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OUTSTANDING UNIVERSAL VALUE VS ZONING REGULATIONS:
WILLEMSTAD AS CASE-STUDY

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Abstract
Even though World Heritage cities are of global importance, the management of World Heritage is often the responsibility of local authorities. The Operational Guidelines of UNESCO cover a great part of the management process for these properties of Outstanding Universal Value, but leave out how they should be managed on national and local levels.

This article aims to contribute to the enhancement of the currently implemented management practices for the World Heritage city of Willemstad, Curaçao. The documents produced during and after the process of nomination of Willemstad have been surveyed in search for the justifications on its Outstanding Universal Value. This paper aims to demonstrate that the management of a World Heritage City can be fostered by making use of the information compiled in the official documents prepared for the nomination and, if applicable, during the protection process.

Keywords: World Heritage Cities, Willemstad, Curaçao, Outstanding Universal Value, Zoning Regulations

1. Introduction
On December 4th, 1997 the World Heritage (WH) Committee decided to inscribe the historic inner-city of Willemstad on the World Heritage List. They considered “that the Historic Area of Willemstad is a European colonial ensemble in the Caribbean of outstanding value and integrity, which illustrates the organic growth of a multicultural community over three centuries and preserves to a high degree significant elements of the many strands that came together to create it.” (UNESCO, 1997a)

The concern of the government of Curaçao for dynamics which can negatively impact on the Outstanding Universal Value (OUV) of the historic inner-city of Willemstad is not recent. The periodic report of 2006 (ICOMOS, 2006) references several threats which were affecting its state of conservation. Accordingly, even though 100 of 760 listed buildings had so far been restored, still, 8 had been lost and 90 remain in very low state of conservation. The salt water and humid climate is contributing to their deterioration and increased the risk for collapse. Moreover, the present state of conservation was considered ‘patchy’ and threatening the integrity of the urban fabric (ICOMOS, 2006).

Development projects would be a welcome complement to the fragmented state of conservation of Willemstad. However, development pressure is also a named threat to the site (ICOMOS, 2006). According to Gill (1999) the dominating historic character complicates new developments which balance on the thin line between historicization and

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contrasting. The difficulty is to find the right translation from historic to respectful contemporary.

The quality of development projects is left to the skills of the ‘architect’. Since the Architect Title is not protected on the island of Curaçao (Environmental Department, 2010), the person applying for a building permit may not necessarily hold a degree on Architecture, nor be aware of Willemstad’s OUV. The local authorities are charged with the assessment whether the proposed development is successful in terms of respecting the OUV of Willemstad. This assessment was found undertaken by one responsible official, supported by zoning regulations (Speckens, 2011).

**Problem Statement**

The local government of Curaçao has indicated to struggle with the zoning regulations laid down in the ‘Island Development Plan’ (Executive Council, 1995a), which should guarantee the quality of new developments (Speckens, 2011). Despite these regulations, development pressure is threatening the OUV of the site was found. Therefore adjustments can be made to these zoning regulations improve the protection of the OUV of Willemstad. By surveying the OUV along the official documents, sufficient information about the attributes and cultural values of the enlisted property were expected to be found in order to help the local authorities sustaining the formulation of the Retrospective Statement of Outstanding Universal Value and respective management practices.

**Research Aim**

This paper focuses on the nomination of Willemstad as basis for its zoning regulations. For this purpose the significant attributes and cultural values found referenced in the official documents produced during the nomination and protection stages shall be identified. The purpose was to sustain enhancements to the zoning regulations, concerning the protection of the discovered cultural values and attributes found justifying the OUV.

The survey presented in this paper is part of a case study entitled “Revising World Heritage Willemstad: Enhancing Outstanding Universal Value Assessment Practices” which aims to assist the government of Curaçao to facilitate contemporary developments in the historic inner-city of Willemstad. The case study is part of a larger international research entitled “OUV, WH cities and Sustainability: Surveying the relationship between the Outstanding Universal Value assessment practices and the sustainable development of World Heritage cities” lead by Eindhoven University of Technology, the Netherlands; and UNESCO World Heritage Centre, France. Therefore, we foresee that these results will also help other local governments around the world, struggling with similar issues.

**2. Methodology: Significance Survey**

In order to enable the acknowledgement of the OUV of Willemstad to facilitate the management practices, the identified cultural values and attributes should be reflected in the zoning regulations. To understand these attributes and cultural values data was collected throughout the official documents produced during both nomination and protection stages (Pereira Roders and Van Oers, 2010). These documents, produced by the Government of Curaçao, the Advisory Body ICOMOS (International Committee on Monuments and Sites) and the World Heritage Committee, included: the Tentative List Submission Form (1995), the Nomination File (1996), the Advisory Body Evaluation (1997)

In chapter 3 the attributes of the historic inner-city of Willemstad have been correlated with the cultural values, which have been underlined. The cultural values, elaborated in chapter 4, have been retrieved by methods of coding, using the eight main values (social, economic, political, historic, aesthetical, scientific, age and ecological values) to categorize and distinguish the nature of the justifications, defined to guide Cultural Significance Surveys (Pereira Roders, 2007). In this article, the results of the significance survey shall be illustrated with few examples of the process of coding the information retrieved from the official documents.

**Figure 1. The enlisted area: the historic inner-city divided in the Core area and the Buffer zone (Author)**

**3. Nomination and Protection Stage**

*Tentative List Submission Form*

The first step to nomination was taken on august 1st, 1994, when the Government of the Island of Curaçao composed the Tentative List Submission form for ‘Willemstad, Inner City and Harbour’. By then, they describe that Willemstad has Dutch\(^1\) colonial\(^2\) architecture and town planning\(^3\) from the period of the European expansion\(^4\). The

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1 ‘Dutch’ is a social value; as it expresses cultural identity
2 ‘colonial’ is a political value; as it refers to strategies and policies
3 ‘Dutch colonial architecture and town planning’ are both historic values; as they are stylistic movement
4 ‘from the period of the European expansion’ is an age value; as it reflects the period of development
residential districts Punda, Pietermaai, Scharloo and Otrobanda developed in different centuries with their own urban structures and are bound to the north by a natural ridge (see figure 1 and 2) (Kingdom of the Netherlands, 1995).

**Nomination File**

June 1996 the Kingdom of the Netherlands submitted the Nomination File entitled the ‘Historic Area of Willemstad, Inner-city and Harbour’. Accordingly, Willemstad is characterized as a Dutch colonial settlement founded during the period of the European expansion in the fifteenth and sixteenth century. Both Sint Anna Bay and Schottegat, the natural deep water harbor, triggered the creation and further growth of Willemstad as a settlement thriving on trade and commerce, including slave trade. Willemstad has a history of immigration including Sephardic Jews from Portugal and Spain. Therefore Curaçao has been shaped by the exchange of cultural elements between the Dutch, Iberians and Africans.

The urban districts were on different flat and sloping sites separated by the natural waters of Sint Anna Bay and Waagat. These natural waters link the urban districts and integrate them into an exciting townscape of colorful facades along stretches of lively quays.

The urban districts developed subsequently, starting with Fort Amsterdam in 1634 to defend the natural deep water harbor. It was build according to Dutch customs, just like the walled city of Willemstad emerging to the North. The houses were tightly laid out in building blocks marked by a distinct building line alongside narrow streets in a grid structure. They featured two to three storey buildings covered by a steep pitched roof.

Because of the absence of restricting ramparts, Otrobanda developed in a rather unplanned spatial structure. It features an open compound layout, the yards of Otrobanda called ‘Kura’, and a dense alley structure. Otrobanda is characterized as a working-class neighborhood.

To the east of Punda the construction of the urban district Pietermaai started. It features a linear urban development of stately and colorful mansions since the elite of the shipmasters and high-ranking administrators settled there.

Scharloo enjoyed the relative freedom of space resulting in an open layout of streets lined by detached and quite often luxurious dwellings. It was a residential district of great prominence, for the greater part inhabited by Jewish merchants who owned shops in Punda.

The initial architecture of Willemstad was Dutch architecture of the sixteenth and seventeenth centuries. From the seventeenth century on, the architecture gradually acquired local traits as a result of the climate, the use of local materials and the introduction of new architectural elements. A government act of 1817 ordered the coloring of the white lime facades, which characterizes the architecture of Willemstad. (Kingdom of the Netherlands, 1996)

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5 ‘residential’ is an economic value; as it explains the (former) use
6 ‘bound by a natural ridge’ is an ecological value; as it defines interaction between the natural and artificial
7 ‘local materials’ is a scientific value; as it indicates skillfulness within techniques and materials
Advisory Body Evaluation

The evaluation of the nomination file made by ICOMOS in 1997 largely adopted the justification and description of the property. In conclusion, they have deduced that the Historic Area of Willemstad is an example of a Dutch colonial trading and administrative center during the 16th-18th centuries which was both walled (Punda) and undefended (Otrobanda). Its urban fabric and townscape has been created by the blending of European town-planning and architectural traditions and local Caribbean influences (ICOMOS, 1997).

Decision

Subsequently, the recommendation to the WH committee has been made to inscribe this property on the World Heritage List. The exact wording of the recommendation has been adopted in the decision: “the World Heritage Committee decided to inscribe Willemstad on the basis of cultural criteria (ii), (iv) and (v), considering that the Historic Area of Willemstad is a European colonial ensemble in the Caribbean of outstanding value and integrity, which illustrates the organic growth of a multicultural community over three centuries and preserves to a high degree significant elements of the many strands that came together to create it.” (UNESCO, 1997a)
By 1997, the Operational Guidelines defined criteria (ii), (iv) and (v) as (UNESCO, 1997b):

(ii) Nominated properties shall “exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design”;

(iv) Nominated properties shall “be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history” and;

(v) “be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change”.

**Periodic Reporting**

In 2006, the States Parties have submitted their first periodic report, to provide an assessment as to whether the OUV of the property has been maintained over time (UNESCO, 2008). Concerning the OUV, it repeated most of the justifications used by ICOMOS on the Advisory Body Evaluation. It starts, however, with a new brief description: “The people of the Netherlands established a trading settlement at a fine natural harbour on the Caribbean island of Curaçao in 1634. The town developed continuously over the following centuries. The modern town consists of several distinct historic districts whose architecture reflects not only European urban-planning concepts but also styles from the Netherlands and from the Spanish and Portuguese colonial towns with which Willemstad engaged in trade.” (ICOMOS, 2006)

**Retrospective Statement of OUV**

Since 2005, the nominations of new World Heritage properties are required to include a Statement of Outstanding Universal Value (UNESCO, 2005). Therefore, all States Parties with previous nominations have been requested to submit a Retrospective Statement of OUV on their subsequent period reports (UNESCO, 2007). The Retrospective Statement of OUV concerning the historic inner-city of Willemstad has been recently submitted and waits for adoption by the World Heritage Committee (Kingdom of the Netherlands, 2010). The historic inner-city of Willemstad is found described as a Dutch colonial trading settlement with colonial town planning and architecture of the period of Dutch expansion with Afro-American, Iberian and Caribbean influences.

Moreover, the historic inner-city of Willemstad stands out for the diversity in the historical morphology of its four urban districts, which are separated by the open waters of the harbor. They demonstrate the subsequent stages of historical development over the course of centuries by the gradual influence of the tropical climate and the social and cultural differences of their inhabitants on their layout and architecture. In more detail, Punda is mentioned as the only part of the city with a defense system consisting of walls and ramparts (Kingdom of the Netherlands, 2010).

In the most recent Operational Guidelines (2008) Criterion (ii) and (iv) have remained unchanged. Criterion (v), however, has changed: “nominated properties shall be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change (UNESCO, 2008).
4. The Attributes and Values

The historic inner-city of Willemstad has been enlisted under criteria ii, iv and v, which, in accordance with the Operational Guidelines of 2008, reflect respectively social, historic and a link between social and ecological values (Pereira Roders & van Oers, 2011). These three cultural values are therefore required to justify the OUV of Willemstad. Still, additional values have been identified in the studied documents.

In the description of the Tentative List Submission Form the urban areas of Punda, Pietermaai, Scharloo and Otrobanda together with the harbor St. Anna Bay are the identified attributes (figure 1 and 2). Although the harbor has been mentioned as an attribute as well, only the urban areas have been substantiated with values. In total, the ensemble is ascribed in seven of the eight values, excluding the aesthetical value. The social (Dutch), historic (Dutch colonial architecture and town planning) and ecological values (bound to the north by a natural ridge) required for the criteria have also been found referenced (Speckens, 2011).

The nomination file clarifies that the attributes are both the urban fabric and architecture of the four urban districts of Punda, Pietermaai, Otrobanda and Scharloo together with the harbour St. Anna Bay (figure 1 and 2). Punda is divided into Fort Amsterdam and old Willemstad. All eight values have been identified. Supplementary to the tentative list submission form, the dissimilarities of the urban fabric and architecture of the four urban districts is found emphasized; all of them have different social (e.g. Dutch, Portuguese, elite and working-class) and historic values (e.g. grid, ‘Kura’, alley and linear structure) (Speckens, 2011).

No new attributes and values have been identified in the advisory body evaluation by ICOMOS. It was mainly found paraphrasing parts of the nomination file. However, in the paraphrased information, the attributes are reduced to ‘the historic inner-city of Willemstad’. While the social (Dutch, European, local, Caribbean) and historical values (European town-planning and architectural traditions) have been clearly mentioned, the ecological value has disappeared (Speckens, 2011).

The decision adopted by the World Heritage Committee defines the ensemble of the Historic inner-city of Willemstad as the attribute. With the information from the previous documents it is clear that ensemble means both urban fabric and architecture. However within this short text, which is currently the official justification of the criteria, ‘ensemble’ means ‘entity’. Thus, again, the social (European, multicultural community) and historical values (European colonial ensemble, illustrates) have been found mentioned, while the ecological value is absent (Speckens, 2011).

The brief description included in the periodic report identified the urban structure and the architecture as attributes. The districts cannot be identified as attributes since no values have been ascribed. The architecture is ascribed to the social (European, Netherlands, Spanish, Portuguese) and historic values (European urban-planning concepts, styles from the Netherlands); the ecological value is still found missing (Speckens, 2011).

The Retrospective Statement of OUV identifies the urban structure and architecture of the different districts. Unfortunately, the districts have not been found identified individually; only Punda has been mentioned. Though, the morphology and architecture are ascribed to the social (Dutch, Afro-American, Iberian, Caribbean), historic (colonial town planning and architecture) and ecological values (separated by the open waters of the harbor, the gradual influence of the tropical climate) (Speckens, 2011).
5. Zoning Regulations

For a property to qualify for the inscription on the WH list, the States Parties have to provide measures to protect and manage the property (UNESCO, 2008). In 1995, during the nomination stage, the government of Curaçao provided zoning regulations concerning the conservation area. They are defined in the Island Development Plan (EOP) and enclose rules for restoration, renovation and new developments in the Historic inner-city of Willemstad. Applications for building permits are subject to provisions regarding allotment, construction height, façade width and layout, roof shape and building materials (Executive Council, 1995a).

Paragraph 4 of the zoning regulations specifies the provisions more into detail. The façade has to have evenly distributed vertical windows, plus both horizontal and vertical façade articulation. In the case of a façade wider than 15 meters, it must have a dominating vertical articulation. If the building has several floors, the façade must have dominating horizontal articulation. The building materials are limited to stone and plaster; in areas dominated by timber, wood is also accepted. All façades must be painted. The roof has to be made of tiles, painted roof sheets or other high-quality materials (Executive Council, 1995a).

However, the demands regarding the allotment, construction height, façade width and roof shape are limited to be “consistent with the existing urban fabric and architecture” (Executive Council, 1995a).

These zoning regulations are accompanied by a preceding appendix: the Island Development Plan (EOP) part 1. Chapter 4 describes the historic, current and future development of the historic-inner city (Executive Council, 1995b). It describes four urban districts (figure 1) with their (former) functions (economic value), the traditions of the infilling of water (ecological value), the urban structures (historic value), important political decisions (political value) and the social identities (social value), similarly to the documents discussed in section 3 (Speckens, 2011). However no direct link has been made between the actual zoning regulations and the appendix. Therefore the translation from the cultural values to the zoning regulations is still found lacking.

7. Conclusions

The historic inner-city of Willemstad has been acknowledged for its OUV by the World Heritage Committee when inscribed on the World Heritage List. It has been enlisted under criteria ii, iv and v, which reflect respectively social, historic and a link between social and ecological values. These cultural values are important to consider while developing in the historic inner-city of Willemstad and should therefore be integrated in the zoning regulations.

The attributes and cultural values have been accurately defined in the nomination file. They are the urban fabric and architecture of Punda, Pietermaai, Otrobanda and Scharloo, the four districts of the historic inner-city of Willemstad. These districts are linked by natural waters. Punda is characterized by a Dutch urban structure and Dutch architecture, while Otrobanda is typified as a working-class area with both a ‘Kura’ (open compound) and a dense alley structure. Pietermaai is described as a linear urban development for the social elite and Scharloo is characterized by an open street layout with luxurious dwellings owned by Jewish merchants. The initial architecture was Dutch architecture of the sixteenth and seventeenth centuries, which gradually changed as a
result of the climate and the introduction of new architectural elements by the Portuguese, Spaniards and Africans.

However, the zoning regulations only mention the historic inner-city of Willemstad. No distinction has been made between the districts of Punda, Pietermaai, Otrobanda and Scharloo, while the social and historic differences between them have been found emphasized in the varied justifications of its OUV.

The regulations regarding the allotment, construction height, façade width and roof shape are limited to the guidance of being ‘consistent with the existing urban fabric and architecture’. Even though they do not interfere with the characteristics of the districts, they barely help their clarification. Instead, the regulations regarding façade layout and building materials are more specific. They cannot, however, support the varied nature of the four districts since they are equal to the entire historic inner-city. Nothing in the zoning regulations indicates that the social, historic and ecologic values that evidence the OUV of the historic inner-city of Willemstad are being protected. Therefore, this leads us to the final conclusion that the current zoning regulations do not guarantee that new urban and architectural developments respect the OUV of the historic inner-city of Willemstad.

**Enhancements to the zoning regulations**

Foremost the districts Punda, Pietermaai, Otrobanda and Scharloo should have their own zoning regulations. These zoning regulations could enter at length into the social, historic and ecologic values of a district without constraining another district. However, further research needs to be undertaken to determine the physical attributes of these distinct districts, in order to translate them into guides or rules.

What characterizes the architecture and morphology of Punda ‘Dutch’; How did the climate change the architecture and morphology in Willemstad; What is a ‘Kura’ structure exactly; How dense is the alley structure; How is the elite status of Pietermaai readable in its architecture; What makes the architecture of Scharloo luxurious? To succeed on its protection, questions like these have to be answered to enable the translation between the words describing the OUV and the physical attributes of the historic inner-city of Willemstad.

**References**


