

MEMORANDUM

Bahá'í Holy Places in Haifa and the Western Galilee (C-1220) (State Party – Israel)

The State of Israel has conducted a comprehensive review of this nomination in the light of the decision reached by the World Heritage Committee at its 31st Session (31 COM 8B.41) and the ICOMOS evaluation appearing in document WHC-07/31.COM/INF.8B.1 (pages 173-181).

The State Party is gratified by the Committee's acknowledgement of the eligibility of the nominated properties for inscription under criterion (vi), and considers that its observations with regard to the desirability of stronger protection, particularly for the buffer zones and settings of the sites, constitute an implicit recognition of the existence of *tangible values* which can and should be protected in this way.

We also wish to acknowledge the comments of ICOMOS in the conclusion of its evaluation to the effect that (a) this is a difficult nomination to assess and (b) the inscription of these properties should not result *ipso facto* from their association with or importance to a particular religion.

The State of Israel nominated these properties based on its recognition of intrinsic values combining outstanding beauty and esthetic harmony with an extraordinary power to manifest and communicate intangible messages of universal significance. It is hoped that the present submission will be helpful in overcoming the challenges posed by the richness, depth and complexity of this unusual serial nomination.

Part I - Protection of the Buffer Zones and Wider Settings of the Sites

Based on the comments made by ICOMOS in sections 4 and 5 of its evaluation, our review of the protection of the properties focused on (a) the buffer zones and (b) protection under the Combined National Scheme for Building, Development and Conservation ("TAMA 35"), which is the most authoritative and effective instrument at the national level for the recognition and protection of heritage sites. After an examination of all the properties included in the nomination, it was noted that:

- The buffer zone of the site known as the "North Slope of Mount Carmel" was noticeably more "tightly drawn" than the others, and
- The Haifa sites known as the "Persian Quarter" and the "Bahá'í Cemetery" appeared to be unprotected by TAMA 35.

In order to obtain the full benefit of the protection provided by TAMA 35, it was decided to group the nominated properties into "protective units", aligned on the concept of "complexes for preservation" used in that Scheme to designate areas deemed worthy of protection. The eleven sites comprising this serial nomination now form seven protective units, each defined by a common buffer zone, as shown in the revised locator map and serial nomination table which appear as Attachments 1 and 2.

Accordingly, the North Slope of Mount Carmel and the Persian Quarter have been consolidated into a single protective unit called “Carmel North” comprised of a 40-hectare buffer zone¹ enveloping two core areas (see map in Attachment 3). Likewise the Bahá’í Cemetery has been combined with the “Place of Revelation” to form a second unit (“Carmel West”) protected by a 29-hectare buffer zone² (see map in Attachment 4). The three properties in Old Acre also become a single unit (“Old Acre”) protected by a buffer zone coinciding with the core area of the inscribed World Heritage site, as shown in the original documentation (Map I). Each of the other four sites (Bahjí; the Mansion of Mazra‘ih; Riḍván Garden and Junayn Garden), which are already recognized by TAMA 35 as complexes for preservation in their own right, constitutes a separate protective unit as well.

A closer examination of the situation of the Persian Quarter and the Bahá’í Cemetery led to the conclusion that, since the former is treated for planning purposes as part of the Haifa German Colony, it is already included in a “complex for preservation” recognized by TAMA 35, while the latter is protected by the National Outline Scheme for Cemeteries (“TAMA 19”). Nonetheless, the National Planning Administration has agreed to recommend amendment of TAMA 35 to explicitly recognize, as complexes for preservation, the two protective units of Carmel North and Carmel West, as described above (see correspondence in Attachment 5).

As previously pointed out, the new master plan for Acre recognizes all five Bahá’í sites located within the city boundaries, Bahjí and Riḍván Garden being mentioned by name and the other three sites being included in the recognition of Old Acre.

The State Party believes that the measures described above address the critical comments of ICOMOS and comply with the recommendation of the World Heritage Committee that it “put in place stronger protection, particularly for the buffer zones and settings of the sites which comprise the nominated property.”

Together with the extensive legal protection afforded to these sites as Holy Places and the vigilant and persistent advocacy of the Bahá’í World Centre in its role as site manager, we respectfully submit that the threshold of “adequate protection” is met, without negating, in any way, the desirability of further improvements over time.

Part II - Scope of the Nomination

In the first stage of its review of the scope of the nomination, the State Party sought to identify ways in which the nomination might be strengthened by a reduction in the number of sites. Adopting a process of elimination, the strong points of the nomination were enumerated on the basis of the conclusions of the ICOMOS evaluation, as follows:

- Authenticity and integrity are established
- The comparative analysis is accepted: there are no relevant comparators
- The present state of conservation is good and the conservation approaches are appropriate

¹ In the previous version, the total area of the two buffer zones was 35 hectares.

² Compared with a total of 23 hectares for the two buffer zones in the earlier version.

- The management system provides high-quality management

Given the improved protective measures described in Part I of this memorandum, it was concluded that issues relating to the protection of the properties should likewise not be a significant factor in the determination of the scope of the nomination.

According to its evaluation report, “ICOMOS examined the selection of sites put forward by the State Party, and in particular considered whether the information provided by the State Party provides a comprehensive justification for the inclusion of each of the selected sites”, reaching the conclusion that it was “not appropriate to suggest reductions to the nominated sites”, apparently because the integrity of the property depends on “completeness of the evidence” in relation to the events and literary works which form the basis of the claim under criterion (vi). Given the history of criterion (iii) (see Part III below), it seems that the “completeness of the evidence” would also be an essential element of the justification for inscription thereunder.

Thus, it was decided that the reexamination should focus on the Outstanding Universal Value of the nominated properties in relation to the criteria under which inscription was proposed, and particularly on the question as to whether a reduction in scope would:

- strengthen the justification for inscription under criterion (iii), in such a way as to alleviate the concern expressed by ICOMOS and some members of the World Heritage Committee as to the use of criterion (vi) standing alone,
- without adversely affecting the integrity of the property or weakening its eligibility under criterion (vi), as acknowledged by the Committee in its decision.

To assist in answering this question, an independent architect was appointed to visit all the sites and prepare a study of the ways in which the architectural design and physical attributes of the nominated properties reflect and testify to the values, beliefs and practices of the Bahá’í community, including the specific cultural tradition of Bahá’í pilgrimage (see Part III below). The conclusions of this study, a copy of which appears as Attachment 6, were as follows:

As an ensemble, the Bahá’í sites in Israel represent a complete narrative of the development of the religion during its most formative period. The eleven sites grouped in seven protective units take the visitor through historical events from the beginning of the Baha’i religion as a current of Islam, through its detachment from these roots to its opening to the world and becoming an independent religion.

The physical features of these properties are living testimony to the values, traditions and customs that are the foundation of the religion, and they hold within them ideas and beliefs that are internationally significant and important. Despite the differences in age and style, these properties give visual expression to the most basic concepts of the Bahá’í philosophy, and through the architecture, the placement of the sites in their surroundings and their historical background, one can discover the main values and principles of the religion, as well as its cultural and historical roots. In addition, these sites constitute the physical setting and frame of the traditional practice of pilgrimage that has existed since the earliest days of the religion.

The results of the comprehensive review carried out by the State Party, including the above-mentioned study, are summarized in tabular form in Attachment 7, which also shows the regrouping of the eleven sites into seven protective units, as described in Part I above. This table presents an analysis of all the properties comprising the nomination in relation to the requirements of criteria (iii) and (vi) and shows how each and every site meets the standards of both criteria. Given the importance of the “completeness of the evidence” for the justification presented under these criteria, the State Party reached the conclusion that any reduction in the scope of the nomination would actually weaken rather than enhance the Outstanding Universal Value of the properties as a whole.

Part III - Outstanding Universal Value

To complete the foregoing account of its re-examination of this nomination, the State Party wishes to submit, for consideration by ICOMOS, some further reflections and relevant documentation with regard to the interpretation and application of criteria (iii) and (vi) in the particular circumstances of this case.

Criterion III (Testimonial Values)

Prior to 1996, criterion (iii) was applied almost exclusively to archaeological sites, because of the reference to “a civilization or cultural tradition which has disappeared.” The terms “unique or at least exceptional testimony” were taken to mean the *best physical representation* of the lost culture in question. Since the purpose was to *preserve memory in the form of physical traces*, the evaluation focused not on the architectural or esthetic values of the remains, but rather on their *completeness* and how much they communicated about the content of the bygone tradition.

In 1996, the Committee broadened this criterion to include *living* cultural traditions and civilizations, without adding any new restrictions. It follows that the Outstanding Universal Value is to be found in the *completeness* of the physical representation and its *power to communicate* the contents of the particular tradition or civilization.

The conclusions of the architectural study submitted herewith (see Attachment 6) support the claim that the design and physical attributes of the nominated properties reflect and testify, in a powerful way, to the cultural values, beliefs and practices of the Bahá’í community, as well as the process by which it evolved and detached itself from its historical roots.

The original nomination was based on the understanding that the various ways a religion or belief system is given outward expression constitute a “*cultural tradition*”. Within the context of the Bahá’í faith, pilgrimage is a practice that has been observed for well over a century and has unquestionably acquired a traditional character. Attachment 8 describes the connection between Bahá’í pilgrimage and the belief system, how the practice has developed over time and how it relates to each of the sites included in the serial nomination.

Criterion VI (Associative Values)

Decision 31 COM 8B.41 notes the property's "eligibility for recognition of its Outstanding Universal Value on the basis of criterion (vi)." According to the Operational Guidelines, this criterion, standing alone, is a sufficient basis for inscription:

- Section 77: "The Committee considers a property as having Outstanding Universal Value if the property meets *one or more* of the following criteria: ..."
- In 2005, the World Heritage Committee deleted the words limiting the use of criterion (vi) to "exceptional circumstances" and substituted a simple "preference" that it "be used in conjunction with other criteria."

The progress report of ICOMOS on the compendium on Outstanding Universal Value (WHC-07/31.COM/9) states that "criterion (vi) is fundamental to the World Heritage List" and its use is on the increase, possibly reflecting "an increased attention to living culture and the intangible aspects associated with heritage sites." According to the same report, the most frequently invoked association is with religions and spiritual systems, including traditional beliefs with a small number of adherents, as well as major world religions. To claim that criterion (vi) cannot be applied to sites connected with a particular religion because it would constitute an endorsement of the value or importance of that religion is so inconsistent with the prior practice of the World Heritage Committee as to be discriminatory.

Universality

There is no requirement that the value of a World Heritage property be *universally recognized*; indeed, most inscribed properties are of *primary significance* to a particular audience.

The use of the adjective "universal" in "outstanding universal value" and "outstanding universal significance" means that the inherent significance of the property and/or its message must "transcend national boundaries and ... be of common importance for present and future generations of all humanity", whether or not this is presently recognized or acknowledged (see definition in section 49 of the Operational Guidelines).

The attached opinion of Professor Moshe Sharon of the Hebrew University of Jerusalem (Attachment 9) explains why the Bahá'í Holy Places in Haifa and the Western Galilee meet this standard.

Conclusion

Having complied with the recommendations of the World Heritage Committee set out in its decision 31 COM 8B.41, the State of Israel believes that the serial property comprising this nomination deserves to be inscribed, in its entirety, on the World Heritage List under criteria (iii) and (vi).