

# KATHMANDU VALLEY WORLD HERITAGE SITE



## INTEGRATED MANAGEMENT FRAMEWORK

# DRAFT

APRIL 2007

*Prepared by:*

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Government of Nepal  
Ministry of Culture, Tourism and Civil Aviation  
Department of Archaeology

*in close collaboration with the  
World Heritage Centre and  
UNESCO-Kathmandu Office*

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## FOREWORD

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**PHOTO**

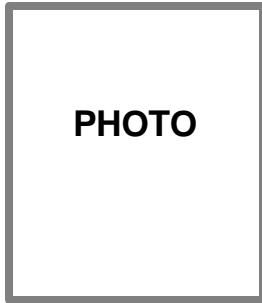
Mr. Kosh Prasad Acharya  
Director General  
Department of Archaeology  
Government of Nepal

**TEXT**

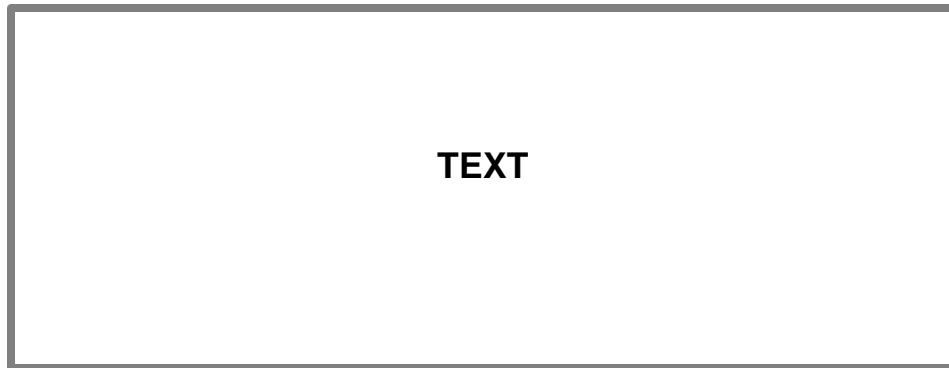
**PHOTO**

Mr. Francesco Bandarin  
Director  
World Heritage Centre  
UNESCO

**TEXT**



Prof. Herb Stovel  
International Technical Advisor  
ICOMOS



**Acknowledgements**

Department of Archaeology  
Site Managers of the Seven Monument Zones  
Experts  
UNESCO WHC and Kathmandu Office  
DUTCH GOV'T..WORLD HERITAGE FUND  
Consultants

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# 1. IDENTIFICATION and OBJECTIVES

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## 1.1 INTRODUCTION

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**The Integrated Management Framework for the Kathmandu Valley World Heritage Site is a document adopted by the State Party that defines the process of implementing the Integrated Management Plan.**

### **Need for the Integrated Management Plan**

The World Heritage property within the Kathmandu Valley is probably one of the most complex in the world, comprised of seven Monument Zones, each with specific management requirements. Each Monument Zone contributes to the outstanding universal value of the World Heritage property. However, the threat to each Zone is different in form and degree. The aim of this Management Plan is to develop a framework for the integration of the seven Monument Zones within a single management system, while taking into account each of their specific management requirements.

Ever since inscribing the Kathmandu Valley on the List of World Heritage in Danger in 2003, the World Heritage Committee has repeatedly requested the State Party to prepare an integrated and comprehensive management plan of the entire property. As per the Operational Guidelines, a Management Plan is a basic requirement for all World Heritage properties.

### **Status of the Integrated Management Plan**

The Integrated Management Plan must be seen as a Road Map towards achieving the goal of conserving the outstanding universal value of the seven Monument Zones of the Kathmandu Valley. The Integrated Management Plan is not a legal document; however it defines a process which was developed through consensus of the concerned authorities.

It is only through the implementation of the actions formulated in the Integrated Management Plan that the “Plan” will have been completed; therefore, this document should not be seen as an end in itself. It is clearly understood that the establishment of the management structures, both at the integrated level as well as at the site level will take time.

### **The Integrated Management Framework**

The Integrated Management Framework is a document adopted by the State Party that defines the process of implementing the Integrated Management Plan.

This document is comprised of 3 parts :

#### **Part 1: Identification and Objectives**

This section defines the Kathmandu Valley World Heritage Site and its seven Monument Zones. The objectives of the Integrated Management Plan are formulated in respect to the World Heritage Site as a whole.

#### **Part 2: Integrated Management Framework**

This section gives the overall strategies and defines in detail the Institutional, Legal and Economic Frameworks

#### **Part 3: Implementation**

This section gives the outline on the long term process of implementing the Integrated Management Plan in respect to institutional, legal and economic frameworks, the sector-wise coordination and the Monitoring Framework.

## 1.2 DEFINING THE PROPERTY

### **Name of the property:**

Kathmandu Valley World Heritage Site

### **Date of Inscription:**

1979

### **Location:**

The World Heritage Site is comprised of seven Monument Zones which are all located within the Kathmandu Valley. The Monument Zones are strewn across the three districts of Kathmandu, Lalitpur and Bhaktapur, within the Bagmati Zone of Nepal.

### **Description of the Site:**

The Kathmandu Valley property is inscribed on the UNESCO list of World Heritage as a single site, comprising of seven Monument Zones. The cultural heritage of the Kathmandu Valley is illustrated by seven groups of monuments and buildings which display the full range of historic and artistic achievement for which the Kathmandu Valley is world famous. The seven include the Durbar Squares of Hanuman Dhoka (Kathmandu), Patan and Bhaktapur, the Buddhist stupas of Swayambhu and Bauddhanath, and the Hindu temples of Pashupati and Changu Narayan.

### **Authorities:**

The State Party is represented by the *Department of Archaeology*, Ministry of Culture, Tourism and Civil Aviation as provided for by the Ancient Monument Preservation Act 1956.

The seven Monument Zones come under the jurisdiction of the local authorities as defined by the Local Self Governance Act 1999. There are four Monument Zones within the *Kathmandu Metropolitan City*; Hanuman Dhoka Durbar Square, Swayambhu, Bauddhanath and Pashupati. The Patan Durbar Square lies within *Lalitpur Sub-metropolitan City*, the Bhaktapur Durbar Square within *Bhaktapur Municipality* and Changu Narayan within the *Changu Narayan Village Development Committee*.

The *Pashupati Area Development Trust* has the authority to manage the Pashupati Area as per the Pashupati Area Development Trust Act 1996. The *Federation of Swayambhu Management and Conservation* represents the local NGOs of the Swayambhu area. The *Bauddhanath Area Development Committee* was established to manage the Bauddha area.

MAP

## 1.2.1 CRITERIA FOR INSCRIPTION

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**The Kathmandu Valley World Heritage Site has been inscribed on the World Heritage List under criteria iii, iv and vi.**

*As per the Operational Guidelines for the Implementation of the World Heritage Convention, a nominated property needs to have outstanding universal value which is verified by assessing whether the property meets one or more of the ten listed criteria. (Operational Guidelines 2005 Para 77)*

**Criteria (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared:** The heritage of the Kathmandu valley is a unique testimony to the cultural traditions of the people who settled in this remote Himalayan valley over the past 2 millennia. The multi-ethnic inhabitants of the valley, referred to as the Newars, have created a highly evolved cultural identity which is a unique fusion of mingled religious and socio-cultural influences from the surrounding regions. The coexistence and amalgamation of Hinduism and Buddhism with animist rituals and Tantrism is unique. Furthermore, the socio-cultural development of the Newars allowed incorporating the diversity, thereby creating an urban society with highly developed craftsmanship and social structures.

**Criteria (iv) be an outstanding example of a type of building, architectural or technological Zone or landscape which illustrates (a) significant stage(s) in human history:** The seven monument Zones of the Kathmandu Valley, namely the three Durbar Squares of Hanuman Dhoka, Patan and Bhaktapur, the Buddhist Stupas of Swayambhu and Baudhanath, and the Hindu temple complexes of Pashupati and Changu Narayan, reflect a fusion of the artistic and architectural traditions which entered the Kathmandu Valley reaching their apogee between 1500-1800 AD. During this period, the Kathmandu Valley boasted the creation of a unique craftsmanship and style of architecture with one of the most highly developed applications of bricks, timber and bronze in the world.

**Criteria (vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria):** The seven monument Zones are culturally and religiously significant to not only of the local community but to the region. The three Durbar Squares with their palaces, temples and public spaces, constituted the core of the former royal cities of Kathmandu Valley, and are still the center of daily life and the setting for century-old festivals. The importance of the religious centres is manifested in the community's daily rituals and major religious events, which have uniquely survived within this region. This uniqueness is, for example, expressed in the culture of Kumari, the living goddess.



PHOTO

## 1.2.2 OUTSTANDING UNIVERSAL VALUE

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**The seven Monument Zones of the Kathmandu Valley was inscribed on the List of World Heritage based on its outstanding universal value.**

*As per the Operational Guidelines for the Implementation of the World Heritage Convention, outstanding universal value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. (Operational Guidelines 2005 Para 49)*

A property is considered as having outstanding universal value if the property meets one of more of the criteria listed in the Operational Guidelines (para 77). The seven Monument Zones of the Kathmandu Valley was inscribed on the List of World Heritage based on criteria (iii), (iv) and (vi).

As per the latest revision of the Operational Guidelines, the Committee prescribes the preparation of a **Statement of Outstanding Universal Value** should include (para 55) *a summary of the Committee's determination that the property has outstanding universal value, identifying the criteria under which the property was inscribed, including the assessments of the conditions of integrity or authenticity, and of the requirements for protection and management in force. The Statement of Outstanding Universal Value shall be the basis for the future protection and management of the property.*



PHOTO

**The seven Monument Zones of the Kathmandu Valley include the three Durbar Squares of Hanuman Dhoka, Patan and Bhaktapur, the Buddhist Stupas of Swayambhu and Bauddhanath, and the Hindu temple complexes of Pashupati and Changu Narayan. They bear a unique testimony to the cultural traditions of the people who settled in this remote Himalayan valley over the past 2 millennia. During this period the multi-ethnic inhabitants of the Kathmandu Valley, referred to as the Newars, created a highly evolved cultural identity, which is a unique fusion of mingled religious and socio-cultural influences from the surrounding regions. Especially the coexistence and amalgamation of Hinduism and Buddhism with animist rituals and Tantrism is exceptional. The socio-cultural development of the Newars allowed incorporating this diversity, thereby creating an urban society with highly developed craftsmanship and social structures.**

The heritage of the seven Monument Zones of the Kathmandu Valley reflects this cultural fusion, which reached an apogee between 1500 and 1800 AD. During this period, the Kathmandu Valley nurtured the creation of a typical craftsmanship and style of architecture with one of the most highly developed applications of brick, timber and bronze in the world. The three Durbar Squares with their palaces, temples and public spaces, constituted the core of the former royal cities of Kathmandu Valley, and are still the center of daily life and the setting for century-old festivals. The importance of the religious centres of Swayambhu Bauddhanath, Pashupati and Changu Narayan is manifested in the community's daily rituals and major religious events, which have uniquely survived within this region.

### 1.2.3 AUTHENTICITY

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**The authenticity of the Kathmandu Valley World Heritage property is based on the understanding that its values are expressed by the attributes presented by the listed monuments and their surrounding, which have however throughout history gone through the process of cyclical renewal.**

*As per the Operational Guidelines for the Implementation of the World Heritage Convention, properties nominated under criteria (i) to (vi) must meet the conditions of authenticity. Authenticity is a measure of the degree to which the values of a property may be understood to have been credible, truthful, and genuinely expressed by the attributes of the property. (Operational Guidelines 2005 Para 79/80)*

Every component of the World Heritage property, be it the monuments or the surrounding context, has inherent values that encompasses a specific meaning of authenticity within itself. This does not allow a general understanding of authenticity to be formulated for the overall property. However certain principles must be formulated to establish a basis for the preservation of the value of the property.

The conservation of a heritage property must fulfil two tasks:

1. be a testimony to the achievements of the past which necessitates the preservation of specific tangible elements in its original state; and
2. the continuation of a living cultural heritage which must be based on the appreciation of the past, however taking change into account.

#### **Cyclical Renewal**

The principles that have governed the construction and the maintenance of the monument throughout its history, is an inherent aspect defining the character of the monument.

The monuments of the Kathmandu Valley have been exposed to two extreme natural phenomena throughout history, earthquakes and dampness. In response to the effects of these natural phenomena, the monuments have traditionally undergone cyclical renewal. *(It must be noted here that Nepal has never been a colony of any western empire, had little contact to the outside world until 1951, and was therefore only recently introduced to the western concept of conservation).*

Cyclical renewal in the case of the Kathmandu Valley has clearly meant reconstruction. This is especially obvious after the destruction of monuments due to earthquakes.

*Most monument Zones still have testaments of the hasty renewal after the 1934 earthquake. It is clear that at that point in time, many monuments were not renewed as per their original form (e.g. the Chaturmukhalinga Mahadev Temple in Hanuman Dhoka and the Fasi Dega Temple in Bhaktapur). There is also proof of monuments that were destroyed during the 1934 earthquake that were never reconstructed (e.g. the Hari Shankar Temple in Bhaktapur).*

Taking into consideration that the authentic character of a monument Zone should not be understood as the original character, the form of these testaments of the 1934 earthquake should remain unaltered. It might, however, be necessary to review this principle for specific cases.

*For example, during the restoration of the 55-Window Palace in Bhaktapur, it was found that many wooden elements that were reused after the hasty reconstruction in 1934 were replaced in the wrong position or direction, contrary to traditional construction practice. It was decided to rectify this during the restoration process.*

*On the other hand, the Chyasilin Mandapa on the Bhaktapur Durbar Square, which was totally destroyed during the 1934 earthquake was reconstructed five decades later based solely on photographs. The Mandapa itself has very little that could be called authentic, however it does contribute to recreating a part of the original (pre-1934) identity of the Bhaktapur Durbar Square.*

The 1934 earthquake also had major impact on the urban fabric surrounding the Monument Zones.

*In and around Hanuman Dhoka, major urban renewal was carried out during the reconstruction procedure. The buildings along Juddha Saddak were reconstructed in the white stucco facades of the Rana style.*

*The Basantapur Square was carved out of the urban fabric. (Even today, one of the listed monuments of Hanuman Dhoka is Banya Bahal in the middle of Basantapur Square – however a Bahal is a courtyard building).*

The most predominant problem facing the urban fabric is the rising dampness. The lack of damp proofing in traditional buildings destroys the brickwork on the ground floor over time. Cyclical renewal through reconstruction has traditionally been the only means of responding to this problem.

### **The Attributes**

The process of cyclical renewal should however follow strict guidelines. The cultural value need to be truthfully and credibly expressed through a variety of attributes (Operational Guidelines para 82).

### **Form and Design:**

Restoration should be carried out based on detailed documentation of the building. This would mean that the form and design of the building must not change.

The nomination document emphasizes the “Newari” style of buildings. However, the Newari style went through transformations and can be roughly categorized into *Malla style* and *Shah style*. The later Shah period was greatly influenced by the white stucco Rana style (a western neo-classical style introduced by the Rana prime ministers towards the end of the 19th century).

*It must be noted here that none of the Rana style buildings within the Monument Zone boundaries were considered listed monuments in the nomination document.*

Restoration of structures should not discriminate between Malla, Shah and Rana style buildings. However, buildings that were built using reinforced cement concrete and are considered obtrusive need to be rectified – not in pursuit of regaining lost authenticity, but to minimize their impact on their surroundings. Rectification should be done respecting the neighbouring historic buildings.

### **Materials and Substance:**

The use of construction materials is very closely linked to the structural system of the monument. Malla, Shah and Rana buildings were load-bearing fired brick or adobe masonry structures with mortar comprising of a combination of earth, lime, surkhi (brick dust) and sand. In most cases this was

combined with wooden post structures. There are also some examples of stone structures.

The traditional workmanship entailed in the production of the materials or construction elements are an important aspect in retaining authenticity.

A high degree of ornamentation was achieved specific to each of the styles. This is especially the case with ornamental fired bricks, intricate carving of wooden elements and stucco ornamentation of the Rana style buildings. The use of stone and carved stone elements was limited to some temples. The correct interpretation and employment of these elements is an important aspect in respect to authenticity.

*There has been a general trend to use the traditional Dacchi Appa bricks for restoration and the construction of new buildings within the monument zones. However pleasing it maybe aesthetically, this clearly goes against the principle of authenticity. Dacchi Appa bricks were only used for buildings commissioned by the Malla kings (with some exceptions), however all other private buildings were constructed of Ma Appa.*

The materials used for paving must be verified for their appropriateness in respect to authenticity.

Should materials that are new to the site be employed for technical reasons – especially in respect to dealing with stability and dampness - they need to be either reversible or of a durability that is at least equivalent to traditional materials. *This is especially the case with the most intrusive material of our times; cement concrete. However differentiation needs to be made between mass concrete and reinforced concrete. Various forms of mass concrete have been known to have survived for centuries, while the lifespan of reinforced concrete is considered to be between 50 to 70 years.*

### **Use and Function:**

The traditional use and function of the major monuments must be retained, especially so for the religious monuments. However, the use and function of monuments such as palaces will inevitably be impacted by the changing political scenario. The generally accepted practice of “adapted re-use” should be utilized. However, the degree to which the buildings are altered to cater to a new

function must be minimized and should ideally be reversible, to allow for a clear differentiation between old and new.

*The adapted re-use of the palaces – or parts thereof – has already been implemented in the palaces at Hanuman Dhoka, Patan and Bhaktapur by using them as museums.*

The use and function of public spaces and urban fabric will change based on the continuation of a living heritage. The change should, however, be based on the understanding and appreciation of the heritage values of the site.

The scale of the streets and squares were created for pedestrian use.

The private buildings were used as dwellings and for commercial purposes. The function of these buildings should be regulated to allow for only traditional and compatible activities. Individual historic buildings might be conserved through “adaptive re-use”. This is especially the case with buildings that are functionally obsolete. It can not be expected that historic buildings which are obsolete due to their design, such as ceiling height below 180cm, continue to be used.

#### **Traditions, Techniques and Management Systems:**

Traditions: refer to “Language and other forms of Intangible Heritage”;

Techniques: refer to “Materials and Substance”;

The traditional management system was comprised of the community based *Guthis*. After the nationalization of *Guthis* in 1964, most *Guthis* have become non-operational. Consideration could be given to the possible revival of the *Guthis*, however the concept of community based preservation of monuments should be seen as an authentic management system.

#### **Location and Setting:**

Most often location and setting is an integral part of a heritage property.

The “Authenticity of Location” would mean that no monument should be moved to a new location.

To be in a position to approach the issue of “Authenticity of Setting” in a practical manner, certain spatial demarcation is

required. The setting would generally refer to the context within which the heritage property is situated and the *sensual* impact it has. This spatial area surrounding the heritage property has been demarcated, where necessary, as a buffer zone. The character of the setting must not change, however the “Authenticity of Setting” restricts itself to ensuring the protection of the values of the heritage property itself.

#### **Language and other forms of Intangible Heritage:**

The predominant aspects of Newari culture needs to be preserved, which would mean their language, customs and festivals.

*This is especially so for such unique customs as those linked to the living goddess Kumari.*

The regular activities and the festivals that are carried out by the community at the religious sites must continue. The significance of many of the monuments and surroundings are closely linked to their religious value.

#### **Spirit and Feeling:**

Authenticity in respect to spirit and feelings would refer to *sensual* impact of the heritage property, which is closely linked to its identity. The visual environment, linked to sound and smells reflects the sentiment of a place. It is clearly not acceptable to preserve the authentic spirit and feeling of a polluted, unhygienic environment of historic cities. However, the spirituality of the religious monument zones needs to be retained by preserving the *sensual* impact. This means controlling pollution – air, water, noise – and the change of the visual environment.

## **SUSTAINABLE HUMAN DEVELOPMENT**

Authenticity of a living cultural heritage must be seen in respect to continuing and sustainable human development, based on the appreciation of the past, for the benefit of the present and the future. There needs to be continuity in the life of the heritage resource, to allow it to retain its value within the given belief-system.

## 1.2.4 INTEGRITY

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**The integrity of the Kathmandu Valley World Heritage property is based on the understanding that each Monument Zone is comprised of listed monuments within a unique context. The list of monuments in the Nomination Document has been further augmented through a comprehensive *Classified Inventory*.**

*As per the Operational Guidelines for the Implementation of the World Heritage Convention, all properties nominated for inscription on the World Heritage List must satisfy the conditions of integrity. Integrity is a measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes. (Operational Guidelines 2005 Para 87/88)*

Integrity refers to the wholeness and intactness of the World Heritage property and its attributes. The quantitative aspect of integrity takes into account whether the boundaries encompass the attributes and linkages that give it its outstanding universal value. The qualitative aspect of integrity takes into account the intactness of each component of the property.

**The extent to which the property includes all elements necessary to express its outstanding universal value:**

The outstanding universal value of the Kathmandu Valley is expressed through the seven Monument Zones that together comprise the World Heritage property. The boundaries encompass the listed monuments and the context within which they are located. The extent of the boundaries in respect to the inclusion of the surrounding context has been debated due to the differences in interpretation of the nomination document. The value of the urban fabric surrounding the three durbar squares has been considered as the context within which the listed monuments are located and not in respect to being elements that are themselves of outstanding universal value.

**The extent to which the property is of adequate size to ensure the complete representation of the features and processes which convey the property's significance:**

The extent of the property encompasses the surrounding open spaces and the predominant context surrounding the listed monuments. The relationships and dynamic functions present in the Monument Zones have been partially included within the boundaries. Six out of the seven Monument Zones have a buffer zone to further safeguard its value.

**The extent to which the property suffers from adverse affects of development and/or neglect:**

The seven Monument Zones of the Kathmandu Valley was placed on the List of World Heritage in Danger in 2003 due to the loss of traditional vernacular heritage and persisting uncontrolled development.

However, the majority of monuments listed in the nomination document are in good condition, many of them in an even better condition than when the site was inscribed.

The main problem is the change that the surrounding context has undergone. The ongoing challenge is to bring the impact of the deterioration processes under control.

There are only few cases of listed monuments suffering from neglect, and even these are in the process of being restored. Neglect can only be referred to when pointing out the lack of strict implementation of the bylaws.



**PHOTO**

## 1.2.5 BOUNDARY and BUFFER ZONES

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**The modifications to the boundaries and buffer zones of the seven Monument Zones of the Kathmandu Valley were approved by the World Heritage Committee during their 30th session in July 2006.**

*As per the Operational Guidelines for the Implementation of the World Heritage Convention, the delineation of boundaries is an essential requirement in the establishment of effective protection of nominated properties and should be drawn to ensure the full expression of the outstanding universal value and the integrity and/or authenticity of the property. Wherever necessary for the proper conservation of the property, an adequate buffer zone surrounding the nominated property should be provided for, which has complementary legal and/or customary restrictions placed on its use and development. (Operational Guidelines 2005 Para 99/103/104)*

### **Boundaries**

The seven Monument Zones of the Kathmandu Valley were inscribed on the List of World Heritage in 1979 based on the nomination document, which included maps specifying boundaries. However, the boundaries that the State Party gazetted were modifications which were not officially approved by the World Heritage Committee.

The gazetting of the Monument Zone boundaries was carried out over a period of 20 years:

1978 (2035)	SWAYAMBHU STUPA
1984 (2041)	BAUDDHANATH HANUMAN DHOKADURBAR SQ. BHAKTAPUR DURBAR SQ. LALITPUR DURBAR SQ. CHANGU NARAYAN
1987 (2044)	increased HANUMAN DHOKA DURBAR SQUARE
1994 (2051)	increased SWAYAMBHUNATH
1996 (2053)	increased BHAKTAPUR DURBAR SQ. increased LALITPUR DURBAR SQ.
1998 (2055)	PASHUPATINATH decreased BAUDDHANATH

After the Kathmandu Valley was inscribed on the List of World Heritage in Danger in 2003, the World Heritage Committee requested the State Party to redefine the boundaries.

The redefinition of the boundaries was prepared by the Department of Archaeology in close consultation with the local authorities and taking into account the recommendations made by the International Technical Workshop held in Kathmandu in May 2004 (WHC / DoA / UNESCO Kathmandu) and the ICOMOS / WHC Missions to Kathmandu Valley in March 2005 and June 2006. The redefined boundaries were approved as minor modifications by the World Heritage Committee during their 30th session in July 2006.

### **Buffer Zones**

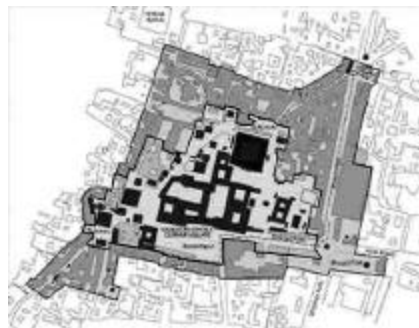
On inscribing the Kathmandu Valley on the List of World Heritage in Danger in 2003, the World Heritage Committee also requested the State Party to establish adequate buffer zones for the Monument Zones.

The buffer zone proposals were prepared by the Department of Archaeology in close consultation with the local authorities and taking into account the recommendations made by the International Technical Workshop held in Kathmandu in May 2004 (WHC / DoA / UNESCO Kathmandu) and the ICOMOS / WHC Missions to Kathmandu Valley in March 2005 and June 2006.

The buffer zones for Patan Durbar Square and Bhaktapur Durbar Square encompass the whole historic city areas. It was not found necessary for Changu Narayan Monument Zone to have a buffer zone. The buffer zones of the remaining four Monument Zones (Hanuman Dhoka Durbar Square, Swayambhu, Bauddhanath and Pashupati), were defined as the area between the newly redefined Monument Zone boundaries and the latest gazetted boundaries.

The buffer zones were approved by the World Heritage Committee during their 30th session in July 2006

**The following boundaries and buffer zones have been approved by the World Heritage Committee during their 30th session in July 2006:**



#### **HANUMAN DHOKA DURBAR SQUARE MZ**

The boundary encompasses the main monuments and the surrounding context of squares and open spaces, thereby ensuring the identity of the Monument Zone is retained. (Area 5.09 ha approx.)

The Buffer Zone includes a strip of urban fabric surrounding the Monument Zone and corresponds to the area gazetted in 1989. (Area 6.47 ha approx.)



#### **SWAYAMBHU MZ**

The boundary encompasses the entire hillock which is an integral part of the identity of the Swayambhu stupa, and contributes to the outstanding universal value of the property. (Area 32.63 ha approx.)

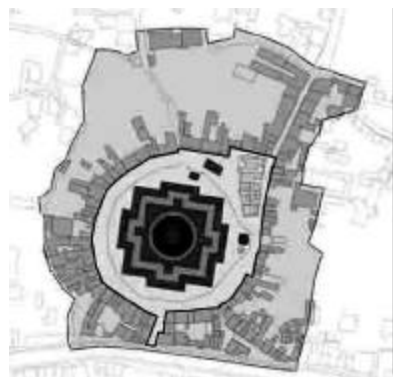
The Buffer Zone encompasses a strip around the foot of the hillock and corresponds to the area gazetted in 1994. (Area 25.18 ha approx.)



#### **PASHUPATI MZ**

The boundary encompasses the areas that have important religious and historic links to the main Pashupatinath temple that as a whole contributes to the outstanding universal value of the property. (Area 83.55 ha approx.)

The Buffer Zone encompasses a strip of land of varying depth around the Monument Zone and corresponds to the area gazetted in 1998. (Area 11.55 ha approx.)



#### **BAUDDHANATH MZ**

The boundary encompasses the open space and circumambulatory path around the main stupa. The monument itself clearly retains outstanding universal value. (Area 1.27 ha approx.)

The Buffer Zone encompasses the buildings surrounding the circumambulatory path, as well as certain open spaces beyond the circle of buildings and corresponds to the area gazetted in 1998. (Area 2.83 ha approx.)



### **PATAN DURBAR SQUARE MZ**

The boundary encompasses the Durbar Square and extends toward the north including Kwa Bahal and the Kumbeshwor temple. The boundary corresponds to the area gazetted in 1996. (Area 15.89 ha approx.)

The Buffer Zone encompasses the whole historic city of Lalitpur comprising of the municipal the “Conservation Sub-Zone” and the “Mixed Old Settlement Sub-Zone”. (Area 103.17 ha approx.)



### **BHAKTAPUR DURBAR SQUARE MZ**

The boundary encompasses the Durbar Square and Taumadi Square and the trade route up to Dattatraya Square. The boundary corresponds to the area gazetted in 1996. (Area 14.60 ha approx.)

The Buffer Zone encompasses the whole historic city of Bhaktapur comprising of the municipal cultural heritage sub-zone and the buffer sub-zone. (Area 121.43 ha approx.)



### **CHANGU NARAYAN MZ**

The boundary encompasses a large part of the Changu Narayan hillock based on ownership patterns and access paths. The boundary corresponds to the area gazetted in 1984. (Area 35.92 ha approx.)

No Buffer Zone has been proposed for Changu Narayan Monument Zone. The Monument Zone comprises of large areas of natural setting, which itself functions as a buffer.

**The Boundaries and Buffer Zones of the Monument Zones are to be legally defined based on demarcations made on cadastre plans.**

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## 1.3 OBJECTIVES OF THE IMP

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### 1.3.1 OBJECTIVE STATEMENT

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**The primary objective of the Integrated Management of the Seven Monument Zones of the Kathmandu Valley is to protect the Outstanding Universal Value of the World Heritage property as well as the locally recognized heritage values, while taking into account the standard of living, safety and economic viability of the community living within the World Heritage property.**

*A Management plan can be understood as an operational instrument to utilize available resources to protect defined OUV, while responding to circumstances in the given context.*

The principles that are to be observed in achieving the management goals are:

#### **Significance-driven**

The concern for the conservation of the significance of the site is at the core of decision-making and must be balanced against the interests of other sectors.

#### **Integrated approach**

The integrated management will follow a systemic and holistic approach to conservation, taking into account the significance of the monuments, the cultural and natural context within which they are found and the living heritage that lends them their local value.

#### **Process oriented**

The integrated management will focus on the processes and linkages between the components of the site and the various actors to allow realistic long-term implementation.

#### **Bottom-up approach**

The integrated management will take the realities at the site level into account when developing conservation strategies. This is particularly so in respect to the living cultural heritage of the Monument Zones.

#### **Promote local empowerment**

Devolution of powers to the Monument Zone site managers must be accomplished to whatever degree possible, while not losing the integration and coordination between the components of the overall World Heritage property.

#### **Socially and economically sustainable**

The integrated management will be prepared on an understanding of sustainability, both in respect to social as well as economic operations of the site.

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### 1.3.2 KEY OBJECTIVES

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#### **A. Identification of WH and its values**

**A1:** To prepare official statements to clearly define the WH site in respect to criteria for inscription, outstanding universal value, authenticity, integrity, boundaries and buffer zones and their respective implications on the conservation and management of the WH site.

**A2:** To have gazetted inventories of classified monuments for all WH areas and buffer zones and utilize the inventories as a planning tool in conjunction to the bylaws.

#### **B. Legislation**

**B1:** To amend related contradictory Acts and ascertain that there are no overlapping authorities. To have the sixth amendment to the Ancient Monument Preservation Act prepared and gazetted. This would provide for the devolution of responsibilities to the local government and allow for expropriation of historic buildings that are at risk of being demolished.

**B2:** To prepare and implement site specific conservation guidelines and bylaws, taking into account the provisions for the WH areas as well as the buffer zones.

**B3:** To establish specific procedures, norms and guidelines for evaluating the stability of historic buildings.

### **C. Planning and Policy**

**C1:** To have Master Plans for all seven Monument Zones which are coordinated with overall municipal planning and provide linkages to the involvement of affiliated government authorities and line agencies.

**C2:** To develop a clear strategy for the conservation of privately owned historic buildings. This would include clearly defined controls and incentives.

**C3:** To prepare conservation plans for historic buildings and rectification plans for inappropriate buildings within the WH area.

### **D. Site Management**

**D1:** To identify and establish Site Managers specific to each *Monument Zone*. The Site Managers will be the most local level appropriate for the task and in the case of municipalities, an appropriate department / section / unit will be specified.

**D2:** To train and build capacity of the Site Managers for them to be in a position to fulfil their tasks.

**D3:** To give the site managers the lead role in managing the WH areas in close collaboration with the site offices of the Department of Archaeology. The site managers will coordinate with all relevant “actors” within the WH area.

**D4:** To simplify official procedures and processes and make them more effective in respect to heritage conservation.

**D5:** To carry out weekly monitoring of each *Monument Zone* and set up a regular reporting system involving all relevant authorities. Regular review meetings are to be held.

**D6:** To establish an emergency reporting system and an authority to deal with crisis situations.

### **E. Community and Awareness**

**E1:** To establish *Community Conservation Groups* within WH areas to participate as stakeholders.

**E2:** To create awareness amongst the community, the general public and students on the value of the World Heritage property.

**E3:** To develop strategies for the sustainable economy of the community within the WH areas without impacting the heritage value.

**E4:** To distribute restoration and maintenance manuals to owners of historic buildings.

### **F. Visitors**

**F1:** To develop a sustainable strategy for marketing the WH areas for visitors and provide them with quality facilities, and site interpretations.

**F2:** To develop strategies to maximize the profitability for the local community.

### **G. Information and Research**

**G1:** To establish a documentation centre where information on the WH property and related topics are collected and stored in an easily accessible format.

**G2:** To coordinate research on the WH property and related topics in close collaboration with national and international educational institutions. .

### **H. Sustainability of Management**

**H1:** To develop sustainable funding mechanisms.

**H2:** To ensure the implementation and regular review of the integrated management plan.

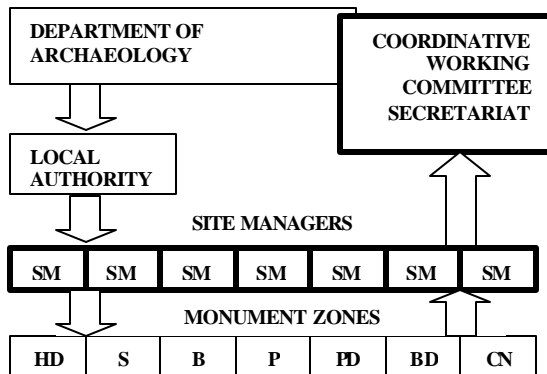
## 2. INTEGRATED MANAGEMENT FRAMEWORK

### OVERARCHING STRATEGIES

The overarching strategies required for achieving the management objectives must lay down the parameters for carrying out the specific actions detailed in the Plan of Action. The strategies would need to address the institutional, legislative and economic frameworks.

#### Institutional Framework

The Department of Archaeology is to remain the principle authority for the coordination of conservation activities of the World Heritage areas. However, powers in respect to enforcing bylaws and monitoring, are to be handed down to the local authorities, and clearly defined site managers for each of the seven Monument Zones are to be established;



(REFER CHART IN SECTION 2.2.1)

Identification and improvement of processes and linkages within the management structure are to be carried out to have a clear communication system for flow of information and decisions and separation of reporting and decision making processes for regular cases and irregular and emergency cases;

For the conservation of historic buildings, community involvement and participation is to be encouraged, incorporating risk management;

Capacity building is to be considered critical for the successful implementation of the Management Plan;

#### Legislative Framework

Clarifications are to be sought for overall legislation dealing directly or indirectly with heritage conservation to reduce duplication and contradictions;

Each Monument Zone will have four sets of regulations:

- I. The conservation of Classified Monuments (Classifications I, II, III) identified in the inventories prepared for each of the Monument Zones;
- II. The bylaws and regulating for the construction of New Buildings within the boundaries and buffer zones of each Monument Zone;
- III. The guidelines for the rectification of inappropriate buildings within the boundaries and buffer zones of each Monument Zone;
- IV. The development guidelines for public spaces, circulation, services and the conservation of the natural environment

Each set of regulations will be accompanied by detailed implementation processes.

Awareness raising is to be done on heritage values and the objectives of the conservation guidelines and bylaws for practical implementation.

#### Economic Framework

Overall coordinated financial plan is to be prepared to strengthen resources and support;

Minor contributions are to be integrated within the overall implementation strategy

# INSTITUTIONAL FRAMEWORK

## THE AUTHORITIES

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The “State Party” is represented by the Department of Archaeology, under the Ministry of Culture, Tourism and Civil Aviation. Management, however, needs to be carried out by Site Managers specific to each of the Monument Zones, leaving the Department of Archaeology with the task of coordination and monitoring and retaining responsibility for the classified monuments.

### Central Government

The authority within the central government that is responsible for heritage conservation (and the World Heritage Site) is the *Department of Archaeology* (DoA), under the Ministry of Culture, Tourism and Civil Aviation. The *World Heritage Section* of the DoA deals exclusively with World Heritage (Kathmandu Valley and Lumbini). The DoA also has site offices in Lalitpur (*Lalitpur Palace Maintenance Office*) and Bhaktapur (*Bhaktapur Monument Conservation and Palace Maintenance Office*) that are responsible for restoration and conservation works, as well as coordination with processes dealing with the respective municipalities

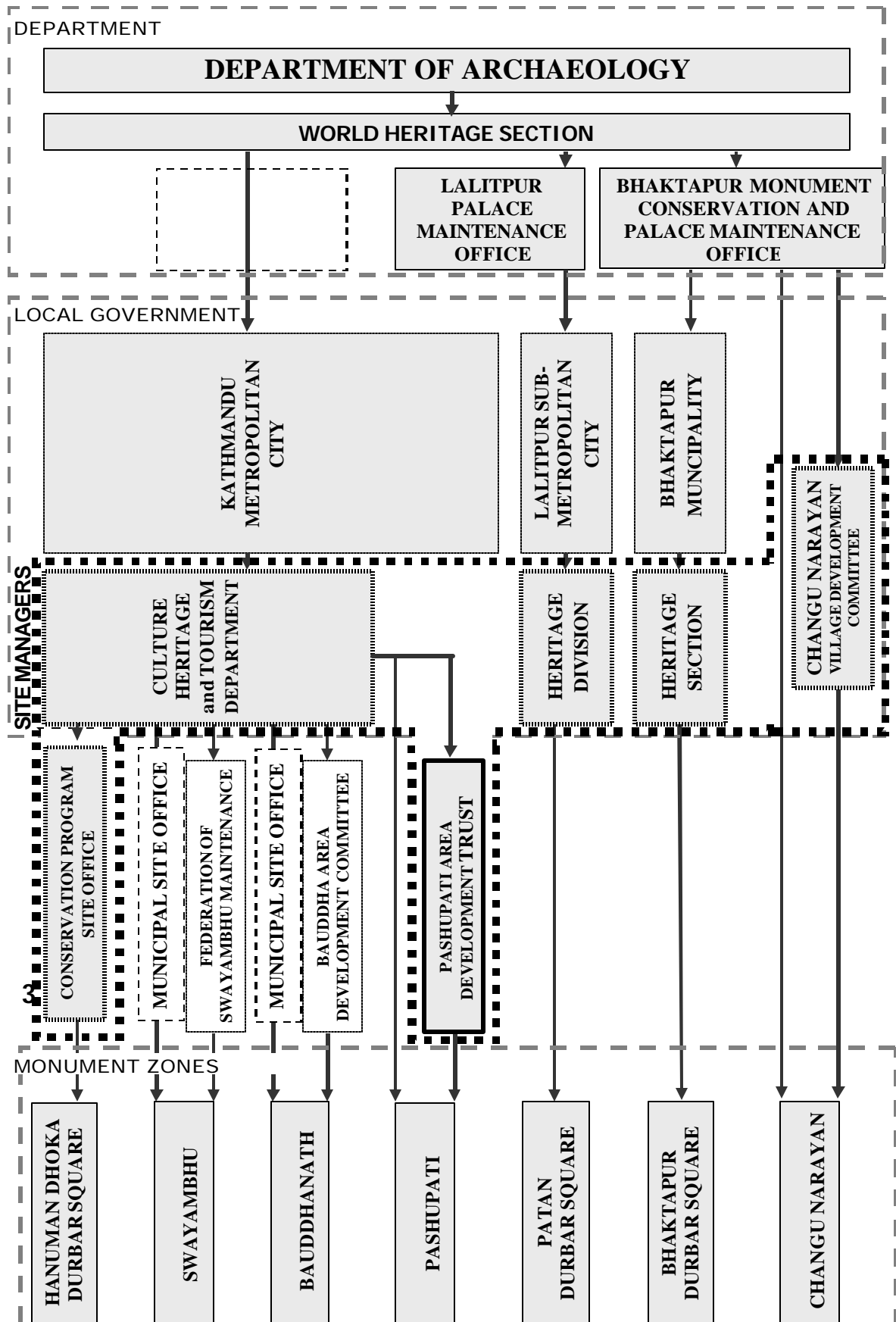
### Local Government

Each of the seven Monument Zones is managed by a particular Local Government, under the Ministry of Local Development. The Local Self-Governance Act 1999 gives the Local Government certain responsibilities within their domain, in respect to heritage conservation. This is especially the case with the Municipalities, which have both the capacity and the resources. There are four Monument Zones within the *Kathmandu Metropolitan City* (Hanuman Dhoka Durbar Square, Swayambhu, Baudhanath and Pashupati), and one each within *Lalitpur Sub-Metropolitan City* (Patan Durbar Square) and *Bhaktapur Municipality* (Bhaktapur Durbar Square). In the case of Changu Narayan, which lies in a Village Development Committees (VDC), the Local Government is not given the same degree of authority and lacks capacity to manage

heritage conservation. It is therefore necessary for the Department of Archaeology to help manage heritage conservation activities.

### “Site Managers”

Within the institutional framework of the central government and the local government, each Monument Zone has clearly defined “Site Managers”. The *Culture Heritage and Tourism Department* of Kathmandu Metropolitan City is responsible for managing the four Monument Zones within their area. However, only in Hanuman Dhoka Durbar Square have they established a *Conservation Program Site Office*. In Swayambhu, the *Federation of Swayambhu Management and Conservation* (a federation of local NGOs) semi-officially carry out various maintenance and cleaning activities. A similar situation can be found in Baudhanath, with the *Bauddha Area Development Committee*. Pashupati, on the other hand, is managed by the *Pashupati Area Development Trust* that was created based on an Act passed by parliament in 1997. The *Heritage Division* of the Lalitpur Sub-metropolitan City and the *Heritage Section* of the Bhaktapur Municipality are responsible for the Monument Zones within their respective areas. In Changu Narayan, there is only the *Changu Narayan VDC* that has any official status and must be considered as the “Site Manager”. However, as mentioned in the previous section, they would require technical and financial support from the Department of Archaeology to carry out their function.



## 2.2.2 THE SITE MANAGERS

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The Site Managers will be the most local level appropriate for the task and in the case of municipalities, an appropriate department / division or section will be specified.

The Site Managers for the Monument Zones:

**Hanuman Dhoka Durbar Square :**

- Culture Heritage and Tourism Department, Kathmandu Metropolitan City

**Swayambhu:**

- Culture Heritage and Tourism Department, Kathmandu Metropolitan City
- Federation of Swayambhu Management and Conservation

**Bauddhanath:**

- Culture Heritage and Tourism Department, Kathmandu Metropolitan City
- Bauddhanath Area Development Committee

**Pashupati :**

- Culture Heritage and Tourism Department, Kathmandu Metropolitan City
- Pashupati Area Development Trust

**Patan Durbar Square:**

- Culture Heritage and Tourism Department, Lalitpur Sub-Metropolitan City

**Bhaktapur Durbar Square:**

- Culture Heritage and Tourism Department, Bhaktapur Municipality

**Changu Narayan:**

- Bhaktapur Monument Conservation and Palace Maintenance Office, Department of Archaeology
- Changu Narayan Village Development Committee

The Site Managers need to be given adequate capacity and training to be in a position to fulfil their tasks.

The Department of Archaeology will, however, remain the primary authority during the interim period, until all legislation is amended and the Site Managers have the capacity and expertise to fulfil their duties.

**Responsibilities of the Site Manager:**

- to coordinate the implementation of the applicable legislation;
- to coordinate with all relevant “actors” within the WH area;
- to carry out weekly monitoring and prepare weekly monitoring reports;
- to send a representative to participate in the monthly Coordinative Working Committee meetings and report on the state of conservation;
- to review and revise the Plan of Action and prepare Annual Action Plans;
- to participate in awareness building on conservation of the Monument Zone;
- to carry out risk management and emergency response to disasters;



PHOTO

### **2.2.3 COORDINATIVE WORKING COMMITTEE**

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**The integrated management of the seven Monument Zones will be carried out by the Coordinative Working Committee (CWC), which is chaired by the Department of Archaeology and comprised of members from each Monument Zone. The Coordinative Working Committee will have its secretariat located within the office of the World Heritage Section of the Department of Archaeology.**

#### **Coordinative Working Committee (CWC):**

The Coordinative Working Committee (CWC) is the key institution for the integrated management of the Kathmandu Valley World Heritage Site. The CWC is chaired by the Head of the World Heritage Section of the Department of Archaeology with members representing each of the Monument Zones. Representatives of each of the Monument Zones will be members of the CWC.

The CWC shall meet at regular intervals not exceeding 2 months and may call upon emergency meetings when necessary. When found necessary, the CWC may invite representatives from related government authorities, line agencies and experts to their regular or emergency meetings.

#### **Responsibilities of the Coordinative Working Committee:**

- to hold meetings at regular intervals not exceeding 2 months,
- to coordinate and monitor the progress of implementing IMP;
- to coordinate the implementation of the applicable legislation;
- to coordinate the activities of the Site Managers and the DoA;
- to coordinate with related government authorities, line agencies and experts;
- to supervise site monitoring, receive reports from the Site Managers and give necessary instructions for site implementation;
- to coordinate response to emergency situations after disasters;

**PHOTO**

#### **CWC Secretariat:**

The Coordinative Working Committee Secretariat will be the focal point for the integrated management of the Kathmandu Valley World Heritage Site. The CWC Secretariat will look after the administration of the CWC and call regular and emergency meetings.

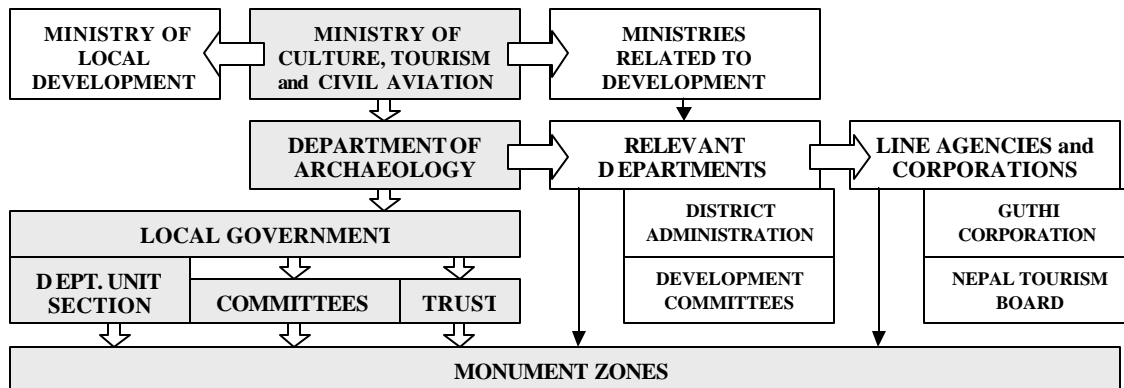
The World Heritage Section of the Department of Archaeology is responsible for running the CWC Secretariat within their premises. The CWC Secretariat will have a designated office, which will also serve as a documentation centre for the KVVHS.

#### **Responsibilities of the CWC Secretariat:**

- to work as a focal point for all aspects of integrated management of the WHS;
- to coordinate and implement all administrative activities of the CWC;
- to call regular and emergency CWC meetings;
- to prepare and distribute minutes of all CWC meetings;
- to record and document the progress of implementing the IMP;
- to run a documentation centre for the KVVHS

## 2.2.4 ASSOCIATED AUTHORITIES

There are government authorities from other sectors that carry out work within the Monument Zones. The horizontal coordination between the Ministry of Culture, Tourism and Civil Aviation / Department of Archaeology and these respective government and semi-government agencies has only been partially achieved. Overlapping of responsibilities has also been an issue.



### Associated Authorities

The elected local bodies (Municipalities and VDCs), that are the key authorities in respect to Site Management fall under the *Ministry of Local Development*.

The *Kathmandu Valley Town Development Committee* (and the Town Development Committees of Kathmandu, Lalitpur and Bhaktapur), which falls under the *Ministry of Physical Planning and Works*, are responsible for physical planning, infrastructure development and land use as well as the enforcement of laws pertaining to demolition and building regulations in the private realm. KVTDC has prepared the building bylaws for the Kathmandu and Lalitpur municipal areas.

The *Chief District Officers*, who come under the *Ministry of Home Affairs*, is responsible for the local Police force and is involved in the enforcement of the building regulations and dealing with other legal issues.

The illegal registration of public land and the partition of property, especially with heritage buildings is a major problem, which can only be dealt with in coordination with the *Department of Survey* and the *Department of Land Reform and Management* under the *Ministry of Land Reform and Management*.

*Ministry of Law Justice and Parliamentary Affairs* is the responsible authority to clarify contradictions and overlapping authority found in the legislation. The ministry also needs to clarify the conflict between conservation laws and the rights of the individual house owners.

Tourism is one of the main sources of income for the Monument Zones and tourism is dealt by the *Department of Tourism* under the *Ministry of Culture, Tourism and Civil Aviation*, and the *Nepal Tourism Board*.

In respect to the conservation of the natural environment around the Monument Zones, the following government organizations are involved; the *Department of Forests* under the *Ministry of Forests and Soil Conservation*, and in respect to policies conserving environmental management the *Ministry of Environment, Science and Technology*.

Various development and infrastructure projects are carried out within the Monument Zone areas by the *Ministry of Physical Planning and Works*; *Department of Roads*, the *Department of Water Supply and Sewerage* and the *Department of Urban Development and Building Construction* (amongst its functions are: "Conserve and develop the areas having religious, cultural and touristic importance" and "Carry out works related to conservation of urban environment").

Infrastructure and service projects are also carried out by the line agencies. This would in particular mean the *Nepal Electricity Authority*, the *Nepal Telecommunication Authority* and the *Water Supply Corporation*.

Religious festivals are managed by the *Guthis*. Most Guthis have been nationalized under the *Guthi Corporation* that also retains ownership over many of the religious monuments.

## 2.3 LEGAL FRAMEWORK

### 2.3.1 LEGISLATION and LEGAL PROVISIONS

The principle Act relevant to the conservation of heritage is the **Ancient Monument Preservation Act (1956)**. There are various other Acts that directly or indirectly address heritage conservation issues, which should augment - however often contradict - the principle Act.

#### **Ancient Monument Preservation Act 1956 - Fifth Amendment 1996**

The legislation for the conservation, protection and management of cultural property is based on the *Ancient Monument Preservation Act (AMPA) 1956*, its subsequent amendments (the latest having been the fifth amendment in 1996) and the *Ancient Monument Preservation Rules 1988*. The Ancient Monument Preservation Act gives the *Department of Archaeology* the legal provisions to declare a monument or area to be a *Protected Monument Zone (PMZ)*. The Department of Archaeology is subsequently responsible for the protection of the site, including the prescription of building bylaws, approving requests for building permits and for any other construction activities within the zone. The Department of Archaeology is given the authority to stop inappropriate and/or illegal building activities and to request for the demolition of unauthorized constructions.

The seven Monument Zones of the Kathmandu Valley World Heritage property have been declared PMZs and the boundaries have been gazetted under the provisions of the AMPA. The Department of Archaeology is therefore responsible for the preservation of the areas comprising the property inscribed on the World Heritage List.

In respect to the protection of the World Heritage property, a sixth amendment to the AMPA has been found necessary. This is particularly so in respect to the devolution of powers and responsibilities to the Elected Local Government Bodies, the Pashupati Area Development Trust and the Guthi Corporation.

#### **Local Self-Governance Act (1999)**

The Local Self-Governance Act (LSGA) 1999 is the principle act for the decentralization of powers to the *District Development Committees (DDC)*, the *Municipalities* and the *Village Development Committees (VDC)*. The LSGA gives the elected local government bodies the function and duty - to varying degree

- to record, maintain and preserve the tangible and intangible heritage within their area of jurisdiction. Without detailed differentiation, these provisions may conflict with the AMPA.

Under the LSGA, the municipalities are given the mandatory function and duty to prepare an inventory of the culturally significant places and maintain and protect them. In respect to the physical development, the municipalities must prepare a land-use map and must approve design permits. In respect to the PMZ and listed monuments and historic buildings, the approval of building permits is done through the Department of Archaeology.

The wards of the municipalities are given the functions, duties and powers to *help* preserve monuments and important sites within their ward.

The LSGA gives the VDCs limited functions, duties and powers, and these are not specified as being mandatory. The involvement of VDCs in physical planning and conservation is less concrete. They are responsible for keeping records, maintaining and preserving religious and cultural places, as well as for preserving languages, religions and culture. The VDCs are also to prepare *criteria* for houses, buildings, roads and other physical infrastructures to be constructed within the village development area, and to grant approval for their construction. Of the seven Monument Zones of the Kathmandu Valley World Heritage property, Changu Narayan is the only one that is situated within a VDC. Due to the limited authority – and resources – of the VDC, it will be necessary for the Department of Archaeology to remain directly involved with site management.

#### **Town Development Act (1988)**

The Town Development Act (TDA) 1988 mainly deals with the reconstruction, extension and development of towns. In order to implement town planning in any particular area, the TDA allows for the formation of *Town Development Committees (TDC)*. In the

Kathmandu Valley, the *Kathmandu Valley Town Development Committee (KVTDC)* is responsible for implementing the Act.

The TDA includes regulations for the reconstruction and extension of the area of a town, for fixing land-use zones, preparing by-laws, demolishing unauthorized construction and setting standards for physical development. Through the LSGA most of these responsibilities have been transferred to the municipalities.

### **Pashupati Area Development Trust Act (1987)**

The Pashupati Area Development Trust Act (PADTA) 1987 is a specific act for the conservation of the Pashupati Area. It provides for the establishment of a Pashupati Area Development Fund to manage, maintain and preserve the natural and cultural heritage in the Pashupati area and prohibit the registration of land within the area to any person or institution. The Pashupati area has, however, also been declared a PMZ under the AMPA. The PADTA was recently amended to change the condition of involvement of the royal palace in the trust.

The PADTA established the *Pashupati Area Development Trust (PADT)* as the authority for the development, protection and maintenance of the Pashupati area. The main objective of PADT is the implementation of their Master Plan to develop and conserve Pashupati as a religious centre for the Hindus.

### **Guthi Corporation Act (1964)**

The Guthi Corporation Act (GCA) 1964 was established in 1964, nationalizing all *Guthis* (traditional community based trusts with legal ownership of most religious monuments) to a centrally organized unit, the *Guthi Sansthan*.

The amendment of 1976 classifies *Guthis* into three categories: Raj Guthi (state), Niji Guthi (private) and Chhut Guthi (exempted). The Guthi Sansthan is to perform religious rites and festivals, preserve cultural heritage, monuments and other religious buildings, preserve ancient ornaments and article of religious and cultural importance. The act also prohibits registration and sale of land belonging to temples or spaces for public festivals and worship.

The Guthi Sansthan is still the legal owner of many monuments and historic buildings within the PMZs. However, due to diminished community support and lack of funds, the Guthi

Sansthan's role has been reduced to basically performing religious rights and festivals.

### **Building Bylaws**

There are legal provisions for the preparation of Building Bylaws by the Department of Archaeology (in the AMPA), by the Municipalities (in the AMPA) and by the Town Development Committees (in the TDA). There are contradicting bylaws being implemented in the areas comprising the World Heritage property.

The Department of Archaeology has prepared "*Building Bylaws and guidelines – 2048 (1991) (with amendments) for Kathmandu Valley Protected Monument Zone*". These are general bylaws for all PMZs which does not account for the diversity of the individual PMZs.

The municipal building bylaws for Kathmandu Metropolitan City and Lalitpur Sub-Metropolitan City were prepared by the KVTDC. The municipal building bylaws for Bhaktapur Municipality were prepared by the municipality itself. For all three municipalities, the bylaws prepared by the Department of Archaeology was taken as a basis, however some major alterations were made. One of the most drastic differences is the provision for allowing reinforced concrete frame structures to be used when reconstructing. Additionally, the PADT has prepared its own interpretation of the building bylaws.

### **National Building Code**

The National Building Code, which was initially prepared in 1994, has recently come into effect and the municipalities have started enforcing the code.

The negative impact for the conservation of heritage buildings has been the interpretation that historic load bearing structures do not have adequate stability and all new construction needs to be reinforced concrete frame structures. The code emphasises seismic stability, yet clearly makes provisions for load bearing masonry structures.

### **Other Legal Issues**

One of the main difficulties faced in trying to preserve privately owned historic buildings has been the practice of hereditary division of property. The historic buildings are divided up vertically to allow all parties to own part of the land. There are no legal provisions to stop hereditary division of historic buildings. Legal provision for ownership of individual floors of a building is still under formulation.

## 2.3.2 CONSERVATION GUIDELINES

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**This section deals with the legal framework for the conservation of classified monuments. Classified Monuments are all buildings and structures that have been listed and categorized in the most recent inventories prepared by the Department of Archaeology. The conservation guidelines are to be enforced for classified monuments.**

**The basic principle of the conservation guidelines is:**

- **to preserve all those elements and attributes that contribute to the value of the historic building / structure for which the monument has been listed and classified in the inventory and**
- **to ascertain that all other elements and attributes are compatible and appropriate to the building / structure and its context**

The conservation of classified monuments must be carried out as per the value, condition and character of the specific monument. It is therefore not possible to formulate bylaws for conservation of historic buildings. Conservation must be carried out based on the classified inventory, which is the only legal document that defines each monument individually.

The classified inventory must contain specific information on the monuments, to allow it to be used as the basis for conservation. This means that the “*elements and attributes that contribute to the value of the historic building or structure for which the monument has been listed and classified in the inventory*” must be clearly stated.

This principle must be applied to all 3 categories of listed monuments based on their respective criteria for classification .

The “*elements and attributes that contribute to the value of the historic building / structure for which the monument has been listed and classified in the inventory*” may include the overall structure, various individual elements (such as carved windows) or a specific attribute which bears witness to an important historic event or process. These elements and attributes must be conserved as stringently as possible.

“*All other elements and attributes*” must be “*compatible and appropriate to the building / structure and its context*”. Once the primary elements and attributes have been preserved, the remaining elements and attributes can only be modified if these are compatible and appropriate in respect to mass (height, coverage and form) and exterior (material, colour, texture, order, scale and proportions) to the overall monument and surrounding historic buildings .

### **Implementation Process**

The Conservation Guidelines will be accompanied by a detailed implementation process clearly defining the authorities, the flow of information and the decision making and monitoring provisions.



**PHOTO**

### **Legal Provisions for Classification of Monuments:**

As per the Ancient Monument Preservation Act 1956 with amendments, Article 3(a) sub-article (i) states that *“From the viewpoint of ownership, the ancient monuments shall be classified in two categories: as public ancient monuments and private ancient monuments.”* Sub-article (ii) states, *“From the view point of importance, the ancient monuments shall be classified in three categories: as of international importance, of national importance and of local importance”.*

### **Criteria for Classification of Monuments:**

The Ancient Monument Survey and Classification Committee developed the criteria for documenting and classifying monuments in a series of meetings held between 17th February and 26th June 2000. There was general agreement that ancient monuments like historic buildings, palaces, monasteries, temples, houses, stupas, stone water conduits etc. have to be classified by collecting, recording and registering their complete historical records and information available as far as possible. In doing so, the aspects of antiquity, art, rarity, historicity, cultural and religious importance etc. of those monuments have to be considered.

It was found highly crucial to classify ancient monuments on the basis of ownership and importance for the purpose of managing their security and conservation activities. The monuments would need to be categorized as ‘Classification I’, ‘Classification II’ and ‘Classification III’ according to their antiquity, significance, nature, art and architecture etc. Specific criteria were developed for each classification.

### **Legal Provisions for Ancient Monument Survey and Classification Committee:**

Provisions for establishment of this committee are made in the Ancient Monument Preservation Rules 1988 – (third amendment 1998) Rule 2.3. As per Rule 2.4 the Committee is responsible to *“...prepare(d) the criterion for the classification of ancient monuments from the ownership and point of view of importance ... to advise the Department to classify the ancient monuments on the basis of said criterion.”*

### **Format for Recording Monuments:**

For the purpose of classifying ancient monuments on the basis of importance and ownership, the following format for preparing the description and records of monuments is proposed:

1. Address, cadastral no. and on-map location of the monument site;
2. Monument’s Ownership: if public – under what agency / body, if private – name of landlord / owner, if monument – the current use / function;
3. Monument’s photograph;
4. Name of the person who constructed and established the monument, the date of establishment and historical description; whether the renovation has been done or not, the description of renovation if any, associated guthi system and management;
5. The significance of monument and its important elements: **elements and attributes that contribute to the value of the historic building / structure for which the monument has been listed**
6. Building materials and current physical condition of monument

**PHOTO**

### **Criteria for Classification Monuments:**

The Ancient Monument Survey and Classification Committee developed the criteria for the classification of monuments in a series of meetings held between 17th February and 26th June 2000.

#### **Criteria for Classification I**

All monuments and historic buildings that were built before 1825 BS (1768 AD) and that have remained intact till date. Monuments which are unparalleled from the artistic, architectural and historic standpoint. *These include all Malla-period palaces, temples, monasteries, stupas, maths and architecturally important private and public patis, sattal and houses - buildings that are representative of excellence of the art and skills of the country; all superior-class Malla-period artworks, sculptures, statues of kings and courtiers, and all pieces of art in any medium; likewise, Licchavi-period statues/sculptures, chaityas, stone water conduits, inscriptions and relics from pre-Licchavi period.*

It has been proposed that the buildings constructed before 1903 BS (1846 AD) shall also be included in this Classification. These include buildings that are of superior class from artistic and architectural standpoint such as Shah-period palaces and buildings that have been built in exquisite artistic style and that have remained intact till date. Likewise, all the structures that are representative of art and architecture of the period before 1903 BS such as all royal, religious, public or private monuments, buildings, temples, exceptionally artistic statues, stone water conduits etc. *Some examples of buildings in this Classification: Shah-period palaces, temple complexes with exquisite artworks, buildings that display superb woodwork and use of highly refined traditional brick (dachi apa); temples that are built in traditional or "cupola" style (being less in number, these need to be included in this category); gold-plated statues (religious or secular), statues and images of rulers and courtiers etc. from the Shah period.*

Likewise, archaeological sites located at different districts of Nepal and Medieval or pre-Medieval period buildings such as palaces of rulers from different time periods, houses, temples, stone water conduits, forts – that are important due to their period, art, architecture and religious significance and that have remained intact till date have been proposed to be included in this category. All Medieval and pre-Medieval period gumbas of outstanding significance (whose form and size have not been changed) and ancient caves are also proposed in this category.

#### **Criteria for Classification II**

Private and public temples, palaces and buildings of Rana period – constructed after 1903 BS (1846 AD), associated with important historical figure(s) or event(s), notable examples of art and architectural excellence, retaining their beauty and original form; representative of art and architecture of their time period have been proposed to be included in Classification II.

Monuments like temples, houses and buildings etc. that were built before 1825 BS (1767AD) but are not included in Classification I – monuments that are important from historic, artistic and architectural standpoint, that have retained their original form, character and features but have undergone minor modification during renovation are also proposed in this category.

Monuments like temples, houses and buildings etc. that were built after the Unification of Nepal (1825 BS) but before 1903 BS – monuments that are important from artistic and architectural standpoint, associated with important event(s), representative of original art and architecture of that time period but have undergone minor modification during renovation and conservation works are also proposed in this category.

#### **Criteria for Classification III**

Monuments and artworks of local importance such as temples, buildings and houses etc. that can not be included in Classification I and Classification II Monuments; that are representative of the importance of their locality and periphery are proposed in Classification III.

Monuments that were built before 1825 BS and, although having undergone a considerable change in their original style during renovation and conservation works, have retained few representative art elements of that time period are also proposed in this category. Likewise, the artworks that, after being destroyed in 1990 BS earthquake, were renovated in unscientific and simplistic way yet retaining a few old artistic elements are also proposed to be included in this category.

Structures, temples, buildings and houses etc. that were built before 1903 BS – monuments that are not so much attractive from artistic and architectural standpoint; that have undergone considerable modification and change have been proposed in this category.

Rana-period structures and artworks that were built after 1903 BS and not included in Classification II are also proposed to be included in this category.

## 2.3.3 BUILDING BYLAWS

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This section deals with the legal framework for non-historic buildings and the construction of appropriate buildings on empty plots. Priority should be given to the conservation of buildings that have been inventoried, but not classified. (Guidelines for the rectification of inappropriate buildings have been provided separately). Two distinct sets of bylaws are provided, differentiating between the area within the Monument Zone boundary and the buffer zone. The legal provisions for the buffer zones have been synchronized with existing municipal zoning bylaws, wherever possible .

### Within Monument Zone boundaries

These Building Bylaws have been specifically prepared for each Monument Zone and are an integral part of the Municipal Building Bylaws.

The responsibility for the enforcement of these bylaws lies with the respective Site Managers, supported by the Department of Archaeology.

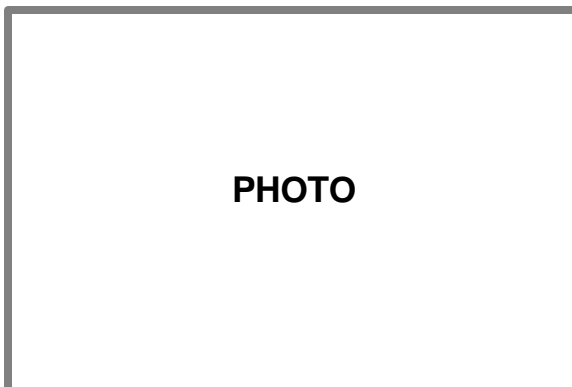
### Within the Buffer Zone s

The buffer zones have similar bylaws, however focusing more on the impact these buildings would have, rather than the value of the buildings themselves.

**However, it is of paramount importance to keep in mind that no activities should be allowed within the buffer zone that might negatively impact the outstanding universal value of the Monument Zone.** These might be activities or construction that affects the elements and attributes of the Monument Zone; visually, by means of pollutants, noise or smell, or changes the traditional character of the place.

### Implementation Process

The Building Bylaws will be accompanied by a detailed implementation process clearly defining the authorities, the flow of information and the decision making and monitoring provisions.



### Content of Building Bylaws

The Building Bylaws will address the following issues:

- the positioning of the building on the plot;
- the response to neighbouring buildings and public spaces ;
- the volume and size of the building;
- the overall building form including projections and roof;
- the scale of the building and the floors, including cornices;
- the materials;
- the colour and texture;
- the essential construction details;
- the openings;
- the plinth;
- the services, including water, sewage, waste, electricity, telecommunication, drainage, their connections and visual impact;
- the usage and functions;
- building styles if relevant;

The Building Bylaws will also address the following circumstances:

- demolition of existing buildings;
- division of existing buildings;
- reconstruction and the reuse of materials;
- extensions, both vertical and horizontal;

## 2.3.4 RECTIFICATION GUIDELINES

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The “Guidelines for Rectification of Inappropriate Buildings” provide the legal framework for rectifying existing buildings that have a negative impact on the elements and attributes that contribute to the outstanding universal value of the Monument Zone.

The basic principle of the rectification guidelines is:

- to remedy those elements and attributes of inappropriate buildings that contribute negative impact on the value of the surrounding historic context;
- specifically focusing on compatibility of mass (height, coverage and form) and exterior (material, colour, texture, order, scale and proportions)

Inappropriate buildings must be rectified to fulfil the following conditions, however keeping in mind the basic principles mentioned above:

### Mass

- Must not be higher than the neighbouring historic buildings or must comply with the relevant article in the Building Bylaws;
- Must not cover areas that are not within the plot, with the possible exception of sloping (non cement concrete) roof projections;
- The overall form of the building must be compatible to neighbouring historic buildings or must comply with the relevant article in the Building Bylaws for roof, balconies, projections, etc.

### Exterior

- The materials, colour and texture of all elements of exposed facades or facades that could be exposed in the future must be compatible to neighbouring historic buildings or must comply with the relevant article in the Building Bylaws;
- The order of elements of the main facades and of the elements themselves must comply to traditional rules;
- The scale and proportions of the main facades must be rectified to whatever degree possible to reduce their negative impact on any adjacent historic buildings

### Implementation Process

The Rectification Guidelines will be accompanied by a detailed implementation process clearly defining the authorities, the flow of information and the decision making and monitoring provisions.

PHOTO

### Inappropriate Buildings:

Inappropriate Buildings can generally be understood as those buildings that do not correspond to any of the traditional styles of architecture normally understood to be found within the Kathmandu Valley and do not correspond in scale, height, façade (material, colour, texture) with the surrounding historic buildings.

### Application:

The conservation of historic buildings will be given priority before the rectification of inappropriate buildings. The implementation of the Guidelines for the Rectification of Inappropriate Buildings will only be valid for buildings and structures built before April 14th, 2007, and should not be used to legitimize illegal construction in the future. The implementation process will take into account the legal status of the inappropriate building. The guidelines are to be implemented with authorization of the Department of Archaeology.

## 2.3.5 DEVELOPMENT GUIDELINES

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The “Development Guidelines” addresses the need for an appropriate approach to conserve the identity of the *public and semi-public realm* within the Monument Zones. The *public and semi-public realm* encompasses the physical spaces, (urban spaces such as squares, roads, streets, courtyards and natural environment such as the forest, etc.), the intangible heritage linked to these physical spaces and the public services and infrastructure that support the monument zone. These guidelines are to be read in conjunction with the “*Conservation Guidelines for Classified Monuments*”, the “*Building Bylaws*” and the “*Guidelines for Rectification of Inappropriate Buildings*”.

A close cooperation of numerous authorities is needed for the implementation of the Development Guidelines. Often these authorities are not concerned with the conservation of the historic context of the Monument Zones. The Site Managers need to take the lead role to coordinate such activities. The involvement of the Coordinative Working Committee is essential in ascertaining the awareness and compliance of related government authorities, line agencies and private parties. The coordination and cooperation between the various offices of the municipality must also be guaranteed.



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### Content of Development Guidelines

The Development Guidelines will address the following issues:

#### GENERAL

1. Identity
2. Encroachment
3. Empty Plots
4. Temporary Structures
5. Construction Sites
6. Risk Management

#### INFRASTRUCTURE / SERVICES

7. Traffic Planning
8. Paving
9. Aprons
10. Surface Rain Water Drains
11. Sewer Pipes
12. Water Supply
13. Electrical Supply
14. Street Lighting
15. Telecommunication and TV
16. Mechanical Installations
17. Solid Waste Management

#### FUNCTION

18. Traditional Use
19. Commercial Use
20. Commercial Signage

#### ENVIRONMENT and GREENS

21. Urban Greens
22. Water Bodies (ponds / rivers)
23. Natural Environment
24. Agricultural Area

### Implementation Process

The Development Guidelines will be accompanied by a detailed implementation process clearly defining the authorities, the flow of information and the decision making and monitoring provisions.

## 2.4 ECONOMIC FRAMEWORK

The economic framework needs to be organized and coordinated together with the inclusion of potential partners. The conventional income sources and funding mechanisms need to be institutionalized (entry fees for tourists, taxation and funding from the government as well as international partners). New funding sources need to be investigated together with potential partners who have a stake in heritage conservation (from the tourism and industry sectors). The financial involvement of the community is essential for the sustainability of conservation projects, however this should be closely linked to incentives provided and facilitated by the government (tax reductions, grants and soft loans). An important component to provide incentives would be free technical assistance and restoration experts for carved wooden elements.

### 2.4.1 FUNDS FOR SITE MANAGEMENT

The implementation of the Integrated Management Plan is dependent on the functioning of the Site Managers and the Coordinative Working Committee. It is therefore critical that funds are allotted annually for the administrative costs by the respective Site Managers and the World Heritage Division of the Department of Archaeology.

The administrative costs of managing the Monument Zones must be borne by the respective Site Managers. A large part of the tasks determined for site management of the Monument Zones are to be implemented by the Local Government (Kathmandu Metropolitan City, Lalitpur Sub-Metropolitan City and Bhaktapur Municipality and Changu Narayan Village Development Committee). In the case of Changu Narayan, the Village Development Committee would not have the funds to take over the full responsibility for site management and would need to be supported by the Department of Archaeology through their office in Bhaktapur. Pashupati Area Development Trust has the authority and the funds to participate as a full fledged partner to Kathmandu Metropolitan City in managing Pashupati Monument Zone. The Federation of Swayambhu Management and Conservation and the Baudhanath Area Development Committee have income by way of sufficient visitor fees which would cover their administrative costs.

The World Heritage Section and the site offices of the Department of Archaeology in Bhaktapur (Bhaktapur Monument Conservation and Palace Maintenance Office) and Lalitpur (Lalitpur Palace Maintenance Office) must have an annual budget that allows them to carry out their tasks of coordinating, implementing and monitoring the activities laid down in the Integrated Management Plan.

The funding for running the Coordinative Working Committee Secretariat will be borne by the Department of Archaeology. The CWC meetings would generally be carried out at the Department of Archaeology, unless other provisions are made. The necessary funds would be made available by the Government in the annual budget of the Department.



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## 2.4.2 FUNDING

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**Most conservation efforts are being funded through conventional channels till today; either directly by the government or by international “donors”. A large segment of potential partners has not been drawn on.**

### Central Government

The budget allocated by the central government directly for the conservation of the World Heritage Site amounts to Rs 17,500,000.- for the ongoing 2005/6 fiscal year.

Within this amount Rs 6,500,000.- has been allocated to establish a fund for the acquisition of historic buildings which the owners are not willing to or able to conserve. (The municipalities have been asked to provide a matching fund, however they have not yet made any formal commitment).

### Local Government

The municipalities are the main authorities directly involved with site management. The administrative aspect of managing the monument zones through the heritage divisions / sections / units are borne by the municipalities. However, no budget allocations are made directly for the World Heritage areas, however funds are utilized for specific restoration projects.

The municipalities have, however, not yet set up a matching fund for the acquisition of historic buildings, as mentioned in the previous section.

Bhaktapur Municipality has placed heritage conservation as one of their main priorities and is directly funding (or being major contributor to) numerous restoration projects.

The Patan Tourism Development Organization (PTDO) of Lalitpur Sub-Metropolitan City has been involved in the restoration of numerous private buildings within the World Heritage area.

Kathmandu Metropolitan City has focused on the Hanuman Dhoka Durbar Square and is running the Hanuman Dhoka Conservation Program site office. However, the Kathmandu Metropolitan City is not notably involved in financing activities in the other 3 monument Zones of Swayambhu, Baudhanath and Pashupati, where they are not involved in collecting the entry fees.

### Conservation Assistance Fund

In 2004, as per the instruction of the **National Development Action Committee**, an integrated **Coordinative Action Plan** for the conservation of the Kathmandu Valley World Heritage Site was set up in collaboration with all the stakeholders (Kathmandu, Lalitpur and Bhaktapur municipalities, Department of Archaeology, the National Planning Commission and the Ministry of Finance). Simultaneously, the **Conservation Assistance Fund** was established. The central government put aside funds which are to be matched by the Municipalities.

This Fund has been established to provide partial funding for the restoration of private historic buildings. Provisions have also been made to allow for the funds to be utilized for the expropriation of historic buildings that are in threat of being destroyed. This is usually when owners are not willing to implement restoration even after being provided financial assistance.

### International Partners

UNESCO has played a major role in funding and arranging for funds to carry out planning and conservation projects. UNESCO and UNDP prepared the “Protective Inventory” (1975) and the Master Plan (1977). The most prominent of these projects has been the “Kathmandu Valley Safeguarding Campaign 1979 – 2001” funded by various governments, most notable the Government of Japan. The German Government implemented the “Bhaktapur Development Project 1974 – 1986”. International partners have been involved in the restoration of numerous monuments. The funding through International Partners will remain essential, even when local funding mechanisms have been established.

## Local Institutions and NGOs

There are several local institutions and NGOs involved with heritage conservation, however the full potential of these organizations have not been tapped.

The experts from Engineering Colleges have been utilized for several projects, such as the ongoing restoration of the 55-window Palace in Bhaktapur.

There are only a handful of NGOs involved in heritage conservation, and amongst these, most focus on awareness building. The Kathmandu Valley Preservation Trust (KVPT) has been carrying out numerous restoration projects of monuments within Monument Zones of Patan and Kathmandu.

## Community and Philanthropists

The involvement of the community in conservation has been considered essential, especially in respect to religious monuments and private buildings. The sense of ownership must be cultivated to allow for long term sustenance of the World Heritage areas. Traditionally, the communities have participated in conservation by contributing labour. However, collection of funds from the community has also been a traditional practice, especially the monetary contribution of individual philanthropists. This practice has continued in various projects outside the World Heritage areas and may need to be considered for the conservation of non-classification I monuments.

## Financial Institutions

Local banks and finance companies would have an important role to play in supporting the local economy within the Monument Zones and providing appropriate loans for private restoration projects. This resource has not been utilized to a great degree due to the fact that financial institutions have not been given any priority to this sector and have not been given incentives for funding heritage conservation projects.



PHOTO

## National Heritage Organizations

The involvement of National Heritage Organizations such as the Guthi Corporation and the Nepal Heritage Society are restricted due to lack of funds. The Patan Heritage Society did carry out the restoration of the Krishna Mandir. Such initiatives need to be strengthened. The Guthi Corporation, which was established in 1964 by nationalizing community based Guthis, hardly has the financial resources to carry out important religious rites and festivals. However, their potentials need to be studied and integrated into an overall strategy for participation in the conservation efforts.

## National Tourism Associations

The tourism sector is potentially an important source for funding. The Nepal Tourism Board receives funds that are collected directly from tourist arrivals. Further, national level tourism organizations and associations that need to be included as partners are; *Hotel Association of Nepal, Nepal Association of Tours and Travel Agents, Pacific Asia Travel Association, Restaurant and Bar Association of Nepal, Tourist Guide Association of Nepal*. National and international airlines may also be considered possible stakeholder and are represented by the *Board of Airlines Representative Nepal* and the *Airlines Operators Association of Nepal*.

## National Industry Associations

The commerce and industry sector, especially those related to handicrafts, would also be supportive to initiatives to conserve heritage. Potential partners would include; the *Handicraft Association of Nepal* and the *Federation of Nepalese Chamber of Commerce and Industry*.

## 2.4.3 INCOME

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**Most conservation efforts are being funded through conventional channels till today; either directly by the government or by international “do nors”. A large segment of potential partners has not been drawn on.**

### **Tourism**

Tourism is the most obvious source of income for any heritage site. In the case of Kathmandu, tourism has been the driving force behind heritage conservation, often dictating the local economy.

The site managers of all seven Monument Zones are collecting entrance fees from tourists.

The funds collected from the tourists are not fully utilized within the Monument Zones. This and the question of who is allowed to collect these fees have been issues of contention and need to be formalized.

The foreign, local and religious tourists also have an indirect impact on the local economy.

### **Local Economy**

The local economy in and around most Monument Zones is geared towards Tourism. The religious Monument Zones cater to varying degrees to the religious visitors. The Durbar Squares are, however, city centers and are therefore also vibrant areas for the local economy. The success of conserving historic buildings will depend on a flourishing local economy.

### **Taxation**

Taxation within the Monument Zone areas must be seen as potential tools for providing incentives to owners to conserve historic buildings.

The various forms of taxation are as follows:

The central government taxation is based on direct and indirect taxation. Direct taxation would mean personal taxes and company or corporate taxes. Indirect taxation is based on VAT. In addition to these, there are various service charges and fees. Relevant is, for example, the fees pertaining to the purchase and sale of property.

Municipal taxation consists of house and land tax or integrated property tax, vehicle entrance tax, rent tax, business tax, entertainment tax, advertisement tax, etc. In addition to these taxes, there are service charges and fees. Especially relevant are the building permission fees.



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## 3. IMPLEMENTATION

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### 3.1 INSTITUTIONALIZATION

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**The implementation of the Integrated Management Plan is an ongoing process that requires regular review, amendment and detailing of action plans. It is therefore necessary to institutionalize this process and guarantee its continuation. This requires the State Party to establish the necessary institutional, legal and economic framework for the implementation of the Integrated Management Plan.**

#### 3.1.1 ESTABLISHMENT OF FRAMEWORKS

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##### INSTITUTIONAL FRAMEWORK

###### Site Managers

**To identify and establish Site Managers specific to each Monument Zone.** The Site Managers will be the most local level authority appropriate for the task and in the case of municipalities, an appropriate department / section / unit will be specified. The Site Managers need to be given adequate capacity and training to be in a position to fulfil their tasks. The Site Managers will take on the lead role of managing the WH areas in close collaboration with the site offices of the Department of Archaeology. The Site Managers will coordinate with all relevant “actors” within the WH area and carry out weekly monitoring and reporting. Regular review meetings are to be held. In case of any crisis situation, the Site Managers will report directly to the Coordinative Working Committee Secretariat.

###### Coordinative Working Committee

**To establish a Coordinative Working Committee for the implementation of the Integrated Management Plan.** The Coordinative Working Committee, which is to be chaired by the Department of Archaeology, shall comprise of representatives of the Site Managers of all the Monument Zones. The Department of Archaeology is responsible for running the Coordinative Working Committee Secretariat. Meetings will be held at regular intervals not exceeding 2 months. The Coordinative Working Committee will be responsible for monitoring the progress of implementing the Integrated Management Plan. The Coordinative Working Committee will also take on the role of being the authority to deal with crisis situations.

###### Intra-Sectoral Cooperation

**The State Party shall coordinate work between the various sectors and authorities involved in conservation and development works within the Monument Zone areas.**

This is especially so in respect to the following authorities: The Ministry of Culture, Tourism and Civil Aviation / Department of Archaeology (as principle authority), the Ministry of Local Development / Local Government (as executive authorities), the Ministry of Physical Planning and Works / Department of Urban Development and Building Construction, Kathmandu Valley Town Development Committee, Department of Roads and the Department of Water Supply and Sewerage, Ministry of Home Affairs / Chief District Officers, Ministry of Law Justice and Parliamentary Affairs, Ministry of Land Reform and Management, Nepal Tourism Board, Nepal Electricity Authority, the Nepal Telecommunication Authority, the Water Supply Corporation and the Guthi Corporation.

##### LEGAL FRAMEWORK

###### Amendment of Acts and Regulations

**To amend related contradictory Acts and ascertain that there are no overlapping authorities.** To have the sixth amendment to the Ancient Monument Preservation Act prepared and gazetted. This would provide for the devolution of responsibilities to the local government and allow for expropriation of historic buildings that are at risk of being demolished.

## Bylaws and Guidelines

**To prepare and enforce bylaws and guidelines specific to each Monument Zone and respective buffer zone.** The boundaries and buffer zones are to be deemed as those approved by the World Heritage Committee during their 30th session in July 2006. The bylaws and guidelines will address the necessity for conservation and controlled development of all components of the Monument Zones.

Each Monument Zone will have four sets of regulations:

- The conservation of Classified Monuments (I, II, III) identified in the inventories prepared for each of the Monument Zones;
- The bylaws and regulating for the construction of New Buildings within the boundaries and buffer zones of each Monument Zone;
- The guidelines for the rectification of inappropriate buildings within the boundaries and buffer zones of each Monument Zone;
- The development guidelines for public spaces, circulation, services and the conservation of the natural environment

Each set of regulations will be accompanied by detailed implementation processes.

To develop Risk Management Guidelines that take into account the value of traditional urban fabric and historic buildings.

## National Building Code

**To review, amend and enforce the National Building Code in respect to load-bearing structures.**

The National Building Code, which was initially prepared in 1994, has recently come into effect and the municipalities have started enforcing the code. The negative impact for the conservation of heritage buildings has been the interpretation that historic load bearing structures do not have adequate stability and all new construction needs to be reinforced concrete frame structures. The code emphasises seismic stability, yet clearly makes provisions for load bearing masonry structures.

- Seismic Design of Buildings in Nepal
- Mandatory Rules of the Thumb – Load Bearing Masonry
- Guidelines for Earthquake Resistant Building Construction: Earthen Buildings
- Guidelines for Earthquake Resistant Building Construction: Low Strength Masonry

## ECONOMIC FRAMEWORK

### Administrative Expenses

**To ascertain the funds required to cover administrative costs for the implementation of the Integrated Management Plan.**

The Department of Archaeology is responsible for running the Coordinative Working Committee Secretariat and will hold meetings at regular intervals.

The Local Authorities will be responsible for the functioning of the Site Managers to monitor and report on the Monument Zones to the Coordinative Working Committee.

### Economic Incentives

**To develop a clear strategy for using economic incentives in the form of subsidies, grants and soft loans for the conservation of privately owned historic buildings.** The financial involvement of the community is essential for the sustainability of conservation projects. However this should be closely linked to incentives provided and facilitated by the government. An important component to provide incentives would be free technical assistance and restoration experts for carved wooden elements.

Provisions need to be made for funding agencies to become involved in the restoration of private buildings. Provisions should also be made for banks and finance companies to offer loans for restoration projects.

### Funding Sources

**To develop sustainable funding mechanisms.**

The economic framework needs to be organized and coordinated together with the inclusion of potential partners. The conventional income sources and funding mechanisms need to be institutionalized (entry fees for tourists, taxation and funding from the government as well as international partners). New funding sources need to be investigated together with potential partners who have a stake in heritage conservation (from the tourism and industry sectors)

### 3.1.2 PLAN OF ACTION

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**The Plan of Action is a formulation of specific tasks that need to be accomplished to achieve the Key Objectives of the Integrated Management Plan. These tasks or actions are planned taking into account the implementing authority, the time scale and funding sources.**

#### **Plan of Action**

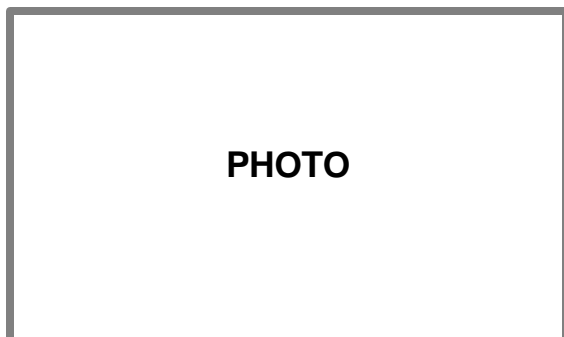
A “**Plan of Action for Integrated Management**” is to be developed and annually updated based on the Integrated Management objectives identified in Part 1.3. For each Monument Zone, a “**Monument Zone Plan of Action**” is to be developed and annually updated based on the management objectives identified for the specific Monument Zone. For each action, the lead agency, timescale and funding source need to be indicated. Furthermore, indications need to be made for those actions that require interim measures.

Preparation and updating of the Plan of Action is to be carried out by the **Coordinative Working Committee**, which represents the Department of Archaeology and the Site Managers.

#### **Annual Action Plan**

Based on the overall Plan of Action, detailed **Annual Action Plans** need to be prepared to implement tasks within the framework of this integrated management framework, both at integrated level as well as at Site Management level and hold annual review meetings to check progress. These Annual Action Plans need to coincide with the official fiscal year starting mid-July of each year.

The period till mid-July 2007 (end of the Nepali month of Ashar 2064) shall be considered the Interim Period. The first Annual Action Plan shall be prepared by the Coordinative Working Committee for the fiscal year 2007/8 (Nepali year 2064/5).



#### **Actions**

The Actions are to be formulated based on the management objectives. The Actions need to be specific and realistic with a clear understanding of how they will be implemented.

The Actions will be categorized under the headings used for the formulation of the objectives:

- A. Identification
- B. Legislation
- C. Planning and Policy
- D. Site Management
- E. Community and Awareness
- F. Visitors
- G. Information and Research
- H. Sustainability

#### **Lead Agency**

For each Action a Lead Agency needs to be determined that will be responsible for implementation. The indicated Lead Agency must be involved in the formulation of the action to allow it to take on full responsibility for carrying out the action.

#### **Time Scale**

For each Action, a time scale needs to be indicated. The Time Scale needs to indicate approximately when the Action needs to start and when it needs to end (with respective indicators). Certain Actions may be part of a continuous process and need to be indicated respectively.

It is important that the Plan of Action does not only concentrate on immediate actions, but is also used as a tool for medium and long term planning. Each action needs to be identified in respect to the Time Scale

#### **Funding**

For each Action, a source of funding needs to be indicated. For actions requiring international funding, sources that are to be approached are to be indicated.

### 3.1.3 INTERIM MEASURES

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**The interim measures are tasks and actions that need to be carried out immediately to halt any further degradation of the state of conservation during the period of establishing the integrated management structure and processes.**

#### **ISSUE A. Identification**

The definition in respect to the relevant criteria for inscription, outstanding universal value, authenticity, integrity, boundaries and buffer zones approved by the World Heritage Committee at its 30th Session in 2006 must be legally established.

The ongoing preparation of classified inventories should continue. However, those monuments that have already been identified should – even before final completion and gazetting of the classified inventory – be considered tentatively protected during the interim period.

#### **ISSUE B. Legislation**

Until the sixth amendment to the Ancient Monument Preservation Act 1956 is gazetted, the cooperation between the Department of Archaeology and the Local Government should be cultivated.

Until the preparation of the site specific conservation guidelines and bylaws for the World Heritage areas as well as the buffer zones, the bylaws prepared by the Department of Archaeology must remain applicable and be enforced.

Within the existing gazetted World Heritage areas, the evaluation of load bearing structures should be carried out based on the relevant sections of the National Building Code (Mandatory Rules of Thumb for Load Bearing Masonry and Guidelines for Earthquake Resistant Building Construction: Low Strength Masonry).

#### **ISSUE C. Planning and Policy**

No major works should be carried out during the interim period. However, should there be a necessity to do so, the Department of Archaeology will review the activities based on the existing Master Plans of the individual Monument Zones.

During the interim period, efforts need to be made to conserve privately owned historic buildings, giving the understanding that the provisions for incentives in the future would be beneficial for them. For critical cases, the provision for acquisition of the historic building should be utilized.

#### **ISSUE D. Site Management**

The identification and establishment of Site Managers specific to each Monument Zone should be considered one of the first priorities. However, until then; the Department of Archaeology should remain fully involved in managing the area. This would continue until the Site Managers are trained and have sufficient capacity to carry out their duties.

The weekly monitoring for each Monument Zone should commence even before the regular reporting system has been set up. Reporting should be done to the Local Government and the Department of Archaeology.

#### **ISSUE E. Community and Awareness**

Community involvement and awareness programs are important components of the process of establishing the Integrated Management structure. Such activities should be programmed into the interim period.

#### **ISSUE F. Visitors**

To ensure that no unnecessary waste of resources and possible negative impact on the World Heritage area is incurred, focus should be given on developing a sustainable strategy for marketing the WH areas for visitors and providing them with quality facilities and site interpretations before any major actions are undertaken in this respect.

#### **ISSUE G. Information and Research**

The collection and storing of all information on the WH property and related issues should be an ongoing process, even if the digitizing and formatting only takes place once the Documentation Centre is established. This should be closely linked to the recording of all research work that is ongoing within the WH area.

#### **ISSUE H. Sustainability**

The strategy for funding the implementation and consolidation of the Management Plan would be vital for establishing the Management Plan. A medium term implementation schedule with regular reviews should be finalized immediately.

## 3.2 SECTOR-WISE COORDINATION

The Sector-wise Coordination is an integral part of the Integrated Management. Strategies need to be developed to function as a cross-cutting feature of all activities carried out within the World Heritage areas.

The two major sectors are; Tourism and Local Development, which have been dealt with in more detail on the following pages. However in implementing the Integrated Management, further sectors might need to be focused on in detail. These might include such Sectors as: Education, Health, Agriculture, Environment and Housing. The various components addressed under Local Development might need to be considered as separate sectors, such as Roads, Services, Risk and Disaster management, Security.

### 3.2.1 TOURISM SECTOR

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The Tourism sector plays a major role in heritage conservation, both as a source of income as well as to gain acknowledgement for the heritage. However, without appropriate management of Tourism, it can have a negative impact on the property.

#### Major Actors

The major actor in the Tourism sector is the Nepal Tourism Board that represents both the government and the private sector entrepreneurs associations.

The Tourism sector is dealt with by the Ministry of Culture, Tourism and Civil Aviation. The national level tourism organizations and associations are; Hotel Association of Nepal, Nepal Association of Tours and Travel Agents, Pacific Asia Travel Association, Restaurant and Bar Association of Nepal, Tourist Guide Association of Nepal. The national and international airlines are represented by the Board of Airlines Representative Nepal and the Airlines Operators Association of Nepal.

#### Key Issues

The key issues of the Tourism sector that are related to heritage conservation are:

- the marketing of the Kathmandu Valley for tourists is based on its unique cultural heritage, however the tourism sector has not sufficiently contributed to its conservation;
- the income generated through tourism is not reinvested into conservation, only a certain part of the income from the entry fee is invested into the respective Monument Zone;

- tourist facilities such as toilets, information centres and refreshment facilities are not adequate in most Monument Zones;
- tourist guides are not sufficiently trained and there is no control of accuracy of information conveyed to tourists;
- the negative impact of tourism such as the changing local economy and inappropriate behaviour around heritage sites is not recorded nor responded to.

#### Sub-objectives

Based on the key issues determined above, the sub-objectives for the Tourism sector are:

- to ascertain the involvement of the Tourism sector in the conservation of the cultural heritage, in respect to financing, marketing and improving tourist facilities;
- to develop standards for tourist facilities which takes into account the preservation of the value of the heritage site;
- to monitor the negative impact of tourism in the heritage areas and develop measures to keep it within acceptable limits

#### Operational Approach:

##### Strategies and Actions:

The Tourism sector should become a key partner in the conservation of the heritage sites. This will allow a close synergy to develop between the two sectors. The Nepal Tourism

Board should take the lead role to represent the Tourism sector.

- Include a representative of the Nepal Tourism Board in the Monitoring Committee;
- Develop strategies for the Tourism sector to become partners in the conservation efforts, which would include the marketing of the sites, awareness building, co-funding of restoration, etc.;
- Develop standards for tourism facilities and detailed plans for each Monument Zone, taking into account the preservation of their heritage value;
- Training of tourist guides and monitoring their performance to guarantee accuracy of information conveyed to the visitors;
- Include impact of tourism as an issue within the monitoring framework of the Monument Zones.

**Generic development guidelines:**

Tourism development shall assist in preserving the outstanding universal value of the World Heritage areas.

The activities carried out by the Tourism sector will respect the authenticity and integrity of the Monument Zones.

All activities carried out by the tourism sector will take into account Authenticity of Form and Design; Authenticity of Materials and Substance; Authenticity of Use and Function; Authenticity of Traditions and Techniques; Authenticity of Setting and Authenticity of Spirit and Feeling, as formulated in the Statement of Authenticity.

The tourism sector will ensure that their activities do not contribute to development that has an adverse affect on the heritage property;

The tourism sector will participate in the sustainable human development within the heritage area.

**Resource implications:**

The tourism sector is one of the main income sources of the country. Cultural heritage is one of the main attractions being marketed by the Tourism sector. Reinvestment by the Tourism sector to conserve the heritage resource should clearly become a priority.

A clear strategy should be developed to utilize the available resources from the Tourism sector to:

- ascertain that the sector does not partake in any activities that would have an adverse affect on the heritage property,

- partake in the conservation, maintenance and improvement of the heritage properties

**Priorities for action:**

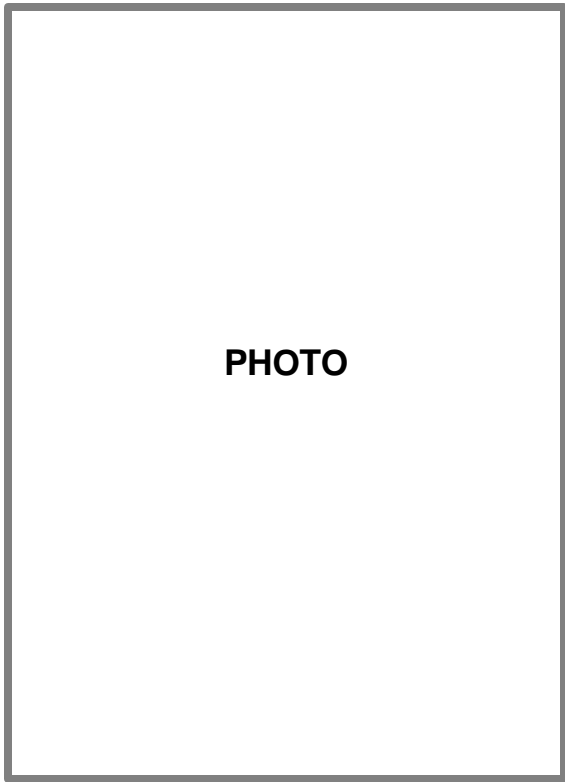
Priority should be given to the establishment of a close working relationship with the Nepal Tourism Board, who should represent the Tourism sector.

A Strategy Plan for the involvement of the Tourism sector in heritage conservation, with focus on the World Heritage property needs to be developed.

A prioritized detailed 5 year Action Plan needs to be developed in close collaboration with the Nepal Tourism Board.

**Monitoring indicators and targets:**

The implementation of the detailed 5-year Action Plan should be closely monitored to ensure that targets are met. Clear indicators for each activity should be formulated to allow for evaluation of progress. The Action Plan for the Tourism sector should be integrated into the overall Action Plan and the monitoring should be done by the Monitoring Committee established for the implementation of the Integrated Management.



## 3.2.2 LOCAL DEVELOPMENT SECTOR

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**The Local Development sector generally encompasses infrastructure and services such as: Roads and Traffic, Water Supply, Solid Waste Management, Sewage Management, Electricity Supply and Telecommunications. However this sector would also encompass the cross-cutting issues of Environment Management, Risk Management and Security. Local Development, if not controlled, may have a major negative impact on the heritage property.**

### Major Actors

The major actors in the Local Development sector are the elected local bodies (Municipality and VDCs) under the Ministry of Local Development, Ministry of Physical Planning and Works (Kathmandu Valley Town Development Committee, Department of Roads, the Department of Water Supply and Sewerage and the Department of Urban Development and Building Construction), Ministry of Home Affairs (Chief District Officers) and the line agencies) the Nepal Electricity Authority, the Nepal Telecommunication Authority and the Water Supply Corporation). Additionally there are the Department of Forests under the Ministry of Forests and Soil Conservation, the Ministry of Environment, Science and Technology and the Department of Survey and the Department of Land Reform and Management under the Ministry of Land Reform and Management.

### Key Issues

The key issues of the Local Development sector that are related to heritage conservation are:

- lack of coordinating body for development work being carried out within the World Heritage area, even though the Local Self-Governance Act gives the role to the elected Local Bodies;
- lack of coordination and communication between the various government ministries and departments in respect to work being carried out within the World Heritage area;
- the negative impact of Local Development around heritage sites is not being monitored and controlled.

### Sub-objectives

Based on the key issues determined above, the sub-objectives for the Local Development sector are:

- to establish the Local Government as the coordinator for all development work within the World Heritage area, keeping in close contact with the Site Managers;

- to ascertain the involvement of the Local Development sector in the conservation of the cultural heritage;
- to develop standards for all development works which takes into account the preservation of the value of the heritage site;
- to monitor the negative impact of Local Development in the heritage areas and develop measures to keep it within acceptable limits

### Operational Approach:

#### Strategies and Actions:

The Local Government should take the lead role to represent the Local Development sector and coordinate works carried out by the major actors involved in the sector. The Local Development sector should work in close coordination with the Site Managers responsible for the conservation of the heritage sites.

- Include a representative of the Nepal Local Development Board in the Monitoring Committee;
- Develop strategies for the Local Development sector to become partners in the conservation efforts.
- Develop standards for the Local Development sector and detailed plans for each Monument Zone, taking into account the preservation of their heritage value;
- Include impact of Local Development as an issue within the monitoring framework of the Monument Zones.

#### Generic development guidelines:

Local Development sector shall assist in preserving the outstanding universal value of the World Heritage areas.

The activities carried out by the Local Development sector will respect the authenticity and integrity of the Monument Zones.

All activities carried out by the Local Development sector will take into account Authenticity of Form and Design; Authenticity

of Materials and Substance; Authenticity of Use and Function; Authenticity of Traditions and Techniques; Authenticity of Setting and Authenticity of Spirit and Feeling, as formulated in the Statement of Authenticity.

The Local Development sector will ensure that their activities do not contribute to development that has an adverse affect on the heritage property;

The Local Development sector will participate in the sustainable human development within the heritage area.

**Resource implications:**

The government prioritizes development and major resources are invested in the Local Development sector. Close collaboration with the actors within the Local Development sector will allow for additional resources for carrying out work within the heritage areas, however these actions need to be closely monitored by the Site Managers to ascertain that they do not have a negative impact on the heritage value of the property.

A clear strategy should be developed to utilize the available resources from the Local Development sector to:

- ascertain that the sector does not partake in any activities that would have an adverse affect on the heritage property,

- to partake in the conservation, maintenance and improvement of the heritage properties

**Priorities for action:**

Priority should be given to the establishment of a close working relationship with the Nepal Local Development Board, who should represent the Local Development sector.

A Strategy Plan for the involvement of the Local Development sector in heritage conservation, with focus on the World Heritage property needs to be developed.

A prioritized detailed 5 year Action Plan needs to be developed in close collaboration with the Nepal Local Development Board.

**Monitoring indicators and targets:**

The implementation of the detailed 5-year Action Plan should be closely monitored to ensure that targets are met. Clear indicators for each activity should be formulated to allow for evaluation of progress. The Action Plan for the Local Development sector should be integrated into the overall Action Plan and the monitoring should be done by the Monitoring Committee established for the implementation of the Integrated Management.

**PHOTO**

## 3.3 MONITORING FRAMEWORK

### 3.3.1 ASSESSMENT, MONITORING AND REPORTING

The periodic assessment of management efforts needs to be carried out based on a monitoring framework with clear indicators and targets.

#### Periodic Assessment

The **Coordinative Working Committee** shall coordinate activities related to the establishment of the Integrated Management Plan. The committee should be chaired by the Department of Archaeology and be comprised of representatives of the local government with technical support from individual experts. The **Coordinative Working Committee Secretariat** shall be established at the Department of Archaeology.

Periodic Assessment shall be carried out by the Coordinative Working Committee on the progress of implementing the Integrated Management Plan and the state of conservation of the Monument Zones.

The Coordinative Working Committee should have a regular meeting schedule; at least once every two months. The committee would need to ensure that the activities are being carried out as per the Plan of Action, based on the detailed Annual Action Plan. The committee would also need to develop strategies for obtaining necessary funds for implementing the Action Plan.

#### Site Monitoring and Reporting

The **Site Managers** shall be responsible for the weekly monitoring of activities in the Monument Zones. A detailed **monitoring format** shall be developed to allow for effective collection of information.

A regular **reporting schedule** shall be prepared based on the Coordinative Working Committee meetings. The information from the weekly monitoring carried out by the respective Site Managers shall be presented to the Coordinative Working Committee as notification or for necessary decisions.

For emergency cases, provisions shall be made for **emergency reporting** to the Coordinative Working Committee Secretariat.

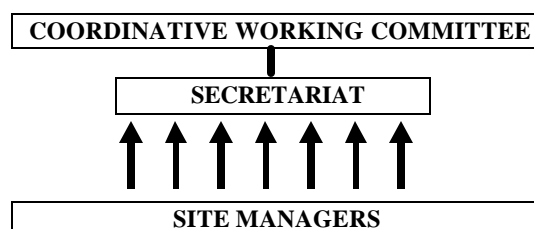
**Annual Progress Reports** shall be prepared in conjunction with the implementation of the Annual Action Plans.

#### Targets and Indicators

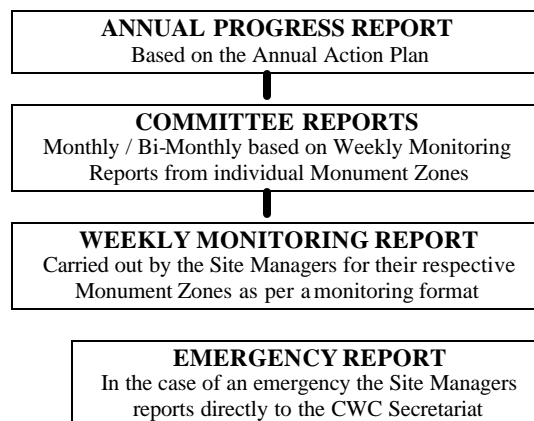
An overall schedule needs to be prepared for the implementation of all the activities outlined in section 2.2.2. This would need to be proposed within a five year period. The linkages and chronological order of the activities would need to be closely studied. An overall review of the issues and strategies should take place after a five year period.

Considering the overall schedule of activities, the targets and indicators for each activity would be defined in detail. The indicators in most cases would be a document or legislation that has been acknowledged or passed by the concerned authorities, implementation of certain provisions, the completion of certain specific actions or the establishment of an institution, body or program.

#### REPORTING PROCESS:



#### REPORTS:



### 3.3.2 MONITORING AND REPORTING SCHEDULE

The implementation of the Integrated Management Plan is to be considered in five-year cycles. The first Five-Year Schedule would begin mid-July 2007 and end mid-July 2012. After every five years, a thorough review of the Integrated Management Plan is to be undertaken, allowing necessary amendments to be made.

On a yearly basis, work will be implemented as per the Annual Action Plan. The year is based on the Nepali Fiscal Year, which begins mid-July. During the last three months of each fiscal year, the Plan of Action is to be reviewed and the next Annual Action Plan prepared.

The Coordinative Working Committee is to meet on a monthly basis to monitor the implementation of the Annual Action Plan and the weekly site monitoring reports of the Site Managers.

#### Site Monitoring and Reporting

**Weekly Site Monitoring** will be carried out by the Site Manager by filling out a monitoring form. This form must be filled out regularly, stating whether activities have taken place or not, whereby a detailed history of the site is documented.

**Monthly reporting** will be done to the Coordinative Working Committee. Information will be presented as notification or for necessary decisions.

**Emergency reporting** will be done directly to the Coordinative Working Committee Secretariat at the Department of Archaeology.

**Annual Progress Reports** shall be prepared in conjunction with the implementation of the Annual Action Plans. The progress report will explain whether targets have been achieved based on the predetermined indicators. The indicators in most cases would be a document or legislation that has been acknowledged or passed by the concerned authorities, implementation of certain provisions, completion of certain specific actions or establishment of an institution, body or program.

#### Periodic Assessment

Periodic Assessment shall be carried out by the Coordinative Working Committee on the progress of implementing the Integrated Management Plan and the state of conservation of the Monument Zones.

**Monthly Assessment** of ongoing activities will be done at the regular Coordinative Working Committee meetings. This will be based on the reports of Site Managers of the individual Monument Zones. The monthly assessment will also include a progress report on implementation of the Annual Action Plan.

**Annual Assessment** of implementation of the Action Plan will be done in conjunction to preparation of the next annual Action Plan. The overall Plan of Action will also be reviewed and revised as found necessary.

**Five-Year Assessment** of the components of the Integrated Management Plan will be carried out. The Integrated Management Framework and Management Handbooks for the Monument Zones, including institutional, legal and economic frameworks will be reviewed and if necessary amended.

#### YEAR ONE 2007-2008

1	2	3	4	5	6	7	8	9	10	11	12
J/A	A/S	S/O	O/N	N/D	D/J	J/F	F/M	M/A	A/M	M/J	J/J
○	○	○	○	○	○	○	○	○	○	○	○
<b>MONTHLY COORDINATIVE WORKING COMMITTEE MEETINGS</b>											
<b>IMPLEMENTATION OF ANNUAL ACTION PLAN</b>											
											REVIEW PLAN OF ACTION
											PREPARE NEXT ANNUAL ACTION PLAN

**YEAR TWO 2008-2009**

1	2	3	4	5	6	7	8	9	10	11	12
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MONTHLY COORDINATIVE WORKING COMMITTEE MEETINGS											
IMPLEMENTATION OF ANNUAL ACTION PLAN											
											REVIEW PLAN OF ACTION PREPARE NEXT ANNUAL ACTION PLAN

**YEAR THREE 2009-2010**

1	2	3	4	5	6	7	8	9	10	11	12
J/A	A/S	S/O	O/N	N/D	D/J	J/F	F/M	M/A	A/M	M/J	J/J
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MONTHLY COORDINATIVE WORKING COMMITTEE MEETINGS											
IMPLEMENTATION OF ANNUAL ACTION PLAN											
											REVIEW PLAN OF ACTION PREPARE NEXT ANNUAL ACTION PLAN

**YEAR FOUR 2010 -2011**

1	2	3	4	5	6	7	8	9	10	11	12
J/A	A/S	S/O	O/N	N/D	D/J	J/F	F/M	M/A	A/M	M/J	J/J
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MONTHLY COORDINATIVE WORKING COMMITTEE MEETINGS											
IMPLEMENTATION OF ANNUAL ACTION PLAN											
											REVIEW PLAN OF ACTION PREPARE NEXT ANNUAL ACTION PLAN

**YEAR FIVE 2011-2012**

1	2	3	4	5	6	7	8	9	10	11	12
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MONTHLY COORDINATIVE WORKING COMMITTEE MEETINGS											
IMPLEMENTATION OF ANNUAL ACTION PLAN											
											REVIEW INTEGRATED MANAGEMENT PLAN PREPARE SECOND FIVE YEAR PLAN

The entire Integrated Management Plan shall be reviewed and amended by 2012. The Integrated Management Plan will need to incorporate the achievements and experiences of the previous five years and address the issues that are predominant that given time. The Integrated Management Plan must remain flexible and adapt itself to ascertain the long-term objective of conserving the outstanding universal value of the Kathmandu Valley World Heritage Site.