

International Workshop

Risk Preparedness & Mitigation of Culture Heritage Sites

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Introduction

- There is no comprehensive law in Israel on Risk Preparedness in Heritage Sites. Rather – scattered provisions in various Laws.
- Most risk preparedness provisions in Israel today do not relate specifically to Heritage Sites
- Certain countries do have specific legislation regarding Risk Preparedness in Heritage Sites

Risk Categories

Risks may be grouped into the following categories:

- 1. Natural disasters**
- 2. Natural weathering (not as a result of an external disaster)**
- 3. Man-made hazards**
- 4. Protection for visitors**

We shall demonstrate some Laws & regulations on each group

Natural Disasters

- There are no specific regulations regarding Heritage Sites, however there are some general provisions on risks:
1. **National Building Plan 38 for the strengthening of existing buildings against earthquakes** – implemented in 2012 within the framework of the Building and Planning Law:
 - New buildings must meet the Israeli standard 413 for their resistance to earthquakes.
 - NBP 38 is designed to enable the strengthening of existing structures not built according to the new standard.

NBP 38 provisions:

- Create the statutory framework according to which construction permits may be given
- Offer incentives to encourage building strengthening and enable it financially.
- Maintain a balance between the need for strengthening and financing and urban considerations

2. The Planning and Building Regulations (Request for a permit, its conditions and fees) -

Section 11a – a petition for a building permit must include an appendix describing fire safety measures such as escape routes from the building and the location of firefighting equipment etc.

Natural Weathering

1. Antiquities Authority & the Nature and National Parks Authority –

- Under the Antiquities Law (1978), Antiquities Authority Law (1989) and the National Parks, Nature Reserve, National Sites and Commemoration Sites Law (1998), among other responsibilities, these authorities are vested with the responsibility for:
 - **Protection of sites**
 - **Maintenance**

2. The Planning and Building Law (1965) –

- The law establishes district and local planning committees empowered to protect heritage in the framework of building plans.
- Local committees are obligated to establish a preservation sub-committee (PSC) under the forth appendix of the Law:
 - The PSC is required to advise on issues related to Heritage Protection.
 - The PSC may demand from the owners of a site designated for protection, to conduct maintenance measures, if the site is in imminent danger of demolition. If the owners do not comply, the PSC may conduct the maintenance itself and demand reimbursement.

Man-Made Hazards

The Antiquities Authority & the Nature and National Parks Authority are also vested with the supervisory powers in regard to violations:

- The Antiquities Law –
 - Once a site has been declared as an Antiquities Site, many actions on the site are prohibited (e.g., building, planting, demolishing etc.)
 - If a prohibited action had been conducted – the violator must restore the site to its original state (site manager may do so in stead)

- The National Parks, Nature Reserve, National Sites and Commemoration Sites Law (1998) –
 - Section 36c – driving in a “protected area” (including antiquities sites) – is prohibited.
 - It is prohibited to harm a national site.
 - “Harm” includes - destruction, mutilation, breakage, tampering, modification of form or the doing of any act of degrading or disrespect to the site

Protection for Visitors

1. The Planning and Building Regulations (Request for a permit, its conditions and fees)-
 - The regulations include the general requirements for the safety of visitors to sites
 - In the past – no special reference to Heritage Sites

- **Section 17a-** A local building committee is authorized to give a building permit which does not comply with provisions of the fifth appendix as long as expert opinions were submitted which state:
 - Complying with regulations would harm the conservation value of the site
 - Deviating from the regulations would not harm the safety of visitors
- **The 5th appendix** - regulates Heritage Sites specifically. Examples:
 - Minimum number of exits from Heritage Sites
 - Minimum width of stairs
 - Minimum height of ceiling over stairs

2. The Equal Rights for People with Disabilities Law (1998) –

A “Public Site”, including Heritage Sites, must be accessible to people with disabilities

3. The Business Licensing Law (1968) -

The Licensing Authority may not issue a license of any kind, to a “Public Site”, including Heritage Sites, unless accessibility provisions have been met in accordance with an accessibility expert opinion.

Interim Summary

- **As we have seen – there is very little legislation in Israel now regarding Risk Preparedness**
- **Existing legislation does not necessarily relate to Heritage Sites separately**
- **The only Law relating to Heritage Sites specifically is the Building and Planning Law, however it is only relevant for those seeking a building permit**

Risk Preparedness Legislation in Other Countries

Other countries have specific & comprehensive legislation regarding Risks to Heritage Sites. One major example is risk ridden Japan:

- The Ancient Temples and Shrines Preservation Law (law number 49), was the first systematic law for the preservation of Japanese historic art and architecture – enacted in 1897.
- Since then Japan has enacted several laws and amendments of them.
- In 1949 the kon-dō of Hōryū-ji, one of the oldest extant wooden buildings in the world, caught fire, which gave rise to the Law for the Protection of Cultural Properties (1950) – a combination of several previous laws

Risk Preparedness - UNESCO

- The World Heritage Committee in 2004 invited “the World Heritage Centre, in co-operation with the States Parties, Advisory Bodies, and other international agencies and non-governmental organizations concerned by emergency interventions, to prepare a risk-preparedness strategy”
- The final document of a Strategy for Risk Reduction at World Heritage Properties was presented and approved by the World Heritage Committee in 2007.
- The Strategy Purpose: To strengthen the protection of World Heritage and assist States to integrate heritage concerns into national disaster reduction policies and to incorporate concern for disaster reduction within management plans and systems.

- In 2010, The three Advisory Bodies of the World Heritage Convention came out with a booklet - “Managing Disaster Risks” as part of a series of manuals. The booklet covers among other issues:
 - Disaster Risk Management (DRM) and a DRM plan:
 - Identification & assessment of disaster risks
 - Prevention or mitigation of risks
 - Emergency Response Procedures
 - Recovering & Rehabilitating property after a disaster

Conclusions

- In Israel, the law on Risk Preparedness in Heritage Sites is scattered in various laws and regulations without a clear strategy and policy
- Other nationalities and international bodies have more comprehensive legislative structures
- We hope this conference shall arouse awareness and promote the creation of more serious and comprehensive regulatory standards in Israel

Thank You!