#### PHILIPPINE HERITAGE CHARTER

# for Heritage Sites and Spaces, and Their Associated Environments

## I. Introduction

The Philippine Heritage Charter (hereafter referred to as Charter) was initiated by a proposal submitted to the National Commission for Culture and the Arts which recognized the existence of diverse meanings, values, and significances of the country's Heritage Sites and Spaces, and their Associated Environments.

The urgent need for a Charter became apparent in the wake of the destruction caused by the Bohol earthquake of October 15, 2013, and super typhoon Yolanda (Haiyan) which hit the country on November 9, 2013.

The Charter is inspired by a myriad of references such as the Venice, Burra, Nara, and Indonesia Charters, as well as the International Council on Monuments and Sites (ICOMOS) Charter on the Built Vernacular Heritage, the ICOMOS Ethical Commitment Statement, and the Philippine Heritage Law (RA 10066).

The Charter is a guide for all practitioners of heritage conservation, all stakeholders, and anyone involved with the conservation and management of Heritage Sites and Spaces, and their Associated Environments.

The Charter is based primarily on the wisdom, knowledge, and experiences of the peoples of the Philippines.

#### II. Preamble

The Philippines' numerous Heritage Sites and Spaces, and their Associated Environments are vulnerable to various natural hazards as well as threats of human origin.<sup>i</sup>

The Philippines' Heritage Sites and Spaces, and their Associated Environments must therefore be conserved and managed properly as they represent the country's diverse cultural identities and rich biodiversity, embody the country's multi-layered past, and strengthen the country's sense of nationhood.<sup>ii</sup>

The proper conservation and management of the Philippine's Heritage Sites and Spaces, and their Associated Environments can only be achieved through universal education, as well as ethical and inclusive practice.<sup>iii</sup>

All of the Philippines' Heritage Sites and Spaces, and their Associated Environments are irreplaceable and of immense cultural significance, and must be preserved for the benefit of present and future generations.<sup>iv</sup>

The signatories to this Charter enjoin all practitioners of heritage conservation, all stakeholders, and everyone involved with the conservation and management of the Philippines' Heritage Sites and

Spaces, and their Associated Environments to abide by the principles and guidelines set forth in this document.

#### **III. Definition of Terms**

For the purposes of this Charter, the following terms are defined accordingly:

# **Authenticity**

Refers to the truthful and credible manifestation of cultural values as expressed through attributes such as form and design, materials and substance, use and function, building traditions and techniques, management systems, location and setting, and sense of place.

# Heritage Sites, Spaces and their Associated Environments

Refers to exterior and interior spaces, natural and human-made landscapes, sacred grounds, sightlines, geologic features, subterranean and underwater elements, flora and fauna, and the like, including their directly related celebrations, customs, and traditions.

## **Place**

Refers to geographically defined areas including their tangible and intangible dimensions. (as defined in The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance of 2013)

# Significance

Refers to the summation of the different values attached to Heritage Sites, Spaces, and their Associated Environments.

# Stakeholders

Refers to the community, institutions (public and private), and conservation practitioners affected by, involved with, or interested in a Heritage Site, Space, and/or their Associated Environments.

# IV. Principles and General Conservation Guidelines

PRINCIPLES AND GUIDELINES	EXPLANATORY NOTES
Principle Article 1. The value of a place is its core of significance. This contributes to a sense of shared identity and should be protected.	Value and Significance are the driving forces of any conservation undertaking.  Referencing the definitions of the Outstanding Universal Value (OUV), value and significance are primary criteria in determining World Heritage sites and therefore also a paramount consideration for the purpose of this charter.  By definition, significance is the quality of being worthy of attention and importance. It is the summation of the different values of heritage attached to a place, space, and all its associated environments, thus the Core of Significance is defined for the use of this Charter as the integral or central aspect for consideration in every conservation undertaking.  The term "Place" is used in phenomenological architectural theory to mean "space with memory and meaning," which may be built, unbuilt, or both, and which emphasizes the lived experience of designed environments rather than its materiality or intellectual discursive qualities (Ozaeta, 2018).
<ol> <li>Guidelines:         <ol> <li>When determining the significance of Heritage Sites and Spaces, and their Associated Environments, specific criteria should be determined;</li> <li>Policies, activities,* and interventions of any conservation program should be based on the significance of Heritage Sites and Spaces, and their Associated Environments, as well as all relevant meanings ascribed to them.</li> </ol> </li> </ol>	'Activities' is defined for the purposes of this charter as direct or indirect actions being done in relation to and conjunction with conservation, such as meetings, consultations, fund-raising activities, awareness campaigns, among others. This may be initiated by stakeholders involved in a conservation undertaking.
Inclusiveness  Principle Article 2. The Philippines and its peoples have evolved through diverse historical experiences. We affirm the need for the conservation of the country's Heritage Sites and Spaces, and their Associated Environments across periods, influences, and cultures as a shared responsibility.	

- 1. Conservation practice in the Philippines must be inclusive, recognizing the specifics of all of the country's cultures and historical experiences.
- 2. In Heritage Sites and Spaces, and their Associated Environments that reflect cultural diversity, this diversity should be respected, appreciated, highlighted, and celebrated.

#### Education

## Principle

**Article 3.** The conservation of Heritage Sites and Spaces, and their Associated Environments is vital to the identity of the Philippines and its peoples. To ensure the continuity of this identity, the value of conservation should be ingrained in every citizen of the country.

Education on heritage conservation in all levels of society was agreed to be of prime importance. Heritage and conservation education should also emphasize the nurturing of a sense of ownership among the Filipino people and within the Philippine society

The charter is being crafted based upon local context. It is grounded on the position that conservation is a communitybased effort involving citizens or members of the community, local government units, institutions, and professionals. Therefore, a strong educational framework that considers audience-based pedagogy is crucial.

#### Guidelines:

1. Heritage conservation educational programs should be developed and included in all levels and all educational institutions. including formal, informal, indigenous, and alternative schools and madaris.

There should be institutional linkages with, but not limited to, the Department of Education (DepEd), Commission on Higher Education (CHED), Escuela Taller de Filipinas Foundation, Technical Education and Skills Development Authority (TESDA), Higher Education Institutions (HEIs), Council of Deans and Heads of Architecture Schools in the Philippines (CODHASP), and regulated online/distance learning that has a long-lasting effect in the future of conservation.

2. Heritage conservation capacity building programs, workshops, and training activities should be given to everyone involved in and affected by heritage conservation, including national and local government officials and employees, private sector decision makers,

decision influencers, educators, civil society organizations, and conservation practitioners. 3. Heritage conservation projects should be

made into platforms for learning and be made available to the public where applicable.

4. Best practices in heritage conservation should be used as a knowledge resource. For the purpose of this charter, capacity building tools should include, but not be limited to, cultural mapping and inventory, identifying levels of conservation practice in the country, detailed guidelines for every conservation component, and basic skills that every conservation practitioner should know.

#### Change Management

#### **Principle**

Article 4. The significance of Heritage Sites and Spaces, and their Associated Environments should be made relevant to the present and the future. Change should be managed while maintaining the significance and identity of such places through appropriate development planning and management.

Built heritage conservation and development should work harmoniously. Change in relation to built heritage is acceptable as long as it is justifiable and appropriate.

In order for change and development to be sustainable, it should have a long-term perspective and not just a one-time intervention. Approaches in managing change in order for conservation to be sustainable also involve social, economic, political, and ecological considerations.

- 1. A Heritage Conservation Management System (HCMS) should be developed and institutionalized in national and local development frameworks and plans.
- 2. An HCMS involves legal and institutional frameworks and resources coming together and collectively facilitating heritage conservation and management processes that set out objectives and translate them into actions and results. Heritage Impact Assessment (HIA) processes shall be strengthened to help achieve HCMS objectives.
- 3. A Conservation Management Plan (CMP) is the main guiding document for the conservation and management of Heritage Sites and Spaces, and their Associated Environments. It states what is significant about a place and consequently what policies and actions are appropriate which enable that significance to be retained in its future use and development.
- 4. There should be a CMP for all heritage conservation undertakings. A CMP includes, but is not limited to, baseline research, conservation planning and design approaches, implementation strategies, as well as maintenance, monitoring, and evaluation programs. The CMP should be adopted by an appropriate entity responsible for its implementation.
- Baseline research should include, but is not limited to, architectural and engineering documentation, material characterization, conditions assessments, legal framework reviews, as well as historical, socio-cultural, environmental, and economic research.
- 6. Conservation planning and design should work with existing land use and development ordinances. If land use and development ordinances are non-existent or insufficient in protecting Heritage Sites and Spaces, and their Associated Environments, the CMP can provide recommendations for the revision, correction, or improvement of such ordinances.

The conservation and management of heritage sites must be incorporated in both national and local development planning legislation, exercises, processes, documents, and implementation.

Heritage professionals should work closely with national government agencies and local governments involved in development planning, as well as the national cultural agencies. Common criteria for the implementation of an HCMS, CMP, and HIA should be developed together with all relevant agencies (NCCA, NM, NHCP, DILG, DPWH, DENR, among others), and uniform regulations should be adopted.

The definition of a Conservation Management Plan (CMP) can be referenced from *Conservation Management Plans: Managing Heritage Places, A Guide* (page 4) and appears as Annex 01.

Additionally, for the purposes of this charter, the CMP, which is a component of the HCMS, is a methodical system of research, assessment, and planning, and is a prerequisite for all heritage conservation projects.

The CMP should be prepared, approved, and executed by specialists with the active involvement of stakeholders.

Disaster and Risk Reduction and Management

# Principle

**Article 5.** The Philippines is in a hazard-prone region. It is vulnerable to natural disasters as well as the effects of climate change and geologic processes. Such occurrences have resulted in the damage or destruction of the country's Heritage Sites and Spaces, and their Associated Environments. A number of such places have also been damaged or destroyed as a result of armed conflict, war, and other forms of humaninduced disasters. Therefore, improving safety, managing risks, and enhancing resiliency are paramount considerations in heritage conservation in the Philippines.

As mentioned in the Preamble, the Philippines' numerous Heritage Sites and Spaces, and their Associated Environments are vulnerable to various natural hazards as well as threats of human origin.

Examples of Human-induced disasters:

Disasters arising from human actions such as improper heritage conservation, irresponsible mining, indiscriminate tree cutting, deforestation, ecological imbalance by introduction of bio-invasive species, unmanaged urban development, unchecked tourism development, improper land use, ineffective governance, encroachment, corruption, neglect, greed, incompetence, ignorance, and malicious conduct such as vandalism, desecration, and theft.

#### Guidelines:

The HCMS and all CMPs should be proactive and incorporate measures for safety, security, resilience, and disaster risk management. The latter is comprised of prevention, preparedness, response, rehabilitation, and reconstruction.

environment should be given equal priority and attention in the National Disaster Risk Reduction and Management Framework. (Sample protocol attached as Annex 02 Refer to Bohol PDRRMP, 2014.)

2. Disaster management protocols that respond to natural and human-induced disasters should be developed and integrated in the HCMS.

Disaster and risk management measures should include

Associated Environments in all aspects of planning for both pro-

considerations of Heritage Sites and Spaces, and their

active and post-disaster intervention. The built heritage

# Authenticity

#### Principles

Article 6. (a) Preserving authenticity helps preserve significance.

> **(b)** Authenticity should be determined collectively based on true and credible information with due recognition of the origins, history, and evolution of Heritage Sites and Spaces, and their Associated Environments.

Preserving authenticity is very important in preserving significance.

Initially, authenticity is anchored on originality and materiality. Based on the consultations, however, varying definitions of authenticity must include aspects such as design, process, material, setting, practice, and meaning.

- 1. Definitions and parameters of authenticity shall be based on generally accepted standards as stated in *The Nara Document on Authenticity* (1994), and the *Operational Guidelines for the Implementation of the World Heritage Convention* provision on the Outstanding Universal Value, II.E Authenticity/ Integrity (79-95).
- 2. In all conservation initiatives, experts, resource persons, and all stakeholders should determine the authenticity of the Heritage Sites and Spaces, and their Associated Environments, and the degrees\* thereof, to inform intervention decisions.
- 3. In all cases, the representation of Heritage Sites and Spaces, and their Associated Environments should be complete and accurate so that their origins, history, and evolution, as well as their conservation, may be known to the public.
- 4. Any intervention must be recognizable, removable, and re-treatable whenever necessary.

In this charter, the Nara Document is an important reference in defining and determining authenticity. Authenticity should also be anchored in significance.

The Nara Document on Authenticity referenced as Annex 03 and Operational Guidelines for the Implementation of the World Heritage Convention provision on the Outstanding Universal Value appears as Annex 04.

Authenticity does not necessarily mean "original." It is authentic as long as the data is true and verifiable with appropriate research.

Degrees of authenticity can have a set of criteria drawn from different sources and consultations with the community and experts in the field of conservation. Authenticity should also recognize impermanence, especially in the aspect of materials used. Therefore, there should be a set of indicators that help determine the degree of authenticity, which should still be dependent on value and significance.

Community and stakeholders engagement, involvement and commitment

# Principles

- Article 7. (a) The voice, local knowledge, and experience of the community are essential to the conservation of Heritage Sites, Spaces and their Associated Environments. The participation of the community and local experts in all stages of heritage conservation undertakings is necessary.\*
  - **(b)** Recognizing the need to increase awareness of the value of Heritage Sites and Spaces, and their Associated Environments, the local community and stakeholders should be informed of and enlightened by this value, whenever necessary.
  - **(c)** Since heritage is valuable to all, it should be everybody's responsibility to preserve, safeguard, and protect it.

Successful conservation undertakings involve the community, institutions, and practitioners in the field.

The Florence Declaration on Heritage and Landscape as Human Values by ICOMOS states that, "The involvement of the local communities, the recognition of, and respect for, their cultural heritage as well as innovative and traditional practices can favour more effective management and governance of multifunctional landscapes, contributing to their resilience and adaptability" (2014, p.4).

- 1. The local community and stakeholders should have meaningful engagement in the HCMS, including during the cultural mapping framework, planning, decision-making, design, and implementation processes, as well as the maintenance, monitoring and evaluation of all projects.
- 2. Volunteerism, conversation platforms, and creative industries are encouraged in order to promote the active participation and involvement of the community in all stages of heritage conservation undertakings.

Evidence and knowledge-based conservation

# Principle

**Article 8.** Heritage conservation should be based on evidence obtained through research, consulting all possible sources of indigenous, traditional, technical, and scientific knowledge.

All research processes must take into account both sciencebased research and traditional knowledge.

The active involvement of all stakeholders (conservation practitioners, community members, researchers, technical experts, and the like) in all levels of data gathering should be a prerequisite for any conservation undertaking.

#### Guidelines:

- Evidence-based research, which includes the processes of data gathering, analysis, and review, should be conducted before any heritage conservation effort is undertaken. Heritage conservation undertakings should not be based on conjecture.
- 2. Local knowledge as well as indigenous and traditional technologies should be prioritized in conserving Heritage Sites and Spaces, and their Associated Environments whenever applicable.
- 3. When such local knowledge as well as indigenous and traditional technologies are no longer available or applicable, appropriate technologies which offer the best possible conservation benefits should be used.

To a certain extent, heritage structures already embody traditional knowledge and technologies, such as appropriate climate adaptation as well as disaster preparedness and resiliency. Such traditional knowledge and technologies should be conserved as part of the significance of specific sites.

#### Economic Viability

## Principle

Article 9. Heritage is a resource that can be of benefit to the whole community. The economic, social, and cultural role of heritage should be recognized as a driver of sustainable local and national development.

Heritage Conservation can help stimulate community development.

Legal frameworks should be drawn to include various measures that can be beneficial to owners and stakeholders of heritage structures. Local ordinances can be crafted with the aid of the Local Culture and Arts Councils created through DILG Memorandum Circular 2017-133 (appears as Annex 5) augmenting the 2002 Memorandum Circular.

The conservation of heritage is one of the UN's Sustainable Development Goals, and has been part of the UN development agenda through UNESCO.

- 1. Tourism generated by the Heritage Sites and Spaces, and their Associated Environments should be sustainable.
- 2. Appropriate adaptive reuse strategies for Heritage Sites and Spaces, and their Associated Environments should be applied in order to attract investors, generate economic activities, revitalize communities, and increase property values, provided that such strategies do not pose any threat or cause damage to the said sites.
- 3. Creative industries as well as social and business enterprises in context with the local Heritage Sites and Spaces, and their Associated Environments should be encouraged in order to create jobs and generate revenue, which can contribute to proper conservation and management, provided that such industries do not pose any threat or cause damage to the said sites.
- 4. Heritage zones or districts can be designated to protect and highlight Heritage Sites and Spaces, and their Associated Environments, and to promote social interaction, stimulate economic activity, as well as raise heritage awareness and appreciation.
- 5. Incentives in the form of tax relief and fund appropriation for conservation, management, and marketing activities should be provided for owners, custodians, and managers of local Heritage Sites and Spaces, and their Associated Environments, provided that such incentives do not pose any threat or cause damage to the said sites.

Specific guidelines on sustainable and responsible tourism may be patterned after internationally accepted documents on the subject such as ICOMOS' International Cultural Tourism Charter, the UNESCO World Heritage Sustainable Tourism Online Tool Kit, and The 2002 Cape Town Declaration on Responsible Tourism in Destinations.

The appropriateness of an adaptive reuse strategy is ultimately shaped by the significance of the site.

"Damage" refers to both physical damage and adverse alteration of the significance of the site.

Stakeholders should work to ensure that national and local governments provide incentives and funding for the conservation of heritage. Private foundations and institutions should also be encouraged to provide necessary resources to support heritage conservation.

# Ethics

# Principles

**Article 10. (a)** Heritage conservation is multidisciplinary in nature.

**(b)** All practitioners of heritage conservation and all relevant stakeholders involved with Heritage Sites and Spaces, and their Associated Environments shall be bound by established ethical standards for this field.

Conservation practice in the Philippines has no established ethical standards for the conduct of practitioners, advocates, and professionals. Conservation practices and processes in the Philippines have no established ethical guidelines. The process for declaring heritage sites in the Philippine also does not have established ethical guidelines.

C · 1 1·	
<ol> <li>Guidelines:         <ol> <li>Established ethical standards shall refer to relevant provisions put forth in both the <i>Ethical Commitment Statement for ICOMOS Members</i> (2002, Madrid), Articles 1 to 12, and the <i>ICOMOS Ethical Principles</i> (2014, Florence), Article 5.</li> <li>All practitioners of heritage conservation, relevant stakeholders, and public officials and employees involved with Heritage Sites and Spaces, and their Associated Environments shall be bound by established ethical standards for heritage conservation stipulated in the above documents, as well as government codes of ethics, customary laws, codes of canon law, and professional ethical codes, as applicable.</li> </ol> </li> <li>Heritage conservation practitioners should profess an honest representation of their competence, experience, limitations, and affiliations at all times.</li> </ol>	Ethical Commitment Statement for ICOMOS Members (2002, Madrid), Articles 1 to 12, and the ICOMOS Ethical Principles (2014, Florence), Article 5 referenced as Annexes 06 and 07.
Article 11. The conservation practices and processes for Heritage Sites and Spaces, and their Associated Environments shall be guided by established ethical standards.	
<ol> <li>Guidelines:         <ol> <li>Established ethical standards shall refer to relevant provisions put forth in both the <i>Ethical Commitment Statement for ICOMOS Members</i> (2002, Madrid), Article 7, and the <i>ICOMOS Ethical Principles</i> (2014, Florence), Articles 2 to 4.</li> </ol> </li> <li>All practices and processes for the conservation of Heritage Sites and Spaces, and their Associated Environments shall be bound by established ethical standards for heritage conservation, as stipulated in the above documents, as well as government codes of ethics, customary laws, codes of canon law, and professional ethical codes, as applicable.</li> </ol>	Ethical Commitment Statement for ICOMOS Members (2002, Madrid), Articles 1 to 12, and the ICOMOS Ethical Principles (2014, Florence), Article 5 referenced as Annexes 06 and 07.
Article 12. The selection and declaration of Heritage Sites and Spaces, and their Associated Environments shall be guided by ethical considerations.	

- 1. Ethical guidelines\* shall be included in the criteria for selecting and declaring Heritage Sites and Spaces, and their Associated Environments.
- 2. Such ethical guidelines shall be formulated in order that the selection and declaration of Heritage Sites and Spaces, and their Associated Environments shall promulgate a factual and comprehensive representation of the site's history and significance, and shall not (1) create or exacerbate any legal, political, ethnic, or religious disputes, (2) marginalize any segment of society, and (3) harm the natural environment in any way.

Further justification for the development of ethical guidelines maybe found in *The Case for Ethical Guidelines: Preventing Conflict in the Selection of World Heritage Sites* (Liwanag, 2017).

Link is as follows:

https://link.springer.com/chapter/10.1007/978-3-319-42870-3\_2

Conflict Prevention, Resolution and Management

### Principle

Article 13. Conflicts involving Heritage Sites and Spaces, and their Associated Environments should be prevented, resolved, and managed in a proactive and participatory manner, without favoring any particular party in the conflict, and with their conservation, preservation, protection, and proper management as the primary concern.

Resolving conflict involving heritage is crucial in the planning, decision-making, and implementation processes of any conservation undertaking.

The Getty Conservation Institute's *Consensus Building, Negotiation, and Conflict Resolution for Heritage Place Management* (Annex 08) offers insights on challenges and issues in resolving conflicts involving ownership of heritage structures by indigenous cultures. This is prevalent in the Philippines with the presence of ancestral domains and religion-dominated places.

- An HCMS should include frameworks for preventing, resolving, and managing conflicts relating to Heritage Sites and Spaces, and their Associated Environments.
- 2. Preventing, resolving, and managing conflicts over inheritance and ancestral domain involving Heritage Sites and Spaces, and their Associated Environments should be guided by provisions of the Heritage Law (RA 10066), Civil Code of the Philippines (RA 386), the Code of Muslim Personal Laws (PD 1083), as well as the Indigenous Peoples Rights Act (IPRA; referenced as Annex 09), as applicable.
- 3. In mediating conflicts involving Heritage Sites and Spaces, and their Associated Environments, the mediating body should include members with sufficient knowledge on heritage conservation.
- 4. In cases of unresolved conflicts involving Heritage Sites and Spaces, and their Associated Environments in imminent threat of decay or posing danger to human life, an independent heritage conservation entity acceptable to all parties involved may undertake the necessary safeguarding measures until such a time as the conflict is resolved, without prejudice to the mandates, jurisdictions, and actions of the pertinent government institutions.
- 5. In cases of armed conflicts, all parties involved should not threaten, desecrate, damage, or destroy Heritage Sites and Spaces, and their Associated Environments as stipulated in the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols, RA 10066, and other applicable laws and conventions.
- 6. In post-conflict scenarios, all conservation, restoration, and reconstruction of Heritage Sites and Spaces, and their Associated Environments must be included in all rehabilitation and reconstruction activities in a manner that is participatory, consultative, and inclusive of all stakeholders, together with representatives of the cultural agencies concerned as well as heritage conservation experts.

Conflicts are to be addressed through dialogues, consensusbuilding, and local legislation to achieve social cohesion.

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols appears as Annex 10.

<sup>&</sup>lt;sup>1</sup> The first line of the Preamble recognizes the following terminologies with precise definitions and specificity: geography, geology and geomorphology; that the Philippines as an archipelago lies in an earthquake prone region; and, that the country is situated in a tropical zone with approximately 21 strong typhoons per year (based on frequency and intensity) and therefore should be responsive to such climatic conditions;

- ii This paragraph recognizes the Philippines as a multi-ethnic island-nation rich in biodiversity, appreciation of its primordial period therefore needs to be balanced and harmonized; also being recognized is the long relationship of the Filipino people with the sea, the country's many layers of colonial history, and its different time periods of human civilization and economic trading.
- iii This paragraph recognizes the need for and importance of education and the practice of work ethics in the conservation process. A process of initiating dialogue between specialists and stakeholders should be developed.
- iV It is recognized that all Philippine heritage sites have various levels of significance and authenticity that embody the identity of the Filipino people; this identity should be made known to all Filipinos and the rest of humanity;