

3. Deeply regrets that the shopping mall was constructed, given its negative impact on the setting and skyline of Castro;
4. Requests the State Party to invite, as soon as possible, a joint World Heritage Centre/ICOMOS reactive monitoring mission to address the following elements:
  - a) The definition of the characteristics of the wider setting for all component parts, in relation to the Outstanding Universal Value of the property, and put in place appropriate protection, including the review of the buffer zones and regulatory measures for the protection of the setting of the Churches of Chiloe,
  - b) The review of the current protection and management arrangements for the property and the required measures to improve the legal framework and permit granting processes between types of preservation and institutional competences,
  - c) The update and enforcement of legislative and regulatory measures to ensure that the defined characteristics of the wider setting are adequately protected and that new development takes into account the visual relations between the inscribed property and its setting,
  - d) The measures to mitigate the visual impact of the Castro shopping mall on the component part, including the consideration to partially demolish the upper stories so that the building does not exceed the 10 meter height indicated in the existing regulations as well as other measures to improve the facades to better integrate it with the existing setting;
5. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

## 95. Historic Quarter of the Seaport City of Valparaíso (Chile) (C 959rev)

Year of inscription on the World Heritage List  
2003

Criteria  
(iii)

Year(s) of inscription on the List of World Heritage in Danger

Previous Committee Decisions  
See page <http://whc.unesco.org/en/list/959/documents/>

International Assistance  
Total amount granted: USD 140,688  
For details, see page <http://whc.unesco.org/en/list/959/assistance/>

UNESCO Extra-budgetary Funds  
N/A

Previous monitoring missions  
N/A

Factors affecting the property identified in previous reports  
N/A

*Illustrative material*

See pages <http://whc.unesco.org/en/list/959>  
and <http://whc.unesco.org/en/soc>

*Current conservation issues*

On 31 January 2012, the World Heritage Centre received a letter signed by 24 local institutions (academic, civil society and trade unions) and 1000 citizens of Valparaíso against the interventions planned at the port, such as the Barón Port and the Prat Dock, as well as for touristic facilities and real estate projects. The World Heritage Centre requested from the State Party information on the intended interventions and, when submitted, ICOMOS provided an evaluation and subsequently requested additional information that was provided by the State Party. In November 2012, the private enterprise Mall Plaza requested an interview to present the project of Puerto Barón and the meeting was attended by representatives of the Permanent Delegation of Chile to UNESCO and staff from the World Heritage Centre.

The National Monuments Council, on the occasion of the final meeting of the Periodic Reporting in Latin America and Caribbean Region, convened a one-day working session on 6 December 2012 between national authorities, civil society associations, private sector, representatives from the Cabinet of the President of Chile, the World Heritage Centre and ICOMOS. As agreed at the meeting, additional information was requested on the updated Management Plan, as well as the entire technical project of the intervention in the port area.

The World Heritage Centre has received letters from public institutions, such as the Official College of Architects of Valparaíso, academic institutions and civil society associations which express their concern on the transformation of the port area.

The State Party submitted a report on 12 March 2013 including information on four main concerns related to the conservation of the property. More specifically, the Plan for the Management of Urban Heritage in Valparaíso Phase II, the Management Plan for the Seaport of Valparaíso finalized by the Valparaíso Port Enterprise, a comprehensive cartography with the settings, zoning and interventions planned within the property and its buffer zone. Additionally, comprehensive documentation on the *Puerto Barón* project was provided. In parallel, the draft Statement of Outstanding Universal Value has been approved by the State Party. The file was completed by the *Plan Comunal Regulador* and information on the transportation system. On 14 March 2013 the World Heritage Centre, after discussion with ICOMOS, sent an official letter to communicate that a state of conservation report should be presented to the World Heritage Committee.

The report reveals the difficulties in articulating protective regulations and their related responsible national agencies and Ministries so as to provide the property with proper instruments to manage the preservation of the city and its port as a whole.

a) *Statement of Outstanding Universal Value*

According to the Statement of Outstanding Universal Value of the property, the Seaport of Valparaíso is considered the leading commercial port on the sea routes of the Pacific coast of South America over the last two centuries. Its role as a port, and the setting of the city's amphitheatre-like shape, constitute two important pillars that articulate the values of the property. In terms of integrity the city has preserved, over the last two centuries, all the attributes that convey its Outstanding Universal Value (OUV). Its values have been maintained in spite of the constant challenges inherent to a living port city relating to the transformation of its fabric, its functions, the renewal of industrial uses and the scale and nature of the contemporary utilization of the port. In terms of authenticity, the property has largely retained the key features of its heyday in the late 19th and early 20th centuries,

including its urban elements, its architecture, its transportation systems and parts of its port infrastructure.

However at the time of inscription in 2003, no comprehensive conservation management plan was submitted. The need for such a plan, to reconcile the current planning with the property's national monument status, was raised when the site was inscribed on the World Heritage List as along with the need to address urban planning regulations on the port's heritage, some of which is in the buffer zone of the property. According to the Retrospective Statement of Outstanding Universal Value, the 23.2 ha property and much of its 44.5 ha buffer zone was designated as a National Monument, and therefore overseen by the National Monuments Council of Chile. The Ministry of Housing and Urban Development also supervises the entire area by virtue of the Historic Preservation Zone. The area extends beyond the boundaries of both the property and the buffer zone, and is predominantly commercial in character and marked by the presence of the Port.

b) *The implementation of the Master Plan for Heritage Management of the World Heritage property of Valparaiso*

The State Party has submitted the final comprehensive version of the Management Plan for the World Heritage of Valparaiso, defining the monitoring system, the institutional framework and the financing strategy. One of the specific aims of the Management Plan is to develop, comprehensively and sustainably, the urban heritage conservation strategy by focusing on the quality and use of public spaces, the visual quality and the protection of green areas. The Management Plan also focuses the participatory nature of the management system for the property and includes a comparative analysis on urban management with several historic cities inscribed on the World Heritage List. Information on technical and financial indicators for future projects approval, policies on rehabilitation and urban transportation, carrying capacity studies related to commercial or housing developments and educational programmes are also included in the Plan. Moreover, specific technical and graphic information has been provided on the methodology used to assess the visual quality of the Plaza Aníbal Pinto, which could be taken as a reference for urban studies on visual quality requested by the World Heritage Committee.

c) *A Master plan for the Seaport of Valparaiso and its related physical and functioning transformations*

As for the management of the Seaport of Valparaiso, the State Party submitted the Management Plan proposal developed by the Port enterprise of Valparaiso. Since May 2012 the proposal has undergone adjustments and has been approved by the Ministry of Transports and Communications. The transformation includes two main areas, Terminal 1 and Terminal 2 and the North Sector of San Antonio. The document insists on the necessity for the Seaport of Valparaiso to face an increased commercial demand according to the industrial development of Chile as well as the needs for an increased scale of commercial and touristic areas in a context of increasing commercial and touristic activity in the Pacific.

The Management Plan reports on the works on the South Access as well as a list of projects of additional infrastructure works for the next five years. Works have already begun in the ZEAL (Zone for Extension and Logistic Supply), and additional capacity for loading and container storage is planned to be constructed on the docks, and especially in the Costanera area. The Management Plan also foresees the need for planning works for additional capacity in Yolanda and San Mateo areas before 2031. Additional access is being planned in the North Sector to deal with the developments and transformations foreseen in the Yolanda area. The Management Plan furthermore contains a brief assessment of the environmental impact of the Seaport, based on the existing national legal framework for the protection of the environment, with potential mitigation measures.

d) *The Barón Port project*

The State Party submitted legal, technical and graphic information on the project for redesigning the Barón Port area for public leisure and commercial use. The project was authorized by the Ministry of Housing and Urbanism on 18 January 2013 and by the City Council of Valparaíso on 14 February 2013. By municipal ordinance of 15 June 2009, the City Council amended the Municipal Regulatory Plan for Borde Costero area, Sector Zones A1-A3 and B1, Barón Dock, fixing maximum building height at 10.8 meters, which is equivalent to a 20% increase from the precedent maximum building height.

The current *Puerto Barón* project consists of the construction of the Mall Plaza Barón, which has a surface area of 132,808.30 m<sup>2</sup>, distributed over four floors and two basements. The project also includes the redesigning of Bodega Simon Bolívar, a nationally classified historic building, for commercial use. The Controlaría General de la República has concluded that the Bodega Simon Bolívar project does not need to pass any national environmental impact control prior to its approval and implementation. Furthermore, the Barón Port project includes a new seafront promenade for leisure and commercial use, over a total surface area of 71,512 m<sup>2</sup>, at Barón Dock. The architectural project presented by the private initiative insists on the visual and landscape interest of the project, which includes watch towers, promenades and public green spaces and spaces to practice nautical and maritime activities.

The State Party has also submitted information on mitigation measures, including local redesigning of access for vehicles and pedestrians, as well as an evaluation on risk and prevention for tsunamis and evacuation.

Conclusion

The World Heritage Centre and the Advisory Bodies recognise the significant effort made by the State Party, in particular the Municipality of Valparaíso, to put forward the Master Plan for Heritage Management of the World Heritage property of Valparaíso, Phase II. They would like to underline the methodology put forth on the visual quality of the historic centre and consider this approach suitable for adaptation to urban heritage studies.

While the comprehensive information confirms the commitment of the State Party to find the best solution for interventions at the port area, the fragmentation of competencies and mandates by sectors and by different levels of government, as well as by the different types of specific protection and use of different areas, does not currently allow for the management of the property with respect to its Outstanding Universal Value and within a broader perspective to include a territorial framework and all of the impacts that the transformation of the area could generate. Moreover given the scale and character of the transformation of the port area, of its seafront and its related areas, it needs to be subject to Heritage Impact Assessment (HIA) in accordance to ICOMOS guidelines.

The World Heritage Centre and the Advisory Bodies recommend that the Committee requests a reactive monitoring mission be carried out to meet with all the stakeholders and national authorities and make specific recommendations on the planned interventions as well as legal, technical and institutional measures to be taken to ensure the preservation of the Outstanding Universal Value of the port-city of Valparaíso. They also recommend that the Committee request the State Party to halt any concession or approval of the foreseen interventions in the port area and seafront until the World Heritage Committee has evaluated the recommendations of the reactive monitoring mission.

Finally, it is recommended that the terms of reference for the reactive monitoring mission include an evaluation of the overlapping of institutional mandates and of the diversity of protective types, as well as an assessment of social, economic and heritage impacts of the new proposals concerning physical connectivity. A risk assessment, with a particular focus on environmental risks, should be carried out as well. The reactive monitoring mission should also assess the impacts of touristic cruises activity, of the transformation of the traditional fishing sector, taking particular attention to evaluate the significance of underwater

archaeology. Moreover, the mission should also address the question of the balance between heritage and development, including the feasibility of spaces for social dialogue and institutional platforms for properly implementing the regulation.

**Draft Decision: 37 COM 7B.95**

The World Heritage Committee,

1. Having examined Document WHC-13/37.COM/7B,
2. Takes note of the coordinating meeting organized by the National Monuments Council on 6 December 2012 with stakeholders and also notes the efforts made by national and municipal authorities to submit the plans and comprehensive technical documentation;
3. Further notes the active role of the civil society in the preservation of the values of the seaport city of Valparaiso and its contribution to create a social dialogue for the conservation of the property;
4. Notes with concern the complexity of the legal procedures for interventions, as well as the lack of clarity in the distribution of responsibilities between national and local authorities and the Ministries and National agencies involved in the preservation and development of the city;
5. Urges the State Party to undertake as soon as possible a Heritage Impact Assessment to consider the impact of all the related planned projects on the Outstanding Universal Value (OUV) of the property in conformity with the ICOMOS Guidelines on the Cultural Heritage Impact Assessments as a basis for discussion for the proposed mission;
6. Requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to assess the current state of conservation and overall management and protection of the property and the potential impacts of the different on-going projects on the Outstanding Universal Value of the property;
7. Also requests the State Party to halt interventions in Puerto Barón and the Seaport area, until the recommendations of the mission are examined by the World Heritage Committee;
8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

**96. Colonial City of Santo Domingo (Dominican Republic) (C 526)**

Year of inscription on the World Heritage List  
1990

Criteria  
(ii) (iv) (vi)