

## Peter Strasser - Keynote

### The Common Heritage of Mankind and the World Heritage Paradox

**Abstract:** For some 250 years the term “common heritage of mankind” is used in different contexts – often in relation to cultural heritage. Since the 1960ies the expression found entry as legal term in air- and space laws and in international treaties regarding the deep sea, the moon and Antarctica, whereas in preambles of agreements about cultural heritage the reference to the “common heritage of mankind” serves frequently as programmatic, stimulating directive.

Also, the “World Heritage Convention” refers in its preamble to “the world heritage of mankind”. This heritage of “outstanding universal value” shall be registered in the “World Heritage List”. Despite most states agreed through international agreements that Antarctica, the high sea, and the moon are “common heritage of mankind”, none of these areas figure on the World Heritage List. This paradox situation is caused by the prerogative of the states (which have ratified the World Heritage Convention) to identify and nominate a site as World Heritage, which must be situated in their own territory. Consequently, World Heritage was and is still a national heritage which is – by using this narrative – “donated by one nation to the whole mankind”. Consequently, areas outside of the jurisdiction of states, like the deep sea, Antarctica and the moon, can’t be “world heritage of mankind”. (Anyway, in the case of the moon, as the concept including its legal source are called “*World Heritage*”, by name the moon is somehow excluded from this award- and registration scheme.)

The presentation will demonstrate the dominating role of the states in defining World Heritage and finally on the composition of the World Heritage List. Consequently, the states are the leading stakeholders in defining the term “heritage of mankind”. Other players in the identification- and nomination procedure, like UNESCO, expert’s organizations for cultural- and natural heritage and the World Heritage Committee, can perform only a re-active role, leaving the crucial heritage-identification-activities to the states. Finally, the presentation will present methods to identify “alternative World Heritage Lists”. Contrary to the state-dominated procedure, these approaches are mostly driven by private initiatives, NGOs and media. The question remains, if these kind of “private lists” are the more appropriate instrument to highlight the “heritage of mankind”.