



Contestation and negotiation of heritage conservation in Luang Prabang, Laos

Wantanee Suntikul^a, Timothy Jachna^{b,*}

^a *Institute for Tourism Studies, Colina de Mong-Ha, Macao*

^b *School of Design, The Hong Kong Polytechnic University, Hung Hom, Kowloon, Hong Kong*

HIGHLIGHTS

- Perceived lack of clarity and flexibility in conservation regulations constrain entrepreneurs' operations and development.
- Local heritage regulating authorities constrained by perceived lack of empowerment and self-determination.
- Locals leave because of costs of maintaining heritage buildings. Building uses change, threatening intangible heritage.
- Evolution of the town is hindered by these constraints on stakeholders.
- Recommend public-private partnerships, empowering local heritage authority, united commercial sector position on heritage.

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ABSTRACT

This paper reports on the findings of a study into the interactions between entrepreneurs and heritage regulators in the conservation of historic buildings in the UNESCO listed town centre of Luang Prabang, Laos. Based on interviews and surveys conducted with property owners and business owners in this heritage zone, and with a representative of the town's heritage regulation authority, the research investigates the relation between enterprises, the heritage environment they occupy, and the Heritage House – the heritage regulation body that determines the way in which they may use and adapt their buildings. Issues include perceived benefits and constraints brought by preservation policies and practices, as well as changes in property usage and decline of traditional ways of life as spinoff effects of UNESCO listing, which threaten the town's intangible heritage. Entrepreneurs and regulators each perceive the other stakeholder group as a source of constraints and challenges. The paper proposes that understanding heritage in terms of collaborative, rather than adversarial, processes, could contribute to more socially sustainable conservation practice, and makes recommendations for institutional and organizational changes that could support such a culture of negotiation and collaboration in heritage conservation in Luang Prabang.

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1. Introduction

The 1995 listing of the historic town centre of Luang Prabang, Laos as a World Heritage Site by UNESCO has been a boon to the town's tourism industry, bringing economic gain through increased tourism and investment. Between 1997 and 2011, the number of tourism-related businesses (tour agents, hotels, guesthouses and restaurants) in Luang Prabang grew from 58 to 389 (Luang Prabang Provincial Tourism Office, 2006; Tourism Development Department, 2012). The tourism industry of Luang Prabang is characterized by small-scale enterprises with a high proportion of local ownership. Many of these businesses are housed within

protected "heritage" structures, which come under the control of an array of regulations designed to preserve the distinctive historical architectural character of the place.

The first heritage legislation for Luang Prabang was passed in 1989, laying the foundation for the 1993 application for the historic town centre's World Heritage listing. An authority for heritage conservation and development was founded to prepare the submission. A French architectural firm was engaged to prepare an assessment of the existing stock of historic buildings in 1994, and a heritage protection zone was established under the Ministry of Information and Culture in that same year, designating 33 temples and 11 secular sites as heritage structures. A new master urban plan for the town was ratified in 1996.

Only signatory countries to the World Heritage Convention may propose sites for listing, after first drawing up a tentative list of significant heritage sites within the country's territory, from which

* Corresponding author.

E-mail addresses: wantanee@ift.edu.mo (W. Suntikul), sdtim@polyu.edu.hk, tjachna@hotmail.com (T. Jachna).

sites are selected for nomination incrementally over time. Each site is independently evaluated by one of two advisory bodies: the International Council on Monuments and Sites (ICOMOS) for cultural heritage sites and the World Conservation Union (IUCN) for natural heritage sites. The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) provides further advice on conservation and training. The advisory bodies' evaluation of a nominated property is passed to the Intergovernmental World Heritage Committee for a final decision. The structures and heritage zone of Luang Prabang were entered onto the UNESCO World Heritage registry in 1995, on the basis of three of the ten criteria for selection of cultural sites:

"2) to 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...

4) to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history

5) to 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, 1995).

Beyond these criteria, any listed cultural site is expected to exhibit the essential qualities of *authenticity*, defined as the extent to which the heritage property credibly and truthfully expresses its Outstanding Universal Value, and *integrity*, referring to the wholeness and intactness of the heritage asset (UNESCO, 2005). The rationale for the UNESCO listing of Luang Prabang rests on its qualities as a well-preserved townscape that is a unique fusion of Laotian and Western colonial architecture and urban structures, rather than any individual piece or pieces of architecture. The attractiveness of this destination to tourists also relies on this quality (UNESCO, 1995). Seeing the tourism potential brought by the UNESCO listing, the Lao government encouraged the development of a tourism economy, to mitigate poverty in the area and discourage environmentally destructive practices like slash and burn agriculture. Ashley (2006) has stated that tourism has indeed been successful in alleviating poverty in Luang Prabang. Since its UNESCO inscription, the town has seen an influx of financial and technical support through the UNESCO-Region Centre-Ville de Chinon Project, designed to create the necessary technical, legal and administrative conditions for the conservation and management of the World Heritage property. This project was initiated when the Laotian government requested international assistance in setting up the required mechanisms to protect and develop the site of Luang Prabang. UNESCO proposed that Luang Prabang enter into a "decentralised cooperation project" with the French city of Chinon, which has a UNESCO-listed chateau and several geographical and historical affinities with Luang Prabang (ADUC, 2005). The project is funded jointly by UNESCO, the European Commission and the Government of France. Dearborn and Stallmeyer (2010) produced a book-length assessment of the overall impacts of UNESCO listing on the built environment of Luang Prabang.

The protected area of Luang Prabang consists of four zones encompassing the different phases of the historic town and its setting, subject to control of different degrees and natures. These are ZPP-Ua (preservation zone), ZPP-Ub (protection zone), ZPP-N (natural and scenery zone) and ZPP-M (monasteries zone) (Maison du Patrimoine, 2002). Most of the businesses surveyed in the course of this research are located within the preservation zone, with a few in the protection zone. The most stringent heritage

conservation regulations apply to the 1.4-ha heritage preservation area. There are historically 29 distinct villages within the UNESCO zone, each characterized by a traditional trade that does not primarily serve the tourism industry.

The Heritage House (Maison du Patrimoine (MdP)) was founded in 1996 through the UNESCO-Region Centre-Ville de Chinon Project as the main organization in charge of heritage preservation in Luang Prabang and was upgraded to the Department of World Heritage (Département du Patrimoine Mondial de Luang Prabang (DPL)) in 2009. It receives most of the foreign aid earmarked for heritage conservation in Luang Prabang. The Heritage House has no direct enforcing power, but a large budget. Most of the staff of the Heritage House are Laotians, though most are not originally from Luang Prabang (Bushell & Staiff, 2011). The Heritage House is not under the control of UNESCO, but reports to the Provincial Committee for Preservation of Historical, Cultural and Natural Heritage, which advises governmental bodies on the integration of conservation into development initiatives. The Urban Development and Administration Authority (UDAA) is a body of the provincial government, funded by the Asia Development Bank, responsible for urban planning and infrastructure. Construction permits involving heritage properties are vetted by the Heritage House before being reviewed by the Issuing Committee of the UDAA. Normally the authorization process for alterations to any building in the heritage area is three months, involving multiple submissions, until the UDAA and DPL are satisfied (Yamaguchi, Takada, & Leong, 2009).

In 2000, the Heritage House issued a Safeguarding and Valorisation Plan (Plan de Sauvegard et de Mise en Valeur (PSMV)), documenting the characteristics of the built architectural and urban heritage of the town. Based partially on this plan, the Luang Prabang government identified a number of areas in which advances are necessary if the town is to surmount the challenges of growth. These include weak coordination between different authorities, low local capacity for management, and a lack of effective dissemination channels for information (Yamaguchi & Vaggione, 2008). A 2002 UNESCO report also found weaknesses and lack of coordination in the administration of Luang Prabang's World Heritage assets, compounded by a continuation of illegal demolition of heritage buildings and non-conforming new construction. The report recommended eight ameliorative actions to address these issues (UNESCO, 2002). A periodic reporting exercise of the following year identified the pressures of tourism development as a major factor that accelerated the speed of development and strained the capacity of the Maison de Patrimoine, such that "authenticity and integrity remain but are under serious threat" (UNESCO, 2003b, p. 25).

It has also been remarked that neither the governmental nor the private sector had taken the initiative to start the necessary dialogue to achieve effective heritage management (Aas, Ladkin, & Fletcher, 2005). Through the mechanism of "village contracts" between the Heritage House and the heads of the 29 villages that make up the heritage protection zone (Boccardi & Logan, 2008), for every infrastructure project taken on by the Heritage House, the village in question is held responsible for performing counterpart works to augment the heritage quality of the environment, such as repairs of historical elements or hiding of modern additions like satellite dishes, though enforcement is complicated by a lack of human resources in the villages to carry out the works (Gujadhur & Rogers, 2008). A new national heritage law was enacted in 2005 (Lao People's Democratic Republic, 2005), defining and classifying both tangible and intangible heritage, establishing rights and duties for its protection and setting up a National Heritage Fund.

These policies put constraints on the alterations, additions and other physical measures that may be undertaken on heritage listed buildings, in terms of aspects such as architectural style, materials

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