A history of recent US World Heritage nominations

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Abstract

The United States resumed making nominations to the UNESCO World Heritage List in 2009, after a period of 15 years during which no nominations had been made. In the US, the National Park Service's Office of International Affairs (OIA) is responsible for the World Heritage program, under the authority of the Department of the Interior. OIA manages the process to identify candidate sites for nomination, and guides the preparation of nominations, which are now lengthy documents, similar to a book in size and scope. The small office has overseen seven World Heritage nominations during this recent era; of those, four have been inscribed on the World Heritage list, one was withdrawn, and two are in process. This article describes the little-known processes involved in World Heritage nominations and the issues, including the international context, that influence their selection and ultimate success or failure.

The World Heritage Convention was adopted by the United Nations (UN) in 1972. It is an international treaty that seeks to protect natural and cultural sites of "outstanding universal value" by designating them as World Heritage Sites. Signatory nations nominate their sites for inclusion on the World Heritage List, which currently recognizes more than 1,100 cultural and natural treasures in over 160 countries. The convention is overseen by the World Heritage Committee, made up of delegates from 21 countries elected on a rotating basis; it meets annually to consider new nominations. Day-to-day administration is handled by the UN Educational, Scientific, and Cultural Organization (UNESCO). In the United States, responsibility for the program is delegated to the assistant secretary of the interior for fish and wildlife and parks, working in coordination with the Department of State. The staff office for the program is the US National Park Service's Office of International Affairs (OIA), which oversees the development of US nominations. There are now 24 US sites included on the World Heritage List, most of which are units of the national park system.

National membership in UNESCO is not required for a country to be a signatory to the convention, nor is it required for signatories to make nominations. Decisions on nominations are made by the World Heritage Committee, not UNESCO. The US was the first country to sign the convention, and has remained a signatory continuously ever since. However, because of political disagreements, the Reagan administration withdrew the US from UNESCO in 1984—an absence that would last some 20 years. The US then returned to UNESCO membership until 2018, when the Trump administration again withdrew. As of this writing, the US has not rejoined. Although these absences were not, and are not, legal barriers to nominating sites, as we shall see they have played a role in how the US has proceeded with developing its nominations.

When the United States rejoined UNESCO in 2003, the action by the George W. Bush Administration triggered a new era in our World Heritage nominations. As the convention's first signatory in 1972, the US was among the first countries to make nominations to the World Heritage List and, during the early years, was among those with the largest numbers of listed sites. By the mid-1990s, however, the US had ceased making nominations, in large part as a reaction to domestic political controversy generated by the inclusion of Yellowstone National Park

on the List of World Heritage in Danger, due to proposed development near the park. By the time the US rejoined in 2003 and began to consider making nominations again, much about the process had changed. The early nominations by the US were simple typewritten essays of 20 pages or fewer, with a few illustrations and vague sketch maps. The evaluations by the official advisory bodies to the World Heritage Committee (ICOMOS, the International Council on Monuments and Sites, for cultural properties, and IUCN, the International Union for Conservation of Nature, for natural properties) ran to perhaps a page or two in length.

By the 21st century, nominations had become hundreds of pages long, with glossy illustrations filling printed tomes that resembled coffee-table books. The text followed a detailed format with many pages of instructions, and the advisory body evaluations were far longer and more detailed than the early nominations themselves had been. OIA had a daunting task to staff the revived program and learn the ropes. This paper will outline the recent history of the administration of the World Heritage program in the US and describe the role of OIA in World Heritage nominations, with particular focus on the author's work that the George Wright Society has supported since 2020 through its cooperative agreement with OIA. It builds on the comprehensive series of articles by Peter Stott in *The George Wright Forum* that documented the earlier history of the National Park Service and the World Heritage Convention.[1]

While many countries put significant money and staffing into World Heritage efforts, the US program had far fewer resources, reflecting the generally lower profile of the designation here (ironically so, given the US's leadership in the birth of the convention). OIA started its renewed World Heritage efforts with the part-time efforts of two of its six-person staff: Stephen Morris, chief of OIA, and Jonathan Putnam, an international cooperation specialist with a background in natural resources. The office recruited a retired historian, James Charlton, who had worked on many of the early US nominations in the 1980s. He was joined by the author, a historian who was detailed to OIA on a part-time basis from an NPS regional office. While it is the responsibility of the property owner to prepare nominations, OIA provides guidance, direction, and editorial advice to ensure that nominations meet both legal requirements and the content specifications of the World Heritage Committee's *Operational Guidelines*.[2]

The division of responsibilities in preparing a US World Heritage nomination is unusual, with the property owners or sponsors, often a private non-profit organization or state or local government, underwriting the majority of the costs (in some cases greater than half a million dollars) while the Department of the Interior and OIA exercise the approval authority to ensure high quality and determine if the final product is suitable to be nominated by the US government.

The first step was to overhaul and update the US World Heritage Tentative List, the official list of candidate sites from which nominations can be drawn. This effort took about two years. It involved the development of an application form. Thirty-five applications were submitted, and these were evaluated by OIA, experts within the National Park Service, and some outside experts familiar with World Heritage requirements. The final selection was made by the secretary of the interior, with the input of a committee formed under the US National Committee for UNESCO, a federal advisory group that had been reconstituted when the US rejoined the international body. This project concluded just before the end of the Bush Administration, enabling the US to submit two nominations in January 2009. (These submissions were made just as the US concluded a four-year term on the World Heritage Committee; part of the Bush Administration's program for rejoining UNESCO had been to run for election to the committee. The US adopted the position of refraining from making nominations while on the committee when it was elected to that term, in order to counter any perceived conflicts of interest, and because there was a growing impression that many countries were using their presence on the committee to push for their own nominations. Such self-restraint is still rarely observed among committee members, and is a continuing source of discussion and controversy.) One of the two nominations, for Papahānaumokuākea Marine National Monument in Hawaii, became the US's first mixed (cultural and natural) World Heritage listing in 2010. The other, for Mount Vernon, was withdrawn after receiving a negative recommendation from ICOMOS. Tripped up by the World Heritage Committee's policy not to list sites primarily associated with important individuals, it served as something of an object lesson in the potential pitfalls of the program. With care and caution, OIA guided the preparation of nominations for three more cultural properties over the next several years. This work fell largely to the author after Charlton's untimely death in 2008. After successful inscriptions of the Poverty Point archaeological site in Louisiana and Texas' San Antonio Missions, a complex nomination for 10 buildings by architect Frank Lloyd Wright was referred back by the World Heritage Committee in 2016. Three years of painstaking revisions that included a completely revamped justification and the removal of two of the buildings from the "series" ultimately resulted in a successful inscription in 2019. The experience,



The Gemeinhaus, in the Historic Moravian District in Bethlehem, Pennsylvania. The district is part of a pending nomination of 18th-century Moravian Church settlements in four countries. HISTORIC BETHLEHEM MUSEUMS AND SITES

while painful and time-consuming, did provide a deep learning experience for OIA in the construction of World Heritage nominations.

In 2014, the Department of the Interior initiated an update of the Tentative List, recognizing that there was constant demand from stakeholders and property owners for new nominations. This effort was significantly different from that which resulted in the 2008 Tentative List, and which had made use of a voluntary application. Instead, the Department developed a top-down process designed to identify the best candidates that could both meet the program's many requirements and also fill gaps in the World Heritage List itself and the US's contributions to it.

OIA had amassed over 100 suggestions for possible sites to add to the Tentative List since 2008. Additional candidates were identified by OIA through discussions with National Park Service experts and queries to State Historic Preservation Offices. The goal of the revision was to add approximately 10 properties, evenly divided between cultural and natural places, to the Tentative List, with the expectation that the additions would provide potential candidates for about 10 years. No more than one nomination per year can be submitted, and the US does not make nominations every year.

The Department of the Interior convened an expert working group, composed of representatives of agencies and professional organizations with expertise in the topics covered by the World Heritage Convention. The working group, established as a sub-committee of the US National Commission for UNESCO, identified priority themes and topics to help focus choices from among the many suggestions. The priorities for cultural sites were: Design Innovation, International Migration, Slavery / Freedom, and Technology / Industry. The priorities for natural sites were: Marine ecosystems, Deserts, Arctic tundra, Grasslands, and Paleontological sites. A special category was added for US properties that could join transboundary nominations with other countries. The US National Committee of ICOMOS conducted a "gap" study of under-represented categories of cultural heritage for which the US might have good candidates, and an expert from IUCN's World Commission on Protected Areas

prepared a report on areas in the US identified as being priorities for global conservation. OIA then contacted individual sites responsive to these priorities that appeared to have significant potential and, if they were interested in being nominated, asked for a brief summary that addressed potential outstanding universal value, integrity, authenticity, and management issues.

After considering the potential of each site to meet the World Heritage criteria and management requirements, and to have the capacity to develop a detailed nomination document, OIA identified a short list of possible candidates that corresponded to the priority themes, using both the existing suggestions and others that emerged from discussion with the working group. For the cultural sites, OIA contracted with ICOMOS to review the short list of 10 cultural properties and give a preliminary assessment of whether they would be strong candidates. After obtaining ICOMOS's review, the working group recommended five cultural and four natural properties be added to the Tentative List. The updated list was approved by the assistant secretary of the interior and sent to UNESCO in 2017.

Supporters of Hopewell Ceremonial Earthworks, a group of ancient sites in Ohio (some part of Hopewell Culture National Historical Park and some owned by the state) that had been on the Tentative List since 2008, were authorized to prepare a nomination in 2018. It was completed and submitted to the UNESCO in January 2022. (The US had dropped its membership in UNESCO again in 2018, but remains a signatory to the World Heritage Convention, so the nomination could go forward.) Another nomination, in which the Historic Moravian District in Bethlehem, Pennsylvania, would form part of a "transnational serial" nomination of 18th-century Moravian Church settlements in four countries, was authorized in 2021. The author continued to be the primary OIA staff member advising on these nominations (all the nominations since 2010 were for cultural sites; the early nominations more commonly had been for natural sites, including some of the most iconic national parks, such as Yellowstone, Yosemite and the Grand Canyon). After the author retired from the National Park Service in 2017, OIA retained her services through various partnership agreements, including one currently in effect with the George Wright Society.

The Great Circle in Newark, Ohio, part of the Hopewell Ceremonial Earthworks nomination. TIMOTHY E. BLACK/NEWARK EARTHWORKS CENTER



The work to guide the preparation of World Heritage nominations today, as described below, builds on the experience gained from the preceding ones since 2008, as well as the broader policy knowledge amassed by OIA staff from attending annual sessions of the World Heritage Committee at which the advisory bodies present their recommendations and the committee makes its decisions. The preparation for these sessions includes looking at the nominations themselves, in all their global variety; reading the advisory body evaluations; and considering the implications of policy proposals and their ultimate disposition. The personal connections made with professional colleagues from other countries, representatives of the advisory bodies, and UNESCO's World Heritage staff helps to provide a broad and practical understanding of the potential of US sites for World Heritage listing and the best way to present them.

It must be noted that, starting in 2026, a major new step will be added to the existing process for reviewing World Heritage nominations. The World Heritage Committee has instituted a new preliminary assessment of nomination proposals that will take place before the actions described below. This step is intended to help weed out proposals that are unlikely to meet the World Heritage criteria. While the preliminary assessments should, eventually, result in fewer problematic nominations, they will add almost three years to the timeline.

Process and preparation of a US nomination to the World Heritage List

When the assistant secretary of the interior for fish and wildlife and parks initiates the process to consider a new nomination, the OIA staff makes recommendations to the assistant secretary and to the Interagency Panel for World Heritage, which advises the assistant secretary under the federal regulations that guide the program.[3] The advice incorporates a summary of public comments that have been submitted in response to a notice in the *Federal Register* that kicks off the process. Recommendations as to which properties on the Tentative List are ready to be authorized are based on the staff's confidence in being able to justify the convention's standard that they are of outstanding universal value, the presence of strong management and legal protection, the support of key stakeholders and community members, and the capacity and readiness of the property's owner or representatives to undertake and manage an expensive and years-long project with multiple team members. Readiness can be evidenced by having undertaken preliminary work such as organizing consultations with international experts, undertaking comparison studies, or engaging in discussions with OIA about criteria justifications, among other possibilities.

Once a decision is made to authorize the preparation of a nomination, a notice of the decision is published in the *Federal Register*, and OIA also notifies the property owners and the relevant congressional committees, as specified in the program regulations. At this point, OIA usually starts holding monthly meetings with the lead members of the nomination team to discuss progress and issues as they arise and advise on organization. The team working on the nomination needs to be led by someone acting as a project manager, and other team members are needed to contribute both technical and administrative content for the various sections of the nomination dossier, as well as skills such as cartography, graphic design, and photography. The nomination format prescribed by the World Heritage Committee's *Operational Guidelines* has sections for identification of the property, description, significance (justification of the World Heritage criteria used), integrity, authenticity, a global comparative analysis, management and legal protection, and documentation supporting the text.

Initial tasks undertaken with the advice of OIA include:

- Agreement on the World Heritage criteria to be used. These may differ from what was anticipated in the Tentative List, when details of justification are considered and drafts begun. It is necessary to define the attributes of the property that support the criteria, and which will be used in the comparative analysis.
- Discussion of the appropriate scope and organization of the comparative analysis. This critical component of the work must be a thorough and objective examination of properties in the region, the country, and globally with similar attributes. The purpose is to show that the property being nominated has a unique and substantive contribution to make to the World Heritage List. Such a consideration may well require new research and the input of both national and international experts. It is often a challenge for site proponents, who are accustomed to thinking about their property in a regional or national context, to consider it in a global context. National significance does not necessarily equate to global significance, so comparisons must be objective, and may lead to a narrower or more precise definition of the property's outstanding universal value.
- Discussion of appropriate boundaries for the nominated property and, where appropriate, definition of a buffer zone. (The latter is not a formal part of the nomination but can help support protection of the property and is generally preferred by the advisory bodies.)
- Collecting documentation of ownership and legal protection for review by the Department of the Interior's



The U.S. Delegation to the World Heritage session in St. Petersburg, Russia, 2012. NATIONAL PARK SERVICE

solicitor, who must affirm that the protection meets the requirements of the World Heritage program regulations.

The nomination team provides drafts of various sections to OIA as they are developed. OIA reviews them for clarity, consistency across sections, consistent reinforcement of the argument for outstanding universal value, and avoidance of extraneous detail. OIA also ensures that the definition and justification of boundaries and buffer zones are supported by the descriptions and integrity discussions. Issues commonly raised by the advisory bodies in their review, such as external development, justification of the components in a series (for serial nominations), and whether the content and presentation are in the required format, are also evaluated. This review work draws not only on OIA's experience with previous US nominations and their evaluations, but also on parallels with nominations made by other countries and their experiences. The latter also enables OIA to help ensure that the comparative analysis is complete.

The work to prepare a complete World Heritage nomination in draft typically takes at least a year, and usually longer. The team must allow time for multiple drafts, obtaining peer review of the justification of global significance, and the review of legal protections by the Department of the Interior solicitor, including obtaining the written concurrence of all the property's owners. The annual deadline for the receipt of nominations is February 1. If the US is to submit a nomination by that date, the document should be completed in draft by at least the late summer of the preceding year, to allow for additional review, revisions, and graphic layout so that a final draft can be sent to UNESCO for a preliminary technical review by September 30.

The next step is the presentation of the final draft to the Interagency Panel for the members' review and comment. OIA also makes a recommendation on the viability of the nomination. If the assistant secretary decides on the basis of these recommendations that the nomination should be submitted, the document can then be printed and the OIA

staff proceeds to prepare a memorandum of the decision for the assistant secretary's signature and another *Federal Register* notice announcing the decision, along with formal notifications to the property owners and congressional committees and press materials in coordination with the sponsors of the nominations. The printed nomination is packaged with maps and electronic media for transmittal to UNESCO via the State Department.

With the main work on the nomination completed, all the team members get a bit of a breather for a few months, awaiting the next step, which is the on-site evaluation of the property by a representative of one of the advisory bodies. The person conducting the evaluation (someone with relevant expertise, but always from another country) is contributing only part of the advisory body's evaluation. While subject-matter experts conduct desk reviews of the justification, the on-site review focuses on topics that require in-person observation and discussion: site integrity, boundaries, protection and management issues, and the level of support from stakeholders in the community. A member of the OIA staff participates to represent the US government, record discussions, help identify and troubleshoot any issues raised by the expert doing the evaluation, and organize the follow-up submission of supplemental information.

After the advisory body has synthesized the information of its desk and on-site reviewers, a World Heritage Panel of ICOMOS or IUCN reaches a preliminary conclusion, which is provided to OIA in an interim report about a year after the nomination was submitted. A discussion with the advisory body can be held at this point, if needed, and it may be necessary to develop and submit further material in response to any issues identified in the interim report. Finally, a few months before the annual summer meeting of the World Heritage Committee, the US receives the final evaluation report and recommendation on the nomination by the advisory body. The recommendation may be to inscribe the property on the World Heritage List, to refer the nomination back for revisions, to defer the nomination for more substantive changes, or to say that the property should not be inscribed at all.

About 15 months after the nomination was submitted by the US, the World Heritage Committee meets to conduct its annual session. This includes not only reviewing nominations, but examining the state of conservation of the many properties already on the World Heritage List and deciding on various policy matters. OIA and State Department staffers form part of the US delegation to the session, along with officials from the Department of the Interior as needed, to monitor and support the nomination. The staff also monitors policy discussions and decisions, participating in working groups of the State Parties of the convention, all of which can inform and support proponents working on other US nominations.

It is important to note that besides the substantive and technical aspects of the nomination process, the US must now also contend with some uncertainty regarding how our nominations will be viewed by the World Heritage Committee, given that the US government has been legally prohibited from paying our annual dues to the World Heritage Fund since 2011. The prohibition derives from laws passed more than two decades ago that were triggered by the admission of Palestine as a member state of UNESCO and a signatory to the World Heritage Convention in 2011. Without a congressional waiver allowing a resumption of payments, the US will continue to amass arrears of dues that now total more than seven million dollars. Though not barred from submitting nominations, the US faces increasing pressure with each new nomination submitted. Moreover, the US is barred from serving on the World Heritage Committee while it is in arrears; this further limits our influence over decisions on both nominations and the process of evaluating them, and on other policy matters. At the time this article went to press, legislative provisions were under discussion in both houses of Congress that might enact a waiver to the dues prohibition.

Even when OIA is not actively working on nominations, there is a continuing body of staff work required for the World Heritage program. Every six years, there is a periodic review by UNESCO of the state of conservation of listed properties. This is typically an elaborate questionnaire for which OIA coordinates responses from US sites. Outside of this process, OIA staff regularly receives inquiries from UNESCO that might have been prompted by media articles or letters from the public about potential issues at US World Heritage Sites. Replies to these inquiries require research, consultation with site managers, and often the signature of senior officials in the Department of the Interior. There is also year-round activity by the World Heritage Committee, which forms working groups to grapple with policy issues during the time between the annual meetings, producing draft proposals, surveys, and other material that often requires input, in coordination with the State Department. The World Heritage staff also fields inquiries on a regular basis from people and organizations eager to have properties added to the Tentative List and start work on nominations. It's necessary for the staff to have a good understanding of the prospects for such suggestions and be able to communicate them clearly. National significance, though a necessary starting point, does not always equate to global significance, and a superficial

reading of the World Heritage criteria often gives false hope to those not familiar with how the criteria are actually interpreted and applied by the advisory bodies and the World Heritage Committee.

When the US began its re-engagement with the World Heritage nomination process more than 15 years ago, it found a significantly more complicated and bureaucratic system at the international level than had been the case in the early days of the program when most US sites were nominated. At that time, OIA staff began a learning process that presented a number of difficult challenges. Nonetheless, the office helped guide to successful inscription four new nominations, including the first ever mixed (cultural/natural) US World Heritage Site. There are two additional nominations in process as of this writing, the first of which will be considered by the World Heritage Committee in 2023. Inevitably, the specialized expertise that OIA has built up over the years will need to be transferred to others when the small cadre of OIA staff now working on the program move on to other pursuits or retire. The office must begin to focus on ways of mentoring new staff who can learn to navigate the intricacies of the World Heritage nomination process.

Endnotes

1. Peter Stott, "The World Heritage Convention and the National Park Service, 1962–1972," *The George Wright Forum* 28(3): 279–290 (2011); Peter Stott, "The World Heritage Convention and the National Park Service: The First Two Decades, 1972–1992" *The George Wright Forum* 29(1): 148–175 (2012); Peter Stott, "The World Heritage Convention and the National Park Service, 1993–2009," *The George Wright Forum* 30(1): 18–44 (2013).
2. UNESCO World Heritage Centre, "Operational Guidelines for the Implementation of the World Heritage Convention." Accessed February 14, 2022. https://whc.unesco.org/en/guidelines/
3. World Heritage Convention, 36 CFR § 73 (1982).

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