Article 12) and the use of modern techniques for consolidation of historical structures (Article 10). ICOMOS (1972a) provides further guidelines on the introduction of new architecture within historical contexts. In Vigan, there have been new interventions introduced at macro and micro levels. At macro level, the sunken garden of Plaza Salcedo was converted into a city pond in the early 1970s that gives the water supply needed in case of fires, and most recently a new shopping complex was built at the Southwest corner of the plaza. At micro level, the roof structure and material have been changed-original clay tiles of ancestral houses have been replaced by corrugated sheet metals and steel trusses are being used instead of timber. During the study visit in 2002, some time was spent on observing the ways in which new interventions have affected the overall state of conservation by careful observation, visits to on-going and completed projects, discussions with professionals involved in the conservation projects, the owners and representatives from the local authority. There are a few observations that must be highlighted:

### i. Roof structure and material

The replacement of original clay tiles with corrugated sheet metal has been the concern of many institutions. The rejection of Vigan to the World Heritage List in 1988 was partly due to these changes (Chapter 6.3.1). Vigan Master Plan 2001 prepared in collaboration with the Spanish Government states,

(City of Vigan, 2000:57)

Out of 180 historic structures, only 14 houses keep their roof. The problem of rainwater infiltration has made it necessary to take recourse to metal roofs, thus bringing about a negative modification to aesthetics of the building and to the urban atmosphere of the building tissue.



Figure 6.24 : The skyline of Vigan that shows abundant use of corrugated sheet metals.

The decision to change roof material to corrugated sheet metal by many house owners has also affected the design of roof structures of ancestral houses. Due to the different weights and sizes of the two materials, the rafters and the trusses need not be too large and can be spaced much further apart. To some extent, it has given the house owners the opportunity to repair their dilapidated roofs at a much more affordable cost since quality timber is expensive and very scarce as a resource. Furthermore, the nature of corrugated sheet metal, which is lightweight and available in panels of six or eight feet length, has made it possible for the roof to have deeper eaves. Compared to the tiled roof (Figure 6.25), the eaves provided by corrugated metal roofs are extended to almost two meters in some cases and are braced by additional metal rods at the ends (Figure 6.26). The evolution of ancestral houses from typical Spanish roof to more of a vernacular roof form, which is desirable in hot and humid country, is commendable, but the contradiction between practicalities and the ‘authenticity’ of materials and design has to be properly addressed.

The change of clay tiles to corrugated sheet metal was indeed allowed by the local authorities. Rabang (1998:6) reports that due to the high maintenance nature of these tiled roofs, especially resulting from frequent typhoons and earthquakes, and threat posed by falling tiles to pedestrians, the government in the mid 1950s allowed replacement of clay tiles by corrugated sheet metal. Ordinance No. 14/2000 permits the use of “corrugated galvanised iron, galvanised tile sheet and tiled decks” (Section 16g) instead of clay tiles and the use of lightweight steel trusses (Section 10c) in any restoration or new buildings:

**Section 10c**

The truss system may be replaced with wood or lightweight steel provided original dimensions such as height, slope and rise are followed

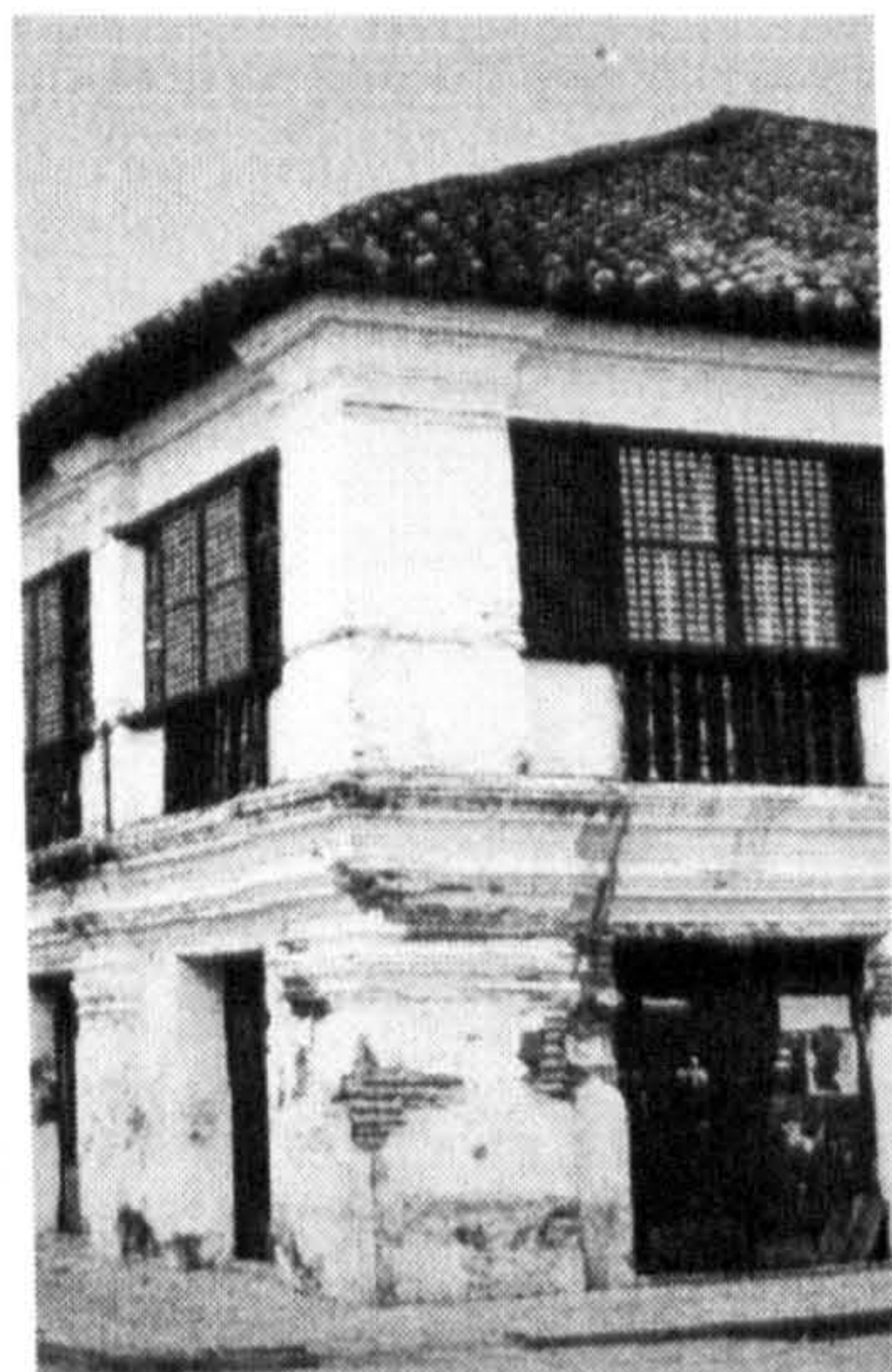


Figure 6.25: Clay tiles roof with minimum eaves.

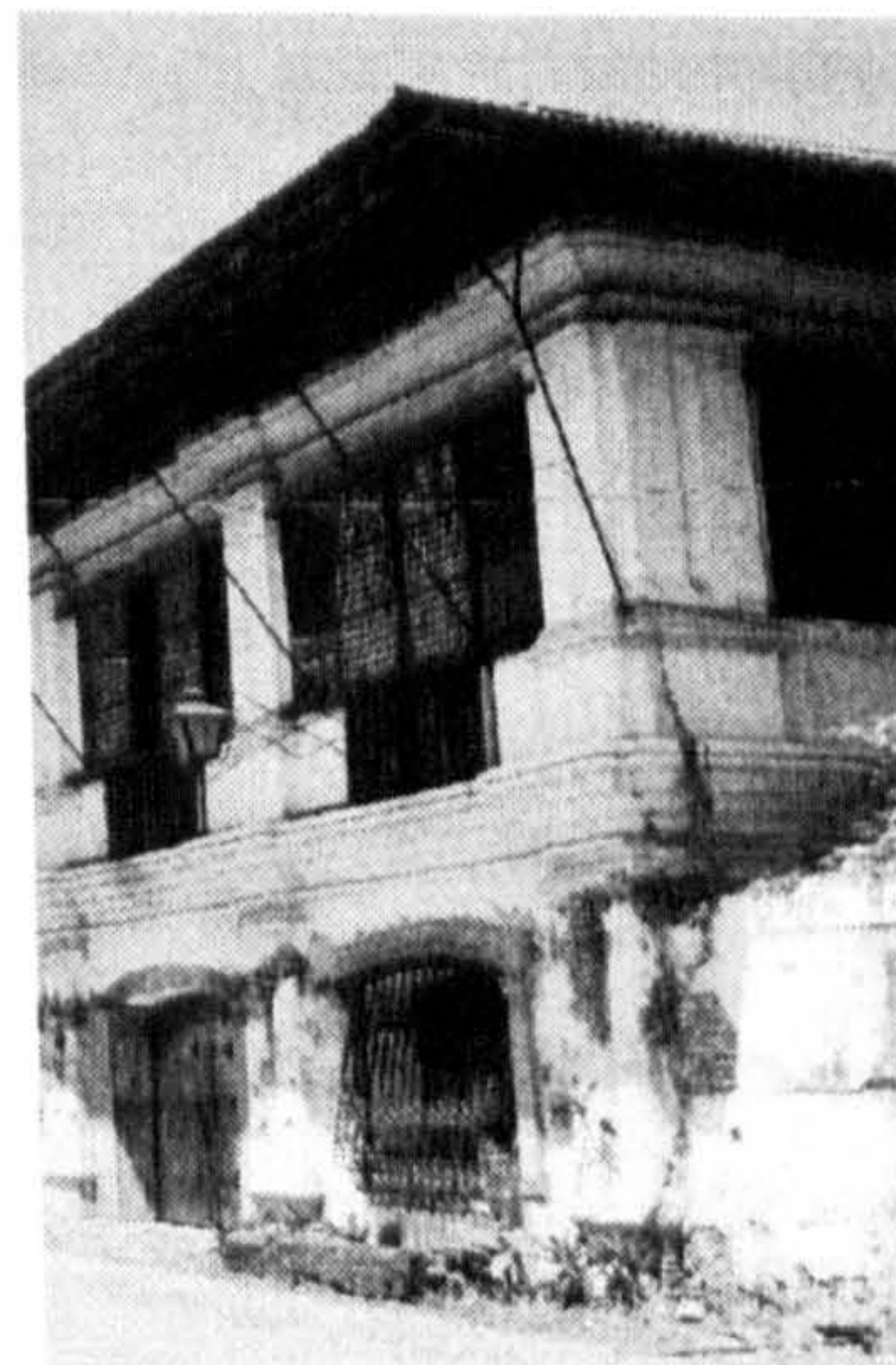


Figure 6.26: Corrugated metals roof with extended eaves provides shades and better protection against heavy rain.

Therefore, there are now a variety of applications with regard to roof materials and structure in Vigan, that range, in very limited numbers, from those ancestral houses that retain the use of clay tiles on wood trusses to the majority that use corrugated sheet metal on much lighter timber trusses. The newly restored houses, such as the Ancestral House on Quirino Blvd and Vigan Plaza Hotel, recourse to clay tiles on lightweights steel trusses where as the newly built shopping complex by the Plaza Salcedo resorts to tiled decks on steel trusses. Thus, this scenario has created ambiguity in regards to the ‘authenticity’ of buildings in Vigan, in particular of its ancestral houses.

## ii. Intervention to the main plaza.

Both the Burgos Plaza and Salcedo Plaza remain the prime public spaces in the city. Plaza Burgos was designed as a public space and is still being used by the locals as a place to meet and by the authorities to organise the city’s major events and celebrations. Plaza Salcedo, on the other hand to some extent has lost its original form and function. Built to compliment St. Paul’s Cathedral and other public buildings around it, the Plaza once had defined edges with a sunken garden in the centre (Chapter 6.4.2). However, in the early 1970s the sunken garden was seen as an opportunity to solve one of the city’s main problems at the time-the lack of reservoirs to combat frequent fires (Florentino:6). As a result, the sunken garden was filled-in and converted to the city’s pond. Although, visually not much harm was done, functionally, the Plaza has changed its originally intended role. The pond in the centre has made it

impossible for any events to happen except on its edges, which are now paved for vehicles and therefore unsafe for pedestrians. The decision to convert this plaza was taken more than thirty years ago, when awareness about conservation amongst the local authorities and general publics was low.

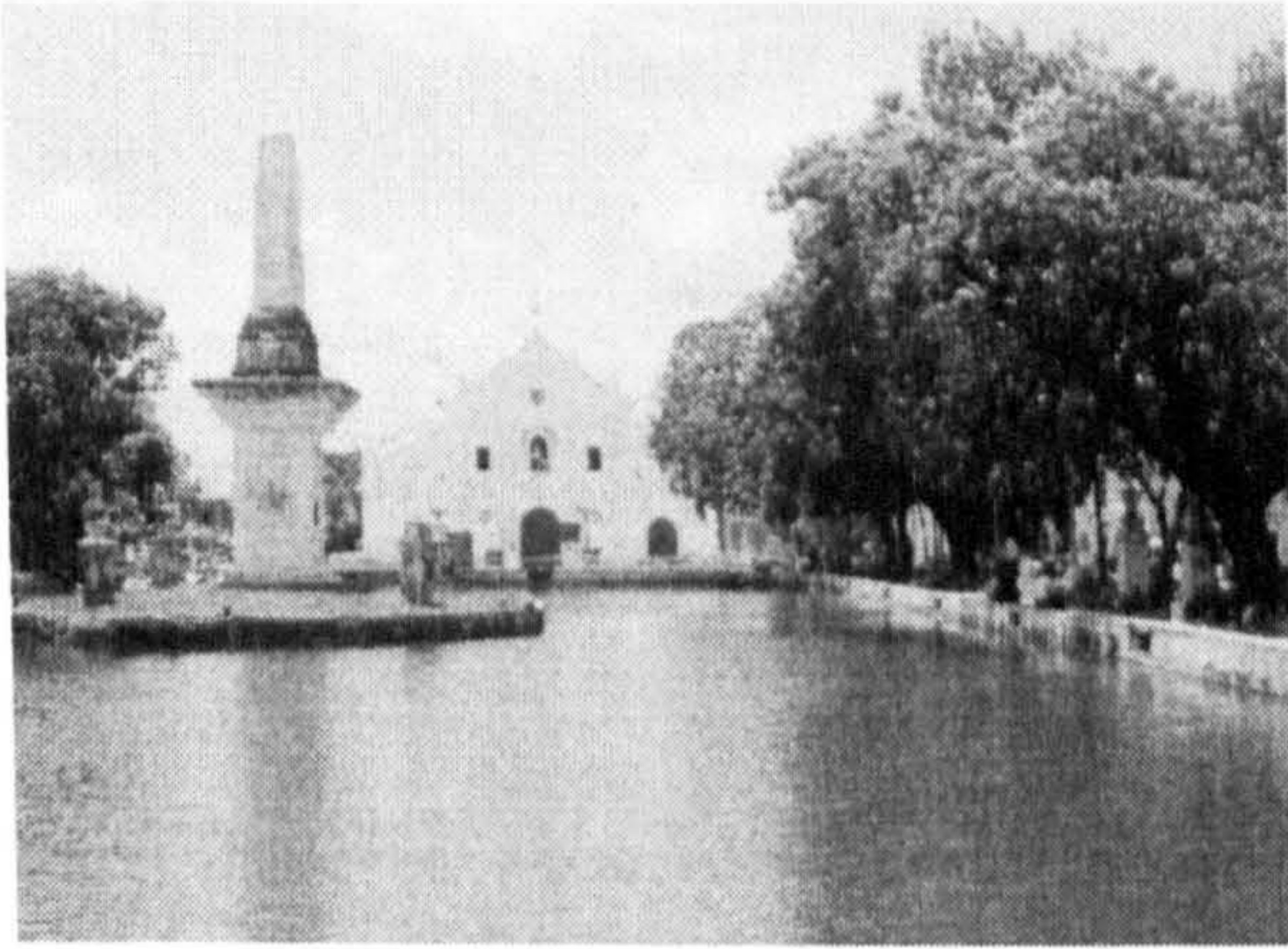


Figure 6.27: Plaza Salcedo today has lost its original functions when a reservoir was built in 1970's.

As an inscribed World Heritage Site, the local authorities should now consider restoring, as much as possible, the originality of Plaza Salcedo, the main public space in Vigan. To be practical, revision of the pond to a sunken garden is not a viable option, but upgrading the area and the adjacent roads by limiting their use to pedestrian and *calesa* will not only attract more locals to use the space but help to protect the heritage buildings around the plaza against threat of vibrations.

### iii. New Constructions

The original characteristic of the plaza was once again challenged in the year 2000 - a year after Vigan was inscribed as the World Heritage Site, when new commercial buildings were approved and built to its Southeast corner where there used to be a seminary which was burned down in 1968. Built in an L-shaped form adjacent to St. Paul's Cathedral, this old two storied seminary was built in masonry on the ground floor and in timber on the upper floor, which is consistent to the characteristics of ancestral houses around it. The seminary faced both Plazas: Salcedo and Burgos and its unbroken façade lines and defined setback, helped to define the edges of these public spaces without overpowering the cathedral. Whereas, the bell-tower of St. Paul's Cathedral became the only vertical structure within the plazas that helped to delineate the spaces.

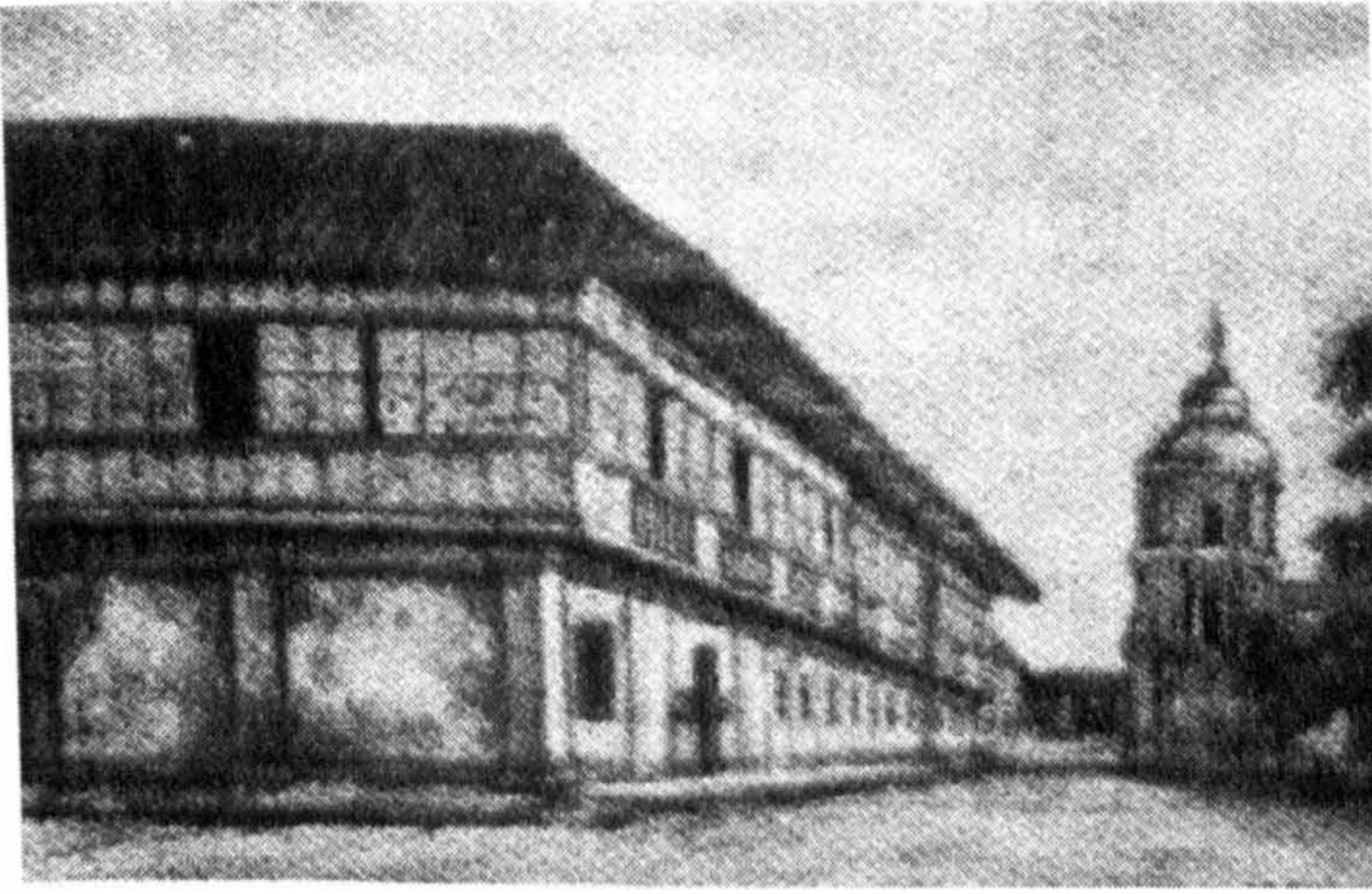


Figure 6.28: Old Seminary which was burned down in 1968.  
(Sources : Florentino, 2001:45)

The new commercial buildings consisting of fast-food restaurants such as McDonalds, Jollibee and Chow King and several shops were built in 2000, after receiving approval from the newly established management body within the local authority called the Vigan Conservation Council (VCC)<sup>40</sup>. However these structures are not sympathetic with the urban and architectural characteristics of historic Vigan. For example, these buildings were given wider set-back from Plaza Salcedo in order to allow comfortable parking spaces to their clients, and this has resulted in the plaza becoming less clearly defined on its Southeast corner. Architecturally, the McDonald building, which occupies only the ground level, is featured as a two storey structure with mock facades in order to imitate the two storied structures of ancestral houses; a vertical tower is placed by its entrance to emulate the tower of the cathedral, hence creating confusion and a front arcade with column-to-column openings are in contrast to the punctuated openings of ancestral houses.



Figure 6.29: McDonald building at the background with mock facades and vertical tower.

<sup>40</sup> The functions and responsibility of VCC is discussed in more details in Chapter 7.

Next to McDonalds are the Jollibee and Chow King restaurants, which were built in 2001. Similar to the McDonalds complex, this development was also approved by the Vigan Conservation Council. Even though there are elements within these buildings that conform to Vigan's traditional architecture, such as two-storey buildings, arched openings on the ground floor and rectangular windows on the upper floor, the overall proportions, scale and attention to details are very much lacking and disappointing.



Figure 6.30: Unlike Vigan houses that have layers of sliding vertical openings in proportion of 1:2, the new complex emphasises horizontal openings.

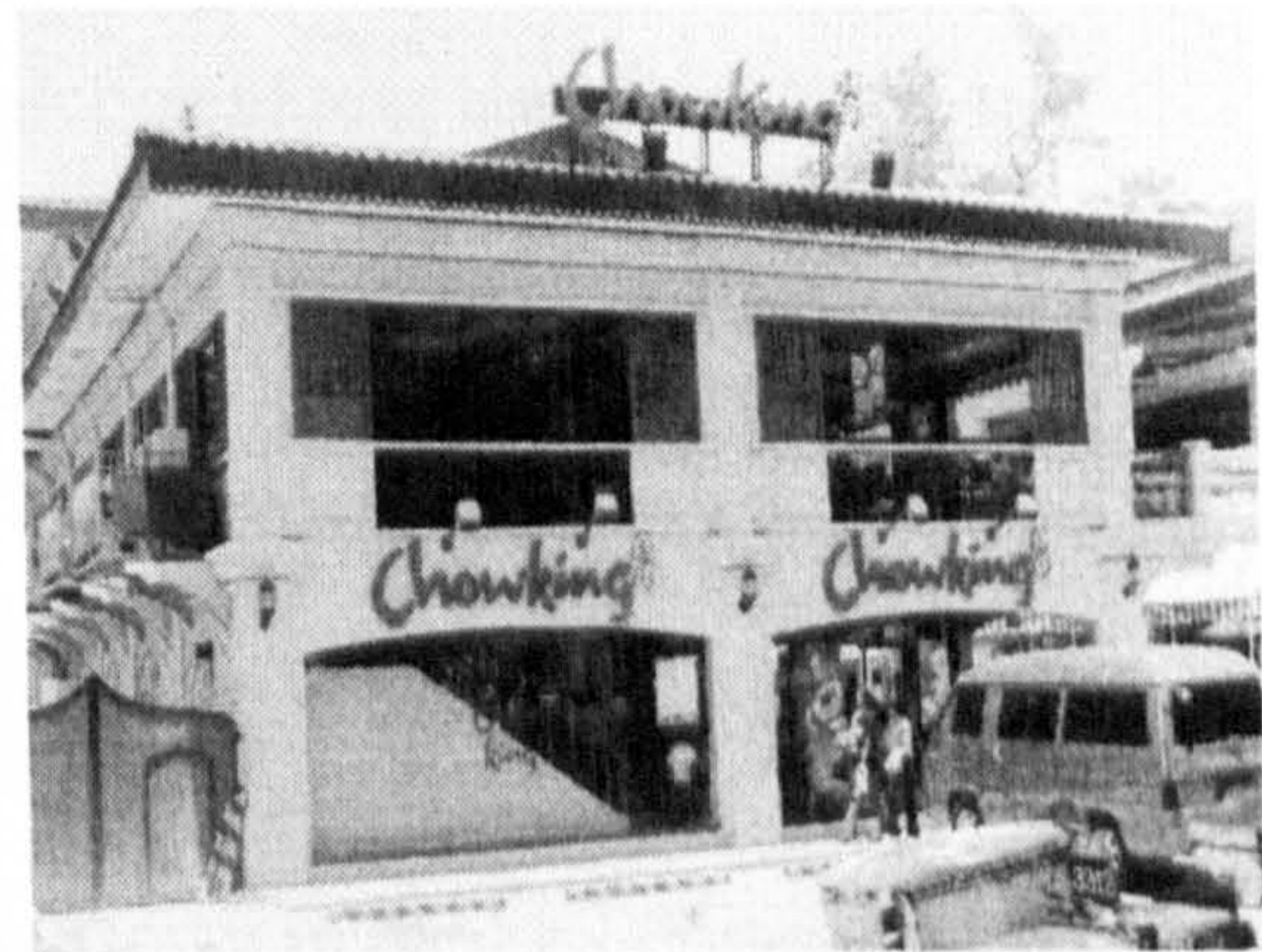


Figure 6.31: Low floor to ceiling heights, low pitch roof, horizontal openings and big signage are not characteristic of buildings in Vigan.

The use of signage that is not sympathetic to the character of historical areas is also regretted. At the McDonalds building, for example, a huge neon signboard is placed on the roof structure and at both Jollibee and Chowking restaurants the signboards are large, bright and dominant. Even though there are clauses in Ordinance No. 4/2000 that stipulate the use of signages:

Section 12(aii)

Depending on the façade and road width, the maximum size of a signboard is 85cm x 85cm.

It has not been followed and more so it reflects the incompetence of the local authorities, in particular, the Vigan Conservation Council (VCC), for not being able to monitor and control such installations. The development of this shopping complex, as a whole, that changed the original function from seminary [related to religious activities] to commercial complex has raised concern among the conservationists locally and abroad. Not only because the plaza should be “used for the buildings of the church



and royal houses and for city use...”, as recommended by Article 126 of the Law of the Indies and

(Article 124)

... next to the main plaza, the royal council and *cabildo* and customs houses shall be built in a manner that would not embarrass the temple but add to its prestige ...

but also because this new development contradicts the overall concept of ‘authenticity’ adopted by UNESCO that placed form, design, materials and functions as the main criteria in conservation works. The fact this development was approved by Vigan Conservation Council, the body within the local authority that has overall responsibility to all matters related to the conservation in Vigan since 2000, has shown the glaring weakness of the Council.

## 6.8 Conclusion

The Heritage City of Vigan is the only ex-Spanish town in the Philippines and the East that remains largely intact. Its urban planning follows the principals of the Spanish Law of the Indies issued by King Phillip in 1573 that provides guidelines for the establishment of Spanish new towns, especially in the Americas that begins with urban plazas, followed by principal streets, allocation of church buildings and private houses. In Vigan, there are two important urban plazas: Salcedo and Burgos that have been used by the local authorities and the public to hold various events. From these plazas important streets begin and run towards the South and West and crossed by perpendicular streets forming a regular grid-iron street pattern. Narrow in width, these streets were meant for horses and pedestrians. On both sides the streets are filed with private houses, known as ancestral houses. In Vigan, there are now 190 ancestral houses in both core and buffer zones (CoV, 2001a). Similar in characters these houses feature :

- two storey structure with living spaces on the first floor and commercial or utilitarian spaces on the ground level. Rectangular in plan, the spatial organisation of the living spaces is rather standard. From the main entrance one enter into *zaguán* before *ante sala*, where the latter separates the living spaces between front and back portions. The front being living room or *sala* and bedrooms or *quarto*. The back portion consists of kitchen, dining room, toilets and open terraces;

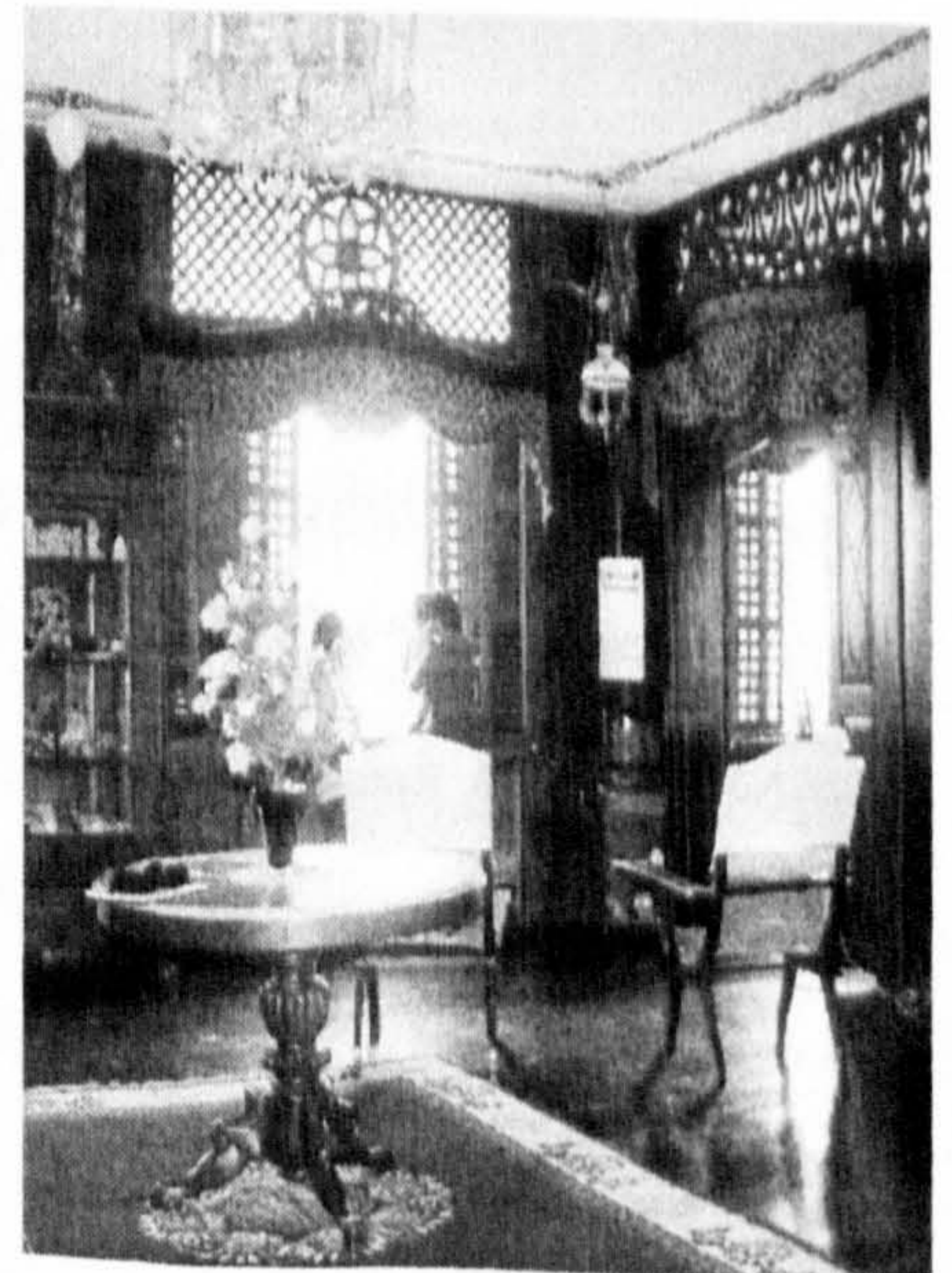
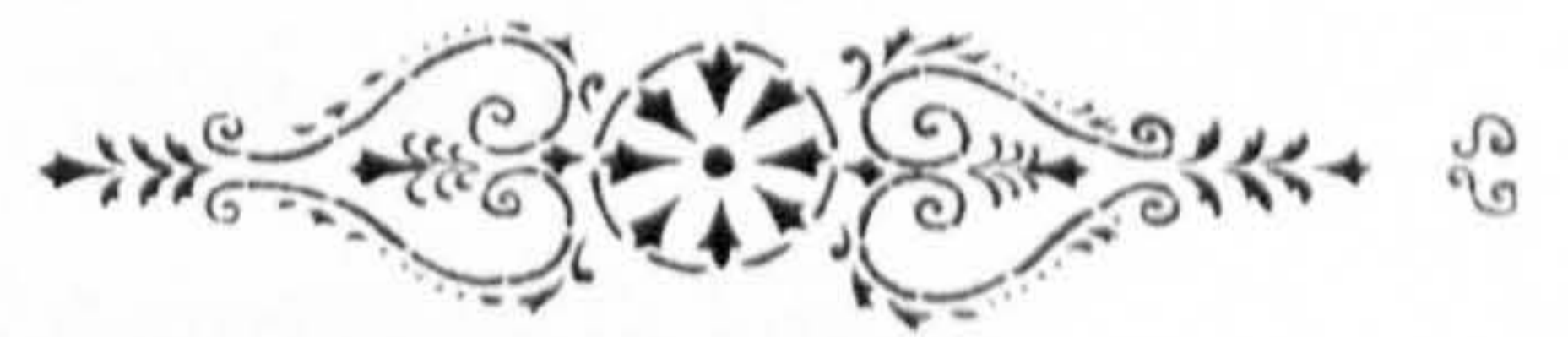
- post and lintel construction with huge and quality timbers are used for columns beams, roof trusses, girders, floor and ceiling boards as well as wall panels;
- elaborate window system that combines the use of *capiz* and *persiana* windows and *ventanillas*.

The ancestral house can be categorised into two main types based on their facades design: 'wood-brick' and 'all-brick' houses. The 'wood-brick' houses can further be divided into two types: straight facades that have both, the ground and the first floor walls are flushed and volada facades that feature projecting first floor walls. Most of these houses are still being used by descendents of the original owners, while the rest are being rented or left unoccupied. However, the majority of them (55%) are now in a bad state of repair due to wall cracks, degradation, rising damp, chipping of external plaster and missing external elements. Despite severe defects, the architectural value of the ancestral house is generally high with no alteration or intervention that could effect the values of these houses being carried out, except the replacement of clay roof tiles to corrugated sheet metal, which has been commonly practiced by homeowners since the 1950s.

The intervention to urban spaces, in particular, the construction of the new shopping complex next to St. Paul's Cathedral, is poor. On a prime site such as this extra care must be given to evaluate the proposal in great detail so that new development will not jeopardise the heritage value of the site. The failure of the local authority, in particular Vigan Conservation Council (VCC), to act effectively, has shown the glaring weakness of the Council. For this reason and the reasons raised in the following chapter, this Research makes recommendations in sub-chapter 8.2.2 , in order to improve the capacity of the Council. While this chapter discusses the background history of Vigan until its inscription to the list of World Heritage Site, its urban planning following the principals of the Spanish Law of the Indies, its ancestral houses that make Vigan famous, main defects and practice of urban interventions, the next chapter deals with aspects of protection at local level. In particular, the study on local management structures, practice of inventory and legal instruments.

# CHAPTER 7

## MANAGEMENT OF VIGAN



## 7.0 Introduction

While Chapter 6, discusses the significance of cultural property in Vigan by tracing the historical development of Vigan until its inscription to the list of World Heritage Site in 1999, its urban planning that following the principles of the Spanish Law of the Indies issued in 1573, identifies the special character of ancestral houses and assesses new interventions, this Chapter provides protection measures practiced by the local authority, the City Hall of Vigan. Similar to Chapter 5 that discusses the management of Hoi An in three aspects: legal instruments, management structures and inventory, this Chapter assesses the same but for Vigan.

The Heritage City of Vigan is now protected by at least eight legal instruments, of which four are enacted at national level and another four at local level. In general, these instruments recognise Vigan as an important heritage of the country and provide protections by defining Vigan's historical zones, its conservation guidelines, its conservation principles and management. At national level, there are at least three national agencies that help to manage and protect historical properties in Vigan: National Museum, National Historical Institute and National Commission for Culture and the Arts. At local level, the management of Vigan falls under the responsibility of the City Hall, which since 2000 has delegated all matters relating to conservation of Vigan to its newly formed management council known as Vigan Conservation Council (VCC).

### 7.1 Legal Instruments on Cultural Properties

In the Philippines, as well as in other countries in the world, the duty of protecting national culture, arts and historic properties is always on the shoulders of the state; and is normally formalised by legal instruments at national level. Even though there was no provision within the County Constitution, ratified in 1899 and revised in 1935, which related to the protection of heritage, a number of acts from the 1950s address the issue of protection of cultural properties, nationally. For example, Republic Act No. 597/1951 declares Fort Santiago as a national heritage, Republic Act No. 4039/1964 establishes Freedom Shrine in the Municipality of Kawit, Republic Act No. 4368 /1965 establishes a National Historical Commission<sup>1</sup> and the Republic Act No. 4846/1966

<sup>1</sup> Now known as the National Historical Institute (NHI).

(amended by Presidential Decree No. 374/1974) provides protection and preservation of cultural properties in the country. The first clear statement recognising the national importance of conserving arts, culture and historic properties and providing guidance on the ways and means of protecting heritage was included in the third amendment of the country's Constitution, ratified on the 17<sup>th</sup> January, 1973 in Manila under the late President Ferdinand E. Marcos that reads:

**Section 9(2)**

Filipino culture shall be preserved and developed for national identity. Arts and letters shall be under the patronage of the State.

Soon in August 1973, Presidential Decree No. 260/1973 was enacted seeking to declare numerous sites in the country as national treasures. It has been continuously amended to include other sites, which are deemed as important to the country. For example, it was amended by Presidential Decree No. 756/1975 that recognises several properties in Vigan that are important to the country. In 1974 Republic Act 4846/1966 was amended by the issuance of Presidential Decree No. 374/1974 that consolidates the protection of cultural properties across the country, where it remains a principle legal instrument in the Philippines until the present day.

To complement these Presidential Decrees, and to consolidate the protection of cultural properties by means of legal instruments at local level, ordinances were also enacted locally. For the Heritage City of Vigan, for example, local ordinances which relate to the protection of the city's heritage were passed by the Municipality of Vigan only in the late 1990s upon the recommendations made by the Commission of the European Union, as discussed in sub-chapter 6.3.1. These are: Ordinances No. 12/1997, No. 14/1997, No. 06/1999 and Ordinance No. 04/2000.

All the above-mentioned Presidential Decrees and Ordinances are now in effect and together, these legal instruments provide general principles, methodologies and directions of conservation for the City of Vigan as well as specific guidance for appropriate intervention such as conservation, restoration, adaptation and reconstruction of historic properties in Vigan (Table 7.1).

**Table 7.1**  
**Legal Instruments on Cultural Property that provide protection for the**  
**Heritage City of Vigan**

<b>National Level</b>	1973	<p><b>Presidential Decree No.260/1973</b>  <b>Declaring The Sta. Ana Site Museum in Manila, The Roman Catholic Churches of Paoay and Bacarra in Ilocos Norte, ... as National Shrines, Monuments, and/or Landmarks. Aug. 1<sup>st</sup>, 1973. Manila, Philippines.</b></p>
	1974	<p><b>Presidential Decree No. 374/1974: Amending Certain Sections of Republic Act No. 4846, otherwise Known as The "Cultural Properties and Protection Act". Jan 10<sup>th</sup>, 1974. Manila, Philippines.</b></p>
	1975	<p><b>Presidential Decree No. 756/1975</b>  <b>Amending Presidential Decree No. 260 to Include The Mestizo Section, The Houses of Padre Burgos and Leona Florentino in its Scope. Jul 30<sup>th</sup>, 1975. Manila, Philippines</b></p>
	1978	<p><b>Presidential Decree No. 1505/1978</b>  <b>Amending Presidential Decree No. 260, As Amended, By Prohibiting the Unauthorised Modification, Alteration, Repair and Destruction of Original Features of All National Shrines, Monuments, Landmarks and Other Important Historic Edifices, Manila, Philippines. Jun 11<sup>th</sup>, 1978. Manila, Philippines.</b></p>
<b>Local Level</b>	1997	<p><b>Ordinance No. 12/1997</b>  <b>An Ordinance Defining The Core and Buffer Zone of the Historic Town of Vigan and the Historical, Cultural, Education, Aesthetic and Economic Parameters of Its Preservation and Development. Sept. 01, 1997, Vigan, Philippines.</b></p>
	1997	<p><b>Ordinance No.14/1997</b>  <b>Ordinance Providing the Guidelines in the Conservation of the Historic Town of Vigan. Oct. 6<sup>th</sup>, 1997, Vigan, Philippines.</b></p>
	1999	<p><b>Ordinance No.06/1999</b>  <b>An Ordinance Amending Certain Provisions of Ordinance No. 12 (1997) by Redefining the Boundaries of the Core and Buffer Zones of the Historical Town of Vigan. Aug. 30<sup>th</sup>, 1999, Vigan, Philippines.</b></p>
	2000	<p><b>Ordinance No.04/2000</b>  <b>An Ordinance Enacting the Preservation and Conservation Guidelines for Vigan Ancestral Houses. 24<sup>th</sup> April 2000, Vigan, Philippines.</b></p>

### 7.1.1 Presidential Decrees at National Level

Following the recommendations made by UNESCO and ICOMOS during the World Heritage Convention in 1972 that all member countries should undertake appropriate legal actions to safeguard their historic properties:

(UNESCO, 1972a:Article 18)

Member States should, as far as possible, take all necessary scientific, technical and administrative, legal and financial measures to ensure the protection of the cultural and natural heritage in their territories.

the government of the Philippines enacted four national laws in the 1970s. These laws, Presidential Decrees, were aimed not only to recognise properties that are important to the country, but also to provide general guidelines as to how these properties should be managed as well as to lay down common foundations so that specific ordinances can be developed and tailored specifically to address the different characteristic of historical properties at local levels.

For example the Presidential Decree No. 260/1973 recognises eight historical monuments in the country as being of national importance and places these monuments and sites on the list of National Cultural Treasures<sup>2</sup>, to be administered by the National Museum. The Decree further recognises ten churches nation-wide as important religious buildings and includes these on the list of National Shrines<sup>3</sup>, to be administered instead by the National Historical Institution. To further strengthen the protection of cultural and natural heritage nationally, the government of the Philippines in 1974 amended Act 4846<sup>4</sup> by introducing Presidential Decree No. 374/1974. This Decree, which remain the principal legal instrument in the Philippines until today, introduces several important

<sup>2</sup> The eight National Cultural Treasures are : The Sta.Ana Site Museum in Manila, The Roman Catholic Churches of Paoay and Bacarra in Ilocos Norte, The San Agustin Church and Liturgical Objects in Manila, Fort Pilar in Zamboanga City, The Petroglyphs of the Rockshelter in Angono Rizal, The Petroglyphs of Alab in Bontoc, The Mummy Caves in Kabayan, Benquet, Sagada and Alab and The Ifugao Rice Terraces of Banaue.

<sup>3</sup> “National Shrines are places of worship or places that may be considered sacred; sites of significant battles or other noteworthy military events; ancestral houses; sites of the birth, death, exile, detention or imprisonment of national heroes; and sites of ancient and irreplaceable human works” (NCAA, 2001:47). The ten National Shrines are : The Barasoain Churches in Malolos, Bulacan, Tirad Pass, Cervantes, Ilocos Sur; The Miagao Churches in Miagao, Iloilo; The Site of the Battle of Mactan on Mactan Island in Cebu; The San Sebastian Church in Quiape, Manila; and The Church and Convent of Santo Nifio in Cebu City.

<sup>4</sup> Section 2 to 22 of the Republic Act 4846(1966) were amended.

steps, consolidating the management of historic properties in the country, in particular these are moveable properties and are listed under the list of National Cultural Treasures. For historical buildings and sites the Decree adopts:

- a. Terminology related to historic properties were brought in line with those accepted by the World Heritage Convention, 1972 and ICOMOS in Paris. Unlike UNESCO's terminology and scope that defines heritage as 'cultural property' that clearly grouped them into 'monuments', 'groups of buildings' and 'sites', The Decree defines heritage as 'Cultural Properties' to include all historical properties:

(PD No. 756/1975:Section 3a:2)

... old buildings, monuments, shrines, documents and objects which may be classified as antiques or artefacts, landmarks, anthropological and historical sites, and specimens of natural history which are of cultural, historical, anthropological or scientific value and significance to the nation,...

but makes no distinction between cultural and natural properties;

- b. Recognises that historic properties are not only limited to objects, monuments and buildings, but also sites. The 'historical sites' is defined as "any place, province, city, town and/or any location and structure which has played a significant and important role in the history of ... [the] country and nation" (section 3i);
- c. Establishes the list of Important Cultural Property<sup>5</sup> (Section 2 and 3b)
- d. Limits the scope of National Cultural Treasures to "only the rare and unique objects" and "the remainder, if any, shall be treated as cultural property (Section 7);
- e. Prohibit any change of ownership (Section 8:4), excavation (Section 12:5) and any form of intervention (Section 13:5) without approval from the National Museum.

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<sup>5</sup> Important Cultural Properties are those having exceptional historical and cultural significance to the country, but are not sufficiently outstanding to merit the classification of National Cultural Treasures



- f. Impose penalties for any violation of the act to a fine of not more than ten thousands pesos [£118]<sup>6</sup> or imprisonment for a term of not more than two years or both; and established a unit under the National Museum called Division of Cultural Properties to prosecute violators of this act (Section 21:7)

It is important to note that the lists of National Cultural Treasures and National Shrines as mentioned in Presidential Decree No. 260/1973 or in those decrees enacted before 1973, does not contain any monuments, buildings or sites from Vigan or the Illocus Sur region. The first legal instrument relating to cultural properties that affected the city directly the Presidential Decree No. 756/1975 enacted after a series of fires destroyed dozens of historical buildings (Ricardo, 1998:2) including the Seminary in 1968. The Decree recognised two buildings in Vigan as having national importance and placed these buildings under the list of cultural properties<sup>7</sup>. One was the house of Padre Jose Burgos on Burgos Street, now functioning as Burgos Museum and the other, the house of Leona Florentino on Crisologo Street that now houses the tourist office and a café. It also recognised Mestizo section of Vigan as having national importance and placed this section under the list of historical sites<sup>8</sup>. However, to what extent the properties within this section were protected by the decree was unclear, since the decree only mentioned “Mestizo section” without listing the properties within the section or defining its boundary. The Decree (PD No. 756/1975) was important to Vigan since it recognised the historical value of properties in the city and more importantly, it provided some degree of protection against mistreatment, since Paragraph 5 of the Decree prohibited any demolition, repair or renovation of properties recognised, without prior approval from the National Museum in Manila:

(Paragraph 5:1)

... no demolition, repair or renovation of buildings in these area [listed either under National Cultural Treasures or National Shrines] shall be undertaken without prior study, consultation and approved by the National Museum.

<sup>6</sup> Calculated base on exchange rate of £1 to 85 pesos.

<sup>7</sup> By virtue of Sections 3a and 7a of Presidential Decree No. 374/1974.

<sup>8</sup> By virtue of Section 3i of Presidential Decree No. 374/1974.



Figure 7.1:  
The house of Padre Jose Burgos that has the characteristic of a typical ancestral house was one of the first historic properties in Vigan listed under the list of National Cultural Treasures.

To provide similar protection to those properties listed in the National Shrines list, which lay under the responsibility of the National Historical Institutes, Presidential Decree No. 260/1973 was amended by Presidential Decree No. 1505/1978. It prohibits any intervention without approval from the Chairman of National Historical Institutes and imposes penalties that carry imprisonment between one to five years or a fine between one thousand to ten thousands pesos [£11.8 to £118] or both (Section 5:1).

The commitment of the Republic of the Philippines to ensure the protection and conservation of cultural properties and sites in the country during the 1970s was high. Under the leadership of President Marcos, the country acted fast echoing the recommendations made by UNESCO and ICOMOS in the 1970's, primarily those at the World Heritage Convention (1972), ICOMOS (1972a), UNESCO (1972a), ICOMOS (1975) and UNESCO (1976). Properties that are recognised to have important historical, cultural and social values to the country were included either under the list of National Cultural Treasures, Important Cultural Properties, Cultural properties, Historical Sites or National Shrines and hence protected against mistreatment and exploitation and placed the management of these properties under either the National Museum and National Historical Institute (Delumen, 2002:3).

However, there are several glaring weakness of the scope of protection provided by these instruments:

- a. Section 12 of Presidential Decree provides a clause for violation and non-compliance to the Decree that impose a maximum of ten thousand pesos [₱118] or imprisonment for a term of not more than two years or both; and this section has not been revised ever since. After thirty years now, the ten thousands pesos may not be substantial enough to prevent the non-compliances especially from medium to large-scale restoration projects. The development of a shopping complex next to the St. Paul's Cathedral will not be off-tangent from the recommended conservation principles if penalties are higher and properly imposed. UNESCO (1972a) recommends that besides monetary fines, the Member States should also consider including a provision for the "restoration of an effected site to its original state in accordance with established scientific and technical standards (Article 48) by the heritage owners and their consultants.
- b. No system of incentive is provided for heritage owners that could encourage them to maintain and restore their heritage properties. In the absence of incentives and low penalties, the effort to encourage proper maintenance, preservation and restoration among heritage owners and users in the Philippines will be hard to achieve. In Vigan, for example, the poor maintenance and severe defects of ancestral houses may not be so serious if options of attractive incentives are made available by the government or the local authorities for utilisation of the homeowners.
- c. There seems to be a substantial overlapping of tasks and responsibilities between the National Museum and the National Historical Institute. This was recognised by the government, and in 1992 by virtue of Republic Act No. 7356/1992 the National Commission for Culture and the Arts (NCAA) was established with the objectives, among others, to coordinate the activities of national institutes on arts and cultural properties, including those of the National Museum and the National Historical Institute. On one hand, this effort should be praised, on the other hand, there are now three national agencies in the country that are in charge of conservation and preservation of cultural properties, in particular of buildings and historical sites. Without clear jurisdiction and responsibilities for each, the general public, especially are at a loss.

- d. Unlike the UNESCO (1972a) recommendations that limit the scope of cultural properties as either “monuments, groups of buildings or sites”, the definitions and the scope of heritage, in particular, immovable heritage, in the Philippines are confusing: National Cultural Treasures, Important Cultural Properties, Cultural Property, Historical Sites, National Cultural Shrines, National Shrines to name a few.

It is not, however, within the scope of this Research to study in detail the management, in particular the protection of cultural properties provided by legal instruments, at national levels. The weakness identified above are so glaring that it warrants detailed studies by the government. After all, the above instruments are now thirty years of age, enough to justify major revision.

### **7.1.2 Ordinances at Local Level.**

The Presidential Decrees at national level provide protection for cultural property in the Philippines and set a strong foundation for the development of specific laws and guidelines relating to the protection of properties at provincial and local levels.

In the case of Vigan, as mentioned earlier, not a single ordinance or guideline relating to the protection of cultural properties was enacted, either by Ilocos Sur province or by the Vigan town during the 1970s and 1980s. When the first submission requesting inscription in the list of World Heritage Sites was made in 1988, the historic properties in Vigan were protected by the four national decrees, as mentioned and recognised by the ICOMOS report (1989). However, during the second half of the 1990s, there were four ordinances related to the protection of cultural properties in Vigan formulated by the Municipality of Vigan that helped to shape, improve and consolidate the protection of historic properties in Vigan. These are,

- a. Ordinance No. 12/1997 that defines the boundaries of core and buffer zones.
- b. Ordinance No. 14/1997 that defines the conservation terms, principles and processes.
- c. Ordinance No. 06/1999 that amends the conservation zones.
- d. Ordinance No. 04/2000 that provides detailed guidelines on the methodology of conservation and preservation suitable for ancestral houses of Vigan. It also

formalises the creation of a management body within the Municipality of Vigan called Vigan Conservation Council (VCC), that in general takes responsibility of overall management of historical properties in Vigan. It is this Ordinance that gives responsibility and the power to the local authority to protect the heritage of the city.

**a. Ordinance No. 12 /1997**

Ordinance No. 12/1997 that defines the Core and Buffer Zones of Vigan was passed by the Municipality (*Singguniang Bayan*) of Vigan on September 1<sup>st</sup>, 1997, in time for the submission of the second nomination dossier to the World Heritage Centre in 1998. It was intended to consolidate Vigan's laws on cultural properties prior to the evaluation for inscription to the World Heritage List:

**(Preamble:1)**

Whereas, the Historic Town of Vigan is included in the tentative list of World Heritage Sites and must meet various criteria in authenticity, integrity and good management of its cultural property. As such, there is a need to provide the local legislative support to guarantee its protection and preservation for the present and future generation.

This Ordinance is significant because it clarifies Presidential Decree No. 374/1974 by defining and incorporating the "Mestizo Section" into core and buffer zones. The core zone is defined like an L-Shape with plazas and public buildings on one end and *Mestizo* section on the other end (Figure 6.7) .

**(Section 4:2)**

The core are forms like an L-Shape. It encompasses the two plazas, Burgos and Salcedo and the formal buildings around on the north and northwest end; the entire mestizo district centered on four main streets : Gov. A. Reyes, Plaridel, Crisologo and V.de los Reyes bounded by Diego Silang Street on the southern end. The area being bounded by the following streets and lot numbers: ...

The boundaries of this zone are carefully demarcated to follow the back-lines of lot numbers (Section 4: 2-3), bringing under protection both the properties inside the lots and the streets in front. As recommended by the international guidelines and as required by Operational Guidelines, the buffer zone is also defined (Section 5:3-4), with the purpose of providing authenticity of setting and to protect the core zone. Even then, the Bureau of the World Heritage Committee, when reviewing Vigan's nomination to the World Heritage Site at its twenty-third session 1999 in Paris, accepted ICOMOS' recommendation (ICOMOS, 1999:3) that minor modification to the delineation of the

core and buffer zones of Vigan must be made prior to its acceptance to the World Heritage List. Through the Director, Mr Mounir Bouchenaki, the World Heritage Centre as the secretariat to the Bureau instructed the Municipality of Vigan to act accordingly (UNESCO, 1999b). Therefore, on 30<sup>th</sup> August 1999, Ordinance No.6/1999 was enacted. Changes were made to comply with the request from the World Heritage Centre. Within the Core Zone, the Divine Word of Vigan College at its north-eastern corner was excluded due to its modern four storey structure and inappropriate use as a petrol station and the former Vigan Central School at the south end of the Buffer Zone was also excluded due to its use as an extension to the bus terminal (ICOMOS, 1989:2-3).

**b. Ordinance No. 14/1997**

A month after Ordinance No.12/1997 was enacted, another ordinance was also passed by the Municipality of Vigan. Ordinance No. 14/1997 was intended to provide the administrators, professionals and the public with the knowledge of the common principles and strategies of conservation, as practiced internationally:

(Paragraph 2:1)

These are standard international practices on conservation tailored for use in the Historic Town of Vigan to maintain its authenticity, integrity, and protection as a heritage site in the present and into the future.

The introduction of this ordinance at the time of nomination submission to the World Heritage Centre in Paris, was carefully planned and executed so that Vigan would be seen not only to possess 'outstanding universal values', but also to have clear direction as how the city should or will be conserved. Generally, six main aspects of conservation related to the Historic Town of Vigan, are now defined; in close resemblance of the Burra Charter of Australia<sup>9</sup>. They are :

- Section 1 : Definition of terms
- Section 2 : Conservation Principles
- Section 3 : Conservation Processes
- Section 4 : Documentation and Recording
- Section 5 : Compatible Uses
- Section 6 : Penalties

<sup>9</sup> The Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19<sup>th</sup> August 1979 at Burra, South Australia. It was revised on 23<sup>rd</sup> February 1981, 23 April 1988 and on the 26<sup>th</sup> Nov 1999.

The broader definition of ‘cultural properties’ as defined by Presidential Decree No. 374/1974 is further defined as “Place, Cultural Significance and Fabric” to follow the general terms and principles adopted by the Australia ICOMOS in 1988 (3<sup>rd</sup> Revision) and New Zealand ICOMOS in 1992.

**(Section 1.1:1)**

**Place** means the geographic area defined in Ordinance No:12 described as the Historic Town of Vigan, consisting of a core area and a buffer zone, including all the group of historical buildings and their setting and associated contents listed in Annex 2 [Listing of Ancestral Houses and Historical Buildings]; monuments; shrines; landmarks; streets, plazas, open spaces, rivers identified of cultural significance found within.

**(Section 1.2:1)**

**Cultural Significance** means the aesthetic, economic, educational, environmental, historic, religious, or social value of the Place defined in Section 1.1 above which helps us to understand our past, contributes to the enrichment our present environment, and pass on to future generations...

**(Section 1.3:2)**

**Fabric** means all the physical material and attributes perceived by the senses found in every nook and corner including excavations in the historic Town of Vigan i.e. bricks, hardwood timbers, lime mortar, capiz windows, iron grills, lamps, piedra china tiles and clay tiles, 18<sup>th</sup> century period furniture and furnishings, fauna and flora commonly found in the area like palmera, bougainvillea, suntan, adelfa, hibiscus and cactus.

By adopting the above definition, the range of heritage in Vigan now includes both tangible and intangible that covers not only historical buildings and ancestral houses but also the open spaces, the plazas, the streets, street furniture, furnishing, cultures, flora and fauna. However, it deviates for the terms and scope defined by the national Decrees as discussed above. Thus, it creates a gap between the two levels.

Ordinance No.14/1997 also clarifies many other principles regarding the intervention of historic properties in Vigan.

a. **(Section 3)**

It clarifies the different concepts of conservation, preservation, restoration, reconstruction, adaptation and maintenance. It helps the administrators, the professionals and the public to fully understand the real concept of conservation, and the different levels of intervention that can be introduced in order to protect and enhance the value of historic properties;

**b. (Section 4)**

It emphasises the importance of documentation in any intervention work such as the need to conduct detailed studies prior to any intervention, the importance of having a written statement of conservation policy, the need for cataloguing and archiving, and the value of having continuous study on sociological, archaeological excavation;

**c. (Section 5)**

It provides examples of suitable and not so suitable uses of historic buildings and sites within the core and buffer zones;

**d. (Section 6)**

It imposes penalties for non-compliance to the law, a fine of 2,500 pesos [£29] and/or six months imprisonment.

Unlike Australia's Burra Charter which is broader in nature, as it provides an overall umbrella for the whole country, this ordinance on the other hand is very specific for the protection of cultural properties at local level i.e. Vigan. It provides conservation terms, scope and principles for all including authorities, professionals, consultants, contractors and the general public. To a large extent this Ordinance has helped many parties locally to understand the general principles of conservation as practiced internationally.

Similar to Presidential Decree No. 374/1974, this Ordinance also fails to encourage proper maintenance, preservation and restoration by homeowners for not providing conservation incentives, as well as very low fines for non-compliance. With only 2,500 pesos or £29 maximum penalties, it provides 'loopholes' for abuse.

**c. Ordinance No. 04/ 2000**

While Ordinances No. 12/1997 and No. 6/1999 define the core and buffer zones of historic Vigan and Ordinance No. 14/1997 provides conservation principles, Ordinance No. 4/2000 provides guidelines for repairs and restoration as well as establishing a local management body. Ordinance No. 04/2000: An Ordinance Enacting The Preservation



and Conservation Guidelines for Vigan Ancestral Houses, was approved by the Municipality of Vigan on 24<sup>th</sup> April 2000 in twenty-four sections. This Ordinance provides technical guidelines, in some detail, on the processes and methods of preservation, restoration and conservation of ancestral houses, open spaces, streetscapes and new architecture as follows:

- Section 1 provides principles of conservation that places documentation as the primary task before any restoration work can commence;
- Section 2 provides the scope of ancestral houses;
- Section 3-13 provide technical guidelines on repair, maintenance and restoration of ancestral houses;
- Section 14 provides guidelines on open spaces;
- Section 15 provides guidelines on streetscape;
- Section 16 provides guidelines on infill and new buildings;
- Sections 17-22 establish a local management body called Vigan Conservation Council (VCC) and its Technical Working Group (TWG);
- Section 23 provides a repealing clause; and
- Section 24 provides penalties for non-compliance.

a. (Section 2): Definition of ancestral houses

It places the important of ‘age’ over ‘architecture’ by formally defining ‘ancestral houses’ as “structures, which has been in existence for not less than fifty years, the architecture of which is of Hispanic and Chinese influence”. This simplified definition means:

- New houses built just after the country’s independence on the 4<sup>th</sup> July 1946 from the United States, if any, can now be considered as ‘ancestral houses’<sup>10</sup> or the houses built today will also be considered as ‘ancestral house’ in fifty years time. This ‘magic’ number is subjective in nature and makes no references to any known legal instruments either at local or national levels

<sup>10</sup> There was no research made on the number of new houses built within the Core and Buffer Zones after 1946. But through observation, no new houses are being built within the core zone, but there are several vacant lots and ruined ancestral houses.

and no references to the time in which these houses were built, “from mid 18<sup>th</sup> to late 19<sup>th</sup> centuries” (ICOMOS, 1999:2) except to (MoV and UNESCO 1999:3) that states “a structure may be considered ancestral or has a cultural value if it is at least 50 years old”

- No detailed design characteristic is provided for reference except “the architecture of which is of Hispanic and Chinese influence”, and is thus open to variable interpretations and practices;
- It allows for modern buildings, which have distant character from the ancestral houses be built on vacant lots of Vigan which will soon dilute the urban characteristic of Vigan;

**b. (Sections 3-16): Technical guidelines**

One of the strengths of this Ordinance lies in the detailed technical guidelines on maintenance and restoration of ancestral houses which was prepared by a team of three local experts, a month before the official visit by the ICOMOS experts to evaluate the nomination of Vigan to the World Heritage: Hon. Francisco Ranches Junior, Chairman of Tourism, Dr. Ferdinand Lamarca, Vice President (Planning, Research and Extension) of the University of Northern Philippines (UNP) and Archt. Fatima Rabang Alonzo, Dean of Architecture Institute at UNP as follows:

- Section 3 : Guidelines for the Foundation
- Section 4 : Guidelines for the Ground Floor Flooring
- Section 5 : Guidelines for Walls
- Section 6 : Guidelines for Floors
- Section 7 : Guidelines for Windows
- Section 8 : Guidelines for Second Floor and Staircase
- Section 9 : Guidelines for Electrical and Mechanical Systems
- Section 10 : Guidelines for Roof and Ceilings
- Section 11 : Guidelines for Architectural Ornaments and Details
- Section 12 : Guidelines for Signages
- Section 13 : Guidelines for Paints

These guidelines are wide ranging and provide methods of repair, maintenance and restoration of existing ancestral houses, which are mostly in a bad state of repair. The issuing of these guidelines is very timely since one of the problems

faced by Vigan and the Philippines in general is the absence of clear methodologies of conservation as highlighted by Delumen (2002: 2). However, these guidelines have several shortcomings. Section 5, for example provides the methods of repair and maintenance for brick walls and lime plastering, but not on cleaning, repair and maintenance of timber wall panels, in particular, the ‘wood-brick’ houses which feature wall panels on the first floor; Section 7 provides guidelines on replacing window jambs, but not on cleaning and replacing the most important features of ancestral houses: *capiz* and *persiana* windows. Similarly Section 10 allows for replacement of moulding and decorative elements of the ceiling from wood to alternative materials, and Section 13 allows the use of different colour schemes, but does make it compulsory for the homeowners to use lime-wash on lime plastering, and thus gives opening for mistreatment through the use of acrylic paints.

c. (Section 16): Guidelines on new architecture

The Ordinance also provides guidelines on the introduction of new architecture in Vigan with the hope that the new buildings will blend themselves well with the existing contexts and thus enhance the value of heritage in Vigan. Specifically, it provides limitation in term of building heights, roof forms and materials, as well as the finishes of external walls. While the guideline strictly controls the building heights, which should be applauded, it allows the use of modern materials with less control and fails to lay down the principles behind these guidelines, as what recommended by ICOMOS (1972a). This could be one of the reasons for less successful intervention of the new shopping complex next to St. Paul’s Cathedral. The problem will be more serious when a proposal is made to fill in the vacant lot between ancestral houses where the desire to maintain the continuity of form and function is higher, and Section 16 is clearly inadequate to face such proposals.

d. (Sections 17-22) : Establish Vigan Conservation Council (VCC) and its Technical Working Group (TWG)

To consolidate the management of cultural properties in Vigan, this ordinance formalises the creation of Vigan Conservation Council (VCC) and its Technical Working Group (TWG). Both VCC and TWG were first introduced by Mayor

Eva Marie S. Medina by the issuance of Executive Order No. 03/1999 on the 3<sup>rd</sup> March 1999. Legally, VCC, whose members are the leaders of all the major stakeholder groups in Vigan, is now responsible for planning, evaluating, approving or rejecting any physical intervention and development within the core and buffer zones of Vigan. The Technical Working Group created within VCC), is a working committee to evaluate, review and make recommendations to VCC for further deliberation and decision. Details of VCC and its scope is discussed in more detail under sub-chapter 7.2 (Management Structures of Vigan).

e. (Section 24): Penalties

To encourage proper conservation methodologies and to prevent any wrong interventions to historic cultural properties in Vigan, this Ordinance provides clauses for Penalties for those found violating this ordinance as follows:

i. First Offense	1,000.00 pesos [£12]
ii. Second Offense	1,500.00 pesos [£18]
iii. Third Offense or more	2,500.00 pesos [£30]

Compared to the penalties impose under Section 20 of Presidential Decree No. 374/1974, enacted almost thirty years ago, which stipulates that:

(Section 20:6)

Any violation of the provisions of this Act shall, upon convictions, subject the offender to a fine of not more that ten thousand pesos [£118] or imprisonment for a term of not more than two years or both upon the discretion of the court...

the fines imposed under this Ordinance are small. Even though there has been no case of violation since the introduction of this Ordinance 2000 until the present day, as notified by the Mayor's Office during the study visit, small fines, surely will not be enough to restrain illegal intervention as well as non compliance with the guidelines.

### 7.1.3 Sub-Conclusion

As a whole, the Heritage City of Vigan is now sufficiently protected by means of legal instruments, both at national and local levels. Even though the government of the Philippines ratified wholly to the World Heritage Convention only in 1985, it took

immediate steps to consolidate their legal instruments relating to the protection of cultural properties as recommended by the Convention since 1973 (Presidential Decree No. 260/1973). At national level Presidential Decree No. 374/1974 remains the principal legal instrument on the protection of cultural property in the country and has provided solid foundations for the introduction of more specific legal instruments at local levels. However, these instruments have several weaknesses, such as system of incentives, penalties, the broad terminology and scope of heritage as well as overlapping of tasks and responsibilities between national agencies. At local level, the cultural properties in Vigan are protected by four Ordinances: No. 12/1997, No. 14/1997, No. 06/1999 and No. 4/2000; of which Ordinances No. 14/1997 and No. 4/2000 remain the most important instruments to date. The former provides general conservation principles and the latter provides extensive technical guidelines on repair, maintenance of ancestral houses, as well as on introduction of new buildings within historical contexts. Ordinance No. 4/2000 remains the most useful document with regard to maintenance, repair and restoration of ancestral houses and to the responsibilities and functions of Vigan Conservation Council. To better protect the heritage in Vigan by means of legal instruments, this Research has identified the above weakness and makes two recommendations - Recommendations (i) and (ii) - in sub-chapter 8.2.2, for consideration by various parties in Vigan.

## **7.2 Management Structures**

The management of cultural properties in the Republic of the Philippines is under the responsibility of either national or local agencies depending on the status of the said properties. Cultural properties that are important to the country and those have been listed under either the list of National Cultural Treasures, National Shrines, Monument, Landmarks or Important Cultural Properties, Historical Sites or Cultural Properties by virtue of national decrees as discussed in the above sub-chapter, are under the maintenance and management of national agencies; mainly the long established National Museum (NM), National Historical Institutes (NHI) and the National Commission for Culture and the Arts (NCCA). However, cultural properties that belong to the local authorities and are important to the local communities are under the management and responsibility of the local offices concerned.

In Vigan, there are few buildings that have been recognised as having importance to the country by virtue of Presidential Decree No. 756/1975, such as the Burgos Museum, Crisolago Museum and Florentino House. The maintenance and general management of these buildings are now under the responsibility of the National Museum in Manila. Proposals for any type of interventions of these buildings will have to be forwarded to the National Museum in Manila, through the City Hall for final approval. The religious buildings around the main plazas in Vigan such as St. Paul's Cathedral, Archbishop's Palace and St. Paul's College belong to the Roman Catholic Diocese of Nueva Segovia and therefore are administered through the Archdiocesan Commission for the Conservation of the Cultural heritage of the Church (ICOMOS, 1999:2). Other public buildings and spaces in the city such as the Vigan City Hall, Provincial Jail, Vigan Culture and Trade Centre, Plaza Salcedo, Plaza Burgos and the streets of Vigan are under the management of the City Hall and proposals for interventions are dealt with directly by the City Hall. All ancestral houses, which form the majority of historic buildings in the city are owned and maintained by private individuals. Since these houses, mainly located within the Mestizo section, are considered as 'Cultural Property' by virtue of Presidential Decrees No. 260/1973 and No. 756/1975, any type of interventions to these houses will have to be forwarded to the National Museum or National Historical Institutes in Manila, through the City Hall, for final approval.

However, by virtue of Ordinance 4/2000, the formal responsibility for the preservation and conservation of all properties within the historic core and buffer zones rests with the newly formed conservation authority called Vigan Conservation Council. This council which operates under the City Hall has the responsibilities to receive, review, recommend and approve all applications either new construction, restoration, preservation and adaptation as well as conservation programmes and activities within the historic zones. For buildings that are recognised as having importance to the country, Vigan Conservation Council is mandated to make recommendations for final approvals from one of the national agencies concerned.

### **7.2.1 National Agencies**

The three national agencies mentioned above, which are based in Manila are mandated to maintain and manage the historic national heritage. Generally, the National Museum

is tasked with the preservation, conservation and protection of moveable and immovable cultural properties in the country, the National Historical Institute (NHI) established in 1972 takes responsibility of the country historical legacies and the National Commission for Culture and the Arts (NCCA) coordinates all policies and programmes of the various cultural agencies in the country.

#### **i. The National Museum**

The National Museum as it is today, operates under the Department of Education, Culture and Sports with its main office in the capital city of Manila, and it upholds three major goals. First as an educational institution that disseminates scientific and technical knowledge related to the conservation of cultural and natural properties, second as a scientific organisation that promotes and conducts basic research programmes and third as a cultural centre that has taken lead in the study and preservation of the country artistic, historic and cultural heritage.

The National Museum now has eleven divisions which specialise in various aspects of conservation and museum studies. One of these divisions is known as the Restoration and Engineering Division that takes responsibility for managing the conservation and restoration of cultural properties in the country, mainly buildings, monuments and sites that belong to the museum and those listed under the list of National Cultural Treasures and Important Cultural Properties. It is this section that now deals with preservation and conservation of buildings and sites and advises the local authorities on technical and management issues. It also has the responsibility for receiving proposals and issuing approvals for any type of intervention of its own buildings across the country and those buildings that have been listed under the list of National Cultural Treasures and Important Cultural Properties. In Vigan there are several buildings that come under this category such as Burgos Museum, Crisologo Museum and Leona Florentino House. The applications for any type of interventions of these buildings which are referred to as ‘protected structures’ by the local authority (MoV and UNESCO, 1999), have to be submitted to the National Museum in Manila for approval through the newly established Vigan Conservation Council (VCC)<sup>11</sup>.

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<sup>11</sup> Refer to sub-chapter 7.2.2 for more details regarding VCC.

## ii. National Historical Institute (NHI)

Besides the National Museum, the National Historical Institute is another national agency that has been entrusted to manage historical properties in the Philippines. Created in 1972 to replace the National Historical Commission<sup>12</sup>, this Institute was established to undertake studies of various aspect of Philippine history, including translation of documents into Filipino, preparation and implementation activities and programmes related to significant events and individuals (Perdon, 1999).

By virtue of Presidential Decree No. 260 /1973, the National Historical Institute was entrusted to manage cultural properties listed under the list of National Shrines, Monuments and Landmarks<sup>13</sup>. As a national agency entrusted to conserve and preserve the national treasures, National Historical Institutes does have an obligation and responsibility over Vigan even though there was no single decree that recognised the whole of Vigan City as National Shrines, Monuments or Landmarks. The involvement of the National Historical Institute in the conservation of Vigan is not only limited to those activities related to conservation and preservation of its built heritage, but also related to historical legacies, educational, training and cultural programmes such as the annual Viva Vigan Festival of the Arts, Vigan Town Fiesta; and from time to time the Institute was asked to provide specific technical advice on restoration of historic buildings in the city.

To implement its multi-faceted cultural and historical functions, four major divisions have been created under the National Historical Institute. These are: Research and Publications, Historical Education, Monuments and Heraldry and Architectural Conservation Division which deals with matters relating to conservation and restoration of all declared historic sites and buildings. The applications for any type of interventions of historical buildings such as ancestral houses and government buildings

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<sup>12</sup> By virtue of Republic Act No. 4368. Approved on 19<sup>th</sup> June 1965.

<sup>13</sup> **National Monuments** are objects, natural features or areas of special historic interests that are set aside by local or national government as public properties.

**National Landmarks** are places and objects that are associated with an event, achievement, characteristics or modification that present a turning point or stage in Philippine history.



-referred to as 'historical structures' by the local authority (MoV and UNESCO, 1999) - in the heritage zones of Vigan, except those under the management of the National Museum, have to be submitted to the National Historical Institute in Manila for approval through the newly established Vigan Conservation Council (VCC).

### **iii. National Commission for Culture and the Arts (NCCA)**

Besides the National Museum and National Historical Institute, there are other national agencies in the Philippines that are responsible for various aspects of the nation's cultures and arts; such as the Cultural Centre of the Philippines (CCP), the Commission on Filipino Language (CFL), the National Library (NL) and the Records Management and Archives Office (RMAO). These agencies, however, deal with specific management of cultural and arts and are not directly related to the management of cultural properties or historic sites. To coordinate the many programmes and activities of these agencies, including those of the National Museum and the National Historical Institutes, President Corason C. Aquino in 1987 issued an Executive Order<sup>14</sup> to establish an independent management body that reports directly to the President, called the National Commission for Culture and the Arts (NCCA). This order was later enacted into law by the Republic Act No. 7356/1992.

This Commission is governed by a Board of Commissioners composed of 15 members representing the different agencies in the country (RoP, 1992 : Section 9). Four broad Sub-commissions were also created: Subcommittee on Cultural Communities and Traditional Arts, Heritage, Arts and Cultural Dissemination. Of these, the Subcommittee on Heritage is the one that deals with aspects of conservation and restoration of cultural properties and historical sites. To provide clear focus and proper running of this Subcommittee, six committees were established: Museum, Art Galleries, Monuments and Sites, Library, Historical Research and Archives. Of these the Committee on Monuments and Sites is entrusted to look after conservation of cultural properties and historical sites.

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<sup>14</sup> By Executive Order No. 118 /1987

The Committee on Monuments and Sites is mandated to assist the Commission in preserving the country's cultural heritage. Its main task is to formulate "strategies, policies, plans, programs, projects, funding requirements and organizational changes affecting the preservation of historic houses and structures in the cities, municipalities and provinces" (NCCA, 2002:1).

The day-to-day management of Vigan is the responsibility of the local authority, but these three national agencies ensure all conservation programmes, plans and activities at local level are satisfactorily implemented. These agencies have played important roles in the preparation and submission of the dossier to the World Heritage Committee in 1998, the establishment of Vigan Conservation Council in 1999 and the collaboration with the Spanish Government to formulate Vigan Master Plan, 1999-2001.

### **7.2.2 Management at Local Level**

Vigan was upgraded from municipality to city status in 2001<sup>15</sup> and has since been known as the City of Vigan. The historic zone, known as the Heritage City of Vigan, is located at the heart of the city. Both the historic zones and the rest of the city are now under the management of the City Hall, headed by the City Mayor.

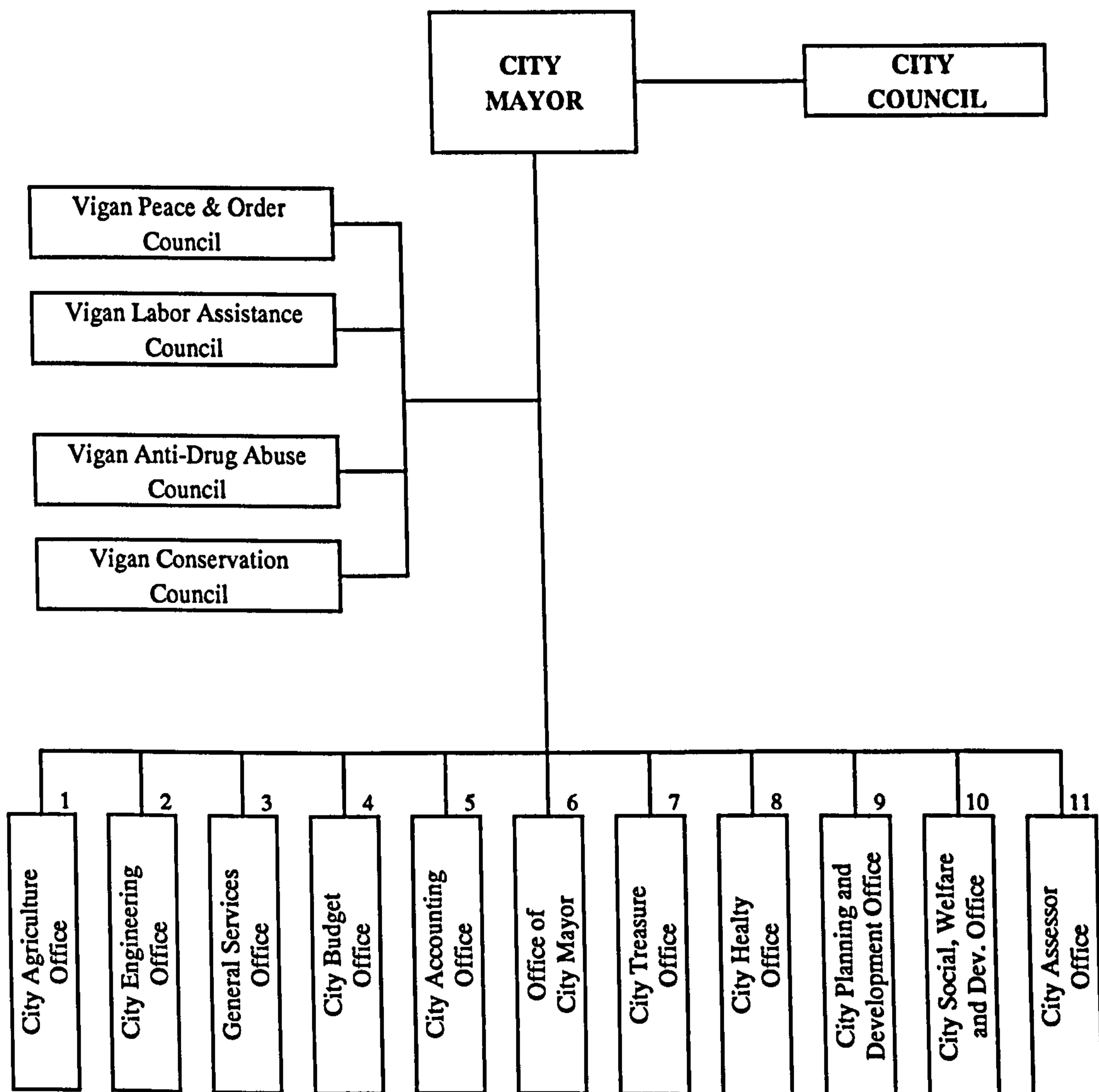
Administratively, the Mayor is assisted by a Vice-Mayor, twelve elected Council members and four multi-sectoral management bodies, each specialising in different aspect of managements. These are Vigan Peace and Order Council that maintains peace in the city, Vigan Labor Assistance Council that promotes manpower development, Vigan Anti-Drug Abuse Council that serve as a focal point where all programmes related to drug are coordinated and Vigan Conservation Council that formulates, evaluates and approves development and conservation plans. The Mayor, who is responsible for the day-to-day management of the office, is also supported by eleven heads of local offices, each of whom is responsible for the management of a particular portfolio. These offices are: City Agriculture, City General Services, City Budget, City Accounting, Office of the Mayor, City Treasurer, City Health, City Planning and

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<sup>15</sup> Vigan status as City was restored on January 22, 2001 by Republic Act 8988 : An Act Validating and Recognising the Creation of the City of Vigan by the Royal Decree of September 7, 1758 issued by King Fernando IV of Spain and received 93% support from the people of Vigan.

Development, City Social, Welfare and Development, City Assessor and City Engineering. Of these, the City Planning and Development Office has the responsibility, amongst others, to formulate development plans and policies, monitor and evaluate the implementation of the different development programmes, projects and activities such as those recommended by the Vigan Master Plan (VMP)<sup>16</sup>, whereas the City Engineering Office has the responsibility, amongst others, to attend to all matters related to repair, restoration, adaptation or new structures within and outside the heritage zones. Table 7.2 below shows the organisational structure of the Mayor's Office and the relationship of Vigan Conservation Council and the City Engineering Office to the whole structure.

Table 7.2  
Existing Organisational Structure of City Hall of Vigan



<sup>16</sup> Is discussed in the following pages.

The different offices of the City Hall are staffed by 116 personnel with 106 (91.4%) of them are college graduate holding either diplomas or degrees, 7 (6.0%) are high school and 3 (2.6%) are elementary leavers. It must be noted that from these, none of them has post-degree qualification except the Mayor herself. The Engineering Office which deals directly on matters relating to intervention of historic properties in the city, including receiving applications and issuing permits is staffed by the head, five officers and two technicians. Table 7.3 shows the distribution of city employers in the different offices and their level of education. (CoV, 2001a:277)

**Table 7.3**  
Distribution of city employers in the different office of City Hall, Vigan.

No	Offices	Level of Education			Total
		Diploma/ Degree	School		
			High	Elementary	
1	Treasurer's Office	23	5	2	30
2	Mayor's Office	29			29
3	Health	15			15
4	Agriculture Office	13			13
5	Engineering Office	6	1	1	8
6	Planning and Development	5	1		6
7	Assessor's Office	5			5
8	Budget Office	3			3
9	Civil Registry	3			3
10	Accounting Office	2			2
11	Social & Welfare Office	2			2
	<b>Total</b>	<b>106</b>	<b>7</b>	<b>3</b>	<b>116</b>
	<b>Percentage</b>	<b>91.4%</b>	<b>6.0%</b>	<b>2.6%</b>	<b>100.0%</b>

Mayor Eva S. Medina, the current Mayor, was elected to the office in 2000 when Vigan was upgraded to city status, but has been Mayor of Municipality since 1995. Her dedication and commitment to conservation have fruited many plans and programmes that have helped to shape the city as it is today. The most important are:

- i. Collaboration with the Government of Spain to produce Vigan Master Plan (1999 –2001)
- ii. Vigan being recognised as a World Heritage Site in 1999.
- iii. Enacted Ordinance No. 4 that provides guidelines on conservation of ancestral houses and the creation of Vigan Conservation Council (2000)

**i. Vigan Master Plan (VMP)**

Vigan is fortunate now to have a comprehensive Master Plan developed in collaboration with the Spanish Government from 1999 to 2001. With the objectives to promote the preservation and conservation of the city and to develop tourism along the lines of heritage, the Philippines Government requested the Government of Spain to provide technical and financial<sup>17</sup> assistance in identifying specific projects for the revitalization of the historic centre of Vigan both as a historic centre and as a national heritage of Hispanic legacy to the Philippines. The Memorandum of Agreement for the formulation of the Master Plan was signed on March 23, 1999 (CoV, 2001c) with these objectives in minds:

- a. To formulate a Master Plan for the revitalization of the historic town of Vigan
- b. To enhance related knowledge in crafts/skills
- c. To develop Vigan as main tourist destination in the north
- d. To formulate viable investment strategies.

To help focus the study teams, ten specific aims were agreed:

- a. Physical Development Planning – to assess the city’s current conditions and to recommend improvements.
- b. Socio-Cultural Aspect – to identify the various stakeholders and to elicit their comments and recommendations for development projects.
- c. Socio-Economic Aspect – to conduct an inventory of the existing activities, crafts, industries, skills and to recommend projects for enhancement.
- d. Ecology and Environmental Aspect – to assess the health and the sanitation situation recommend appropriate policies.
- e. Legal Aspect – to make an inventory of the existing laws, government rules, regulation and ordinances related to conservation and to make recommendation where necessary.
- f. Financial Aspect – to develop a financing scheme for the rehabilitation programme that is focused on funding sourcing, payback and cost recovery.
- g. Project Development – to prepare proposals for viable and sustainable livelihood projects.

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<sup>17</sup> The Government of Spain provided US\$3.7 millions for the development of Vigan Master Plan (Medina EM,2002).

- h. **Institutional Aspect** – to determine the appropriate organisation, including its functions and composition that should take the responsibility and monitor the implementation of this Master Plan.
- i. **Collaboration with the University of the Philippines** – to provide expertise and other resources.
- j. **Vigan Culture and Trade Centre** – as a pilot project on restoration and conservation of buildings where appropriate technical skills can be introduced and transferred to the local professionals and contractors.

Regarding aspects of conservation and management of historic properties in Vigan, especially those relating to inventory, legal instruments and management structures, the Master Plan made the following recommendations:

- a. **Inventory** – the Master Plan recognised the importance of having a proper documentation and inventory of all historic buildings, sites and structures in any historic cities and commented that the inventory of historic properties in Vigan is not satisfactory; therefore proposed that a catalogue of ancestral houses be made to contain the main features and characteristics of each house, together with a photograph of its façade, identifying data, plans as well as a brief status report and bi-annual inspection report (CoV, 2001c:36); as well as a catalogue of public monuments, fountains and statues (CoV, 2001c:40), remarkable trees and other natural elements (CoV, 2001c:40) All this information to be included and organised in a info-sheet and be filed in database accessible for GIS management. It also proposed that the city should take advantage from the many maps and information gathered during the preparation of the Master Plan and eventually develop new cadastral maps and a GIS-based information management infrastructure (CoV, 2001d:13).
- b. **Legal Instruments** – The Master Plan recognised that during the study period there was no clear ‘flow-chart’ for application of building permits and this has developed uncertainty and to some extent has discouraged the owners from making the necessary application. Therefore, the Plan proposed that the City should draft regulations regarding how to obtain construction and/or restoration permits and their corresponding fees, based on the type of project and the overall

cost of the work to be undertaken (CoV, 2001c:18). In order to encourage the public to restore their houses, the Plan also proposed that the City should pass an Ordinance to provide incentives to those ancestral homeowners who maintain and develop their ancestral houses. Incentives such as waive building permit fees, exemption from local business taxes if the houses are converted to business ventures and extend the annual conservation funds to homeowners as loans (CoV, 2001a:38). As an additional protection and penalties for those who left their houses derelict, the Plan also suggested that appropriate regulation be introduced that introduced penalties and non-compliance to the regulations (CoV, 2001d:6-7).

- c. **Management Structure & Personnel** – the Master Plan recognised that the existing management structure of the local authority ie the City Hall is adequate, “On the whole, an efficient and effective structure has been put in place to deliver the increasing basic services to address the growing demands of the people” (CoV,2001a: 289) ; and noted that out of 119 permanent staff only the Mayor has a post-graduate degree.

Vigan Master Plan 2001, has provided the authorities in Vigan and the general public with a clear understanding of the existing conditions and infrastructures of the city and has helped the authorities to focus their attention not only on matters relating to conservation, but on other areas as well.

### iii. **Vigan Conservation Council (VCC)**

Vigan Conservation Council created by the Ordinance No. 04/2000, as discussed briefly under sub-chapter 7.1.2 has been the most remarkable achievement for Vigan in regarding to the management of cultural properties in the city. It was created firstly by Mayor Eva Marie S. Medina in 1999 by the issuing of Executive Order No. 3/1999 and later formalised into laws by Ordinance No.4/2000 with the following objectives:

(Office of the Mayor, 1999:1)

there is an urgent need to create a management body involving all the major stakeholders in the conservation of the historic district in Vigan that will be vested with all the powers and functions necessary to properly protect the fabric of Vigan’s historical district composed of the core and buffer zones as defined in Ordinance No. 14/1997.

Vigan Conservation Council is a management body represented by eighteen departments and stakeholders of historic buildings in Vigan and is headed by the Municipality [now City] Mayor as below :

<b>i. Government Officers</b>			
a. City Mayor, President	1		
b. City Council Chair on Tourism, Vice-President	1		
c. Other Heads of Departments	11	13 (72%)	
<b>ii. Non-Government Representatives</b>			
d. Representative from NGO's	2		
e. Representative from the Church	1	03 (17%)	
<b>iii. Professionals</b>			
f. Practicing Architect	1		
g. Representative from the Academe (UNP)	1	02 (11%)	

and has the responsibilities and the powers to (MoV,2000:1-2):

- i. Formulate, recommend, evaluate and approve development plans, policies and programs relating to the conservation and development of the Core and Buffer Zones of the Historic District in Vigan.
- ii. Serve as an advisory council to the Sangguniang Bayan [Municipal Council] on Conservation matters
- iii. Monitor the conservation, upkeep and maintenance of historical buildings, public areas, open spaces, streets and rivers found within the core and buffer zones as defined by Ordinance No. 12 and 14 both of 1997 and recommend appropriate actions to be taken for the preservation thereof.
- iv. Assist the building officials/municipal engineer in the implementation of laws, ordinance and policies relative to the protection of the ancestral houses and other historic structures within the core and buffer zones
- v. Exercise all powers necessary or incidental of conservation objectives including the power to review, recommend or disapprove construction projects within the historic district
- vi. Serve as the clearing house for all Building Permits within the Historic District and refer such applications to the National Museum or the National Historical Institutes as the case may be, for their clearance based on the issuance of the VCC's Certificate of Approval.

To assist the Council in performing their duties, a sub-committee was created under this Council (MoV, 2000:Section 19) called the Technical Working Group (TWG) which is



headed by the Vice-President of VCC and has three other members from its own council : a representative from the academe, a representative from practicing architects and Head of Engineering Office. This TWG is mandated to help the VCC in three aspects (section 20):

- i. To formulate the Conservation Guidelines and recommend the same to the VCC for approval
- ii. To Review all architectural plans for the construction and/or restoration of all structures within the core and buffer zones of the historic district and submit their findings and recommendations to the VCC prior to the issuance or non-issuance of the VCC Certificate of Approval
- iii. Conduct and inventory and documentation of all ancestral and historical structures in Vigan and assist in the formulation of a master Plan for the conservation of the historic district.

Vigan Conservation Council is now the body under the City Hall that receives all applications for any types of intervention within the historic zones and makes recommendations to the appropriate national agencies, where necessary, and/or issues A Certificate of Approval<sup>18</sup>.

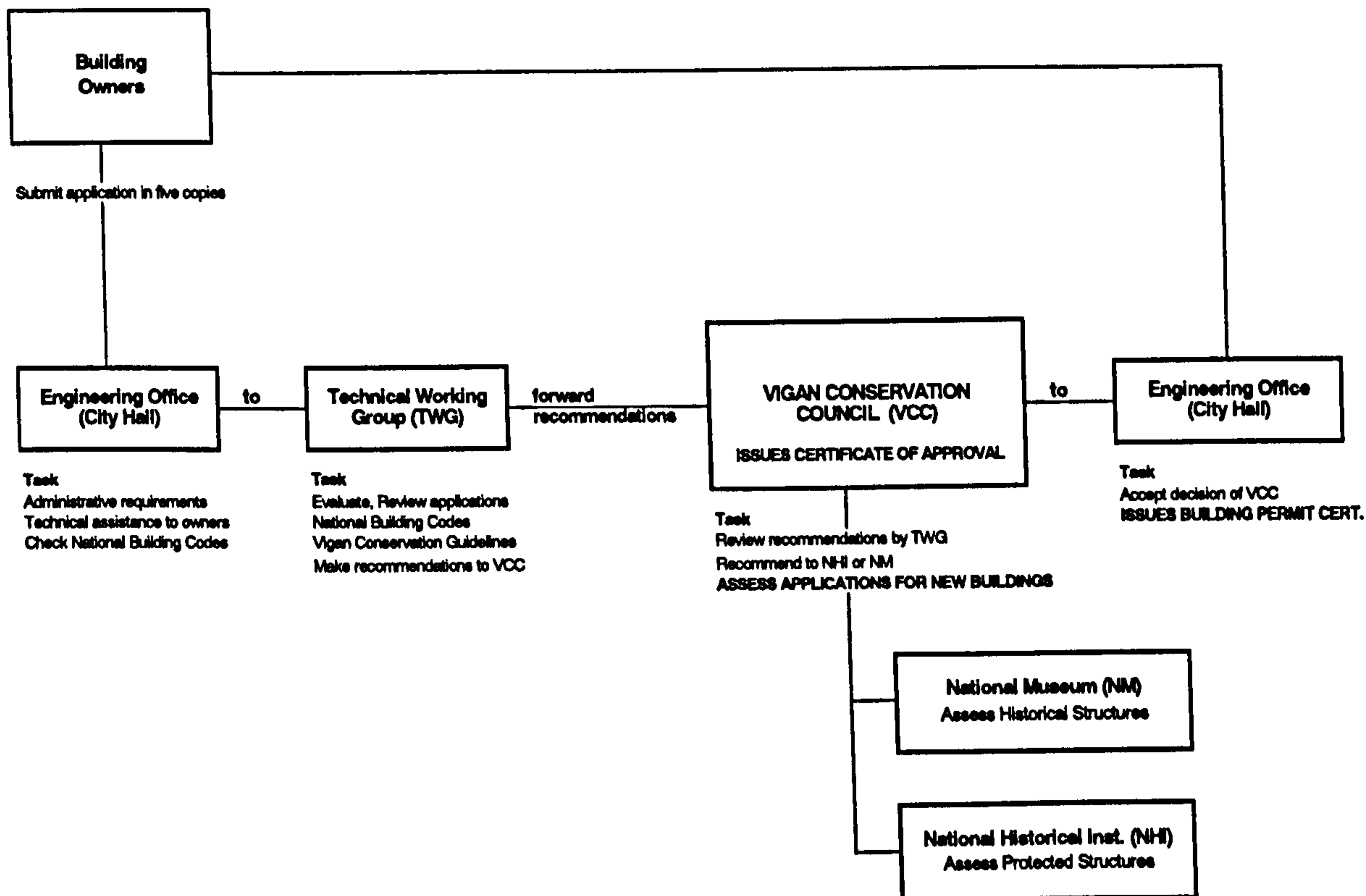
Table 7.4 shows the process of approval and the roles of Vigan Conservation Council in processing all applications for any types of intervention within the historic zones of Vigan.

Within the structure of the City Hall, the Engineering Office is tasked to receive all applications related to demolition, repair, renovation or construction of new buildings within the historical zones of Vigan. The owners are required to submit five copies of applications together with the Construction Bond specified. The Engineering Office, which is staffed by only eight people in total, including the head, checks all the administrative requirements and forward the applications to the Technical Working Group (TWG) for evaluation. It is also mandated to provide technical assistance to homeowners on matters relating to conservation and preservation.

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<sup>18</sup> Section 21 of the Ordinance states, “This Certificate is an attestation that the conservation process applicable in the circumstances has been thoroughly studied taking into consideration the cultural significance of the place and state of its fabric and that proper documentation has taken place and the capability of the homeowner to undertake the project”.

Table 7.4  
Process for securing Building Permit within the  
Historical Zones of Vigan



The Technical Working Group, created under the Vigan Conservation Council (VCC) is the working sub-committee that evaluates all applications and makes appropriate recommendations to VCC for further deliberation and decision. Being a technical sub-committee to the VCC, this committee is expected to review all applications for compliance to the Vigan Conservation Guidelines and other National Building Codes. TWG then forward their findings and recommendation to VCC for further decision. With only three professionals: an architect, an engineer and an academic, the workload of this committee is high. During the site visit in 2002, it was clear that every member of this committee wishes to get proper administrative and technical support as well as some remuneration for the time spent since their involvement in this committee and in the VCC in general is on a voluntary basis. At the moment this TWG does get administrative and technical support from the Engineering Office, but due to the Office's existing tasks and the number of staff available, the help is limited.

Vigan Conservation Council, which has eighteen members, of which 13(72%) are government officers is headed by the Mayor. Its main task is to deliberate the recommendations made by the TWG and make decision whether or not to grant Certificate of Approval to owners or to forward recommendations to either National Museum or National Historical Institute in Manila for further comments based on the following:

- a. Forward the recommendations to the National Historical Institute (NHI) if it concerns demolition, repair or renovation of Historical Structures<sup>19</sup>. NHI assesses VCC's recommendations and issues approval with or without comments. VCC issues Certificate of Approval to owners through the Engineering Office.
- b. Forward the recommendations to the National Museum (NM) if it concerns demolition, repair or renovation of Protected Structures<sup>20</sup>. NM assesses VCC's recommendations and issues approval with or without comments. VCC issues a Certificate of Approval to owners through the Engineering Office.
- c. For new construction, VCC makes the final decision and issues a Certificate of Approval to owners through the Engineering Office.

Since the formation of VCC in April 1999, seventy-five applications have been processed by this Council until end of 2002<sup>21</sup>. These include the new buildings of McDonald's, Chow King and Jollibee restaurants around Plaza Salcedo, restoration of Vigan Hotel, Grand Pa Hotel, upgrading the main streets of Vigan and several restorations of ancestral houses.

I was told during the field work, that VCC only forward applications to the national agencies, if it concerned 'total' restoration of ancestral houses and not 'minor' repairs. Until Jun 2002, only three applications were forwarded to the National Historical

<sup>19</sup> Those identified as National Shrines and historical building, monuments and sites.

<sup>20</sup> Those listed under the list of National Cultural Treasures or Important Cultural Treasures.

<sup>21</sup> Mayor Eva Medina in her paper in Kuala Lumpur, October 2002.

Institute in Manila: the restorations of Vigan Plaza Hotel, Ancestral House on Quirino Boulevard and Gordion Inn.

It was clear during this study period that VCC has been functioning well. Being the many body within the City Hall to take responsibility on all matters concerning conservation and preservation of the City, VCC is the strength of Vigan. However there exist several weak points that deserve closer attention:

- a. **Overall structure of VCC** – since VCC is enacted as Council and functions as a management body under the City Hall, it does not belong to any specific administrative office. Until this moment both the Engineering Office and Office of City Mayor have been doing all the administrative functions of the VCC. The Engineering Office accepts applications, provides technical advice to the public, provides technical support to the Technical Working Group and issues Building and/or Conservation Permits upon approval from VCC, whereas the Office of the Mayor does other administrative duties such as those related to the numerous meetings of VCC and TWG. In the absence of its own base, the full potentials and scope of VCC cannot be explored.
- b. **Members of VCC and TWG** – as mentioned earlier 13(72%) of VCC members are government officers who head the various departments in the city such as heads of Finance, Education Culture and Sport, Tourism and Infrastructure; and only two representing the public, two professionals and one from the church who are elected to the Council by the Mayor. The overpowering proportion of government officers in the Council and the way in which the non-government members are being elected or invited to the Council have created the feeling of unease among the public especially the NGO's. The two professionals, an architect and an academic who, due to their expertise, are made members of the TWG will certainly appreciate it if there are other professionals or sub-professionals who specialise in different aspects of conservation within the structure of VCC or the City Hall.

To ensure fair government and non-government representation in the VCC and to avoid possible political decisions being made for conservation, the membership of the Council and TWG should be reviewed. More professionals and representatives from the public should be involved during the TWG and VCC evaluations.

- c. **Scope of VCC** – As it is today, VCC review the recommendations of its TWG and make further recommendations to either the National Museum or National Historical Institute for any demolition, or major restoration of existing structures within the historical zones of Vigan, and upon agreements from these national bodies issue Certificate of Approval. This has created multi-level check points and protections for the historic properties against mistreatments and unsuitable approaches and methods of conservation. However, approval for such projects takes months sometime years before favourable decisions can be made (about ten months for the restoration of Vigan Plaza Hotel). For new constructions within the historical zones, VCC is authorised to issue a Building Permit without referring the proposals to the national agencies. The new McDonald’s building, Chow King and Jollibee restaurants are examples where the permits were issued by VCC without inputs from the national agencies.

Ideally, VCC should be the body that makes final decision on all conservation matters in Vigan, but it must firstly be consolidated with appropriate structure and staffing. Until such time VCC should continue getting advices from the national agencies, not only concerning repair, demolition and preservation of existing structures but also to include the construction of new buildings within the historical zones of Vigan.

### **7.2.3 Sub-Conclusion**

The structure of Vigan Conservation Council (VCC), which is directly answerable to the City Mayor, is the best structure that can expect in any historical city. It also has direct links with national agencies such as the National Museum, the National Historical Institute and National Commission for Culture and the Arts. Being a management council it has advantages over other Offices since the Heads of each Office are members

to the council; therefore, any decision made on matters relating to conservation in the city is consented. It has an additional advantage when its members are extended to include academics, stakeholders and professionals. Such management structure is solid and should be supported. However VCC has some weakness:

- i. It is currently represented by too many government officials (72%) and only 3(17%) representatives from stakeholders and 2(11%) are professionals. This imbalance composition is not only prone to exploitation, but limit inputs from stakeholders and the professionals;
- ii. The core of VCC is its Technical Working Group (TWG) since this Group is entrusted to review all applications and make necessary recommendations for the VCC. With only three part-time members and limited support received from the City Engineering Office and Office of City Mayor, this TWG is over-stretched and its full potentials cannot be realised.
- iii. Approval from VCC comes when a Certificate of Approval is issued. For historical and protected structures, this Certificate is forwarded to either the National Museum or the National Historical Institute for their clearance and confirmation. It provides a two-tiered checking system, which is desirable at this early stage of VCC establishment. However, the time taken from submission to the City Engineering Office until the issuing of Building Permit Certificate takes months if not years, thus may jeopardise and delay conservation efforts in the city.
- iv. While the historical and protected structures have to go through a strict approval process, at local and national levels, applications for new structures in Vigan are dealt solely by VCC. Without enough capacity, VCC may not be in a position to make prudent decisions, as in the case of the McDonalds Building and adjacent shopping complex, approved in 2001.

This Research; therefore, makes two recommendations – Recommendations (iii) and (iv) for consideration by various parties in Vigan and is discussed in more detail in sub-chapter 8.2.2 of this thesis.

### **7.3 Inventory & Documentation**

The historical zones of Vigan have been defined by Ordinance No. 12/1997 as Core and Buffer Zones that have an L-Shaped form, bounded by the main rivers in Vigan: Goventes and Mestizo. Similarly, cultural properties within these historical zones has also been defined, but by Ordinance No. 14/1997. Broadly defined as Place and Fabric, the Ordinance recognised all historical buildings and structures within the historical zones of Vigan. These include ancestral houses, public buildings, churches, open spaces, plazas, streets and street furniture as well as cultures, flora and fauna of Vigan.

In Vigan, the ownership of the buildings and open spaces are mixed. The public buildings are owned either by the Provincial Government of Ilocos Sur, the City of Vigan or the Roman Catholic Diocese of Nueva Segovia. These buildings are mostly accessible to the public. All ancestral houses in the core and buffer zones are, however, owned by private individuals and none of these houses are now open to the public. The day-to-day management of cultural properties within the historical zones of Vigan lies with the local authority, the City Hall and since 2000 Vigan Conservation Council has been the management body within the City Hall that regulate, plan and approve all conservation programmes and projects in the city including conducting an inventory of its historical structures.

#### **7.3.1 Past Scenario**

Before the formation of Vigan Conservation Council, the documentation and/or the inventory of historical buildings in Vigan was done by the local authority with much helped from the National Museum in Manila and by the local NGO, SVAHAI. As recommended by the many international charters and as required by the Operational Guidelines for the World Heritage Committee, the National Museum of the Philippines started to identify historic structures in Vigan from the early 1980s. Subsequently the first list of historical structures mainly of ancestral houses was produced in 1987 (Villalon, 1999). When the Nomination Dossier was submitted for the first time by the Government of the Philippines in 1988 to the World Heritage Committee in Paris, this list was included in the dossier, but without much elaboration. It contains merely a simple list of 185 historic structures; and was attached alongside a Vigan map, (Republic of the Philippines 1989:16).

The mission visit by ICOMOS members in 1988, however, further identified that from this list, 161 properties were ancestral houses while the rest were public buildings such as churches, schools and administrative buildings. Even though there was no remark made by the mission visit or by the World Heritage Committee regarding the level of information provided for these properties, it could be said that the information provided was satisfactory if compared to the requirement of Operational Guidelines amended in 1987<sup>22</sup>, which was in effect at that time. The guidelines (UNESCO, 1987) simply stated that the nomination dossier prepared by the States Parties must include three maps – location, building and zoning (article 50f:14); and “description and inventory” (article 50c:13) of properties without giving any further details as to what level the inventory should be prepared. However, if the dossier is compared against the recommendation made by ICOMOS since 1964 to the year of submission, mainly the UNESCO Recommendation Concerning the Protection, at National Level, of the Cultural and natural Heritage, adopted in Paris, 1972; and the ICOMOS Resolution of the International Symposium on the Conservation of Smaller Historic Towns, adopted in Rothenburg, 1975 and Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas, adopted in Nairobi, 1976 it is clear that information provided was far from satisfactory.

The period between the first submission in 1988 to the second submission in 1998 to the World Heritage Committee, has seen major improvement in regards to the inventory of cultural properties in Vigan. The most important event was the establishment of Save Vigan Ancestral Homes Association (SVAHAI) in 1992. As a non-government association whose members are homeowners of Vigan ancestral houses, SVAHAI was able to run without much support from the Municipal Government. As a matter of urgency, and with the interest to protect the ancestral houses from further deterioration and mistreatment, SVAHAI implemented a more comprehensive inventory in 1996. Prior to the second submission to the World Heritage Committee, the inventory of 120 ancestral houses was completed. It was carried out by members of SVAHAI with

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<sup>22</sup> The first Operational Guideline was adopted by the Convention on 30<sup>th</sup> June 1977. It was amended in 1978, 1980, 1983 and 1984 prior to 1987.



collaboration from academic staff of the University of Northern Philippines<sup>23</sup> and with financial assistance available from the Toyota Foundation. The inventory consists of mainly, short ownership and historical facts about each house, one external photograph, elevations of main facades and floor plans drawn to scale using AutoCadd software. No further information was available such as detailed drawings, and photographs of internal spaces. In total 120 ancestral houses were recorded and in some cases only external walls were drawn without internal partitioning because the team were unable to trace the house owners and in some cases permission to enter the houses was denied. When the second nomination was made to the World Heritage Committee in 1998, this list was included in the nomination dossier, but no plans or photographs of individual houses were attached (RoP, 1989).

After the acceptance of Vigan as World Heritage Site in 1999, several efforts were taken by the City [was Municipality] of Vigan to consolidate and strengthen the management of cultural properties in the city. The most important of all is the city collaboration with the Government of Spain to prepare a comprehensive master plan for the city, known as the Vigan Master Plan (VMP)<sup>24</sup>. The project was successfully completed in 2001 and has helped Vigan to identify its strengths, weaknesses and future directions. Regarding the inventory of buildings, Vigan Master Plan makes two main contributions:

**i. Identify more historical structures**

Within the historical zones, the City of Vigan had identified a total of 187 historical structures when the submission was made to the World Heritage Centre in 1998.

Accepted and recorded as important monuments in the World Heritage City of Vigan, these structures consist of mainly ancestral houses, several public buildings and plazas.

However, the Vigan Master Plan, which was completed in 2001, had recommended a total of 246 structures thought to have high historic value within conservation zones.

This gives an additional of 59 structures from the original 1998 figures. Table 7.5 below

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<sup>23</sup> Main consultant are: Architect Fatima Rabang Alonzo, an Assoc. Prof. at the University of Northern Philippines, Assoc. Professor Dr Fernando N.Zialcita, historian Damaso Q.King. They were assisted by a number of architectural students from the University of the Philippines.

<sup>24</sup> Vigan Master Plan was jointly prepared by the Governments of Spain and the Philippines from 1999-2001 as discussed in sub-chapter Management Structure.

provides a detailed breakdown of historical structures identified within the historical zones.

**Table 7.5**  
Historical structures in Core and Buffer Zones.

<b>Historical Zones</b>	<b>Land Area</b>	<b>Inscribed in WHL 1998</b>	<b>Suggested by VMP 2001</b>
i. Core Zone	17.25 hectares	163 structures	179 structures
ii. Buffer Zone	12.75 hectares	24 structures	67 structures
<b>TOTAL</b>	<b>30.00 hectares</b>	<b>187 structures</b>	<b>246 structures</b>

## **ii. Mapping the city digitally.**

Never before had the town of Vigan been recorded digitally. When the Vigan Master Plan team started their work in 1999, not only were digital maps of Vigan not available, the existing maps of the town were inaccurate and poorly drawn.

(City of Vigan, 2001a:25)

The cartography has been the primary struggle for obtaining information for the Master Plan. A considerable delay in its execution forced us into tortuous and complex manoeuvres just to obtain a medium in which physical information could be entered. We made digital representations by CAD based on the city's cadastral plan, inaccurate maps drawn on paper, and finally our own aerial photographs.

With the help from Spanish counterparts the city is now digitally mapped using CAD and GIS . Maps of the historical zones were produced in AutoCadd that show the overall layout of Vigan with existing roads, individual plots, core and buffer zones, where the plots of all 246 cultural properties are numbered in sequence. The maps (Figure 6.7) which are now drawn to scale are much appreciated by the authorities and professionals. They provide basic, but crucial information for planning and development purposes.

### **7.3.2 Current Situation**

The field work in 2002 verified that this inventory of 120 houses done by SVAHAI is available in Vigan. The original copy, in fact the only copy, in pages of A4 horizontal format is now kept by its current President, Mr Bung Bonato and copy of this inventory is available only in scanned images [in j.pegs format] at the Office of the Mayor. No other information, texts, photographs or drawings are available at the City Hall. In order to understand the roles of City Hall with regard to the overall management of inventory,

several interviews with the Mayor, Assistant Mayor, Chief Administrator and general workers were conducted in 2002.

Under the current management structure, the overall management of cultural properties within the historical zones of Vigan lies with Vigan Conservation Council, which receives assistance from the Engineering Office and the Office of City Mayor. All applications for any type of developments within these zones will have to be submitted to the Engineering Office in the first instance, which in turn seeks approval from Vigan Conservation Council<sup>25</sup>. Regarding the management of inventory, neither the Engineering Office nor the Office of the Mayor has any special unit or a single person under them that deals specifically with the inventory of cultural properties. Therefore, it is not surprising that at both offices there is no inventory record available except those scanned from the SVAHAI's pages. However, the Engineering Office has made it compulsory for the building owners to include floor plans and elevations of their houses, both existing and proposed, when they are applying for a development permit. Over the years there are now records of several ancestral houses, mainly existing and proposed plans and elevations in the Engineering Office, but these records are kept in the individual project file rather than being filed or stored in one place. Searching and retrieving these records or files therefore is a nightmare.

Realising this situation, and the need to have a proper inventory of all properties, the Office of City Mayor in early 2002 started to scan every page of the 120 ancestral houses completed by SVAHAI in jpeg format. Properly named and coded, these files [in jpeg], are saved both on CDs and hard disk of personal computer in the Mayor's own room. Even though, the Mayor's office seems to be quite satisfied with the record, compared to the international recommendations, the methods and standards of recording, storing and retrieving inventory of cultural properties in Vigan is far from perfect and clearly require substantial improvement both on technical and management aspects.

A quick visit to the Institute of Architecture at the University of the Northern Philippines with the objective to view records of heritage buildings and structures in

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<sup>25</sup> Details management structure is discussed under sub-chapter 7.2: Management Structures.

Vigan was also disappointing. Even though the Dean and the lecturers informed me that the school very often introduces conservation design projects to its students, which must be applauded, there is no record of proper inventory of buildings in Vigan. The few students' projects shown by the lecturers indicate that drawings of individual houses relating to the studio project were measured and drawn by the students at the beginning of their studio projects as 'as-built drawings', but some are poorly drawn while the rest are drawn not to scale. Similar to the situation at the Engineering Office, the inventory records at the University are also kept in individual folders, but together with sheets of students' proposals; and are stored in different drawers located in various rooms. This make the record keeping, retrieving and viewing of drawings equally difficult.

As of today, no concrete effort has been made by the local authority regarding proper inventory of cultural property in Vigan. The most comprehensive inventory is still the 120 houses produced by the SVAHAI in 1998. However, the field work to Vigan in July 2002 has identified two problems related to this inventory:

**i. Storing and Retrieving**

Since SVAHAI has no permanent or temporary office, the complete inventory of 120 houses is kept with the current president, Mr Bung Bonato, and only one copy is currently available. The visit to the Mayor's office and to the University was also disappointing since at both places no duplicates were available. Arch. Fatima Rabang, the Dean of the Institute of Architecture, University of Northern Philippines who acted as the main consultant for the project, admitted that her personal copy and the university's copy are now missing, but agrees that duplicate copies must be made as a matter of urgency.

Access to this inventory is very limited or almost non available. Since only one copy is available with the President of SVAHAI, all inquiries and requests will have to go through him personally. Even though the President is very supportive and cooperative in promoting and encouraging conservation efforts locally, the fact that SVAHAI is a non government organisation with no full or part-time staff have made the access to the inventory, for the professionals and the public alike, somewhat difficult.

**ii. Updating**

Storage and retrieval is one problem, updating these records is another. It is thought that SVAHAI should have the original copy of this inventory [which was done in A1 format] so that updating the records can be done on a regular basis. It was clear during the field work in 2002 that SVAHAI does not have the original A1 copies except those reduced to A4, which is now considered as 'original'. Similarly, Arch. Fatima Rabang confirms that the original copy of the inventory is not with the Institute. In the absence of the original A1 copy, both at the University and with SVAHAI, the records of 120 houses completed more than five years ago have never been updated.

Besides the specific problems relating to the existing inventory, there are two other general problems identified during the study visit that relate to the management of inventory such as problems relating to the production, security, storage and sharing of information.

**iii. Has not been the priority for VCC**

Specifically the task of conducting an inventory in Vigan is given to the Technical Working Group (TWG) under the VCC (MoV, 2000:article 20). TWG is also burdened by other important tasks such as to formulate Conservation Guidelines, to assist in the formulation of the Vigan Master Plan and to review all applications for building and/or conservation permits within the historical zones. With only three professionals in this sub-committee these tasks are monumental especially at this early stage of VCC existence. For the last few years VCC has concentrated its efforts firstly on the formulation of Vigan Conservation Guidelines, which is now enacted as part of Ordinance No. 4/2000. Then, it was occupied with the formulation of Vigan Master Plan, which also finished in 2001. VCC should now be in the position to focus its activities on conducting proper inventory and documentation of historic structures in Vigan to the highest standard.

**iv. Lack of resources and infrastructure.**

It was also clear during the field work that VCC and City Hall in general could benefit if there were more resources available such as more qualified conservation personnel, more physical spaces and better office facilities ie computers, scanners and other drawing facilities. At the time of the visit, the Engineering office was only staffed by six officers and two technicians and none of them are qualified or trained in conservation. Even though it was reported that many of its personnel were sent for conservation seminars and training locally and some abroad, 'conservation' remains a new subject for many staff since most of their time are spent on the day-to-day management of engineering and infrastructure of the city.

Proper implementation and production of inventory requires appropriate equipment and office infrastructure. With a limited number of office computers and basic drawing equipment available in the City Hall, it is quite impossible to implement this task satisfactorily. The Vigan Master Plan prepared in collaboration with the Spanish Government has introduced the use of computer and Geographical Information System (GIS) in overall planning of the city. The City Hall should take this opportunity to continue to utilise the system and to train local personnels as CAD Operators to manage the Geographic Information System so that the full capabilities of GIS can be explored.

### **7.3.3 Sub-Conclusion**

The practice of documenting historical buildings and sites in Vigan started by the National Museum in the early 1980s and was completed in 1987, just in time for Vigan's first submission to be listed as World Heritage Site (Villalon, 1999) containing 185 historic structures. This list, however, simply indicates the addresses of these structures without plans, elevations, photographs, detailed drawings and sketches. In an effort to protect the historical buildings in Vigan, in particular its ancestral houses, SHAVAI which was established in 1992, implemented a more comprehensive inventory in 1996 and completed it two years later. Compared to the first list compiled by the National Museum, this list is more complete. In total 120 ancestral houses were documented and drawn on A1 tracing papers using AutoCadd software. For each ancestral house, a brief description of the house is provided with scaled floor plans and

elevations as well as photograph of the house, but no section and sketches. When the second submission to be listed as the World Heritage Site was made in 1998, this list was attached to the nomination dossier (RoP, 1989). The effort made by SVAHAI, an NGO, is now shared by the City Hall. The reduced A4 copies of each record were scanned in .jpeg format by the City Hall in 2002 and are now kept safe in the Mayor's office and remain the most up-to-date records of historic buildings in Vigan. There are, however, detailed plans, sections, photographs of several buildings that applied for a Building Permit Certificate and are now kept in the Office of Engineering. In general, this Research identifies that:

- i. The 120 records of ancestral houses prepared by SVAHAI are the only inventory record available in Vigan today. However, the original copies in A1 tracing papers are now missing, and so are their master copies, which were prepared using AutoCadd software. Thus updating of these records is near impossible;
- ii. The current President of SVAHAI now keeps one copy of this record in reduced A4 size; however access to this record is almost none, since SVAHAI operates without formal office;
- iii. The City Hall has scanned the 120 ancestral houses (in A4 size) in .jpeg format. Both the hard and electronic copies are now available in the City Hall;
- iv. The Technical Working Group (TWG) of Vigan Conservation Council is now responsible for documenting all historic properties in Vigan by virtue of Article Section 20(3) of Ordinance No. 4/2000 that states:

**Functions of the TWG**

**3. Conduct an inventory and documentation of all ancestral and historical structures in Vigan and assist in the formulation of a Master Plan for the conservation of the historic district.**

- v. No effort has made by the TWG and VCC that shows high commitment of the local authority in carrying out their own documentation and inventory of historic buildings in Vigan to date. With only three part-time members, TWG does not have the capacity to coordinate or implement its duties in regards to

documentation of historic buildings in Vigan. The City Hall fails to exercise its duty as recommended by Article 29 of UNESCO (1972a) that states:

Each Member States should draw up, as soon as possible, an inventory for the protection of its cultural and natural heritage, including items which, without being of outstanding importance, are inseparable from their environment and contribute to its character

And ICOMOS (1996) that states:

Responsibility for Recording

4. All managers of cultural heritage are responsible for ensuring the adequate recording, quality and updating of the records.

This Research; therefore, makes four recommendations – Recommendations (v) to (viii) for improvement of documentation practice in Vigan and is discussed in sub-chapter 8.2.2 of this thesis.



# **CHAPTER 8**

## **RECOMMENDATIONS AND CONCLUSION**

## 8.0 Introduction

**This Research has been carried out with the main objective to assess the management of inscribed World Heritage Cities in Southeast Asia, specifically to assess whether the existing management structures, legal instruments and the practice of documentation in the Ancient Town of Hoi An and the Heritage City of Vigan are effective in safeguarding their cultural properties.**

Firstly, the Research reviews the international guidelines on cultural properties and historic towns adopted mainly by UNESCO and ICOMOS since the Venice Charter 1964, in order to understand their main recommendations, concerns, scope and limitations. Then, it attempts to assess the way in which these guidelines are being implemented in two World Heritage Cities in Southeast Asia: the Ancient Town of Hoi An in Viet Nam and the Heritage City of Vigan in the Philippines by focusing on three aspects of conservation measures at local levels: legal instruments, management structures and inventory.

At each heritage city, the Research firstly attempts to establish its historical background that helped to shape the city, to study its urban planning and its main cultural property - the shophouses of Hoi An and the ancestral houses of Vigan, as well as attempts to identifies main threats and to assess methods of intervention adopted by the local authorities concerned. Secondly, the Research attempts to assess the management of each historical city, specifically relating to the three aforementioned aspects of conservation.

In total the Research concludes with **eighteen (18) findings and twenty-three (23) recommendations**, of which:

- six (6) are on conservation guidelines (discussed in Chapter Two and Three)
- one (1) on World Heritage Convention (discussed in Three)
- sixteen (16) on the Ancient Town of Hoi An (discussed in Chapter Four and Five)
- fourteen (14) on the Heritage City of Vigan (discussed in Chapter Six and Seven)
- four (4) on lessons for the region.

And is summarised in the following table (Table 8.1)

**Table 8.1**  
**Total Number of Findings and Recommendations**

No		Number of Findings	Number of Recommendations
1	Guidelines on Conservation	06	-
2	World Heritage Convention, 1972	01	-
3	The Ancient Town of Hoi An	05	11
4	The Heritage City of Vigan	06	08
5	Regional Strategies & Cooperation	-	04
	<b>Total</b>	<b>18</b>	<b>23</b>

### **8.1 Conservation Guidelines**

For the first part of the Research that reviews a substantial number of international guidelines on cultural property since 1964, the Research highlights several findings that show the scope and focus of conservation activities in the latter half of the 20<sup>th</sup> century. These findings, which are discussed in detail under sub-chapters 2.5 and 3.4 of this thesis can be summarised in the following four points:

#### **i. The broadening scope of heritage**

The concept of “historic monument” introduced by the Venice Charter (CATHM, 1964:Article 1) that refers to a single building or architectural work and urban and rural settings has been broadened gradually from a concern for physical heritage: historic monuments, buildings, group of buildings, historic urban and rural centres, historic gardens, to non-physical heritage that has included environments, social factors and lately intangible cultural heritage. While the scope of heritage has broadened to include environment and intangible values, and has received agreement from the international communities, the finer terminology of ‘heritage’ has not been stream-lined or standardised, thus no uniformity exists between countries. While both UNESCO and ICOMOS agreed in principle that the scope of heritage should cover both cultural and natural heritages, the term ‘cultural

heritage' that includes monuments, groups of buildings and sites has not been followed at national levels. Australia refers to her heritage as 'place, cultural significance and fabric', Canada to hers as 'material culture, geographic environments and human environments', New Zealand to hers as 'place' and China to hers as 'immovable physical remains', to name a few. Even though it is a prerogative of every country to formulate their own terminology and interpretation of heritage, some common terms and terminology should be followed. It is recommended that UNESCO and ICOMOS to lead the intellectual discussions on common terms, scope and terminology; and international countries adopt them at their national levels.

**ii. The guidelines adopted in 1960s to 1970s focused on main conservation principles**

For about ten years from the introduction of Venice Charter, there have existed several important guidelines in the form of charters, recommendations and resolutions that provide main principles related to the protection of cultural property. Such as UNESCO (1968), ICOMOS (1972a), ICOMOS (1975), ICOMOS (1976) and UNESCO (1976). These guidelines provide frameworks for protection of cultural property at national and local levels that emphasise the need to protect the country's heritage by means of legal instruments, appropriate administrative structure both at national and local levels and proper inventory. Others recommendations are related to funding, education, risk, traffic, new buildings, conservation plans, authenticity, public participation and international collaboration.

**iii. From the mid 1970s the development of conservation guidelines refine towards the establishment of regional and/or national charters and declarations.**

The period from mid 1970s to date saw the establishment of conservation principles at national and/or regional levels. Based on the conservation principles introduced by the Venice Charter 1964, the World Heritage Convention 1972 and other subsequent charters, several guidelines were developed by individual countries or regions that were tailored specifically towards their own political, cultural and social contexts. The first was the Amsterdam Declaration adopted by the Council of Europe in 1975 that provides conservation guidelines for European

countries that focus on the implementation of Protection and Integrated Conservation. Then, followed by the Australian Burra that defines the Australian heritage as ‘place, fabric and cultural significance’ and clarifies conservation concepts such as conservation, preservation, restoration, reconstruction and adaptation. Others are Canada’s Quebec Heritage in 1982, the Brazilian Charter in 1987, the New Zealand Charter in 1992 and lately the Chinese Charter in 2000.

In the Southeast Asia region, there are four declarations relating to cultural property that have been agreed by participants of several meetings and conferences: Jakarta Declaration on Architectural Heritage (1991), Yokohama Statement (1996), Yogyakarta Declaration (1996) and ASEAN Declaration on Cultural Heritage (2000). The ASEAN Declaration on Cultural Heritage adopted at the 33<sup>rd</sup> ASEAN Foreign Ministers in Bangkok (Appendix 4) is the more comprehensive documents on the protection of cultural heritage in the region to date that shows commitment from each country within the Association to protect their heritage and to establish regional cooperation. However, unlike the guidelines produced by ICOMOS and UNESCO since 1964 that focus specifically on technical and management aspects of conservation, the ASEAN Declaration is more of an agreement and common commitment of the member countries to protect the heritage of the region and lacks practical recommendations especially related to conservation of historic towns.

- iv. **From the last decade of the 20<sup>th</sup> century, the focus of conservation guidelines was towards the refinements of specific fields of conservation.** The focus of international guidelines adopted mainly from the last decade of the 20<sup>th</sup> century (Table 2.1) shifted slowly from the development of regional and national charters towards the refinement of specific fields of conservation. In total, there are now seventeen international guidelines that provide guidance on a range of conservation issues such as landscape, archaeology, authenticity, underwater heritage, education, recording and risk preparedness, to name a few. Such as the Agency of Cultural Affairs, Japan (1994) on authenticity, ICOMOS (1998) on landscape, ICOMOS (1990) on archaeology, ICOMOS (1993) on education, ICOMOS (1996) on recording, ICOMOS (1996a) on underwater heritage, Tokyo National University (1997) and ICOMOS (1998) on risk-preparedness, ICOMOS

(1999c) on historic timber structures, ICOMOS (1999b) on cultural tourism, ICOMOS (2000) on built vernacular, UNESCO (2001d) on underwater heritage, ICOMOS (2003) on structural restoration, ICOMOS (2003a) on wall paintings, UNESCO (2003) draft on intangible heritage, UNESCO (2003a) draft on intentional destruction and UNESCO (2003b) draft on digital heritage.

## **8.2 Case Study 1: The Ancient Town of Hoi An, Viet Nam**

The Ancient Town of Hoi An is located in Central Viet Nam, 600 kilometres from the Capital, Hanoi. Inscribed in 1999 under category (ii) and (iv) of Operational Guidelines, Hoi An was a busy trading port in Southeast Asia, that was established in the 16<sup>th</sup> Century under the Le Dynasty (1428 –1776), thrived in the 17<sup>th</sup> and 18<sup>th</sup> Centuries and started to decline in the 19<sup>th</sup> Century. It attracted many merchants from the East and West to its port in the past. First were the Chinese then the Japanese. They both settled in Hoi An for several decades and built houses, communal houses, temples and bridges in their styles. Many of these buildings still stand in Hoi An until the present day such as those houses on Tran Phu Street, the temple of Quangong and the Meeting Halls of Guangzhao, Hainan and Fujian and several tombstones (Quang Tru:202-203). Hoi An not only attracted the Chinese and the Japanese, but other traders from nearby towns and those from the West. The Portuguese, the Dutch and the French at one point or another traded in Hoi An. However, their presence in Hoi An was simply for trading and missionary reasons and they have not made permanent settlements in the town. Hoi An; however, was soon eclipsed by the new port, Danang, and was left untouched until the present day.

The inscribed heritage zone of Hoi An is a relatively small area of only 30 hectares of core zone and 280 hectares of buffer zone. The core zone covers an area of about 1 kilometre long from east to west and about 300 metres wide from north to south. Within these zones there are 857 properties in total, of which 591 (69%) are recognised as having significant cultural value and the remaining 266 (31%) are new constructions. These properties are mainly single and double storey wooden shophouses lining both sides of Hoi An's narrow streets. These shophouses were built in the 18<sup>th</sup> and 19<sup>th</sup> centuries and are mainly intact in their original conditions. Besides these wooden

shophouses there are also a number of two storeys masonry shophouses with Western facades on Tran Phu Street and several temples and community halls.

The Ancient Town of Hoi An is not only known for its wooden shophouses, temples and community halls, but the ways in which these buildings were built in relation to the streets of Hoi An. There are several important streets within the inscribed zone that run parallel to the waterfront, such as Bach dang, Nguyen Thai Hoc, Tran Phu and Pan Chu Trinh, as well as a few perpendicular streets such as Le Loi, Nguyen Hue and Hoang van Thu. These streets were first built by the Japanese immigrants in the 16<sup>th</sup> century and later expended by the Chinese in the 17<sup>th</sup> century. Originally built only for pedestrian use, these streets are narrow in width with only four to five metres in dimensions. On both sides of the streets, especially those running on an east to west axis and parallel to the water-front, rows of shophouses, temples and halls were built frontal to the streets, allowing the buildings to be either north or south facing. Much of the character of these streets remain the same as they were centuries ago, except for the installation of modern infrastructure.

### **8.2.1 Findings on Cultural Property.**

The findings on cultural property in Hoi An are derived from the results of all components of this Research work, as well as analysis of the field trip and is summarised in the following five points:

- i. Common architecture :** The shophouses of Hoi An share common planning, materials and construction techniques.

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The main cultural property in Hoi An is its shophouses. There are more than 800 wooden shophouses in Hoi An today, and they are still being used by the descendants of the original owners. Mostly one and two storey structures, these houses share common architectural design, materials, construction techniques and uses. There are some two storey houses, mainly on Tran Phu Street that are of masonry construction with Western facades. Generally, the houses in Hoi An share common planning, materials and construction techniques:

- a. Long and narrow plan.** Measures between six to eight metres wide and thirty to forty-five metres deep, the houses are rectangular with plan ratio between 1:5 to

1:8. Mostly one or two storeys high, the house planning is formal with public spaces, the shop, are at the front facing the street and private spaces, the house, are either located at the back or on the first floor. Separating the two spaces is a void or an open internal garden that functions as negative space of the house. It brightens the internal spaces, since the houses have 'deep plan' with no side openings, encourage ventilation and acts as a utilitarian space for drying clothes, gardening and relaxing. Unlike the shophouses in other towns in Southeast Asia where the shop fronts are open up to a five-foot pedestrian way, and have no permanent front wall except removable timber panels, the shophouses in Hoi An have their party walls extended beyond the front wall so that an individual front porch is formed. It is less decorated, but formal with a smaller central bay and two equal side bays. The main entrance is located in the central bay and is normally emphasised by two round columns at the front porch.

b. **Materials and Constructions.** The shophouses in Hoi An are built using post and lintel construction with timber columns and beams; with the front and the back portions having independent structures. The front, the shop, is normally constructed using 24 or 28 columns of different heights and sizes in rectangular grid of 4 x 6 or 7, and features elaborate roof construction techniques combining the typical Chinese style emphasised on a series of cantilevered brackets and a much simpler construction of Vietnamese style known as *Gassho*. The back portion, the house, is of *Gassho* style. The roof material is of slightly curved clay tiles known as Chinese tiles or *yin-yang* that are laid on battens in alternate rows of concave and convex and are held together by lime mortar. The party walls are made of red clay bricks, plastered with lime and finished with natural colour pigmentations instead of emulsion paints.

ii. **Five category of shophouses:** The shophouses of Hoi An can be grouped into five category according to their height, façade and roof designs.

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Even though the shophouses in Hoi An share very similar design and construction techniques, they can be differentiated by their façade and roof designs. Generally they can be grouped into five styles.



- Type 1 : Single storey with simple pitched roof.
- Type 2 : Single storey with two-tiered roof.
- Type 3 : Double storey with two-tiered roof.
- Type 4 : Double storey with simple pitched roof.
- Type 5 : Double storey with Western facades.

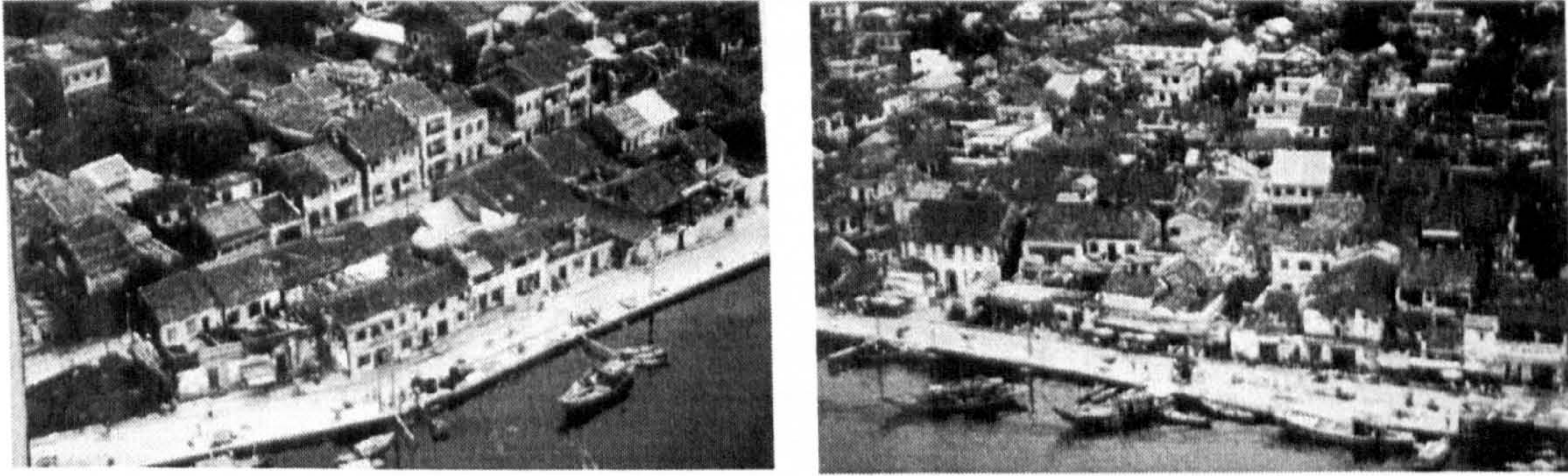
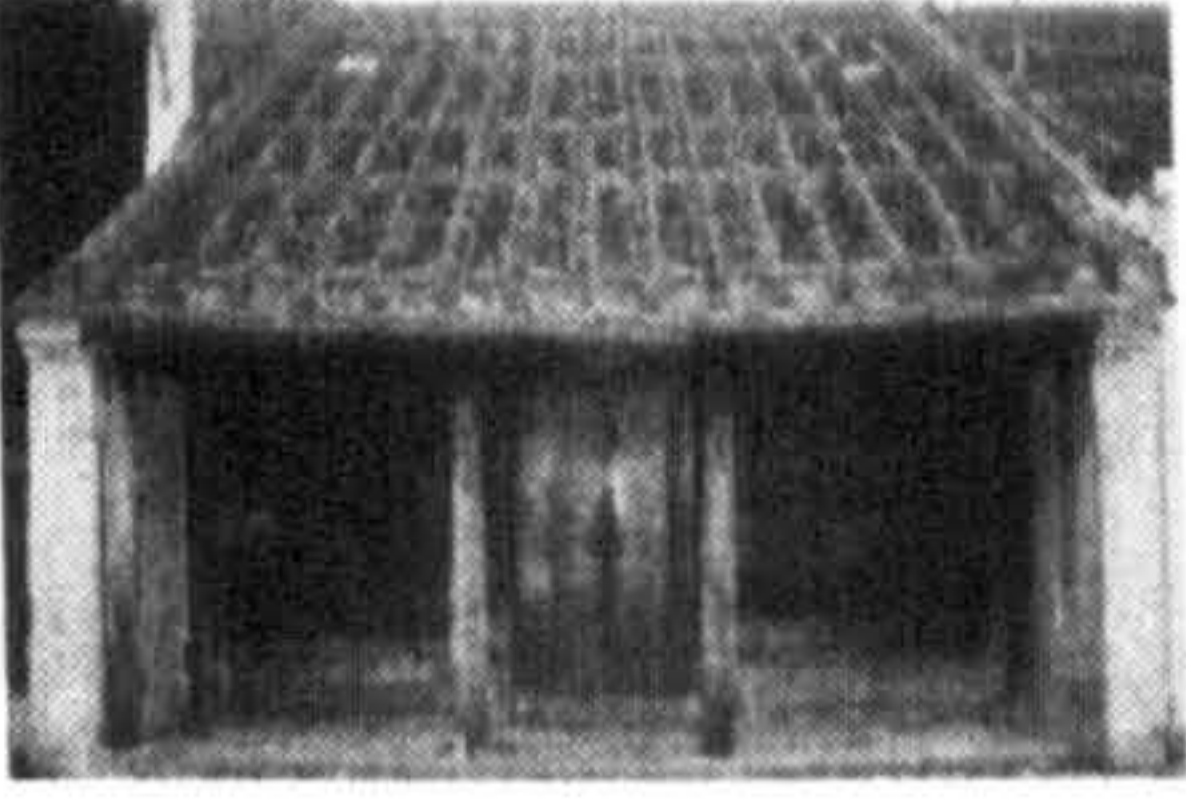



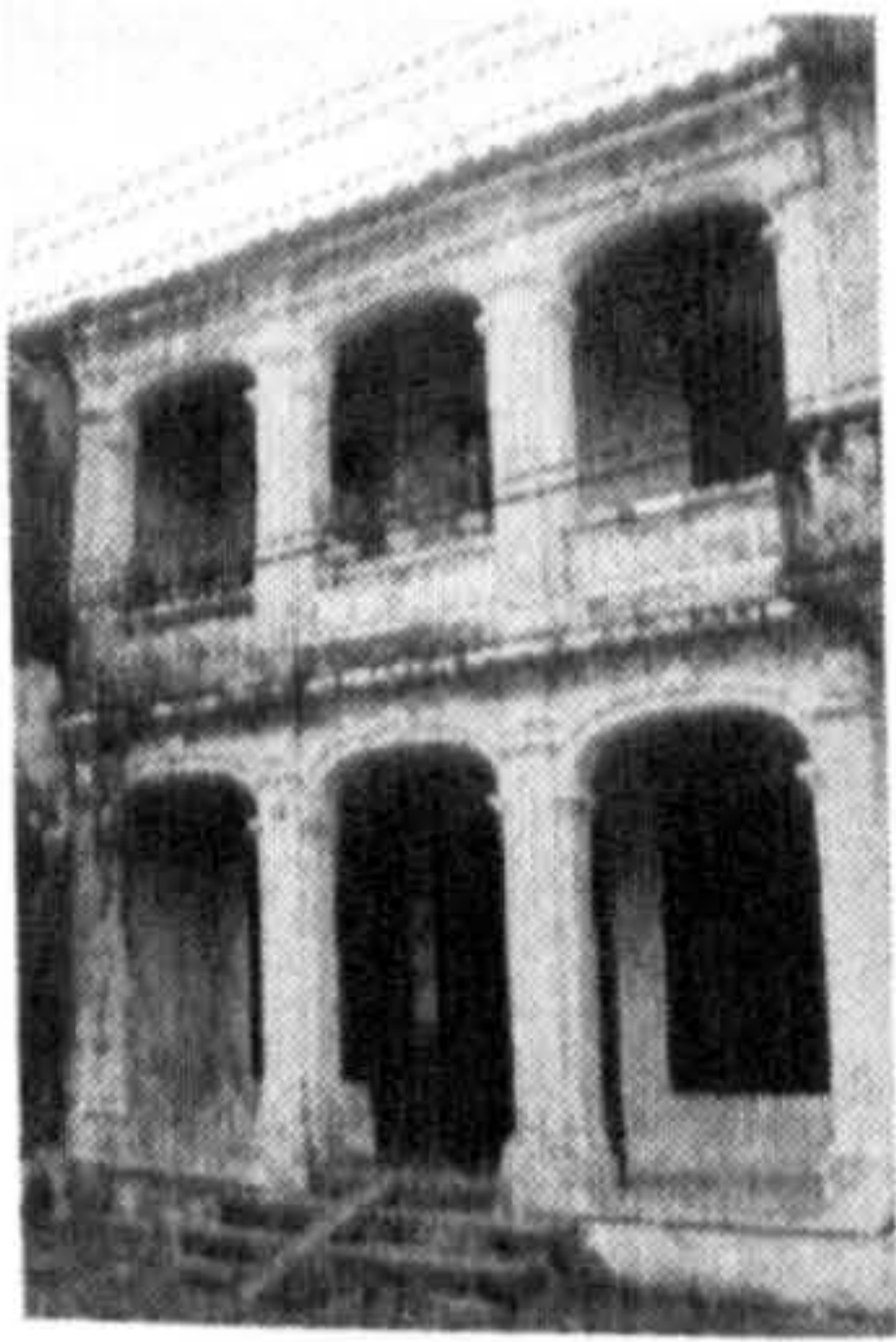


Figure 8.1: Aerial views of Hoi An that show rows of shophouses and its water front. (Source: Nomination Dossier 1998)

Table 8.2 on the following page provides special characteristics of the houses according to their types, whereas Tables 4.1 to 4.3 in Chapter Four provide additional information on common characteristics of these five types.

Table 8.2 : Types and Special Characteristics of Shophouses in Hoi An

Type	Special Characteristics
	<p><b>Type 1:</b> The simplest type of houses in Hoi An and is believed to be the oldest style; Relatively low in height; These types of houses have low pitch roof and without gutters.</p>
	<p><b>Type 2:</b> Higher roof structure of about 4.75 metres to the ridge compared to the previous type of only 3.75 metres; Two-tiered roof with the larger roof covers the main spaces of the house whereas the lower roof covers the outside porch; In some cases the spaces in between these roofs are not closed so that more natural light can penetrate to the interior spaces as well as to encourage natural ventilation.</p>
	<p><b>Type 3:</b> Two storey height with two-tiered roof with larger roof covers the main spaces of the house where as the lower roof covers the outside porch; No outside balcony on the first floor; Front porch has columns that support the roof structure and help to better define this semi-public and/or transition space; The house has better relationship with the street and with adjacent single storey houses due to its roofed front porch.</p>
	<p><b>Type 4:</b> Two storey height with one layer pitch roof that covers both the main spaces and the front porch; Normally have external balcony overlooking the street in front; Front porch has no central columns, but part of the balcony is supported by large timber beams that span from one party wall to another; Is considered as a transition style towards the western façade.</p>
	<p><b>Type 5:</b> Very much similar to other types of two storey houses except their facades are very much influenced by the western styles; Have three equal bays instead of narrower bay in the middle; Very symmetrical facades with arched windows; The columns or in this case the pilasters, sit on bases; The façades are decorated with plaster motifs and friezes that indicate the division between the two floors; The roofs have minimum eaves and in some cases are hidden by parapet walls; Brick façades with lime plastering. Often finished with lime washed in blue and orca-yellow; Always have balcony overlooking the front street with decorated railings; The houses have wider set back from the streets (about 3 metres) compared to other houses.</p>

**iii. High heritage values: The heritage value of Hoi An is high.**

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Generally, the heritage value of Hoi An is high, both its tangible and intangible values. Even though there is no report available on the current states of buildings in Hoi An, the field works carried out in 2002 found there is not a single shophouse within the boundaries of the core zone left neglected. Physically, the shophouses remain unchanged with no building extended beyond two storeys high and no new construction within the core zone. Due to the common problem of roof leaks, most of the houses have now changed their roofs with new *ying-yang* tiles produced locally. It must be noted that not a single house has replaced their roof materials to other than *ying-yang* tiles and this has helped in unifying the townscape of Hoi An. Similarly, no emulsion paints are being applied to the masonry walls which are lime plastered and no ceramic tiles, marbles or other modern materials for the floor slabs. The streets of Hoi An remained the same width and configuration, except for modern infrastructure installations such as electrical poles, cables, drainage and the roads are resurfaced with tarmac. No motorised vehicles are allowed within the core zone except motorcycles and authorised tourist buses. Therefore, the scenes of locals walking with conical hats, on bicycles, using push-trolleys are common. The houses are still being used by the descendants of the original owners as living and commercial places, but the types of businesses have changed from those relating to general trading and fishing to restaurants, hotels, clothes, internet café and museums due to an increase in the number of tourists since its inscription in 1999. These changes should be allowed, but with strict controls. The waterfront of Hoi An has remained the same with no new buildings or structures being built on or near the waterfront. It is busiest during high tide, but only serves the locals from nearby villages who come using small boats and *sampans* since the Thu Bon River is now badly silted.

**iv. Defects : Fungi and termites infestation are the two caused of defects to houses in Hoi An.**

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Even though the heritage value of houses in Hoi An is high, they suffer from common defects such as fungi and termite infestation. The obvious fungi attack was on the roof of the houses and on damp masonry walls. Due to the climatic conditions of Hoi An,

which receives plenty of sun and rain, the roofs and walls of the houses are always wet. The way in which the *ying-yang* tiles are layered and secured by lime mortar helps to retain water and encourage the growth of algae and weed on the roofs. This is compounded by the low-pitched roof and poor maintenance. Over a period of time, these algae and weeds have grown to a considerable size and caused the clay tiles to crack and dislocate; hence allowing the rainwater to penetrate inside the house. A more serious problem is defect due to termite infestation. Since the main structure and internal walls of the houses are of timber, the roof leak wets the timbers and therefore attracts colonies of termite. The problem of termites in Hoi An has long been recognised as indicated by (SRoV, 1998:10) and (Yeomans, 2000), but there has been no comprehensive actions taken to rectify the problem. It is recommended as a matter of urgency, that the authority in Hoi An conduct a thorough survey to identify the extent of defects and damage and to tackle this problem comprehensively.

- v. **Methods of Restoration:** The method of restoration introduced by JICA is acceptable, but extra care in managing the projects is recommended as well as alternative methods.
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Sub-Chapter 4.7 discusses in depth the method adopted by JICA in restoring the houses in Hoi An that involves a general survey, total dismantling (except party walls), repair and reassemble. All completed restoration projects since 1993 adopted the same method and this has become the norm in restoring the houses in Hoi An. Observing the on-going projects at No: 104 Nguyen Thai Hoc Street and Kong Tu Miew Temple, which follow the same restoration method, there are several recommendations, mainly related to the management of projects, to be made:

- While the entire house elements are numbered before any dismantling begins, the way in which the numbers are written using white chalk must be changed, since the white chalk can easily be swept, making identification difficult. It is recommended that pieces of small zinc plates are used with numbers written using permanent markers.
- During restoration, the whole house must be protected against water penetration, especially rain water, by protecting the house with temporary coverings. This to

avoid the internal wood panels, which are very dry, coming into contact with excessive water.

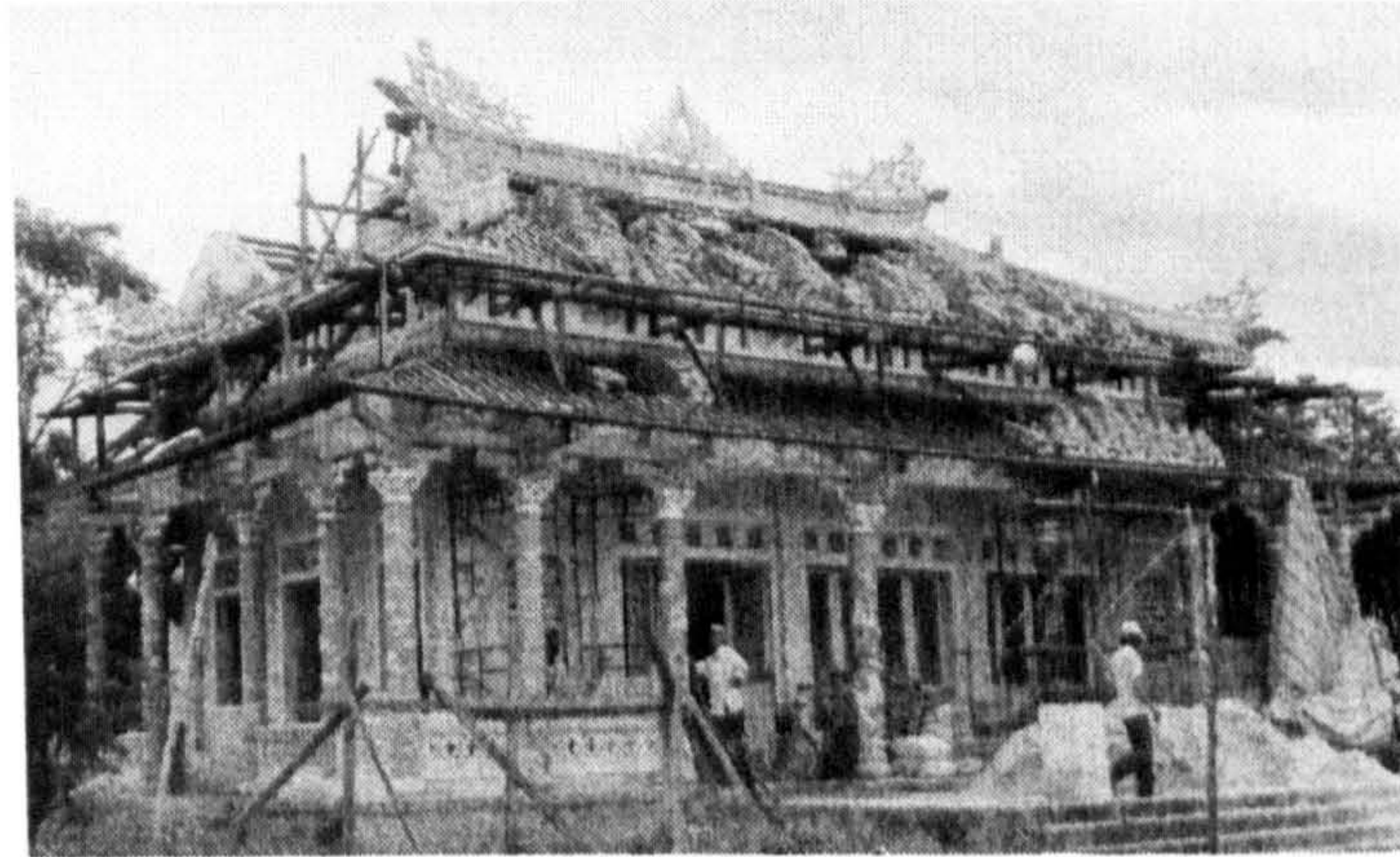


Figure 8.2 : Restoration of Kong Tu Miew Temple. The temple is left unprotected during the restoration period.

- Dismantled timber members and panels should be stacked properly in a particular order and according to the extent of damage and repair needed. This will make sourcing and identification much easier.
- Where possible, repair should be carried out on site with minimum transfer.
- Avoid cleaning the internal columns, beams and wall panels with excessive water and detergents to avoid shrinkage and expansion.
- Keep proper documentation in the form of report, notes, photographs, and others means for future reference and dissemination.

Even though this restoration method is acceptable, it is generally contrary to ‘minimum intervention’ as recommended by the many guidelines and may cause more change than necessary. Other sensitive methods should be explored such as in-situ repairs and preservation.

### 8.2.2 Recommendations on Management

The recommendations and proposals below are derived from the results of all components of this research work and analysis of the field study; and is focused in three

areas: legal instruments, management structures and inventory. In total, the Research makes eleven recommendations for consideration by various parties in Hoi An and Viet Nam in general.

**a. Legal Instruments**

On legal instruments, the Research makes two recommendations: one is related to the production of Conservation Guidelines on the restoration of shophouses in Hoi An and another is related to the amendment of Decision No: 1611/1997.

**i. Produce Conservation Guidelines: To prepare and publish Conservation Guidelines for the Ancient Town of Hoi An.**

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To this date, Ordinance No: 14/1984 and Ordinance No: 28/2001 are the principal legal instruments enacted at national level directly related to the protection of cultural property in Viet Nam. Even though most of the provisions under Ordinance No: 14/1984 are now superseded by Ordinance No: 28/2001, such as the definition of cultural properties and the process of listing the properties as national heritage, it remains important because it clearly delegates the day-to-day management of historic properties to the local authorities concerned (article 12). The Cultural Heritage Law, 2001 is more comprehensive and provides broader coverage not only to tangible, but also intangible heritages and is more up-to-date with the international concerns now that placed intangible are as important as tangible heritages.

At local level, Decision No: 1611/1997 enacted by Hoi An People's Committee provides sufficient protection for cultural heritage in the town against mistreatment, vandalism and exploitation. It also provides general principles for possible interventions for the houses. However, these principles are too general and will not give enough guidance for the owners to properly restore their own houses. Even though, the Cultural Heritage Law No: 28/2001 placed responsibility upon the Minister of Culture and Information to promulgate regulation on preservation, embellishment and restoration of relics (article 34); specific guidelines on restoration of Hoi An shophouses should be prepared by the Centre for Monument Management and Preservation which is directly in-charge of all historical relics in the town. This guideline amongst others should provide principals of restoration, techniques and methods of restoring timber elements, lime plastering and roof tiles and provisions for general maintenance. Production of a

Homeowner's Manual as mentioned under Recommendation (vii) should be seen as a stepping stone towards the more comprehensive Conservation Guidelines.

**ii. Amendment of Decision No: 1611/1997: To amend Decision No:1611/1997 – Regulation on Management, Conservation & Exploitation of Hoi An Monument & Landscape**

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This Decision was passed at local level in 1997 providing extensive coverage on protection of cultural heritage in Hoi An. It extends to conservation areas beyond the Ancient Quarter to include historic monuments in rural villages, stipulates the responsibility of local authorities, establishes the boundaries of Hoi An Ancient Quarter, regulates the traffic within the conservation area and establishes the Monument Restoration Fund. However this Decision lacks the following:

- No attractive incentive to encourage proper repair and restoration by homeowners
- No clear penalty for illegal interventions and non-compliance
- The principles for intervention provided by Articles 4 and 5, are too general
- It only provides protection for tangible heritage.

The inclusion of Hoi An in the World Heritage List in 1999 and the issuing of the Cultural Heritage Law No: 28/2001 provide justification for revision of this Decision so that it remains updated with the current happenings. Inclusion of intangible heritage, systems of grading and inventory, incentives and penalties, and guidelines on restoration are among the important agendas that should be reviewed and/or included.

**b. Management Structures and Staffing**

On matters relating to management structure and staffing, the Research recommends the restructuring of the Department of Relic Management, increase staffing both in terms of its numbers and capacity, consolidate the Consultancy Unit and prepare Homeowner's Manual.

**iii. Retainment of CMMP : To retain the current administrative structure of the Centre for Monument Management and Preservation, to be on a par with other important Services in the town (Table 8.3)**

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The current administrative structure of the Centre for Monument Management and Preservation is the best that one can expect from a country like Viet Nam. The Centre which is put under direct management of the town People's Committee is given equal status as other important departments in Hoi An. Since 1997, the Centre was given full mandate by virtue of Decision No: 1611/1997 to manage and decide all activities and restoration projects within the ancient quarter without having to refer to the Ministry of Culture and Information. The Centre, however, can get advice or guidance from the Ministry, which has its branch in Quang Nam province if needed. However, the Centre must forward all applications with appropriate recommendations to the People's Committee of Hoi An for final approval before the issue of an approval permit. The trust and responsibility placed on the Centre by the Province People's Committee and the Ministry of Culture and Information has made it possible for the Centre to manage the town, as it deems appropriate. Therefore, it is recommended that the current status of the Centre, as one of the eleven Services under the People's Committee of Hoi An be retained.

**iv. Restructure of DRM: To Formalise and Restructure the Department of Relic Management by:**

- Rename the Group of Keeping Documents as the Group of Records and Inventory.
- Transfer the Group of Translation to Department of Administration and Finance
- Abolish the Group of Researching Science
- Establish the Group of Policy and Building Controls
- Establish the Group of Publicity and Education

Currently the Centre for Monument Management and Preservation is divided into three Departments: Museum that takes responsibility of all matters related to moveable cultural property, Administrative and Finance that is tasked with all the administrative matters and Relic Management that is responsible for all matters relating to conservation of cultural property in Hoi An. To better manage the town, the Department of Relic Management is further divided into four Groups: Translation, Researching Science, Documents and Restoring Monument. While the Groups of Relic Management and Documents, are burden with huge conservation tasks, the Groups of Translation and Researching Science only function when there is a needs to do so. This informal set-up not only creates uncertainty, but denies the full use of resources and potentials. Even

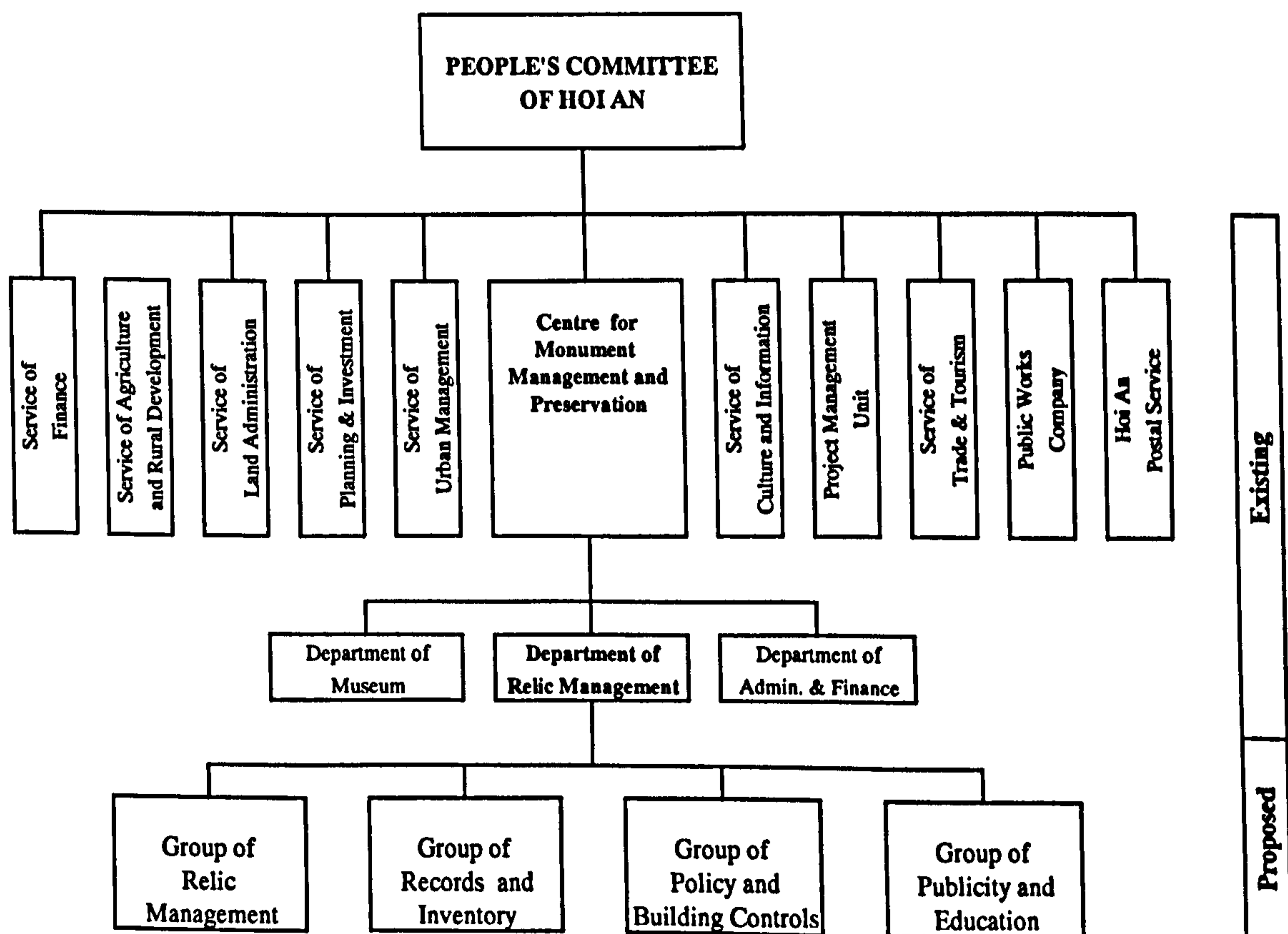


though the Researching Science Group is important to any historical town by focusing its task on the ‘science of conservation’ such as research on the properties of timbers and lime, as well as causes of deterioration (eg : algae, mold and termites) so that right decisions can be made during the restoration processes; the existence of this group under the Relic Management could be reviewed. These services can be better provided by the Department of Museums or directly under the Ministry of Culture and Information, which has already established a good department and laboratories in the World Heritage Site of Hue with the help received from UNESCO.

Similarly, the Group of Translation, which generally provides administrative supports to the Centre will be best placed under the Department of Administration and Finance instead of under the Department of Relic Management. Instead, new units that can contribute directly to the conservation and restoration of Hoi An can be established, such as the Group of Publicity and Education that can help to educate and increase public awareness and the Group of Policy and Building Controls that can supervise and monitor the restoration projects for compliance to the current regulations and orders.

Table 5.4 provides the existing structure of the Centre for Monument Management and Preservation, and Table 8.3 below provides the proposed structure for the Centre.

Table 8.3 : Proposed Management Structure of CMMP



The Department of Relic Management is proposed to retain its four sub-divisions, but with new specialised groups and tasks:

- **Groups of Relic Management should remain as the core group under the Department that has responsibility to include: receives applications for restoration projects; evaluates and makes recommendations for approval; provides technical advices and expertise to professionals and homeowners;**
  - **Group of Records and Inventory should take responsibility on all matters related to documentation and inventory of historic property in Hoi An, both historical and architectural. This Group keeps complete records and drawings of each historic property in Hoi An with proper system of inventory, ensure the records is up-to-date, storing, retrieving and sharing of information;**
  - **Group of Policy and Building Controls has the responsibility to formulate relevant laws, regulations and principles on conservation and to ensure their effectiveness. This Group should also be referred before any proposal is approved and is further entrusted to monitor the implementation of restoration projects for compliance to the current rules and regulations;**
  - **Group of Publicity and Education has the responsibility to increase conservation awareness among the politicians, managers, professionals, students and general publics. It should provide courses, fliers, information on conservation, current and proposed projects and encourage public participation in any conservation projects and programmes.**
- v. Increase the number of staff: To increase the number of staff at all levels and their capacity.**
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Headed by well qualified personnel, the Centre for Management and Preservation, in general, has proven to be efficient and effective. Within several years of its establishment, the Centre has promulgated regulations on restoration, made links with outside bodies and international agencies, properly approved and to some extent supervised restoration projects and therefore has gained respect from higher authorities,

international agencies and the general public. However, given the number of historical properties in Hoi An and its scope of work, the Centre, in particular the Department of Relic Management is clearly under staffed. With only twelve staff in total, only the head of the Centre has a Master Degree. Table 8.4 below shows the current number of staff in the Department of Relic Management.

**Table 8.4**  
**Current Number of Staff under the Department of Relic Management**

<b>No</b>	<b>Groups</b>	<b>Postgrad. Degrees</b>	<b>Basic Degrees</b>	<b>Others</b>	<b>Total</b>
1	Restoring Monument	1	4	4	9
2	Keeping Documents	0	1	2	3
3	Researching Science	n/a	n/a	n/a	n/a
4	Translation	n/a	n/a	n/a	n/a
	Total	1	5	6	12

The higher authorities must recognise that adequate staffing with proper qualifications and expertise is an important factor to ensure the Centre can function to the fullest. With the proposed sub-specialist groups, the need for more and qualified staff in each group is clearer. It is proposed that the higher authority recruit more administrative and technical staff at all levels; with priority given to the Group of Relic Management, which has the biggest conservation task and to the Group of Records and Inventory which also has a mammoth task ahead.

Every effort should be made to train the existing staff either by allowing them to take related diplomas and/or degrees, attending short-term courses organised by the international agencies such as those by JICA, ICCROM or UNESCO as well as to recruit more people at each level. Since there are no higher education institutes in Hoi An, the staff should be allowed to take related courses on a part-time basis either from Danang College of Technology that offer courses in Engineering or from the College of Science in Hue that offer courses in architecture or as far away as Hanoi University or Ho Chi Minh City University. The higher authorities must also provide the staff with global or regional exposures by allowing the staff to attend international seminars, conferences and courses. Until 2002, only the Director and a couple of senior staff were allowed to travel abroad for these reasons.

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**vi. Maintain the Consultancy Office: To maintain the Consultancy Office (Unit) and to increase its capacity**

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It has been identified that one of the main problems faced by the local authorities with regard to the management of relics in Hoi An is a low level of public awareness on restoration and preservation of buildings (Binh:53) especially those related to technical requirements. Awareness of the need for conservation; however, seems to be quite high since all of the owners, when asked, expressed their support for conservation efforts made by the local authorities. This could easily be due to the immediate benefits gained by the owners from the increasing number of tourists who have visited Hoi An since the inscription of the town in the World Heritage List in 1999<sup>1</sup>. In the absence of comprehensive guidelines on restoration by the authorities, the public are ill informed about the technical requirements of restoration. Even though the building owners can submit applications for restoration of their building directly to the Service of Urban Management, many in fact seek technical help from the Consultancy Unit and in some cases directly from the Service of Urban Management itself. The Consultancy Unit, which occupies one of the shophouses on Tran Phu Street has become more of a resource centre than an office where examples of building materials, diagrams of restoration, building plans and details are displayed. The Unit is staffed by several personnel, both professional and semi-professional.

The architects and the engineer at this Unit are not only helping the owners to prepare the restoration drawings and its scope of work, but officially supervise the projects when they are under construction for compliance with the approved plans. This Unit has proven to be successful, in particular in helping the authorities to get closer to the public. It is desirable, therefore, to maintain and to increase supports for this Unit so that it can provide better services to the public. Such supports are:

- i. *Increase the number of staff.* Currently, this Unit is staffed by two architects, one engineer and two technicians. For the given scope of work, it is obvious that the

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<sup>1</sup> No official figure received on the number of tourists visited Hoi An, but ( UNESCO, 2001c) indicates that the collection of tourist ticket has increased from USD 246,000 in 1996 to 394,557 in 2001 and estimate to USD405,000 in 2002. The tourist are encourage to but an entrance ticket at USD3.50 per head before entering the ancient town.

Unit is under staffed. Additional staff is needed especially those who are qualified on conservation aspects such as experts on timber and lime conservations.

- ii. *Exposure on different conservation methods.* The professionals in this Unit are talented but very young and lack external exposure to the different methods and processes of conservation. It is understood that none of the professionals at this Unit were allowed to attend conferences or courses or even travel abroad. The method introduced by experts from JICA and Showa's Women University as discussed under sub-chapter 4.7 is not necessarily the best for all restoration projects in the town. The quality of restoration, in general will improve if technical staff especially those at this Unit-since they are the ones who prepare restoration plans- are given better opportunities to visit and learn from other experts abroad on the different methods and processes of restoration.
- iii. *Facilities.* Currently the Unit has a good office on one of the main streets in Hoi An with reasonably good facilities such as the latest AutoCadd software and good computer hardware. Better facilities, however, are needed so that the staff can improve their productivity. Supporting facilities such as digital cameras, video recorders, photocopying machine and drafting equipment.
- vii. **Homeowner's Manual:** To produce Homeowner's Manual prior to the publication of Conservation Guidelines

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At this moment there are no comprehensive guidelines available for the public to make reference on restoration of their houses except Decision No: 1611/1997 that provides basic principles of intervention. To be more effective these principles should be elaborated and detailed guidelines drawn. The Centre for Monument Management and Preservation should now take the leading role in drafting this guideline with the help of the Ministry of Culture and Information and get it approved by the People's Committee for implementation. Being listed in the World Heritage List, Hoi An can also seek help from international experts through the World Heritage Centre in Paris especially those experts on timber and lime conservation. It is more important now than before for Hoi An to have these guidelines since the impact of tourism is much greater after the inscription in 1999. This guideline may focus on the different approaches of

conservation such as restoration, adaptation and preservation and should contain technical details such as:

- Guidelines for Timber Restoration
- Guidelines for Brick and Lime Restoration
- Guidelines for Roof and Ceiling
- Guidelines for Structures
- Guidelines for Elevations
- Guidelines for Plan Typologies
- Guidelines for Open Spaces or Internal Courtyard
- Guidelines for Paints
- Guidelines for Windows and Doors
- Guidelines for Ornaments and Details

As the first step towards the creation of Conservation Guidelines, the Centre can promulgate brief information on the expectation and requirements of conservation of buildings in Hoi An, in particular the shophouses, by producing a Homeowner's Manual. Similar manuals have been produced by other World Heritage Cities in the region with full assistance received from the World Heritage Centre in Paris, such as the Homeowner's Manual for Vigan in the Philippines and Luang Prabang in Laos. Hoi An should exploit this possibility so that similar manuals with inputs from international experts can be produced as soon as possible.

### **c. Inventory and Documentation**

On matters relating to inventory and documentation, the Research makes four recommendations: improve overall standard, better protect the records, system of grading and initiate external collaborations

- viii. Improve Documentation:** To improve the overall standard of documentation by recording details information about each cultural property and better recording method.
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The level of record and information gathered for each building and site by the Centre so far is basic. For the records to be more useful, detailed information about the buildings must be added and scaled drawings must be drawn. The Centre can improve the standard of documentation in two main areas: the level of information gathered and the quality of documentation. It was made clear by the Head of the Keeping Documents

Group that the effort of the Group so far has been on ‘inventory’ and not on ‘documentation’, where the concentration was more on listing the cultural properties in Hoi An rather than getting detailed information on each. To some extent this was the correct approach adopted. However, being listed in the World Heritage List for four years now, Hoi An must take additional steps to improve the records. For each building, there should be an explanation or description about historical as well as cultural importance so that the significance of the property can be appreciated. The architectural significance should be highlighted with explanation about the spaces, structures, materials, ornaments, construction, details as well as the way the spaces function. The buildings should also be recorded in three-dimensional images such as photographs, videos and drawings.

The overall quality of drawings must also be improved. The freehand sketches of plans, sections and elevations should now be drawn to scale, preferably using computer software such as AutoCadd, since there is already basic infrastructure available at the Consultancy Unit on Nguyen Thai Hoc for this to happen. Perhaps it is too early to suggest that Hoi An should look into the possibilities of mapping the town and the buildings digitally by using the Geographical Information System (GIS) system, but good digital drawings can easily be integrated into the system in the near future. Equally important is for the Centre to assess the current condition of the buildings in order to manage the properties properly. For each building, the extent and causes of defects should be identified and recorded so that a better management plan can be drawn and the problems can be systematically tackled.

- ix. Security of Records:** To improve Safekeeping, Storing and Sharing of Information by allocating purposely built room for the records, making duplicate copies and provide limited access.
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One of the main concerns of the international recommendations relating to cultural properties is the security of the records from both biological or natural disasters. Even though the Centre for Monument Management and Preservation is located on much higher ground than the rest of the conservation areas, the natural threat from the annual monsoons and floods must be considered as a risk. Even though there is no record shown that the flood levels in Hoi An have ever reached the Centre, the heavy monsoon

rains is equally threatening. The building or part of the buildings can be easily damaged or torn apart during the monsoon. The existence of terminate colonies in the conservation area have caused damage to many shophouses in the core zone and should also be considered as a high risk to the Centre. Similarly, there are other risks that can easily cause harm and defects to the records such as fire, creeping and flying insects as well as dampness due to high humidity. Therefore every step must be taken to ensure that these records are safely protected.

Assessing the safekeeping or the security of these records against the various threats, it can be said that the standard of protection is far from perfect. The inventory files are kept on open shelves exposed to various problems that can damage these files such as those related to dampness, insects, natural disasters and vandalism. It is, therefore, recommended that the Centre relocate the storing of these files from the existing open shelves in the general office to a purposely allocated room within the Centre with lockable cabinets as well as allowing for limited access. Equally important is to have a back-up copy of these files to be stored in a separate safe location. Perhaps a room at the Hoi An People's Committee office just a few blocks from the Centre can be allocated for this purpose.

Sharing of information is another area that needs improvement. So far the inventory records are kept in the main office of the Centre for Monument Management and Preservation with restricted access. It has not been the practice of the office to share these records with people outside the government agencies or with the public. At the Consultancy Unit on Nguyen Thai Hoc, the publics have access only to the general drawings exhibited on the walls. Access to the public is non available. Perhaps this is partly due to the political structures of the country where domestic information is known to be highly confidential. However, for the public and other professionals to benefit from this inventory, they should be allowed to have access to these records. It is best if the original copies are kept restricted, but the back-up copies made available to the public.



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**x. Grading:** The local authority to formulate and publish clear grading criteria.

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Currently the historical buildings and sites in Hoi An is classified under five categories according to their historical and architectural significance: special class, class I, II, III and IV (Table 5.8). However, there are no clear criteria provided for each class except those mentioned by Article 4 of Decision No. 1796/1987, which can be considered as out-dated since it only deals with four classes. In this absence, the authorities and more so the public have no clear references and therefore the current grading does not achieve its objectives. There is an urgent need for the local authority, in particular the Centre for Monument Management & Preservation to rectify this problem by issuing clearer and more detailed criteria of grading so that the process of grading will be more objective and, therefore, appreciated by the public. Since the Centre made it clear that the five classes as currently practised are good for the town, a very clear distinction must be made between each class. While it is easier to differentiate those buildings and sites that belong under Class IV, it is more difficult to grade the buildings under Special Class to Class III. Perhaps it is best if the Centre seeks assistance from the Ministry of Culture and Information in Hanoi, which has specialised staff who can pull resources from universities and other agencies across the country, to draw detailed criteria for grading and consequently to re-classify the buildings and sites in Hoi An. Being listed as one of the World Heritage Sites, the Centre is in a position to seek international assistance through the World Heritage Centre in Paris, if needed. To be more effective, the drawn criteria as well as the buildings proposed under each class, should be promulgated as local Decision passed by the People's Committee of Hoi An so that changes of class and inappropriate interventions to buildings and sites in the Ancient Quarter can be avoided.

**xi. External Collaboration:** To seek national and international assistants on recording and storing of information

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It was made clear by the Centre that Hoi An has received many international contributions in the past, mainly from JICA, Showa's Women University, the Canadian Government and UNESCO. JICA and Showa's Women University have helped Hoi An or the Centre specifically on technical matters such as the actual restoration of buildings. The Canadian Government has helped the Centre by providing substantial funds for restoration of temples in Hoi An and UNESCO has provided technical

consultants from time to time. However, none of these international agencies have so far helped the Centre on documentation and recording the properties. Similarly no assistance has been received from the Central Government, specifically the Ministry of Culture and Information on inventory and documentation. With these absent, the staff of the Centre have not been exposed to the inventory standard practice elsewhere, especially abroad.

The Centre for Monument Management and Preservation, therefore, should initiate collaboration with national and international agencies on management and documentation of cultural properties in Hoi An. In the absence of institutes of higher learning in Hoi An, the Centre should seek collaboration with the universities in Danang, Hanoi or Ho Chi Minh City, since the universities normally have better resources with regard to documentation of buildings and sites. Collaboration with international agencies such as ICOMOS and UNESCO is the best way towards higher standards in documentation. ICOMOS, especially, which has a specialised Scientific Committee for Documentation of Culture Heritage, has provided assistance to many countries on aspects related to documentation and recording of cultural heritages.



Figure 8.3: Typical scenes in Hoi An.

Table 8.5 on the following page provides a summary of recommendations for Hoi An and actions required. It is hoped that these recommendations are taken positively by the local authority concerned, the Centre for Monument Management and Preservation (CMMP) with the objective to improve the overall capacity of the Centre in managing the heritage of Hoi An.

**Table 8.5**  
**Summary of Recommendations for Hoi An and Actions Required.**

<b>No</b>	<b>Details</b>	<b>Actions<sup>2</sup></b>
i	Prepare and publish Conservation Guidelines	CMMP, DRM, GRM and GPBC
ii	Amend Decision No. 1611/1997	CMMP, DRM and GPBC
iii	Retain the current administrative structure of the Centre for Monument Management and Preservation	People's Committee
iv	Formalise and restructure the Department of Relic Management.	CMMP
v	Increase staff and capacity	PCHA and CMMP
vi	Maintain and consolidate Consultancy Unit	CMMP, DRM and GRM
vii	Produce Homeowner's Manual	CMMP, DRM GRM and GPBC
viii	Improve standard of documentation	CMMP, DRM and GRM
ix	Improve safekeeping, storing & sharing of information	CMMP, DRM and GRI
x	Formulate and publish clear grading criteria	CMMP and GRI
xi	Seek national and international assistants on recording and storing of information	CMMP and GRI

### **8.3 Case Study 2: The Heritage City of Vigan, Philippines**

The Heritage City of Vigan is a small city in the Island of Luzon in the Republic of the Philippines. Located 480 kilometres north of Manila, Vigan was inscribed in the list of World Heritage Sites in 1999, the same year as Hoi An. Its first application to be listed

<sup>2</sup> CMMP (Centre for Monument Management and Preservation); DRM (Department of Relic Management); GRM (Group of Relic Management); GRI (Group of Records and Inventory); GPBC (Group of Policy and Building Control); GPE (Group of Publicity and Education); PCHA (People's Committee of Hoi An)

in 1988 was rejected by the World Heritage Committee for reasons of not fulfilling the criteria of ‘outstanding universal values’ and ‘authenticity’ (ICOMOS, 1989). This rejection had encouraged a group of private homeowners in Vigan to establish better cooperation and networking between themselves by forming Save Vigan Ancestral Homes Association (SVAHAI) in 1992. Its first project was geared towards increasing conservation awareness among the locals, especially, by launching Viva Vigan Festival of the Arts in 1993; then it established links with KaiVigan, a Foundation created by local businessman and professionals in Manila, and with the Toyota Foundation in Japan to document historic structures in Vigan in 1996. By 1998, the first inventory of 120 cultural properties in Vigan was completed. The consolidation efforts made by SVAHAI were complemented by similar actions from the local authority. Such as collaboration with the Commission of the European Union, based in Rome in 1995 to identify conservation objectives and principles, the establishment of Presidential Commission for management of Vigan known as Vigan Heritage Commission in 1996, collaboration with UNESCO in the LEAP Project<sup>3</sup> and production of a Homeowner’s Manual in 1997 and the creation of Conservation Authority of Vigan, as a new management body of the town in 1997. Its second submission to the World Heritage Committee was made in 1998, ten years after the first, and had the desired result. Vigan was accepted to the list of World Heritage Sites at the Committee 23<sup>rd</sup> Meeting in Morocco under category (ii) and (iv) of Operational Guidelines.

Vigan was once a busy trading port in the Northern Philippines, and in Southeast Asia in general; just like Hoi An and Malacca. The Chinese from Southern China came to Vigan in the 15<sup>th</sup> and 16<sup>th</sup> centuries to trade their domestic goods with local traders and those from Borneo and settled in Vigan. They intermarried the natives and started multi-cultural communities. By early 16<sup>th</sup> century Vigan became another important trading port in Southeast Asia, together with Hoi An, Malacca. It also attracted merchants from the West, mainly Arabs, Indians, British, Dutch, Portuguese and the Spanish. However, the Spanish who founded the Philippines in 1521 made settlements in Vigan from 1573 until 1898. For more than 300 years, the Spanish obviously had left their legacy in the Philippines and in Vigan specifically. Vigan’s planning was very

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<sup>3</sup> LEAP Project – Integrated Community Development and Cultural Heritage Site Preservation through Local Effort, was initiated by UNESCO Bangkok in 1997, involved detail study on community programmes of five historic towns in Asia and the Pacific region.

much based on the Spanish Ordinance 1573 - the Law of the Indies, that provides a 'set-of-rules' for establishment of the new towns in the Americas; such as rectangular plazas, regular street pattern, churches, public and private buildings.

The inscribed heritage zone of Vigan, is an L-shaped form, bounded by Goventes River to the north and Mestizo River to the East. It encompasses two main Plazas: Burgos and Salcedo, several public buildings and rows of private houses known as ancestral houses, for which Vigan is mostly known. The latest inventory indicates that there are 190 ancestral houses in Vigan in both core and buffer zones. These houses were built by the Chinese *Mestizo* or mixed blood during late 18<sup>th</sup> century to the early part of the 20<sup>th</sup> century. These houses are easily recognised with clear design characteristics of two-storeys, rectangular in form, low angle hip roof, wide eaves, use of high quality timbers for the first floor and plastered brick wall for the ground floor.

The study on Vigan, firstly attempts to understand the main cultural property of Vigan, the ancestral houses, then to assess the management of the town, specifically that related to management structures, inventory and legal instruments. The Research concludes with six findings on cultural property and eight recommendations on the management of Vigan.

### **8.3.1 Findings on Cultural Property.**

The findings on cultural property in Vigan is a result from the field work carried out in 2002, interviews and discussions with personnel at the local authorities, professionals, members of NGO, academia, the general publics as well as literature reviews and careful observations; and is summarised in these six findings:

- i. Urban layout :** The urban layout of Vigan is very much conformed to the principles of the Spanish Law of the Indies, 1573.
- 

The Law of the Indies (Univ. of Miami, 2002) was a Spanish ordinance issued by King Phillip of Spain in 1573, with the objective to guide the planning of newly established Spanish towns in Americas. It was seen necessary when the buildings in these new towns were built haphazardly without any clear planning strategies. Towns such as Sante Fe in New Mexico, Alamos in Mexico and Albuquerque are few examples where

the planning has been influenced by this ordinance. Even though the Philippines is not in the Americas, it came under Spanish ruled since 1521 for 333 years; and being the only Spanish colony in the East, the planning of its towns was to some extent influenced by the Law of the Indies. Vigan is one of them and is the only ex-Spanish town to remain intact until the present day. Article 112 for example, provides guidelines on location and layout of the main plaza, Article 114 to 117 on streets and their relationship to the plaza, Article 118 on smaller plazas and church buildings, Article 119 on adjacent lots of the church, Article 124 on temple buildings and Article 126 on assignments of lots around the plazas and Article 132 to 134 on private houses.

In Vigan, many of these guidelines were followed. Plazas Salcedo, which is rectangular in form, is the main public space in the town where important streets originate. It is bordered by main churches and public buildings. Quezon Avenue and Burgos Street are the two streets that originate from this Plaza and continue to the town centre. Similarly from Burgos Plaza originate other important streets: Crisology, Plaridel, Florentino, Gov. A. Rayes and Burgos. These streets run towards the South and West and are crossed by perpendicular streets forming a regular grid-iron street pattern. Meant to be used by pedestrians and horses, these streets are narrow with private lots lined on both sides. These lots are filled with houses that are similar in characters and functions, known as ancestral houses.

## **ii. Ancestral Houses : The main cultural property in Vigan is its ancestral houses**

The main cultural property in Vigan is private residential known as ancestral houses. Built by the Chinese *Mestizos* during the late 18<sup>th</sup> to early 20<sup>th</sup> centuries, these houses, which number 190 (CoV, 2001a), line both sides of the main streets of Vigan. Built with living spaces on the first floor and commercial spaces on the ground floor, these houses are easily recognised: two storeys high, rectangular plans and form, low angle hip roof, plastered brick walls on the ground floor, either timber or masonry walls on the first floor, timber structures, relatively big built up area, facing main street, large entrance doors, *capiz* windows, many openings on the first floor and arches openings on the ground floor.

The architecture of these houses is influenced by the traditional pre-Spanish houses of the Philippines, known as *bahay-na-kubo* that is very much attuned to the tropical climate characterised by two storeys post and lintel construction, elevated living spaces, open plans and many openings. However, the design of these houses has evolved considerably due to influence from the Chinese and the Spanish. Compared to *bahay-na-kubo*, ancestral houses are monumental with large timber columns, beams, panels and intricate timber screens.


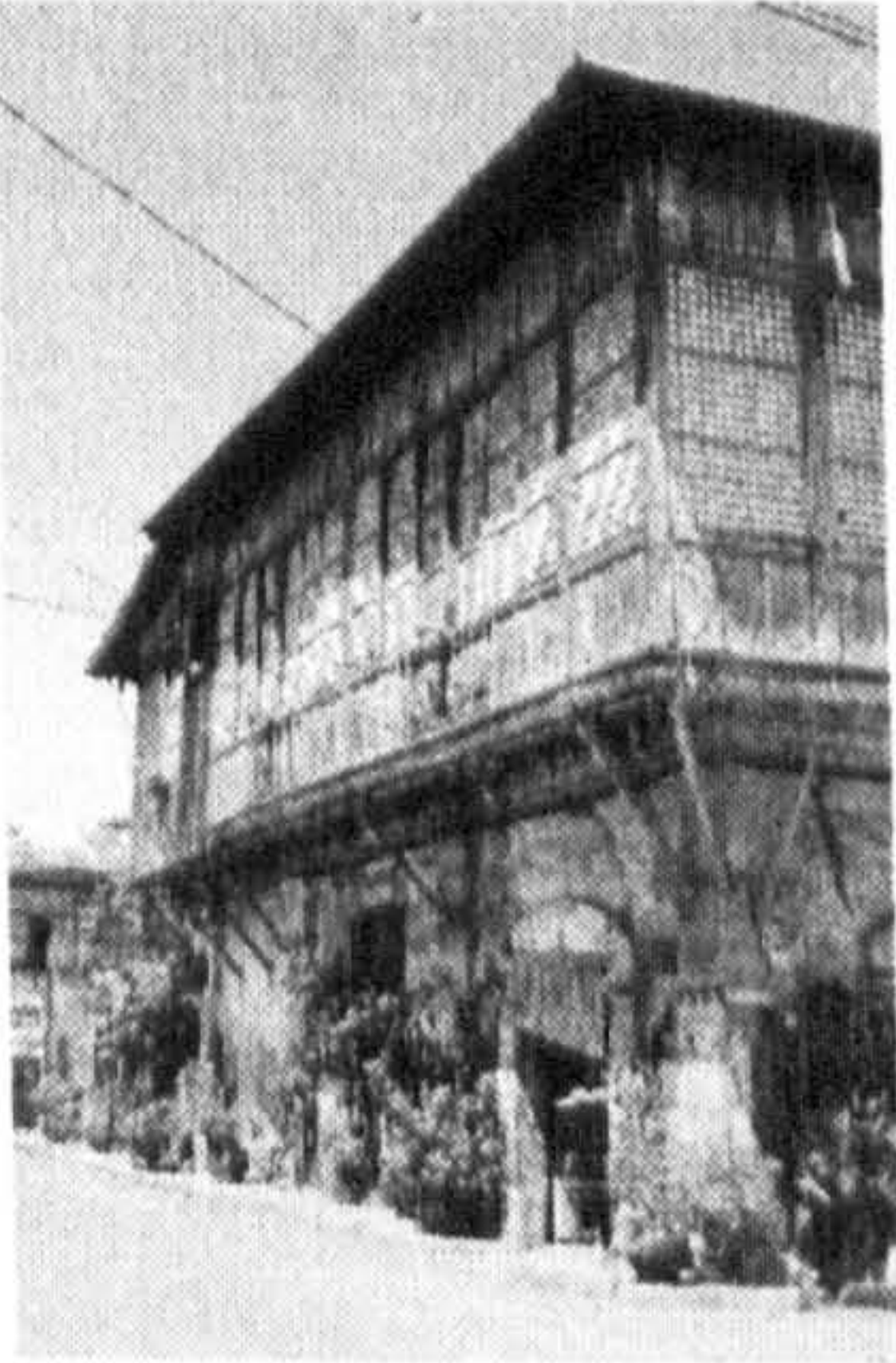

**iii. The Architecture of ancestral houses: The Ancestral Houses features special design characteristics.**

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Easily recognised, the ancestral houses share common design and construction characteristics which are summarised below:

- They are all two storey houses with rectangular plan form. The ground floor, which consists of several utilitarian rooms, is used as business premises and/or storage spaces, whereas the first floor is used as a living unit with clear sequence of spaces. The *ante sale* is a long corridor that functions as a transition space between private and public domains and physically divides the first floor into two: front and back. The front being living room or *sala*, flanked by two or three bedrooms. These bedrooms are inter connected by small corridor known as *volada* that functions as a service corridor; and the back consists of kitchen with dining space, toilet, terraces and sometimes a bedroom for servants.
- The houses can generally be grouped into two main categories according to their architectural designs: ‘wood-brick’ and ‘all-brick’. The former features thick masonry walls on the ground floor and timber walls on the first floor and in contrast with the latter, which have brick walls on both floors. The ‘wood-brick’ houses can either have straight façades with the walls on the upper floor flush with those on the ground floor or *volada façade* when the walls on the first floor are projecting out. The special characteristics of each type are summarised in the following table.

Table 8.6  
Types of Ancestral Houses and their general characteristics.

Types	Characteristics
<p><b>Type 1: Wood-Brick House</b></p> <ul style="list-style-type: none"> <li>• <b>Straight Facade</b></li> </ul>  <ul style="list-style-type: none"> <li>• <b>Volada Facade</b></li> </ul> 	<p><b>Straight Facades</b></p> <ul style="list-style-type: none"> <li>• Brick walls on the ground and timber walls on the first floor.</li> <li>• Walls of both floors are flushed [straight].</li> </ul> <p><b>Volada Facades</b></p> <ul style="list-style-type: none"> <li>• Brick walls on the ground and timber walls on the first floor.</li> <li>• Projecting timber walls, cantilevered from the first floor.</li> </ul> <p>Shared characteristics:</p> <ul style="list-style-type: none"> <li>• Post and lintel construction with timber columns and beams.</li> <li>• Many openings on both floors with arch lintels on the ground and horizontal lintels on the first floor.</li> <li>• Large main entrance for utilitarian purposes with smaller doors inside.</li> <li>• Timber windows and doors</li> <li>• Walls and windows are made of panels.</li> <li>• Built with no bases</li> <li>• Low hip roof.</li> <li>• Living spaces on the first and utilitarian or commercial spaces on the ground floor.</li> </ul>
<p><b>Type 2: All-Brick House</b></p> 	<p><b>All-Brick House:</b></p> <ul style="list-style-type: none"> <li>• Post and lintel construction with timber columns and beams.</li> <li>• Thick brick walls with plastered lime on both floors.</li> <li>• Many openings on both floors with arch lintels on the ground and horizontal lintels on the first floor.</li> <li>• Large main entrance for utilitarian purposes with smaller doors inside.</li> <li>• Strong horizontal friezes at the first floor.</li> <li>• Moulded or decorated walls</li> <li>• Timber windows and doors</li> <li>• Built with no bases</li> <li>• Low hip roof.</li> <li>• Living spaces on the first and utilitarian or commercial spaces on the ground floor.</li> </ul>



- The ancestral houses are constructed using post and lintel construction with large and quality timber columns and beams, as well as large solid floor planks and ceilings. The columns, which are round with diameter ranges from eight to twelve inches, are spaced between 4.5 to 5.0 metres apart, and are connected by large rectangular beams. The most frequent species of timber used are: *molave*, *nara* and *epil*. The parameter columns are constructed with unique design details. The timber column is embedded up to three metres in the ground and sits on a solid granite ball that acts as ‘ball bearing’ and on a granite base slab. The granite ball provides sufficient tolerance for structural movement especially during the frequent earthquakes; hence the house is able to withstand sudden vertical and horizontal vibrations. Perhaps this explains why none of the houses were structurally affected by this natural disaster.
- The ancestral houses have many large windows on the first floor that help to encourage cross ventilation, brighten the internal spaces and provide some degree of privacy. Designed in two layers of sliding panels, the windows are adjustable to suit the changing outside conditions. The first layer, known as the *capiz* window consists of two identical panels finished with *capiz* shells within wooden grids. These shells, which measure about 90 mm in diameter, are slightly tapering on one side and translucent in colour. When closed, the window provides a high degree of visual privacy, protection against high winds and heavy rain and yet allowing diffuse light to penetrate inside. The second layer, known as the *persiana* window also consists of two identical sliding panels and is placed directly behind the first. In contrast with the *capiz* window, this window features adjustable horizontal louvers that are able to block the harsh direct sunlight, and yet allow air to circulate through the house.

**iv. Architectural value:** The architectural value of ancestral houses is considerably high

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There are now more than 190 ancestral houses in Vigan that generally have high heritage values, especially architectural values. All the houses in the core zone, for example, feature the typical design of ancestral houses with double storeys high, rectangular plan, hip roof, wood and masonry walls and many openings. No alteration

or intervention that could effect the values of these houses are being carried out; such as no new buildings are being built in between the houses, no alteration to the front facades, no additional buildings are being added to the back, front or sides, and no new windows with different design and materials are being installed. This has retained the architectural value of these houses. However, the changed roof material from clay tiles to corrugated sheet metals that started to happen from the mid 1950s has spoiled the original design of the houses. Not only have the corrugated sheets metal absorbed and re-radiated heat to the inside of the houses, they have also resulted in the change in roof structures and thus effect the overall aesthetics of the house, which now feature ancestral houses with 'thin' roofs without the same grandeur of the facades.

**v. Condition of ancestral houses:** Most of the Ancestral Houses are in bad state of repair.

Even though the ancestral houses have architectural values, most of them are now in bad state of repair. This study confirms the statements made in the Nomination Dossier (RoP, 1998:17) that only 45% of the houses in Vigan are in good condition, the rest (55%) are either in mediocre or in poor state of repair. This is mainly due to chipping of lime plastering and thus exposing the inner bricks, and subsidence and resulting in cracks in masonry walls. Other defects are related to degradation of wooden members and rising damp. Considering the causes of these defects as mentioned by UNESCO (2001b:28), the City Hall must consider these defects as of primary concern in their conservation strategies for Vigan. Programmes that are tailored to provide improvement in public participation, awareness, financial and technical assistance are some of the possible actions that could be implemented as well as to increase collaboration with external agencies in order to identify the extent of decay and possible solutions for implementation.



Figure 8.4: A ruined ancestral house on De Los Reyes Street. To one extreme, there are several houses are left in ruined. (Source: VMPlan, 2001)

## **vi. Urban Intervention: Intervention to urban planning is poor**

While the ancestral houses suffer from various defects, the urban planning of Vigan suffers from insensitive interventions, especially the construction of commercial buildings around Plaza Salcedo in 2000. The McDonalds building, for example, which is constructed only several metres from St. Paul's Cathedral, on a site, once occupied by Seminary, features a design that does not in any way reflect the design of the Seminary (Figure 6.28) nor closely follow the features of ancestral houses. Instead it features a pentagon entrance porch, which is an alien element in Vigan and a tower (Figure 6.29) with no functional requirement except to emulate the bell tower of the Cathedral. Its facades are made to appear as two-storey structures, whereas the roof is of modern concrete glazed tiles instead of traditional clay tiles. It also lacks design details, such as the rich articulation of *capiz* and *persiana* windows and the intricate ventilation carvings. Next to the McDonalds building, is a complex of commercial spaces with two buildings, which function as fast food restaurants and facing Salcedo Plaza. Similar to the McDonald building in many design aspects, these buildings have also failed to blend with the surrounding and to make references to ancestral houses and other public buildings around the plaza. Fielden & Jokilehto (1998:92) recommends that for new building in historic centres, the design should be in harmony with the surroundings in term of its rhythm, silhouette, mass, proportion, setback, materials and window designs and states, "infill structures should possess artistic vitality and be designed according to the highest standards, in harmony with the scale and character of the World Heritage Site into which they are inserted" (p.92). Perhaps Vigan Conservation Council, the body that is entrusted by the Federal Government to manage the Heritage City of Vigan, and who approved the development of this project should consolidate its policy and capacity both in technical and management aspects; otherwise the objective to maintain and enhance the high heritage values of Vigan will never be achieved.

### **8.3.2 Recommendations on Management**

The recommendations and proposals below are derived from the results of all components of this research work and analysis of the field work and is focused on three areas: management structures, inventory and legal instruments. In total, the Research provides eight recommendations for consideration by various parties in Vigan and in the

Philippines in general. Specifically, two recommendations are made on management structures and staffing, two recommendations on legal instruments and four recommendations on inventory.

**a. Legal Instruments**

On matters related to Legal Instruments, the Research makes two recommendations for consideration. First is related to the amendment of Ordinance No:04, 2000 (MoV, 2000) and the second is on protection of 59 additional historic structures identified by the Vigan Master Plan 2001.

- i. Review Ordinance No: 04/2000:** To review Ordinance No: 04/2000, an Ordinance Enacting The Preservation and Conservation Guidelines for Vigan Ancestral Houses.
- 

An Ordinance Enacting The Preservation and Conservation Guidelines for Vigan Ancestral Houses was approved by the Municipality of Vigan in April 2000 that provides technical guidelines on restoration of ancestral houses and a management structure for the protection and management of historical buildings and sites in Vigan. It is significant to Vigan in these aspects:

- i. It provides definition for 'ancestral houses' (Section 2);
- ii. It provides technical guidelines on maintenance and restoration of ancestral houses (Sections 3-13);
- iii. It provides guidelines on open spaces (Section 14);
- iv. It provides guidelines on streetscapes (Section 15);
- v. It provides guidelines on infill and new buildings (Section 16);
- vi. It establishes Vigan Conservation Council (VCC) and its Technical Working Group (TWG) (Sections 17 –22); and
- vii. It provides clauses for penalties and non-compliances (Section 24).

This Ordinance remains the most comprehensive legislative laws in Vigan concerned with the protection of cultural property. It has proven useful especially on matters relating to the restoration of ancestral houses and establishment of Vigan Conservation Council. Since its adoption in 2000, no amendment has been made; and thus this Research recommends for the review and amendment of this Ordinance as a primary concern.

To better reflect the contents of the Ordinance, that not only focuses on restoration guidelines of ancestral houses, but open spaces, streetscape, new architecture and establishment of management council, it is firstly proposed that the title of the Ordinance be changed. Such as ‘An Ordinance Enacting Conservation Guidelines for Cultural Property of Vigan and the Establishment of Vigan Conservation Council’. Specifically, this Research recommends amendments be made on the following sections:

a. *Section 2: Scope*

This section limits the scope of this Ordinance to cover only ancestral houses in Vigan, but the whole contents of this Ordinance really is much wider to include open spaces, streetscape and new architecture. Therefore, the Research recommends that the words ‘ancestral houses’ be changed to ‘cultural property’. This section also provides a formal definition of ancestral houses that limits its existence to at least fifty years and “which is of Hispanic and Chinese influence”. To encourage uniformity in design, and to avoid mistreatment, as discussed under sub-chapter 7.1.2 (c), it is recommended that special characteristics of ancestral houses be drawn. Such as those characteristics highlighted under Chapter 6 of this thesis.

b. *Section 5: Guidelines for walls.*

Section 5(a) to 5(d) provide detailed guidelines on repair and restoration of masonry wall; and no guideline is given for repair and restoration of wooden panels or walls. Therefore, the Research recommends for inclusion of sub-sections on repair and restoration of wooden walls:

- Section 5(e) Cleaning of timber panels and walls
- Section 5(f) Repair of timber panels and walls
- Section 5(g) Replacement of timber panels and walls

c. *Section 7: Guidelines for windows*

Section 7 provides guidelines for replacing window jambs; and no guidelines are given on cleaning and replacement of *capiz* and *persiana* windows. Therefore, the Research recommends for inclusion of sub-sections:

- Section 7(b) Cleaning of *capiz* and *persiana* windows
- Section 7(c) Replacement of *capiz* and *persiana* windows

d. *Section 10: Guidelines for roof and ceilings.*

Section 10(d) specifies methods and materials for replacement of moulding and decorative elements of the ceiling, but allows for replacement with different materials:

(Section 10:7)

Missing and broken mouldings and decorative elements of the ceiling may be replaced by copying the dimension of any existing portion of the wood element, and by using material that closely resembles the old wood species.

Since these elements are of wood (Figure 8.5), small in numbers and are important features in ancestral houses, imitation should not be allowed. Therefore, the Research recommends for the amendment of this clause:

Missing and broken mouldings and decorative elements of the ceiling should be replaced by similar design and in the same materials as the old one.



Figure 8.5  
Typical decorative elements on the ceilings

e. *Section 13: Guidelines for paints*

Sections 13(a) to (e) provide guidelines and choice of colours for internal and external paints, but silence on the specific type of paint. Since all the masonry walls of ancestral houses are plastered with lime; then it is important that only

lime wash be used. To protect against mistreatment, the Research recommends for inclusion of Section 13(f) that reads:

Both interior and exterior walls shall be painted with lime wash, and the use of modern acrylic paint is prohibited.

f. *Section 16 : New Architecture*

Section 16 provides guidelines for new architecture in Vigan that controls building heights, roof forms, roof materials, exterior walls, and special features and allows for the use of modern materials and construction techniques. To some extent these guidelines are too detailed. In the absence of clear principles on new architecture, these guidelines can easily be mistreated and abused. It is recommended that a clear principle on new architecture be included as suggested by ICOMOS (1972a).

g. *Sections 17-18: Vigan Conservation Council*

The Research recommends for amendment of these Sections to consider the proposals made under Recommendations (iii) and (iv) below.

h. *Sections 19-20: Technical Working Group*

The Research recommends for amendment of these Sections to consider the proposals made under Recommendations (iii) and (iv) below.

i. *Section 24: Penal Clause*

This Section provides penalties for non-compliance to this Ordinance, but the amount is far too small for it to be effective:

Any person found violating this ordinance shall be subjected to a fine of:	
a. First Offense	P1,000 [£12]
b. Second Offense	1,500 [£18]
c. Third Offense or more	2,500 [£30]

Therefore, the Research recommends for revision of these fines to an amount substantial enough to prevent violation, and to consider other options such as

imprisonment as included in Section 5 of the Presidential Decree No. 1505 (RoP, 1978) and reconstruction as recommended by UNESCO (1972a):

(UNESCO 1972a: Article 48)

..and should include provision for the restoration of an effected site to its original state in accordance with established scientific and technical standards.

To encourage restoration by the private homeowner, it is recommended the Ordinance to include awards and incentives in various forms such as publicity, plaque, tax exemption and monetary rewards, to name a few.

- ii. Protection of additional structures:** To protect the 59 additional structures identified in the Vigan Master Plan 2001 by legal instruments.
- 

While the 187 historic structures in Vigan are protected by Ordinance No: 12, 1997<sup>4</sup>, the additional 59 structures identified by the Vigan Master Plan 2001 are not yet protected by any legal instruments. This means that these structures, if not immediately protected will soon be subjected to neglect, mistreatment and exploitation. The Study recommends amendment of Ordinance No:12, 1997 to include these 59 structures identified by the Master Plan. It is also important to note that these additional structures are not yet included in the list of important monuments as per the records of the World Heritage Committee. To be included, the government of the Philippines as required by the Operational Guidelines will have to submit the new list and related changes to the World Heritage Committee in Paris for consideration. Even though the procedure of submission remain the same as new one, the actual process for any changes to the inscribed site is much easier; and normally without problems.

**b. Management Structure**

On matters relating to management structures and staffing, the Research makes two recommendations for consideration by the various parties in Vigan, Ilocos Sur Province and Central Government. One is related to the structure of Vigan Conservation Council (VCC), another is to its Technical Working Group (TWG).

- iii. Retainment of VCC:** To retain the structure of Vigan Conservation Council (VCC) directly under the City Mayor and to balance its composition.
- 

<sup>4</sup> Details of Ordinance No:12 Series 1997 is discussed in Sub-Chapter Legal Instruments.



The Vigan Conservation Council, which was established in 2000, has been operating directly under the City Mayor. Similar to other management councils (Table 7.2), VCC provides administrative support to the City Mayor, but is focused specifically on matters related to conservation in Vigan. As a management council, VCC gets both benefits of being directly link to the Mayor and being represented by Heads of various Offices, members of NGO's and professionals, and therefore provides a good platform for discussions, interpretations, recommendations and approvals to happen. The UNESCO and ICCROM Guideline (Fielden and Jokilehto, 1998:47) for example strongly recommends such administrative body to be established at local levels. Therefore, this Research recommends that the existing structure of VCC be retained. However, the current composition of VCC which has eighteen members, of which, thirteen (72%) are government officers and two (11%) are professionals should be reviewed. This Research recommends that the City Hall balance the composition of VCC members by reducing the number of government officers and increasing the number of professionals to a better ratio. At the very least six professionals should be invited to the Council: conservation architect, planner, archaeologist, surveyor, engineer and a representative from the University so that they can give better inputs for VCC in making informed decisions.

Table 8.7  
Existing and Proposed members of VCC

VCC Members	Existing	Proposed
1. Government Officers	13 (72%)	9 (50%)
2. Non-Government Representatives	3 (17%)	3 (17%)
3. Professionals	2 (11%)	6 (33%)
Total	18(100%)	18 (100%)

- iv. **Upgrade the Technical Working Group:** To establish an independent Conservation Unit under the City Mayor by upgrading and formalising the existing Technical Working Group (TWG).

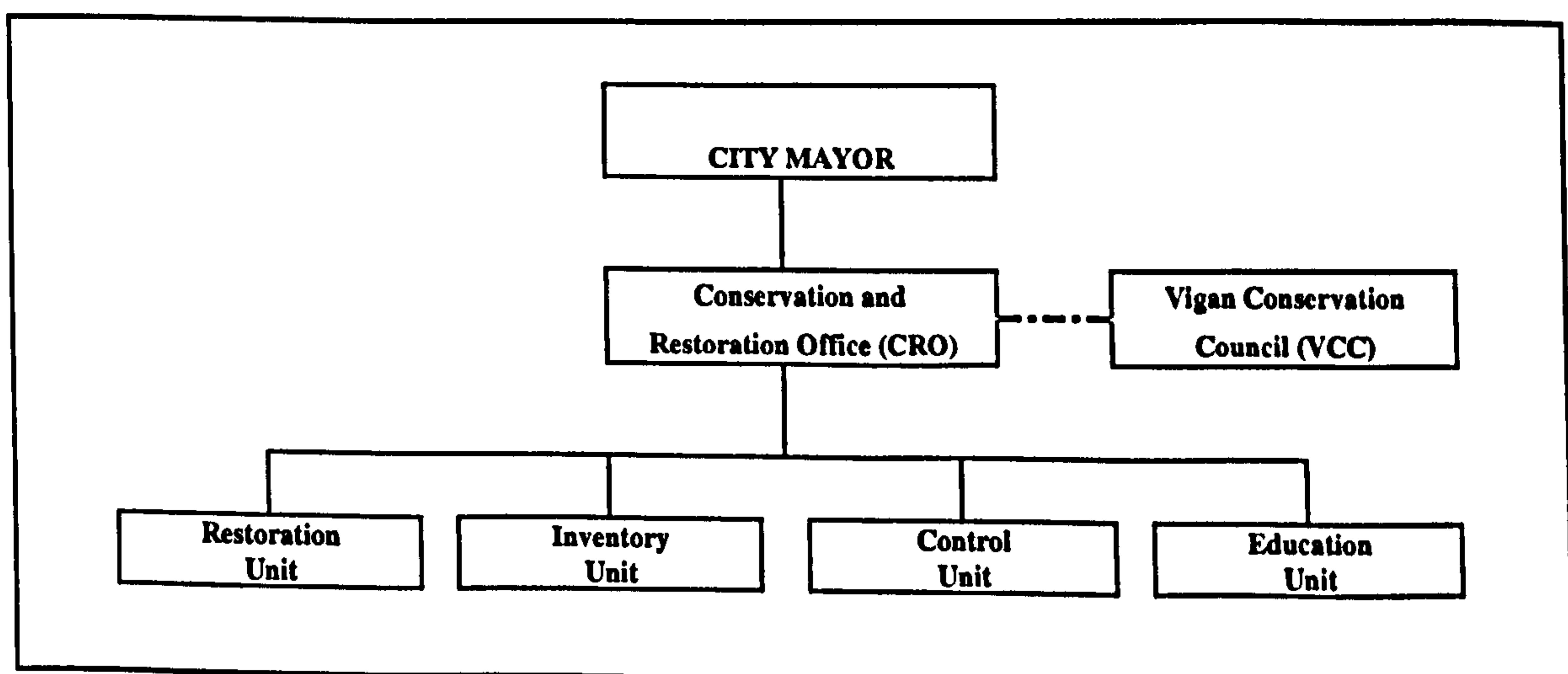
The existing Vigan Conservation Council (VCC) has huge responsibilities with regard to conservation in Vigan. Currently, it receives recommendations from its Technical Working Group (TWG), which only have three independent professionals. In

implementing its task, TWG is helped by the Office of City Mayor on administrative matters and the City Engineering Office on technical matters (Table 7.4). Not only is the membership of this TWG too small in comparison to the tasks given, the appointment of these members are made without remuneration. This is further compounded by the absence of an independent TWG's office to support the proper and effective implementation of their duties. Thus, VCC cannot expect informed and comprehensive recommendations from this Group.

Therefore, this Research recommends upgrading this Group to an independent unit under the City Mayor, to be on a par with eleven other departments. This can be known as the Conservation and Restoration Office (CRO), this unit to take over the role of TWG and some of the VCC responsibilities. Other tasks are to establish conservation policies, to formulate, recommend, evaluate and recommend development plans, policies and programmes, to monitor the conservation projects, and to monitor the implementation of laws and regulations. However, like the TWG, the proposed Conservation and Restoration Office is to forward its recommendation to VCC for decisions or further deliberations.

In implementing its duties, the Conservation and Restoration Office should be headed by a highly professional individual who has knowledge and vast experience in managing heritage sites and is assisted by a number of specialists units, such as Inventory, Restoration, Control and Education.

Table 8.8  
Proposed Organisational Structure of  
Vigan Conservation Council (VCC)



The possible tasks and responsibilities of each unit under CRO are as follows:

<b>Restoration Unit</b>	<b>Receives applications for restoration, processing and gives recommendation; technical advices</b>
<b>Inventory Unit</b>	<b>Documentation, inventory, resource centre, archival and sharing of information.</b>
<b>Control Unit</b>	<b>Provides guidelines and legislations, monitoring, fine and penalties, awards and recognition.</b>
<b>Education Unit</b>	<b>Provides training to all level, educational packages, conservation programmes and public participation.</b>

Whereas the office of Conservation and Restoration carries out general administrative duties, grants and financial aids, liaisons with external institutions and internal offices.

### **c. Inventory**

On matters relating to inventory of cultural property in Vigan, the Research makes four recommendations for consideration. First is related to updating and finishing recording, second on protection of records, third is related to grading and fourth is support from the University.

### **v. Update inventory: To update and finish recording cultural property in Vigan**

The Vigan Master Plan 2001 has identified 246 historical structures in Vigan, but only 120 of these have been documented by SVAHAI in 1998. The remaining 126, however have not yet being documented. Therefore, the Research recommends the following:

- i. To update the records of 120 houses surveyed by SVAHAI in 1998.**  
The current records of 120 houses are now only available in printed A4 format and electronic jpeg format. Its original copies, which were produced using AutoCadd software, cannot be traced. To ensure the protection of these records, it is recommended that the City Hall reproduce these records using electronic media such as AutoCadd for example, so that new information can be added and changes can be made. Without this action, the existing jpeg format or A4 printed copies are 'dummies' and will not serve any good purposes in future restoration projects.

**ii. To finish recording other properties.**

While the 120 houses are identified and their records are being updated, the remaining 126 properties must also be documented, first manually then to transfer the information digitally so that they can be merged with the existing 120 records.

The task of updating and recording new properties must no longer be left to SVAHAI, but must be taken by the City Hall, specifically the Inventory Unit under the newly proposed Conservation and Restoration Office (CRO). This Unit is to refer to guidelines provided by ICOMOS (1996) on the scope and standard of documentation that not only focus on historical and physical aspects, but also include assessment of current condition and threats; and to further identify the necessary work to be done.

For successful implementation of these records, proper staffing and infrastructure are essential. The City Hall, is urged not only to consider setting up the Conservation and Restoration Office, but to equip this Office with necessary staffing and infrastructure.

**vi. Security of records: To better protect inventory records**

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One of the problems identified by this research is that storing and safekeeping of inventory records either by SVAHAI or more importantly by the City Hall is poor. With no proper storage room allocated and only stand-alone personal computers, these records face high risks against vandalism, mistreatment, flood and fire. The Research recommends better protection of these records by firstly allocating a specific room within the City Hall premises for storage purposes. This room should have controlled access with good resistant against fire, flood and termites. Secondly, as recommended by the many guidelines, a duplicate copy of each record must be made and stored at a different location, preferably outside the City Hall premises. The proposed Conservation Centre at the University of the Philippines or Provincial Building of Illocus Sur are possible options.

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**vii. Grading of houses:** To grade the ancestral houses according to their heritage values.

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There are at least 190 ancestral houses in both core and buffer zones of Vigan. Similar in design, character and function, these houses seem almost identical to some, but different to others. The differences lie not in the current state of repairs, but on their state of ‘authenticity’; such as the materials used, refinement of construction, maintenance, decorations and use of spaces. The replacement of roof material from clay tiles to corrugated sheet metals, the used of steel trusses to replace the wooden ones and the application of acrylic paints on exterior walls are a few examples. To encourage the homeowners to retain the high value of their houses and to avoid misinterpretation, the Research recommends implementation of a Grading System. Four tier grading system is recommended:

- **Grade I**     **Very High** heritage values  
Houses that retain all original character of ancestral house either physically, aesthetically or functionally.
- **Grade II**    **High** heritage values  
Houses that retain most of the original character of ancestral house either physically, aesthetically or functionally.
- **Grade III**   **Moderate** heritage values  
Houses that retain some of the original character of ancestral house either physically, aesthetically or functionally.
- **Grade IV**    **Low** heritage values  
Most of the original character of ancestral house either physically, aesthetically or functionally have been lost.

While doing the inventory, the City Hall with the assistance from outside consultants, should also assess the heritage values of ancestral houses and recognise them as such. Similar assessment should also be carried out during and after restoration projects in order to appraise the methods and whether there is a need to change the grading. To further encourage good preservation and restoration practices, recognition of higher grading should be followed by incentives such as certificate, plaque, promotion, maintenance grants or tax exemptions to name some possibilities.

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**viii. Establish Conservation Centre: To establish the Centre for Conservation Studies at the University of the Northern Philippines (UNP).**

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Vigan in a way is fortunate that there is at least one institute of higher learning in the city that offers courses related to conservation. The University of the Northern Philippines (UNP), the main campus of which is only fifteen minutes drive from the city centre, has been directly involved in conservation projects and programmes in the city. Its Deputy Vice Chancellor (Planning), for example has been a member of Vigan Conservation Council since 2000 and has contributed significantly towards the establishment of Conservation Guidelines. Arch. Fatima Rabang, the Dean of Architecture School has written several reports and official documents related to the built heritage of Vigan; and a few lectures at the Architecture School have been appointed as consultants to major conservation projects in the city. The support from the University is expected and its involvement in conserving the built heritage of Vigan should be enhanced and formalised. The availability of several highly experienced staff on conservation, resources such as library and laboratories, as well as constant flow of students are the main ingredients for the establishment of a conservation centre within the university's set-up. The Research recognises the full potentials of these resources and therefore recommends for the establishment of the Centre for Conservation Studies (CCS) at the University of the Northern Philippines with the objectives to promote, conduct and publish research on all aspects of the conservation and management of cultural property in Vigan. With regard to inventory, the Centre can play a central role by introducing a formal Measured Drawings course either as an elective or a compulsory subject in the Bachelor of Architecture programmes with the aim to research and document thoroughly selected cultural properties in Vigan both on their historical and architectural aspects. With proper storage and archives, the Centre will soon accumulate substantial records of cultural properties in Vigan. Other possible activities are to set up laboratories related to conservation, provide short-term trainings and courses, take-up conservation research and provide consultancy. The Centre should also tap expertise from other national, regional and international centres by collaborating research, projects and programmes on conservation of cultural property in general.

The eight recommendations made for the heritage City of Vigan are summarised in the following table (Table 8.9).

**Table 8.9**  
**Summary of Recommendations for Vigan and Actions Required**

NO	Details	Actions
1	To review Ordinance No. 4, 2000	City Hall
2	To protect additional 59 structures by legal instruments	City Hall
3	To retain the structure of Vigan Conservation Council (VCC)	Illocus Sur Province and City Hall
4	To establish an independent Conservation Unit	Illocus Sur Province and City Hall
5	To update and finish recording	City Hall
6	To better protect inventory records	City Hall
7	To grade the ancestral houses	City Hall
8	To establish a Centre for Conservation Studies	Univ. of Northern Philippines

#### **8.4 Lessons for the Region**

A review on conservation guidelines on cultural property since the Venice Charter 1964 and details studies on the management of cultural property of Hoi An and Vigan and the way in which certain aspects of conservation are being practiced in those cities, have provided common findings that have potential for adoption at other heritage cities in the region.

##### **i. Specialised management unit at local levels.**

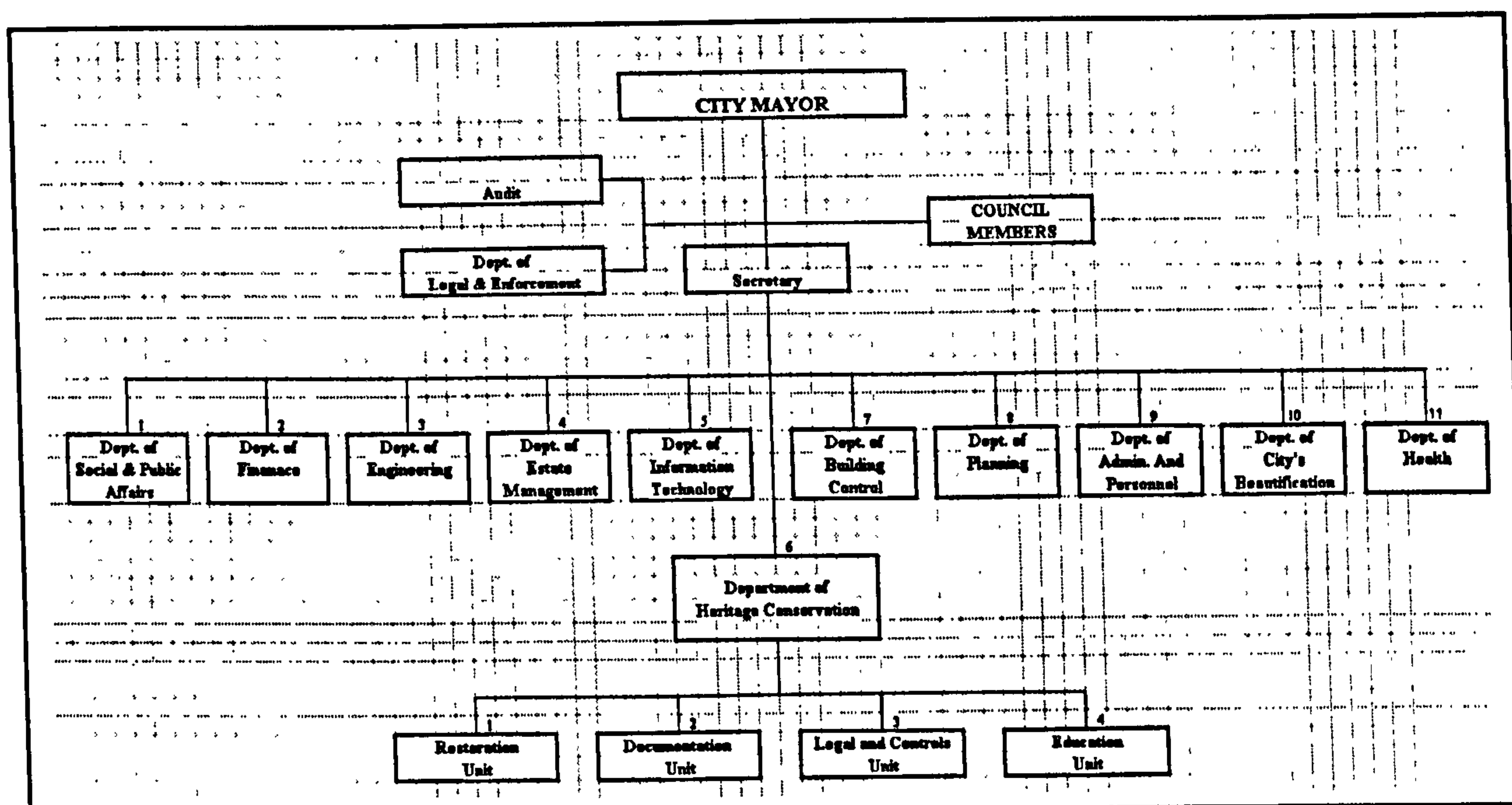
The studies on the management structures of Hoi An and Vigan, have shown that both cities have adopted the UNESCO guideline (UNESCO, 1972a: Article 13) that recommend the establishment of a specialised management unit at local levels. Hoi An established the Centre for Monument Management and Preservation in 1997, and Vigan established Vigan Conservation Council in 2000. This Research finds that both cities

have benefited from these specialised management units and therefore makes recommendations for the retainment and consolidation of these units. For the Ancient town of Hoi An, for example, the Research recommends the restructuring of the Department of Relic Management to establish four sub-specialised management units within its structure. For the Heritage City of Vigan, the Research recommends upgrading the existing Technical Working Group into an independent unit under the City Mayor, known as the Conservation and Restoration Office.

The establishment of a specialised management unit at other heritage cities in Southeast Asia is certainly a viable option. For the Heritage City of Malacca, for example, JICA & MPMBB (2003:Chapter 6) have provided two possible options for the restructuring of the local authority in Malacca. One is to retain the existing Conservation Unit under the Planning and Building Control Department, another is to establish an independent conservation unit, known as the Heritage Conservation Unit, to be on a par with the other eight departments under the Council President. In April 2003, however, Malacca was upgraded to city status and its management now falls under the City Hall headed by City Mayor. Similar to the management structure of Vigan, the City Mayor is now supported by ten departments including the Department of Planning, of which the Conservation Unit remains. Considering the studies on the management of Vigan and Hoi An and the proposal made by JICA & MPMBB (2003), this Research supports and recommends the establishment of an independent conservation unit under the City Mayor. This could be named the Department of Heritage Conservation (DHC), this unit to take tasks and responsibilities on all matters related to conservation and preservation in Malacca. Similar to Vigan Conservation Council and Department of Relic Management in Hoi An, the Department of Heritage Conservation could establish several sub-specialised units under its jurisdiction such as the Units of Restoration, Inventory, Controls and Education. The proposed management structure of Malacca Historical City is given in Table 8.10.



Table 8.10  
Proposed Management Structure of Malacca Historical City



## ii. Inventory as main priority.

The Research recognises the importance of documentation and inventory as means in protecting the heritage; and makes four recommendations for Vigan and another four for Hoi An. In both cities, the practice of inventory has started but is not satisfactory. In Hoi An, both the level of information gathered and the quality of documentation are low; the security of the records is not satisfactory with no specialised room for inventory records and no duplicate copies available. Similarly, in Vigan the production of inventory is poor. With no individual or sub-specialised unit in charge of inventory, the security of the existing 120 records is at stake and no new records are being produced. The lack of standard in documenting and protecting heritage records in these cities must be improved. The authorities concerned must now give the highest priority in safeguarding their heritage by means of proper recording and storage. Similarly, other heritage cities in the region should check their own inventory practices and ensure the level of recordings, methods, standards and security of their heritage records are satisfactory; and as recommended by ICOMOS (1996). For the Heritage City of Malacca, for example, the heritage zones have been mapped using electronic media, in particular GIS by teams from the University Technology of Malaysia in 2002 (UTM, 2002), and JICA in 2003, but detailed inventories of buildings under each heritage zone are yet to be completed. Therefore, it should be the priority of the City Hall, in

particular its Conservation Unit, to ensure the documentation of heritage properties within the heritage zones are being carried out satisfactorily and as recommended by the many international guidelines. In doing so the Unit requires professional inputs and good infrastructure. While the Unit can get support from the City Hall on administrative and basic infrastructure, it can collaborate with local research teams to get professional inputs. The Centre of Building Conservation and Records at the University of Malaya (UM), for example, has been recording heritage buildings in Kuala Lumpur and Kedah since 1995 and has gained a national reputation on this area. Similarly, the Urban Design and Conservation Research Unit of the University Technology of Malaysia, which assisted the Local Authority in preparing the Conservation Guidelines For Zone 1 of Malacca (JICA & MPMBB, 2002) has special expertise on GIS.

### **iii. Update and establish legal instruments.**

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Protection of cultural heritage by means of legal instruments has long been recommended by the international guidelines. Article 18 of UNESCO (1972a) for example recommends every Member State of UNESCO to protect their heritage by taking necessary scientific, technical, administrative, finance and legal measures. In Hoi An, its cultural property are protected by three legal instruments at national level, two at provincial and six at local levels. While the instruments at national level focus on the protection of heritage nationally, the instruments at local levels are specific to the protection of tangible and intangible heritage in Hoi An. The Research finds that Decision N0: 1611/1997 of Hoi An provides sufficient coverage of its heritage and recommends for its revision to include clauses on intangible heritage, system of grading, incentives and penalties. Other local instruments compliment Decision No: 1611/1997 by providing guidelines on tourist activities and fire prevention. Similarly in Vigan, its cultural heritage is also protected by national and local legal instruments: four national decrees and four local ordinances. Ordinance N0: 04/2000 provides comprehensive protection for ancestral houses in Vigan, technically and administratively. The Research, however, identifies several potential improvements for this Ordinance and recommends its revision in seven areas. Other local ordinances compliment Ordinance No: 04/2000 by providing guidelines on conservation zones and principles. In general, in both cities, there are adequate legal instruments in place that provide sufficient protection for their cultural heritages.

Other heritage cities in the Southeast Asia region should now ensure sufficient protection of their cultural heritages by means of legal instruments, especially by local laws, by enacting new ones or amending the existing instruments. For the Heritage City of Malacca, for example, no legal instrument at national level provides sufficient protection for its cultural heritage; and Amer (2000:221) concludes that existing national laws on cultural heritage are 'outdated'. At local level, there is only one enactment that provides some protection for its cultural heritage: Enactment 1988, the Preservation and Conservation of Cultural Heritage that provides the local authority with the array of powers ranging from designating heritage sites, developing and maintaining a register of heritage or conservation areas, formulating conservation and proposal and programmes, acquire buildings of heritage values, inspect premises for restoration, to carry out restoration work by arrangement with the owners. It also provides provision for the establishment of conservation funds, incentives and tax relief. However, JICA & MPMBB (2003) concludes that this enactment is "generally excellent in principle [but] was not readily implementable" (p.11) due to three reasons: its scope is too wide and overlaps with the job functions of the Federal Museum; the scope of "cultural heritage" defined by Article 2, extend beyond the jurisdiction of the local authority; and lack of capacity from the local authority.

Compared to Hoi An and Vigan, and as recommended by the many international guidelines, Malacca is far behind with regard to protection of cultural heritage by means of legal instruments. A thorough review of the existing legislation, therefore, is recommended, with the view to identify relevant aspects of conservation or policies that need protection by local enactments; such as, enactments to define 'Malacca's cultural heritage', conservation zones, principles, guidelines and risks. Without these local instruments in placed, the effort to protect the heritage of Malacca, both tangible and intangible, is difficult to achieve; as well as being able to directly jeopardise the potential of Malacca to be listed in the World Heritage List.

#### **iv. Conservation Charter on Historical Towns for Southeast Asia Countries.**

The review of international guidelines since the Venice Charter 1964, as discussed in Chapters Two and Three, finds that from the mid 1970s, the development of conservation guidelines refine towards the establishment of regional and/or national charters and declaration. Started by the adoption of Amsterdam Declaration and the European Charter by the European countries in 1975, followed by the Burra Charter (ICOMOS Australia, 1979), the Quebec's Heritage (ICOMOS Canada, 1982), the Declaration of Dresden (ICOMOS Germany, 1982), the Appleton Charter (ICOMOS Canada, 1983), the Brazilian Principles (ICOMOS Brazil, 1987), the New Zealand Charter (ICOMOS New Zealand, 1992 and lately the Chinese Principles (ICOMOS China, 2000) adopted in 2000.

In the Southeast Asia region, there are no national or regional charters on conservation that have been drafted and adopted by professional organisations such as ICOMOS to date except the ASEAN Declaration on Cultural Heritage adopted by the Foreign Ministers of the ASEAN countries in 2000. Compared to the other three Declarations<sup>5</sup> adopted by members of NGO, this Declaration is a more comprehensive document on the protection of cultural heritage in the region to date that shows commitment from each country within the Association to protect their heritage and to establish regional cooperation. However, unlike the guidelines produced by ICOMOS and UNESCO since 1964 that focus specifically on technical and management aspects of conservation, the ASEAN Declaration (Appendix 4) is more of an agreement and common commitment of the member countries to protect the heritage of the region and lacks practical recommendations especially related to conservation of historic towns. With this absent, the countries in Southeast Asia, in particular, are technically dependant on several international charters adopted by ICOMOS and UNESCO, some are more than thirty years of age, as well as, on Burra Charter of Australia. It is perhaps too ideal at this stage to expect each of the developing countries in the region to develop their own charter on conservation, but a common charter on historic towns detailing the general principles of conservation to include definitions, conservation, restoration, protection,

<sup>5</sup> As discussed in Chapter 3. The three Declaration are: Jakarta Declaration (1991), Yokohama Statement (1996), Yogyakarta Declaration(1996).

adaptation, contemporary works, publications, education, awareness is certainly possible and badly needed.

In the absence of a regionalised charter on historic towns, specific conservation guidelines, legislation, policies, and protections for each historic towns cannot be drawn effectively. Therefore, the formulation of this charter must be taken as urgent action that needs to be addressed by the countries in the Southeast Asia region. To gain international support and respect, this Charter must, in the first instance, be jointly prepared by experts from the ASEAN countries and international experts from UNESCO and ICOMOS; and then be adopted at one of the region's ICOMOS National Assembly.

### **8.5 Contributions to Knowledge**

This Research is being carried out with the main objective to assess whether the existing management structure, legal instruments and the practice of inventory and documentation in the Ancient Town of Hoi An and the Heritage City of Vigan are effective in safeguarding their cultural properties and concludes, as contributions to knowledge in the following areas:

#### **i. Conservation Guidelines**

- a. On the development of conservation guidelines, the Research concludes the scope of heritage has been gradually broadened since the Venice Charter 1964, from a mere concern for individual monument, to building, groups of buildings, areas, towns, environment and lately to include intangible heritage. However, the finer terminology of the word 'heritage' has not been streamlined. The UNESCO and ICOMOS definition of 'cultural heritage' that includes monuments, groups of buildings and sites, has not been followed at national levels. For example, Australia refers to hers as 'place, cultural significant and fabric', Canada to hers as 'material culture, geographic environments and human environments', New Zealand to hers as 'place' and China to hers as 'immovable physical remains', to name a few.

- b. The Research also concludes that the guidelines adopted since the Venice Charter 1964 can be grouped into three broad categories: those adopted in the 1960s and 1970s concern about protection of cultural property against various threats, as well as appropriate conservation principles, those adopted from the mid 1970s refine towards the establishment of regional and/or national charters and those adopted from the early 1990s refine towards specific fields of conservation (Table 2.1).

## **ii. The Ancient Town of Hoi An**

- a. On Hoi An, the Research concludes that its main cultural property, shophouses, share similar design, planning, materials, and construction techniques and can be grouped into five categories depending on their façades and roof designs. While their heritage values are high, they suffer from defects mainly due to fungi and termite infestation. The methods of intervention adopted by the local authorities that followed closely to the method introduced by the JICA teams involve a general survey, total dismantling, repair and reassembly is acceptable, but extra care is needed during the restoration projects such as proper numbering systems and methods, better protection against external conditions, methods of storing, cleaning and documentations; as well as to explore alternative restoration methods.
- b. On matters relating to management structure, inventory and legal instruments, the Research makes **eleven recommendations** for consideration by various parties in Hoi An and Viet Nam in general:
- i. To produce a comprehensive Conservation Guideline for Hoi An that amongst others should provide principles of restoration, techniques and method of restoring timber elements, lime plastering, roof tiles and provision for general maintenance.
  - ii. To update the protection of heritage in Hoi An by amending Decision No: 1611/1997 to include clauses on intangible heritage of Hoi An, systems of grading and inventory, incentives, penalties and guidelines on restoration.

- iii. To retain the current administrative structure of the Centre for Monument Management and Preservation, as one of the eleven services directly under the People's Committee of Hoi An.
  - iv. To restructure the Department of Relic Management that will allow for specialisation of duties and responsibilities. Four sub-specialised units or groups are recommended: Relic Management; Records and Inventory; Policy and Building Controls; and Publicity and Education.
  - v. To employ more staff with relevant qualifications at all levels to expose the existing staffs to conservation thoughts, methods and practices elsewhere and/or abroad, which now is not happening except to a select few.
  - vi. To retain and expand the capacity Consultancy Office.
  - vii. To produce a Homeowner's Manual for conservation and restoration of shophouses in Hoi An.
  - viii. To improve the overall standard of recording of cultural heritage by broadening the level of information gathered and increasing the quality of documentation.
  - ix. To better protect heritage records by making available a purpose-built room with better security and to produce a duplicate copy.
  - x. To formulate and publish a clear grading criteria.
  - xi. seek international assistance on matters related to recording and storage of information.
- iii. **The Heritage City of Vigan**
- a. On Vigan, the Research concludes that its main cultural property, ancestral houses, share similar design characteristics - two storeys high with living spaces on the first floor and commercial and/or utilitarian spaces on the

ground, rectangular plan form, are constructed using post and lintel construction with large and quality timber columns and beams and have many large windows on the first floor – and can generally be grouped into two categories according to their façade designs: ‘wood-brick’ and ‘all-brick’. The heritage values of these houses are considerably high with no intervention to the facades and plans and no additions to the original houses. However, these changed from clay roof tiles to corrugated sheet metals, which started to happen from the 1950s due to high maintenance of the clay tiles, have effected their heritage values. However, most of these houses are now in a bad state of repair due to poor maintenance and care. The defects are mainly due to chipping of lime plastering, crack of masonry walls, degradation of wooden members and rising damp. The research also concludes that the urban layout of Vigan is conforms very much to the principles of the “Law of the Indies” issued by the Spanish in 1573, but urban intervention in Vigan is insensitive and poor, especially the recent construction of commercial complex around Plaza Salcedo. The design of several fast-food restaurants which has no clear relationship to the burned seminary buildings, which was one stood on the site, or to ancestral houses have damaged the heritage values of the plaza and urban planning in general.

- b. On matters relating to management structure, inventory and legal instruments, the Research makes **eight recommendations** for consideration by various parties in Vigan and in the Philippines in general. The eight recommendations are:
  - i. To amend Ordinance No: 04/2000; specifically to amend the following sections: Section 5 on Guidelines for Walls, Section 7 on Guidelines for Windows, Section 10 for Guidelines for Roof and Ceilings, Section 13 for Guidelines for Paints and Section 24 on Penalties.
  - ii. To protect the additional 59 structures identified by the Vigan Master Plan 2001 through legal instruments by amending Ordinance No: 12/1997.



- iii. To retain the structure of the Vigan Conservation Council (VCC), but to review its composition by reducing the number of government officials and increasing the number of private professionals. This will allow VCC to have fair presentation of conservation experts and will eventually help the Council to make better decisions.
- iv. To upgrade the Technical Working Group (TWG) to an independent office under the City Mayor; it can be known as the Conservation and Restoration (CRO) Office.
- v. To update the existing 120 records of ancestral houses and to continue documenting the remaining 126 historical structures identified by the Vigan Master Plan 2001.
- vi. To better protect inventory records allocating a purposely-built room for this purpose; and to make a second copy to be placed at different location.
- vii. To introduce a system of grading for ancestral houses; four grades (Grade 1-IV) are recommended of which Grade I is allocated for houses that have very high heritage values and Grade IV for houses with low heritage values.
- viii. To establish a Centre for Conservation Studies at the University of Northern Philippines.

#### **iv. Lessons for the region**

From the two case studies above, the Research draws lessons that can be learned by other historical cities in the region.

- i. On the issue relating to management structures, the Research finds that both Hoi An and Vigan have adopted the recommendations made by UNESCO (1972a:article 13) for the establishment of specialised management units: in Hoi An is the Centre for Monument Management and Preservation (CMMP) and in Vigan is Vigan Conservation Council (VCC). These units, which are placed on a par with other services/units within the local authorities, are

effective in managing and safeguarding their cultural properties. Therefore, the Research draws attention to other local authorities in the region, to seriously consider adopting similar management structures.

- ii. On legal instruments, the Research finds that protection of cultural heritage is best provided by local laws and regulations. In Hoi An, for example, there are six instruments that provide guidance, controls, regulations and directions of managing cultural properties in the city and four instruments that provide the same for Vigan. These laws, which focus specifically on the protection of cultural heritage at local levels are proven to be effective. The Research, therefore draws attentions to other historical cities in the region to establish or improve their local laws and regulations on heritage.
- iii. On inventory, the Research finds that at both historical cities, the practice of recording and documentation of cultural properties are not satisfactory if compared to the recommendations made by ICOMOS (1996). Improvements are needed, both in term of technical and management aspects. The Research, cautions other historical cities in the region to evaluate their current practices of documentation by placing primary concern on three aspects: quality of documentation, security of records and sharing of information.

## **8.5 Limitations and Future Research**

This Research was carried within the requirements for possible awards of PhD and therefore has these limitations:

- i. Due to the time and resources available, the duration of the field work carried out in 2002 was limited to only several weeks at each city. Specifically six weeks was spent in Vigan and five weeks in Hoi An. However, these visits achieved their objectives since important preparation was made in advanced such as appointments, visits and discussions and was supported by earlier visits to the World Heritage Centre and ICOMOS Documentation Centre in Paris (Appendix 2). Some of the information was later supplied by the individuals concerned after the field work ended, through electronic mail. Given more time and resources,

longer stay in these cities, as well as follow-up visits would benefit this research directly;

- ii. The study on the architecture of Hoi An and Vigan was limited to their main cultural property. In Hoi the focus was on its shophouses and in Vigan was on its ancestral houses; and is limited to their exterior or façade design and to some extent their construction methods. This was due to the limited time available on sites and difficulties to grant permission inside since most of these buildings are privately owned;
- iii. To some extent communication in Hoi An was a barrier. While in Vigan the majority of the officers, professionals and general public speak very good English, in Hoi An only a handful could. Even though the local authority provided a couple of translators, discussions and conversations with officials and the public sometimes felt superficial. This is compounded by the philosophy of the county that embraces Communism, where domestic information is considered highly confidential. Thus, the Research adopts careful observations as well as searching through the records that are available at the World Heritage Centre and the ICOMOS Documentation Centre in Paris

To complement this Research and to better comprehend the practice of conservation in Southeast Asia, in particular of its heritage cities, it is recommended that related research be carried out in the near future:

- i. To consolidate the research on architecture of Hoi An and Vigan by studying the spatial planning of shophouses and ancestral houses as well as on public buildings;
- ii. To research on other aspects of conservation, especially on other critical areas such as on capacity building, public awareness, risk preparedness and finance and incentive;

- iii. To widen the research to include other heritage cities in Southeast Asia such as Luang Prabang in Laos, Malacca and Penang in Malaysia, Aceh in Indonesia, Hanoi in Viet Nam and Singapore.

It is hoped that this Research has highlighted the architectural values or the 'significant values' of the shophouses in Hoi An and the ancestral houses in Vigan and their current state of conservation so that they can be better understood and appreciated by the authorities in those cities and countries, professionals, and the public at large; so that proper conservation plans can now be put in place in order to retain and even enhance these values. Similarly, it is a primary hope that this Research has filled the gaps in the management of Hoi An and Vigan by providing specific recommendations for both cities relating to their management structures, inventory and legal instruments.

These recommendations will be forwarded to the local authorities concerned, to the World Heritage Centre and the ICOMOS International in Paris for their notice and further perusal, as well as to the UNESCO Office in Bangkok to be shared by other heritage cities in Southeast Asian countries.

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# APPENDICES



**Appendix 1**  
**CONSERVATION GUIDELINES SINCE THE VENICE CHARTER 1964**

**A. International Guidelines on Main Conservation Principles.**

1. International Charter for the Conservation and Restoration of Monuments and Sites (The Venice Charter), CATHM, 1964
2. Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works, UNESCO, 1968
3. Resolution of the Symposium on the Introduction of Contemporary Architecture into Ancient Groups of Buildings, ICOMOS, 1972
4. Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage, UNESCO, 1972
5. Convention Concerning the Protection of the World Cultural and Natural Heritage, UNESCO, 1972
6. Resolution of the International Symposium on the Conservation of Smaller Historic Towns, ICOMOS, 1975
7. Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas, UNESCO, 1976
8. Charter on the Preservation of Historic Garden, ICOMOS, 1982
9. Charter for the Conservation of Historic Towns and Urban Areas, ICOMOS, 1987
10. Charter for the Protection and Management of the Archaeological Heritage, ICOMOS, 1990
11. Charter on the Protection and Management of Underwater Cultural Heritage, ICOMOS, 1996
12. Convention on the Protection of the Underwater Cultural Heritage, UNESCO, 2001
13. Convention for the Safeguarding of the Intangible Cultural Heritage, UNESCO, 2003

**B. Regional and National Guidelines**

14. The Declaration of Amsterdam, Council of Europe, 1975
15. The European Charter of the Architectural Heritage, Council of Europe, 1975

16. The Australian Charter for the Conservation of Places of Cultural Significance [the Burra Charter, ICOMOS Australia, 1979 [Revised 1981, 1988, 1999]
17. Declaration of Tlaxcala on the Revitalization of Small Settlements in Americas, ICOMOS Mexico, 1982
18. The Declaration of Dresden on the Reconstruction of Monuments Destroyed by War, ICOMOS Germany, 1982
19. The Charter for the Preservation of Quebec's Heritage, Canada, ICOMOS Canada, 1982
20. Appleton Charter for the Protection and Enhancement of the Built Environment, Canada, ICOMOS Canada, 1983
21. Principles of Preservation and Revitalization of Historic Centres in Brazil, ICOMOS Brazil, 1987
22. Charter for the Conservation of Places of Cultural Heritage Value, New Zealand, ICOMOS New Zealand, 1992
23. Guidelines for the Definition of Boundaries for Candidate World Heritage Sites in the United Kingdom, ICOMOS UK, 2000
24. Principles for the Conservation of Heritage Sites in China, ICOMOS China 2000

### **C. Refinement of Specific Issues**

25. Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites, ICOMOS, 1993
26. The Nara Document on Authenticity, Agency for Cultural Affairs, Japan and UNESCO, 1994
27. Principles for the Recording of Monuments, Groups of Buildings and Sites, ICOMOS, 1996
28. Declaration of San Antonio on Authenticity in the Conservation and Management of Cultural Heritage in Inter-Americas, ICOMOS Americas, 1996
29. Declaration of Quebec on Heritage and Risk Preparedness in Canada, ICOMOS Canada, 1996
30. The Kobe/Tokyo Declaration on Risk Preparedness for Cultural Heritage, Tokyo University of the Arts, Japan and UNESCO, 1997

31. Declaration of Assisi on Risk Preparedness Policy, ICOMOS, 1998
32. Principles for the Preservation of Historic Timber Buildings, ICOMOS, 1999
33. Charter on the Built Vernacular Heritage, ICOMOS, 2000
34. Oxford Declaration on Landscape, ICOMOS UK, 2000
35. Guidelines for the Conservation of Timber in Historic Buildings in the United Kingdom, ICOMOS UK, 2001
36. Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, ICOMOS, 2003
37. Principles for the Preservation and Conservation/Restoration of Wall Paintings, ICOMOS, 2003.

## Appendix 2 REPORT ON FIELD WORK

Prior to the actual field works to the World Heritage Cities in Southeast Asia, a couple of visits were made to the library of the Centre of Conservation Studies at the University of York during the early phase of the research programme. The visit to the library, in particular to its thesis collection was considered important since there are several completed PhD theses submitted recently that relate to the management of heritage towns and to conservation in general. Together with other similar theses submitted at other universities in the United Kingdom in particular, a clear picture as to what has been researched<sup>1</sup> in the United Kingdom since 1990. Consequently this has helped to narrow down several possible research gaps.

The second visit was made to the office of UNESCO' s consultant Mr. David Michaelmore in Wakefield, United Kingdom<sup>2</sup> . As the principle of the company, David has been the consultant to UNESCO and ICOMOS for several years and has worked in a total of 24 different countries. He was the main consultant who drafted the nomination dossiers for submission to the World Heritage Centre for the Town of Luang Prabang in Laos in 1995, the Heritage Town of Vigan in Philippines in 1998 and the Ancient Town of Hoi An in Viet Nam in 1999. He was also involved in the evaluations and monitoring missions of UNESCO and ICOMOS for Cultural Sites in the People's Republic of China in 1994, the Kathmandu Valley World Heritage Site since 1993, Viet Nam since 1998, and Bangladesh in 1998. His vast experience and direct involvement with the process and implementation of World Heritage Convention 1972, has helped me to have a better understanding on the mechanism of the Convention in relation to the listing to the World Heritage Sites, the expectation of UNESCO and the problems faced by heritage cities in the far-east. He was also helpful in providing important contacts in Paris, Viet Nam, the Philippines, Bangkok and Laos.

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<sup>1</sup> Refers to academic research that leads to the award of PhD only.

<sup>2</sup> David Michaelmore is the principle of Building Conservation Services that specialises on the conservation and management of cultural properties.

Before the actual field trips to the heritage cities in South East Asia, I made a one-week trip to Paris, France in February 2002 to visit the UNESCO World Heritage Centre and the Documentation Centre of the International Council on Monuments and Sites (ICOMOS). The main objective of the visit was to understand the functions of the World Heritage Centre in relation to the World Heritage Convention 1972 and to view the original nomination dossiers from heritage cities in Asia and the Pacific region.

At the UNESCO World Heritage Centre, I met Ms Junko Taniguchi and Mr Feng Jing who are programme specialists for cultural heritage in Asia and the Pacific region. I was briefed on the functions of the World Heritage Centre that mainly concern the technical issues of both cultural and natural heritage rather than management issues, the process of inclusion on the World Heritage List from submission from State Party to the final decision made by the World Heritage Committee and the latest international collaboration between heritage cities in Europe and heritage cities in Asia and the Pacific.

At the ICOMOS office, I met Ms Regina Durighello who is in charge of the World Heritage Convention and Mr Jose Gracia, the Director of the Documentation Centre. As the Advisory Body to the World Heritage Centre, ICOMOS has kept a complete set of nomination dossiers since 1990 including all related correspondence and reports. I spent most of the time viewing nomination dossiers of heritage cities in Asia and the Pacific in particular the dossiers of Vigan in the Philippines, Hoi An and Hue in Viet Nam and Luang Prabang in Laos. The opportunity was also taken to view other dossiers from European cities such as Bath in the United Kingdom and Edinburgh in Scotland.

A short meeting was organised to meet Ms Gaia Jungeblodt, Director of the International Secretariat of ICOMOS to discuss the possibilities of establishing ICOMOS Malaysia about which I was first approached in 1997 by Ms Gaia, but could not materialise the idea. With the new scenario and the intention of the Historic City of Malacca and Penang to be included in the World Heritage List, the establishment of

ICOMOS Malaysia is very timely. I am now making necessary correspondence with colleagues and friends in Malaysia with the aim to establish ICOMOS Malaysia soon.

The visit to Paris proved to be very useful not only as I had the opportunity to meet, interview and discuss with officials from the World Heritage Centre, UNESCO and ICOMOS, but also the chance to get full access to the original documents related to the submission of cultural properties to the World Heritage List.

During the summer of 2002, the actual field trips were conducted to selected heritage cities in South East Asia. A trip to the Heritage City of Vigan, in the Philippines happened from early Jun 2002 for six weeks; followed by a five week trip to the Ancient Town of Hoi An in Viet Nam from the middle of July 2002. Since all the preparation such as appointment schedules, scope of discussions, places to visit, and authorities to meet were made well in advance before the visits began, the field trips were most successful.

In Vigan, I was warmly received by the Honourable Mayor Eva Marie S. Medina who expressed her full support and co-operation for this research. The Hon. Mayor spent the whole afternoon discussing issues on managing the Heritage Town of Vigan : both technical and management issues. I also had the opportunities to meet and discuss with other people in the Municipality such as the Deputy Mayor Mr. Franz Ranches and the chief administrator Mr. Glen Concepcion who explained the management structures, inventory, process of submission and approval and organised several visits to cottage industries in the villages.

At the University of the Northern Philippines, I met two prominent scholars: Dr. Ferdinand J. Lamarca and Arch. Fatima Rabang Alonzo. Dr. Lamarca is the Vice President of the University in-charge of Planning, Research and Extension and a member of Vigan Conservation Council. The discussion with Dr Lamarca at his office was centred on the function of Vigan Conservation Council and Vigan Conservation Committee. Arch. Fatima Rabang is the Dean of Architecture School, and has written several reports and official documents relating to the built heritage of Vigan. The

discussion with Arch. Fatima Rabang was focused mainly on the architecture of Vigan houses, inventory and related academic programmes.

I had many informal meetings and discussions with leading practising architects in Vigan. Arch. Renato B. Navarro showed his on-going restoration projects in the heritage zone. Restoration of Vigan Plaza Hotel which is about fifty-percent completed at the time of the visit is a conversion or change in-use from a typical Vigan ancestral house to high class hotel; whereas the conservation of the Ancestral House on Quirino Blvd which is about to be completed is what can be considered as a restoration project. Arch. Rey. I. Florentino shared his experience in restoring Nolasco House on Mabini Street and explained his current exhibition on Restoring Vigan Ancestral Houses at the Museo of San Pablo, as part of a wider exhibit on Vigan 1800's - A Photographic Journey Into a Faith-Culture Experience<sup>3</sup>. The discussion with the architects and the visits to actual construction sites has helped me to understand the general methodology and the approach to conservation adopted by local architects; the standard of workmanship and the skills of general workers.

I was much helped by members of the local Non-Governmental Organization, Save Vigan Ancestral Homes Association (SVAHAD). Ms. Marjo Grasser who was the past President of the association, explained about the objectives of the association and their efforts in promoting Vigan as a significant cultural property of the world prior to the submission to the World Heritage Centre in 1998; and showed the mouth of Abra River by the South China Sea, which is now silted and blocked by dykes. Abra River was a busy route leading to Vigan during 15<sup>th</sup> - 17<sup>th</sup> centuries. Mr. Bung Bonato, the current President, spent his time explaining the problems maintaining the houses, tracing the house owners and compiling inventory in general.

In Manila, I met Architect Augusto Villalon, the leading architect specialising in conservation projects in the Philippines, authors of several books , current president of

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<sup>3</sup> A photographic exhibition of Vigan in the 19<sup>th</sup> Century by Dr Alexander Schadenberg, a pharmacist and native of Breslau Germany who made his home in Vigan in 1885. Most of his work is housed at the Dresden Museum which generously provided the negatives for reproduction for this exhibition. The author failed to get permission to take photographs and/or duplicate the information.

ICOMOS Philippines and president of the Heritage Conservation Society<sup>4</sup>. Mr Villalon shared his valuable experience regarding the 'politic' of heritage in Vigan and in the Philippines in general and the position of the Philippines at international level.

The second field trip was carried-out several days after the Vigan trip to the Ancient Town of Hoi An in Viet Nam for five weeks. Like the Vigan trip, the visit to Hoi An, Viet Nam was also most successful. I was warmly welcomed by Mr. Tran Anh who is the Head of Hoi An Centre For Monuments Management and Preservation<sup>5</sup> and his staff. During the five week stay in the heart of this ancient town, I had the opportunity to meet many individuals, mainly government officials.

Due to the political structure of the country which embraces communism, there is no Non-Governmental Organisation (NGO) in Hoi An; and no private-practicing architects or engineers that the author can meet. The different political structure between the Philippines and Viet Nam has forced me to apply a slightly different approach in trying to get factual information. While the official in Hoi An were extremely helpful, some of the data and information gathered were best achieved by careful observation. For example, the methodology of restoration adopted by the authority was achieved by careful observation of completed and on-going restoration projects; and the potentials of cottage industries to support conservation works was achieved by visiting related industries and villages.

At Hoi An Center For Monuments Management and Preservation, I met several heads of division, professionals such as engineers and architects, and officers from financial and administrative units. On behalf of the Director, Mr. Nguyen Duc Minh, Head of the Museum Department and a senior member of staff who specialises on folklore, briefed and discussed in details issues related to the management of the ancient town. Issues such as the management structure of the Centre and how it relates to the higher management bodies in the country, staffing and training were discussed. Mr Nguyen Duc Minh also explained and clarified in detail many legal instruments adopted at

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<sup>4</sup> Heritage Conservation Society is Non-Governmental Organisation at national level that concerns with the conservation and restoration of heritage in the Philippines. The author became a member of the society in 2002

<sup>5</sup> is the authority responsible for the management and planning of Ancient Town of Hoi An.



local, province and national levels. On issues related to the inventory of cultural heritage, Mrs Tuan, head of the Monuments Management Department explained and discussed the approaches and the methods of inventory, the problems related to the actual implementation and highlighted some of the successes. Other related issues such as record management, security and sharing of information were also discussed.

I was much helped on technical issues by an in-house architect and engineer. Mr Pham Phu Ngoc, an engineer, explained in great detail the process of planning and approval, and the many functions of the Consultancy Centre at 55 Nguyen Thai Hoc Street, that was established a few years back, functioning as one-stop centre for the public to get help and advice on restoration of their individual houses. Mr Ngoc and architect Mr. Vo Dang Phong identified some completed and current restoration projects carried out by the Centre, within the heritage zone, which I visited and I spent some days at the sites. Several days were spent on visiting supporting industries in nearby villages : Thanh Ha Village about 3km from the town centre specialises in producing tiles, bricks and pottery for restoration works in Hoi An and other towns in Viet Nam; Kim Bong Village on a nearby island about 15 minutes boat-ride from ancient town specialises on training in carpentry and production of timber carvings.

I was lucky to be able to meet a Japanese Consultant, Mr Nagumo Ichiro, working in Hoi An under the auspices of the Japan International Cooperation Agency (JICA). An expert on preservation of traditional Japanese houses, Mr Ichiro has been seconded from Showa Women's University in Japan to Hoi An since 2000; to provide technical advise to professionals in Hoi An and to supervise a few on-going conservation projects in Hoi An that are financed by the Japanese Government through JICA. Much information was gathered on the technical issues relating to the restoration of timber houses in Hoi An and on management of Ancient Town of Hoi-An in general.

At both the World Heritage Cities of Vigan and Hoi An, I was warmly welcomed by the locals who thought that I was 'local' at first. The warm hospitality of the people of Vigan and Hoi An and their willingness to share their thoughts and opinions have helped me to consolidate understanding on the management and conservation of these two heritage cities.

### Appendix 3

## THE OPERATIONAL GUIDELINES FOR THE IMPLEMENTATION OF THE WORLD HERITAGE CONVENTION (1999 Amended 2000)

The World Heritage Committee, the main body in charge of the implementation of the Convention, has developed precise criteria for the inscription of properties on the World Heritage List and for the provision of international assistance under the World Heritage Fund. These are all included in a document entitled 'Operational Guidelines for the Implementation of the World Heritage Convention'. This document, which can be revised by the Committee at any time to reflect new concepts, knowledge or experiences, now contains the following seven chapters:

- Establishment of the World Heritage List, which describes the criteria and procedures for the presentation, evaluation and inscription of properties on the World Heritage List;
- Reactive Monitoring and Periodic Reporting defines the principles of monitoring and reporting concerning properties inscribed on the World Heritage List;
- Establishment of the List of World Heritage in Danger, describing the criteria and procedures for the inscription on the List of world Heritage in Danger of properties that are threatened;
- International assistance, which defines the type of and conditions under which assistance can be provided to States Parties;
- World Heritage Fund which deals with the acceptance of contributions for safeguarding activities;
- Balance between the cultural and the natural heritage in the implementation of the Convention;
- Other matters, including the use of the World Heritage emblem and the meetings of the World Heritage Committee and its Bureau.

The Operational Guidelines have been revised approximately 12 times since they were originally drafted by the World Heritage Committee in 1977. A table has been prepared containing links to the different versions in the Historical Development of the *Operational Guidelines*.

### INTRODUCTION

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

2. In an attempt to remedy this perilous situation and to ensure, as far as possible, the proper identification, protection, conservation and presentation of the world's irreplaceable heritage, the Member States of UNESCO adopted in 1972 the Convention concerning the Protection of the World Cultural and Natural Heritage, hereinafter referred to as "the Convention". The Convention complements heritage conservation

programmes at the national level and provides for the establishment of a "World Heritage Committee" and a "World Heritage Fund". Both the Committee and the Fund have been in operation since 1976.

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

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

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

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

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

**The Operational Guidelines have been prepared with these objectives in mind.**

## **Chapter I : ESTABLISHMENT OF THE WORLD HERITAGE LIST**

### **A. General Principles**

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

- i. The Convention provides for the protection of those cultural and natural properties deemed to be of outstanding universal value. It is not intended to provide for the protection of all properties of great interest, importance or value, but only for a select list of the most outstanding of these from an international

- viewpoint. The outstanding universal value of cultural and natural properties is defined by Articles 1 and 2 of the Convention. These definitions are interpreted by the Committee by using two sets of criteria: one set for cultural property and another set for natural property. The criteria and the conditions of authenticity or integrity adopted by the Committee for this purpose are set out in paragraphs 24 and 44 below.
- ii. The criteria for the inclusion of properties in the World Heritage List have been elaborated to enable the Committee to act with full independence in evaluating the intrinsic merit of property, without regard to any other consideration (including the need for technical co-operation support).
  - iii. Efforts will be made to maintain a reasonable balance between the numbers of cultural heritage and the natural heritage properties entered on the List.
  - iv. Cultural and natural properties are included in the World Heritage List according to a gradual process and no formal limit is imposed either on the total number of properties included in the List or on the number of properties any individual State can submit at successive stages for inclusion therein.
  - v. Inscriptions of sites shall be deferred until evidence of the full commitment of the nominating government, within its means, is demonstrated. Evidence would take the forms of relevant legislation, staffing, funding, and management plans, as described below in Paragraph 24 (b) (ii) for cultural properties, and in Paragraph 44 (b) (vi) for natural properties.
  - vi. When a property has deteriorated to the extent that it has lost those characteristics which determined its inclusion in the World Heritage List. It should be placed on the World Heritage in Danger List, subsequently the procedure concerning the possible deletion from the List will be applied. This procedure is set out in paragraphs 46 to 54 below.
  - vii. In view of the difficulty in handling the large numbers of cultural nominations now being received, however, the Committee invites States Parties to consider whether their cultural heritage is already well represented on the List and if so to slow down voluntarily their rate of submission of further nominations. This would help in making it possible for the List to become more universally representative. By the same token, the Committee calls on States Parties whose cultural heritage is not yet adequately represented on the List and who might need assistance in preparing nominations of cultural properties to seek such assistance from the Committee.

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## **B. Indications to States Parties concerning nominations to the List**

7. The Committee requests each State Party to submit to it a tentative list of properties which it intends to nominate for inscription to the World Heritage List during the following five to ten years. This tentative list will constitute the "inventory" (provided for in Article 11 of the Convention) of the cultural and natural properties situated within the territory of each State Party and which it considers suitable for inclusion in the World Heritage List. The purpose of these tentative lists is to enable the Committee to evaluate within the widest possible context the "outstanding universal value" of each property nominated to the List. The Committee hopes that States Parties that have not yet submitted a tentative list will do so as early as possible. States Parties are reminded

*of the Committee's earlier decision not to consider cultural nominations unless such a list of cultural properties has been submitted.*

8. In order to facilitate the work of all concerned, the Committee requests States Parties to submit their tentative lists in a *standard format* (see Annex 1) which provides for information under the following headings:

- the name of the property;
- the geographical location of the property;
- a brief description of the property;
- a justification of the "outstanding universal value" of the property in accordance with the criteria and conditions of authenticity or integrity set out in paragraphs 24 and 44 below, taking account of similar properties both inside and outside the boundaries of the State concerned.

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

9. The fundamental principle stipulated in the Convention is that properties nominated must be of outstanding universal value and the properties nominated therefore should be carefully selected. The criteria and conditions of authenticity or integrity against which the Committee will evaluate properties are set out in paragraphs 24 and 44 below. Within a given geo-cultural region, it may be desirable for States Parties to make comparative assessments for the harmonization of tentative lists and nominations of cultural properties. Support for the organization of meetings for this purpose may be requested under the World Heritage Fund.

10. Each nomination should be presented in the form of a well-argued case. It should be submitted on the appropriate form (see paragraph 64 below) and should provide all the information to demonstrate that the property nominated is truly of "outstanding universal value". Each nomination should be supported by all the necessary documentation, including suitable slides and maps and other material. With regard to cultural properties, States Parties are invited to attach to the nomination forms a brief analysis of references in world literature (e.g. reference works such as general or specialized encyclopaedias, histories of art or architecture, records of voyages and explorations, scientific reports, guidebooks, etc.) along with a comprehensive bibliography. With regard to newly-discovered properties, evidence of the attention which the discovery has received internationally would be equally helpful.

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

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

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

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

14. Participation of local people in the nomination process is essential to make them feel a shared responsibility with the State Party in the maintenance of the site.

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

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

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

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

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

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

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

20. When a series of cultural or natural properties, as defined in paragraph 19 above, consists of properties situated in the territory of more than one State Party to the

Convention, the States Parties concerned are encouraged to jointly submit a single nomination.

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

22. Where the intrinsic qualities of a property nominated are threatened by action of man and yet meet the criteria and the conditions of authenticity or integrity set out in paragraphs 24 and 44, an action plan outlining the corrective measures required should be submitted with the nomination file. Should the corrective measures submitted by the nominating State not be taken within the time proposed by the State, the property will be considered by the Committee for delisting in accordance with the procedure adopted by the Committee.

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

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

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

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

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

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

- a.
  - i. represent a masterpiece of human creative genius; or
  - ii. exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design; or
  - iii. bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared; or

- iv. be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history; or
- v. be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change; or
- vi. be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances and in conjunction with other criteria cultural or natural);

*and*

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

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

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

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

- i. towns which are no longer inhabited but which provide unchanged archaeological evidence of the past; these generally satisfy the criterion of authenticity and their state of conservation can be relatively easily controlled;



- ii. historic towns which are still inhabited and which, by their very nature, have developed and will continue to develop under the influence of socio-economic and cultural change, a situation that renders the assessment of their authenticity more difficult and any conservation policy more problematical;
- iii. new towns of the twentieth century which paradoxically have something in common with both the aforementioned categories: while their original urban organization is clearly recognizable and their authenticity is undeniable, their future is unclear because their development is largely uncontrollable.

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

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

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

30. Historic centres and historic areas should be listed only where they contain a large number of ancient buildings of monumental importance which provide a direct indication of the characteristic features of a town of exceptional interest. Nominations of several isolated and unrelated buildings which allegedly represent, in themselves, a town whose urban fabric has ceased to be discernible, should not be encouraged.
31. However, nominations could be made regarding properties that occupy a limited space but have had a major influence on the history of town planning. In such cases, the nomination should make it clear that it is the monumental group that is to be listed and that the town is mentioned only incidentally as the place where the property is located. Similarly, if a building of clearly universal significance is located in severely degraded or insufficiently representative urban surroundings, it should, of course, be listed without any special reference to the town.
32. It is difficult to assess the quality of new towns of the twentieth century. History alone will tell which of them will best serve as examples of contemporary town planning. The examination of the files on these towns should be deferred, save under exceptional circumstances.
33. Under present conditions, preference should be given to the inclusion in the World Heritage List of small or medium-sized urban areas which are in a position to manage any potential growth, rather than the great metropolises, on which sufficiently complete information and documentation cannot readily be provided that would serve as a satisfactory basis for their inclusion in their entirety.
34. In view of the effects which the entry of a town in the World Heritage List could have on its future, such entries should be exceptional. Inclusion in the List implies that legislative and administrative measures have already been taken to ensure the protection of the group of buildings and its environment. Informed awareness on the part of the population concerned, without whose active participation any conservation scheme would be impractical, is also essential.
35. With respect to *cultural landscapes*, the Committee has furthermore adopted the following guidelines concerning their inclusion in the World Heritage List.
36. Cultural landscapes represent the "combined works of nature and of man" designated in Article 1 of the Convention. They are illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal. They should be selected on the basis both of their outstanding universal value and of their representativity in terms of a clearly defined geo-cultural region and also for their capacity to illustrate the essential and distinct cultural elements of such regions.
37. The term "cultural landscape" embraces a diversity of manifestations of the interaction between humankind and its natural environment.
38. Cultural landscapes often reflect specific techniques of sustainable land-use, considering the characteristics and limits of the natural environment they are established

in, and a specific spiritual relation to nature. Protection of cultural landscapes can contribute to modern techniques of sustainable land-use and can maintain or enhance natural values in the landscape. The continued existence of traditional forms of land-use supports biological diversity in many regions of the world. The protection of traditional cultural landscapes is therefore helpful in maintaining biological diversity.

**39. Cultural landscapes fall into three main categories, namely:**

- i. The most easily identifiable is the clearly defined landscape designed and created intentionally by man. This embraces garden and parkland landscapes constructed for aesthetic reasons which are often (but not always) associated with religious or other monumental buildings and ensembles.**
- ii. The second category is the organically evolved landscape. This 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. They fall into two sub-categories:**
  - o a relict (or fossil) landscape is one in which an evolutionary process came to an end at some time in the past, either abruptly or over a period. Its significant distinguishing features are, however, still visible in material form.**
  - o a continuing landscape is one which retains an active social role in contemporary society closely associated with the traditional way of life, and in which the evolutionary process is still in progress. At the same time it exhibits significant material evidence of its evolution over time.**
- iii. The final category is the associative cultural landscape. The inclusion of such landscapes on the World Heritage List is justifiable 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.**

**40. The extent of a cultural landscape for inclusion on the World Heritage List is relative to its functionality and intelligibility. In any case, the sample selected must be substantial enough to adequately represent the totality of the cultural landscape that it illustrates. The possibility of designating long linear areas which represent culturally significant transport and communication networks should not be excluded.**

**41. The general criteria for conservation and management laid down in paragraph 24.(b).(ii) above are equally applicable to cultural landscapes. It is important that due attention be paid to the full range of values represented in the landscape, both cultural and natural. The nominations should be prepared in collaboration with and the full approval of local communities.**

**42. The existence of a category of "cultural landscape", included on the World Heritage List on the basis of the criteria set out in paragraph 24 above, does not exclude the possibility of sites of exceptional importance in relation to both cultural and natural criteria continuing to be included. In such cases, their outstanding universal significance must be justified under both sets of criteria.**

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

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

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

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

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

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

- a.
  - i. be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features; or
  - ii. be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals; or
  - iii. contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance; or
  - iv. contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation;

*and*

- b. also fulfil the following conditions of integrity:
  - i. The sites described in 44(a)(i) should contain all or most of the key interrelated and interdependent elements in their natural relationships; for example, an "ice age" area should include the snow field, the glacier itself and samples of cutting patterns, deposition and colonization (e.g. striations, moraines, pioneer stages of plant succession, etc.); in the case of volcanoes, the magmatic series should be complete and all or most of the varieties of effusive rocks and types of eruptions be represented.
  - ii. The sites described in 44(a)(ii) should have sufficient size and contain the necessary elements to demonstrate the key aspects of processes that

are essential for the long-term conservation of the ecosystems and the biological diversity they contain; for example, an area of tropical rain forest should include a certain amount of variation in elevation above sea-level, changes in topography and soil types, patch systems and naturally regenerating patches; similarly a coral reef should include, for example, seagrass, mangrove or other adjacent ecosystems that regulate nutrient and sediment inputs into the reef.

- iii. The sites described in 44(a)(iii) should be of outstanding aesthetic value and include areas that are essential for maintaining the beauty of the site; for example, a site whose scenic values depend on a waterfall, should include adjacent catchment and downstream areas that are integrally linked to the maintenance of the aesthetic qualities of the site.
- iv. The sites described in paragraph 44(a)(iv) should contain habitats for maintaining the most diverse fauna and flora characteristic of the biographic province and ecosystems under consideration; for example, a tropical savannah should include a complete assemblage of co-evolved herbivores and plants; an island ecosystem should include habitats for maintaining endemic biota; a site containing wide-ranging species should be large enough to include the most critical habitats essential to ensure the survival of viable populations of those species; for an area containing migratory species, seasonal breeding and nesting sites, and migratory routes, wherever they are located, should be adequately protected; international conventions, e.g. the Convention of Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention), for ensuring the protection of habitats of migratory species of waterfowl, and other multi- and bilateral agreements could provide this assurance.
- v. The sites described in paragraph 44(a) should have a management plan. When a site does not have a management plan at the time when it is nominated for the consideration of the World Heritage Committee, the State Party concerned should indicate when such a plan will become available and how it proposes to mobilize the resources required for the preparation and implementation of the plan. The State Party should also provide other document(s) (e.g. operational plans) which will guide the management of the site until such time when a management plan is finalized.
- vi. A site described in paragraph 44(a) should have adequate long-term legislative, regulatory, institutional or traditional protection. The boundaries of that site should reflect the spatial requirements of habitats, species, processes or phenomena that provide the basis for its nomination for inscription on the World Heritage List. The boundaries should include sufficient areas immediately adjacent to the area of outstanding universal value in order to protect the site's heritage values from direct effects of human encroachment and impacts of resource use outside of the nominated area. The boundaries of the nominated site may coincide with one or more existing or proposed protected areas, such as national parks or biosphere reserves. While an existing or proposed protected area may contain several management zones, only some of those zones may satisfy criteria described in paragraph 44(a); other zones, although they

may not meet the criteria set out in paragraph 44(a), may be essential for the management to ensure the integrity of the nominated site; for example, in the case of a biosphere reserve, only the core zone may meet the criteria and the conditions of integrity, although other zones, i.e. buffer and transitional zones, would be important for the conservation of the biosphere reserve in its totality.

- vii. Sites described in paragraph 44(a) should be the most important sites for the conservation of biological diversity. Biological diversity, according to the new global Convention on Biological Diversity, means the variability among living organisms in terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part and includes diversity within species, between species and of ecosystems. Only those sites which are the most biologically diverse are likely to meet criterion (iv) of paragraph 44(a).

45. In principle, a site could be inscribed on the World Heritage List as long as it satisfies one of the four criteria and the relevant conditions of integrity. However, most inscribed sites have met two or more criteria. Nomination dossiers, IUCN evaluations and the final recommendations of the Committee on each inscribed site are available for consultation by States Parties which may wish to use such information as guides for identifying and elaborating nomination of sites within their own territories.

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

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

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

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

48. When the Secretariat receives such information from a source other than the State Party concerned, it will, as far as possible, verify the source and the contents of the information in consultation with the State Party concerned and request its comments.

49. The Secretariat will request the competent advisory organization(s) (ICOMOS, IUCN or ICCROM) to forward comments on the information received.

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

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

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

52. The State Party shall be informed of the Committee's decision and public notice of this decision shall be immediately given by the Committee.

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

54. In adopting the above procedure, the Committee was particularly concerned that all possible measures should be taken to prevent the deletion of any property from the List and was ready to offer technical co-operation as far as possible to States Parties in this connection. Furthermore, the Committee wishes to draw the attention of States Parties to the stipulations of Article 4 of the Convention which reads as follows:  
"Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future

generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State...".

55. In this connection, the Committee recommends that States Parties co-operate with the advisory bodies which have been asked by the Committee to carry out monitoring and reporting on its behalf on the progress of work undertaken for the preservation of properties inscribed on the World Heritage List.

56. The World Heritage Committee invites the States Parties to the Convention Concerning the Protection of the World Cultural and Natural Heritage to inform the Committee, through the UNESCO Secretariat, of their intention to undertake or to authorize in an area protected under the Convention major restorations or new constructions which may affect the World Heritage value of the property. Notice should be given as soon as possible (for instance, before drafting basic documents for specific projects) and before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the world heritage value of the site is fully preserved.

#### **F. Guidelines for the evaluation and examination of nominations**

57. The evaluation of whether or not individual sites nominated by States Parties satisfy the criteria and the conditions of authenticity/integrity will be carried out by the International Council on Monuments and Sites (ICOMOS) for cultural properties and by the World Conservation Union (IUCN) for natural properties. In the case of nominations of cultural properties in the category of 'cultural landscapes', as appropriate, the evaluation will be carried out in consultation with the World Conservation Union (IUCN).

ICOMOS and IUCN present evaluation reports to the Bureau of the World Heritage Committee. ICOMOS and IUCN, taking into account the decisions of the Bureau and additional information that might have been received from the nominating State Party, present a final evaluation report to the World Heritage Committee. The report of the World Heritage Committee's session will include its decision, the criteria under which the nominated site has been inscribed, the justification of their application as well as any recommendation the Committee may wish to make on that occasion.

58. The World Heritage List should be as representative as possible of all cultural and natural properties which meet the Convention's requirement of outstanding universal value and the cultural and natural criteria and the conditions of authenticity or integrity adopted by the Committee (see paragraphs 24 to 44 above).

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

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



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

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

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

63. The criteria for which a specific property is included in the World Heritage List will be set out by the Committee in its reports and publications, along with a clearly stated summary of the characteristics which justified the inclusion of the property which should be reflected in its future management.

## **G. Format and content of nominations**

64. The same form approved by the Committee is used for the submission of nominations of cultural and natural properties. Although it is recognized that all properties have specific characteristics, States Parties are encouraged to provide information and documentation on the following items:

1. Identification of the Property
  - a. Country (and State Party if different)
  - b. State, Province or Region
  - c. Name of Property
  - d. Exact location on map and indication of geographical co-ordinates to the nearest second
  - e. Maps and/or plans showing boundary of area proposed for inscription and of any buffer zone
  - f. Area of site proposed for inscription (ha.) and proposed buffer zone (ha.) if any
2. Justification for Inscription
  - a. Statement of significance
  - b. Possible comparative analysis (including state of conservation of similar sites)

- c. Authenticity / Integrity
- d. Criteria under which inscription is proposed (and justification for inscription under these criteria)
3. Description
  - a. Description of Property
  - b. History and Development
  - c. Form and date of most recent records of site
  - d. Present state of conservation
  - e. Policies and programmes related to the presentation and promotion of the property
4. Management
  - a. Ownership
  - b. Legal status
  - c. Protective measures and means of implementing them
  - d. Agency / agencies with management authority
  - e. Level at which management is exercised (e.g., on site, regionally) and name and address of responsible person for contact purposes
  - f. Agreed plans related to property (e.g., regional, local plan, conservation plan, tourism development plan)
  - g. Sources and levels of finance
  - h. Sources of expertise and training in conservation and management techniques
  - i. Visitor facilities and statistics
  - j. Site management plan and statement of objectives (copy to be annexed)
  - k. Staffing levels (professional, technical, maintenance)
5. Factors Affecting the Site
  - a. Development Pressures (e.g., encroachment, adaption, agriculture, mining)
  - b. Environmental Pressures (e.g., pollution, climate change)
  - c. Natural disasters and preparedness (earthquakes, floods, fires, etc.)
  - d. Visitor / tourism pressures
  - e. Number of inhabitants within site, buffer zone
  - f. Other
6. Monitoring
  - a. Key indicators for measuring state of conservation
  - b. Administrative arrangements for monitoring property
  - c. Results of previous reporting exercises
7. Documentation
  - a. Photographs, slides and, where available, film / video
  - b. Copies of site management plans and extracts of other plans relevant to the site
  - c. Bibliography
  - d. Address where inventory, records and archives are held
8. Signature on behalf of the State Party

The Committee adopted at its twentieth session substantive Explanatory Notes to the above nomination form. These notes relate to the above headings and will be made available as an annex to the Nomination Form to the States Parties in order to provide guidance to those nominating properties for inclusion on the World Heritage List.

## H. Procedure and timetable for the processing of nominations

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

### Year 1 [Amended in 2000]

1 February

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

1 February - 1 March

The Secretariat:

1. registers each nomination and thoroughly verifies its contents and accompanying documentation. In the case of incomplete nominations, the Secretariat must immediately request the missing information from States Parties.<sup>3</sup>
2. transmits nominations, provided they are complete, to the appropriate Advisory Body (ICOMOS, IUCN or both), which:

immediately examines each nomination to ascertain those cases in which additional information is required and takes the necessary steps, in co-operation with the Secretariat, to obtain the complementary data, and

### Year 1 - Year 2

June-February

The Advisory Body undertakes a professional evaluation of each nomination according to the criteria adopted by the Committee. It transmits these evaluations to the Secretariat under three categories:

- c. properties which are recommended for inscription without reservation;
- d. properties which are not recommended for inscription;
- e. properties which are recommended for referral or deferral.

### During February

The Secretariat checks the evaluations of the Advisory Bodies and ensures that the Bureau receive them 6 weeks in advance of the Bureau session with available documentation.

### April

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

- f. properties which it recommends for inscription without reservation;
- g. properties which it does not recommend for inscription;
- h. properties that need to be referred back to the nominating State for further information or documentation and re-submission to the following Bureau;
- i. properties whose examination should be deferred on the ground that a more in-depth assessment or study is needed.

### April-May

The report of the Bureau is transmitted by the Secretariat as soon as possible to all States Parties members of the Committee, as well as to all States Parties concerned. The Secretariat endeavours to obtain from the States Parties concerned the additional information requested on properties under category (c) above and transmits this information to ICOMOS, IUCN and States members of the Committee. If requested information is not obtained by 1 October, the nomination will not be eligible for review by the Committee at its regular session in the same year. Nominations assigned to category (c) by the Bureau may not be examined except in the case that missing information at the time of the Bureau was factual. Nominations assigned to category (d) will not be examined by the Committee the same year.

### June

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

- j. properties which it inscribes on the World Heritage List;
- k. properties which it decides not to inscribe on the List;
- l. properties whose consideration is deferred;
- m. properties whose consideration is referred for additional information.

### July

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

66. In the event that a State Party wishes to nominate an *extension* to a property already inscribed on the World Heritage List, the same documentation should be provided and the same procedure shall apply as for new nominations, set out in paragraph 64 above. This provision will not apply for extensions which are simple modifications of these limits of the property in question: in this case, the request for modification of these limits is submitted directly to the Bureau which will examine in particular the relevant maps and plans. The Bureau can approve such modifications, or it may consider that the change is sufficiently important to constitute an extension of the property, in which case the procedure for new nominations will apply.

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

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**Appendix 4  
ASEAN Declaration On Cultural Heritage, 2000**

**WE, the Foreign Ministers of the ASEAN Member Countries representing Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam;**

**MINDFUL of the vast cultural resources and rich heritage of civilizations, ideas and value systems of ASEAN, and cognizant of the need to protect, preserve and promote their vitality and integrity;**

**COGNIZANT of the aspirations of all ASEAN peoples for a regional order based on equal access to cultural opportunities, equal participation in cultural creativity and decision-making, and deep respect for the diversity of cultures and identities in ASEAN, without distinction as to nationality, race, ethnicity, sex, language or religion;**

**FULLY AWARE that cultural creativity and diversity guarantee the ultimate viability of ASEAN societies;**

**AFFIRMING that all cultural heritage, identities and expressions, cultural rights and freedoms derive from the dignity and worth inherent in the human person in creative interaction with other human persons and that the creative communities of human persons in ASEAN are the main agents and consequently should be the principal beneficiary of, and participate actively in the realization of these heritage, expressions and rights;**

**UNDERSTANDING that cultural traditions are an integral part of ASEAN's intangible heritage and an effective means of bringing together ASEAN peoples to recognize their regional identity;**

**DETERMINED to achieve substantial progress in the protection and promotion of ASEAN cultural heritage and cultural rights undertakings through an increased and sustained program of regional cooperation and solidarity, which draws sustained inspiration from the deep historical, linguistic, and cultural unity and linkages among Southeast Asian peoples.**

**CONSIDERING that the erosion or extinction of any tangible or intangible cultural heritage of ASEAN constitutes a harmful impoverishment of human heritage;**

**FULLY AWARE of the threat of cultural loss, rapid deterioration of living traditions of creative and technical excellence, knowledge systems and practices and the disappearance of worthy heritage structures due to tropical climate, inappropriate development efforts, illicit trade and trafficking, or the homogenizing forces of globalization and other major changes taking place in ASEAN societies;**

**CONCERNED** that the increasing dominance of market forces, mass production and consumerist orientation in contemporary industrial society can undermine human dignity, freedom, creativity, social justice and equality.

**OBSERVING** that the protection of this heritage often cannot be fully undertaken at the national level because of the magnitude of economic and technical resources it requires and can only be undertaken through the collective action of ASEAN and assistance of the international community, which, although not a substitute, can effectively complement the initiatives of the Member Countries concerned;

**AFFIRMING** the importance of cultural discourse, awareness and literacy in enhancing intra-cultural and inter-cultural understanding and deeper appreciation of ASEAN cultural heritage, as essential for peaceful coexistence and harmony in ASEAN, both at the national and regional levels;

**REAFFIRMING** the commitment to an ASEAN community conscious of and drawing inspiration from its deeply shared history, cultural heritage and regional identity, as enshrined in the ASEAN Vision 2020 adopted by the ASEAN Heads of State/Government in December 1997;

**ACKNOWLEDGING** the work of the ASEAN Committee on Culture and Information (COCI) in its efforts to promote awareness and appreciation of the cultural heritage of ASEAN and to enhance mutual understanding of the cultures and value systems among the peoples of ASEAN;

**DO HEREBY DECLARE** the following policies and programmes as a framework for ASEAN cooperation on cultural heritage:

## **1. NATIONAL AND REGIONAL PROTECTION OF ASEAN CULTURAL HERITAGE**

It is primarily the duty of each ASEAN Member Country to identify, delineate, protect, conserve, promote, develop and transmit to future generations the significant cultural heritage within its territory and to avail of regional and international assistance and cooperation, wherever necessary and appropriate. While fully respecting each Member Country's sovereignty and national property rights, ASEAN recognizes that the national cultural heritage of Member Countries constitute the heritage of Southeast Asia for whose protection it is the duty of ASEAN as a whole to cooperate.

To guarantee the protection, preservation, and promotion of each Member Country's cultural heritages, each Country shall formulate and adopt policies, programmes, and services and develop appropriate technical, scientific, legal, administrative and financial measures for this purpose.

### **DEFINITION OF CULTURE AND CULTURAL HERITAGE**

ASEAN Member Countries recognize the following meanings :

**“Culture”** means the whole complex of distinctive spiritual, intellectual, emotional and material features that characterize a society or social group. It includes the arts and letters as well as human modes of life, value systems, creativity, knowledge systems, traditions and beliefs.

**“Cultural heritage”** means:

(a) significant cultural values and concepts;

(b) structures and artifacts: dwellings, buildings for worship, utility structures, works of visual arts, tools and implements, that are of a historical, aesthetic, or scientific significance;

(c) sites and human habitats: human creations or combined human creations and nature, archaeological sites and sites of living human communities that are of outstanding value from a historical, aesthetic, anthropological or ecological viewpoint, or, because of its natural features, of considerable importance as habitat for the cultural survival and identity of particular living traditions;

(d) oral or folk heritage: folkways, folklore, languages and literature, traditional arts and crafts, architecture, and the performing arts, games, indigenous knowledge systems and practices, myths, customs and beliefs, rituals and other living traditions;

(e) the written heritage;

(f) popular cultural heritage: popular creativity in mass cultures (i.e. industrial or commercial cultures), popular forms of expression of outstanding aesthetic, anthropological and sociological values, including the music, dance, graphic arts, fashion, games and sports, industrial design, cinema, television, music video, video arts and cyber art in technologically-oriented urbanized communities.

## **2. PROTECTION OF NATIONAL TREASURES AND CULTURAL PROPERTIES**

ASEAN shall cooperate in the protection of antiquities and works of historic significance, movable and immovable cultural properties that are manifestations of national history, of great structural and architectural importance, of outstanding archaeological, anthropological or scientific value, or associated with exceptional events and are to be considered or declared National Treasures and Protected Buildings or Protected Artifacts. Historic sites, cultural landscapes, areas of scenic beauty and natural monuments shall be identified, recognized and protected.

ASEAN Member Countries shall take necessary measures to safeguard cultural heritage against all human and natural dangers to which it is exposed, including the risks due to armed conflicts, occupation of territories, or other kinds of public disorders.

## **3. SUSTENTATION OF WORTHY LIVING TRADITIONS**



ASEAN Member Countries shall cooperate to sustain and preserve worthy living traditions and folkways and protect their living bearers in recognition of people's right to their own culture since their capacity to sustain that culture is often eroded by the impact of the consumerist values of industrial globali-zation, mass media, and other causes and influences. ASEAN Member Countries shall cooperate to protect, promote and support worthy, highly creative living traditions within the framework of national and regional, social, cultural and economic development undertakings.

For this purpose, ASEAN Member Countries shall design both formal and non-formal learning programs for living traditions, both in rural and urban settings, stressing on the dignity and wisdom of these traditions and promoting creative diversity and alternative world views and values. Member Countries shall also endeavor to set up centers for indigenous knowledge and wisdom in communities for the documentation and promotion of traditional artistic or technical processes; and to institute a system of awards and recognition for the living bearers of worthy living traditions or human living treasures who are persons embodying the highest degree of particular cultural skills and techniques.

#### **4. PRESERVATION OF PAST AND LIVING SCHOLARLY, ARTISTIC AND INTELLECTUAL CULTURAL HERITAGE**

The masterpieces and creations of profound traditions by eminent sages, philosophers, artists and writers of the past and present serve as perpetual beacons of insight and illumination, wellsprings of guidance and direction for the present and future ASEAN peoples. Their protection, documentation, preservation and promotion are of the highest priority.

#### **5. PRESERVATION OF PAST AND LIVING POPULAR CULTURAL HERITAGE AND TRADITIONS**

Popular forms of expression in mass cultures constitute an important artistic, intellectual, sociological, anthropological, scientific, and historical resource and basis for social and intercultural understanding. ASEAN shall encourage and support the preservation of outstanding "popular" traditions and heritage.

#### **6. ENHANCEMENT OF CULTURAL EDUCATION, AWARENESS AND LITERACY**

ASEAN Member Countries shall undertake continuing cultural exchanges and programs of cultural awareness and sensitivity as a basic component of ASEAN cooperation. The development of ASEAN perspectives and the validation of ASEAN cultural strengths and resources, particularly historical linkages and shared heritage and sense of regional identity could be effectively achieved through these programs.

#### **7. AFFIRMATION OF ASEAN CULTURAL DIGNITY**

ASEAN Member Countries shall endeavor to balance the increasing dominance of materialist culture by a recognition and affirmation of human spirituality, creative imagination and wisdom, social responsibility and ethical dimensions of progress.

ASEAN Member Countries shall explore possibilities to strengthen ASEAN value systems in contemporary society at the local, national and regional levels, positively harnessing them to provide direction and a vision for authentic human development, particularly in the spheres of education, mass media, governance and business.

## **8. ADVANCEMENT OF CULTURAL HERITAGE POLICY AND LEGISLATION**

ASEAN Member Countries shall ensure the effectiveness of cultural policies and laws for the preservation of cultural heritage, and the protection of communal intellectual property.

Cultures with global reach must not deprive local, national and regional cultures of their own development dynamics and reduce them to relics of the past. Member Countries shall ensure that cultural laws and policies empower all peoples and communities to harness their own creativity towards human development.

ASEAN Member Countries shall cooperate closely to ensure that their citizens enjoy the economic, moral and neighboring rights resulting from research, creation, performance, recording and/or dissemination of their cultural heritage.

## **9. RECOGNITION OF COMMUNAL INTELLECTUAL PROPERTY RIGHTS**

ASEAN Member Countries recognize that traditional knowledge systems and practices including designs, technology and oral literature are collectively owned by their local community of origin. ASEAN Member Countries shall ensure that traditional communities have access, protection and rights of ownership to their own heritage. ASEAN shall cooperate for the enactment of international laws on intellectual property to recognize indigenous population and traditional groups as the legitimate owners of their own cultural heritage.

## **10. PREVENTION OF THE ILLICIT TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY**

ASEAN Member Countries shall exert the utmost effort to protect cultural property against theft, illicit trade and trafficking, and illegal transfer. As parties to this Declaration, ASEAN Member Countries shall cooperate to return, seek the return, or help facilitate the return, to their rightful owners of cultural property that has been stolen from a museum, site, or similar repositories, whether the stolen property is presently in the possession of another member or non-member country.

ASEAN Member Countries are urged to take measures to control the acquisition of illicitly traded cultural objects by persons and/or institutions in their respective jurisdictions, and to cooperate with other member and non-member countries having

serious problems in protecting their heritage by properly educating the public and applying appropriate and effective import and export controls.

## **11. COMMERCIAL UTILIZATION OF CULTURAL HERITAGE AND RESOURCES**

Every person has the right to enjoy the benefits of modern scientific and economic progress and their applications. However, certain advances, notably in the biomedical and life sciences as well as in information technology, may potentially have adverse consequences on the cultural heritage of ASEAN. Therefore, ASEAN Member Countries shall strengthen regional cooperation to ensure that commercial utilization does not impinge upon the integrity, dignity and rights of particular ASEAN societies.

## **12. INTEGRATION OF CULTURE AND DEVELOPMENT**

Cultural creativity and diversity is a source of human progress and is an essential factor in development. Cultural growth and economic sustainability are interdependent. The management of cultural resources can contribute much to social and economic development. Thus, ASEAN Member Countries shall integrate cultural knowledge and wisdom into their development policies.

ASEAN Member Countries shall make cultural policies as one of the key components of their development strategies. Activities designed to raise awareness of political and economic leaders to the importance of cultural factors in the process of sustainable development shall also be initiated. These cultural factors include cultural industry and tourism as well as people's values and mindsets.

## **13. DEVELOPMENT OF NATIONAL AND REGIONAL NETWORKS ON ASEAN CULTURAL HERITAGE**

ASEAN Member Countries shall cooperate in the development and establishment of national and regional inventories, databases and networks of academic institutions, government offices, archives, museums, galleries, art centers, training centers, mass media agencies and other institutions concerned with cultural heritage and their documentation, conservation, preservation, dissemination and promotion.

## **14. ALLOCATION OF RESOURCES FOR CULTURAL HERITAGE ACTIVITIES**

Increased efforts shall be made to assist countries which so request to create the conditions under which individuals can participate in cultural heritage planning and development. ASEAN, the United Nations as well as other multilateral organizations are urged to increase considerably the resources allocated to programs aiming at the establishment and strengthening of national legislation, national institutions and related infrastructures which uphold cultural heritage through training and education.

The full and effective implementation of ASEAN activities to promote and protect cultural heritage shall reflect the high importance accorded to cultural heritage by this

Declaration. To this end, ASEAN cultural heritage activities shall be provided with increased resources.

## **15. DEVELOPMENT AND IMPLEMENTATION OF AN ASEAN PROGRAM ON CULTURAL HERITAGE**

The ASEAN Committee on Cultural and Information is enjoined to draw up a work program on cultural heritage, including among others the observance of an ASEAN Decade for Cultural Heritage in 2001-2010.

SIGNED in Bangkok, Thailand, this 25th day of July, Year 2000.

For the Government of Brunei Darussalam:

**MOHAMED BOLKIAH**  
Minister of Foreign Affairs

For the Government of the Kingdom of Cambodia:

**HOR NAMHONG**  
Senior Minister and Minister of Foreign Affairs and International  
Cooperation

For the Government of the Republic of Indonesia:

**ALWI SHIHAB**  
Minister for Foreign Affairs

For the Government of the Lao People's Democratic Republic:

**SOMSAVAT LENGSAVAD**  
Deputy Prime Ministers and Minister of Foreign Affairs

For the Government of Malaysia:

**SYED HAMID ALBAR**  
Minister of Foreign Affairs

For the Government of the Union of Myanmar:

**WIN AUNG**  
Minister for Foreign Affairs

For the Government of the Philippines:

**DOMINGO L. SIAZON, Jr**  
Secretary of Foreign Affairs

For the Government of the Republic of Singapore:

**S. JAYAKUMAR**  
Minister for Foreign Affairs

For the Government of the Kingdom of Thailand:

**SURIN PITSUWAN**  
Minister of Foreign Affairs

For the Government of the Socialist Republic of Viet Nam:

**NGUYEN DY NIEN**  
Minister for Foreign Affairs