



Analysis of the Current Legislative Status of Alliance Cities for the World Heritage Nomination of "Maritime Silk Road · Chinese Historical Sites"

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Abstract: This paper analyzes the current status of heritage protection legislation in the alliance cities for the World Heritage nomination of "Maritime Silk Road · Chinese Historical Sites," identifying the primary issues present in the legal protection practices for these heritage sites. The study aids in harmonizing legislative efforts among the alliance cities, promoting comprehensive protection and the nomination of the "Maritime Silk Road · Chinese Historical Sites" as a World Cultural Heritage.

Keywords: "maritime silk road · Chinese historical sites"; world cultural heritage; legislation; alliance cities for the world heritage nomination

1. On the "Maritime Silk Road · Chinese Historical Sites"

The ancient Silk Road served as a conduit for the movement of people, goods, cultural exchange, and the spread of religions between the East and the West, acting as a crucial bridge and bond between Chinese civilization and world civilizations. The Maritime Silk Road is an integral part of the Silk Road, playing a significant role in the development of human civilization and history. By connecting different civilizations through maritime routes and facilitating exchanges among them, the Maritime Silk Road stands as important historical evidence of the early formation of a "community with a shared future for mankind." In the context of exchanges and mutual learning among different civilizations, to strengthen the protection of cultural heritage, the Chinese government actively promotes the preservation of the "Maritime Silk Road · Chinese Historical Sites" project. Collaborating with cities along the route, China is committed to the conservation of World Cultural Heritage sites. This effort not only holds profound economic, political, and cultural significance but also represents a complex and extensive social system project that requires a multi-dimensional approach and diverse strategies to advance collaboratively.

China is a significant pioneer and participant in the Maritime Silk Road, serving as a vital maintainer and contributor to this pivotal link for cultural exchange. The 34 allied cities covered under the "Maritime Silk Road · Chinese Historical Sites" initiative bear testament to China's interactions and exchanges with the world, witnessing the open and inclusive maritime spirit and remarkable maritime trading capabilities of ancient China. Beyond tangible achievements, the "Maritime Silk Road · Chinese Historical Sites" fosters mutual understanding and respect among different civilizations, promoting the diversity and shared prosperity of world cultures. This cross-cultural exchange and integration not only enriches the treasury of human civilization but also provides valuable historical insights and inspiration for building a "community with a shared future for mankind." Throughout the process of protecting the Maritime Silk Road as a common heritage of humanity, China continuously contributes its wisdom and strength to the world.

2. Current Legislative Status of Alliance Cities for the World Heritage Nomination

China ranks second globally in the number of World Heritage sites. As of September 2023, the country has successfully inscribed 57 World Heritage properties, which include 39 cultural heritage sites and 4 mixed cultural and natural heritage sites. [1]The Convention Concerning the Protection of the World Cultural and Natural Heritage mandates that contracting states adopt appropriate legal, scientific, technical, and financial measures for the protection, conservation, and presentation of heritage within their territories. In accordance with the requirements of the Operational Guidelines for the Implementation of the World Heritage Convention, the cities of the "Maritime Silk Road · Chinese Historical Sites" World Heritage application alliance have actively responded.[2] To further enhance the protection and utilization of the "Maritime Silk Road · Chinese Historical Sites" cultural heritage across various regions, each city within the World Heritage application alliance has introduced local laws and regulations concerning the protection of cultural heritage. Legislation takes precedence, and the formulation and revision of legislation for the protection of the "Maritime Silk Road · Chinese Historical Sites" cultural

heritage is a necessary means for strengthening the preservation of the Maritime Silk Road cultural heritage in these areas.[3]

This project encompasses multiple cultural relic protection units of different levels. The conservation efforts for these precious relics consistently adhere to the principles of "placing protection at the core, prioritizing rescue, supporting reasonable utilization, and strengthening management as a safeguard," aiming to ensure the proper preservation and transmission of these relics. Governments at all levels carry out cultural relic protection work in accordance with the requirements of the Law of the People's Republic of China on the Protection of Cultural Relics, the Implementing Regulations of the Law of the People's Republic of China on the Protection of Cultural Relics, and the laws and regulations of the provinces and municipalities where the relics are located. In August 2016, the local governments involved with the "Maritime Silk Road · Chinese Historical Sites" jointly conceived and signed the China Cities Alliance Joint Agreement on the Protection of Maritime Silk Road Heritage. This agreement enhanced collaboration and coordination among Chinese cities in the preservation of Maritime Silk Road heritage, providing more unified and standardized guidance for activities such as conservation, exhibition, utilization, monitoring, management, and promotion of the heritage sites. The agreement serves as a critical basis for the protection and management of the "Maritime Silk Road · Chinese Historical Sites." Its primary content includes: the establishment of coordination mechanisms and liaison institutions; the identification of objects to be protected and the principles guiding their protection; the responsibilities of the municipal governments; financial safeguards; the organization of protection and management bodies; the formulation of protection plans; the improvement of systems for the administration and protection of Maritime Silk Road heritage; the standardization of a unified identification system; the implementation of a volunteer program; an expert consultation system; the creation of archives and a monitoring and early warning system for protection purposes; and stipulations that the city alliance will convene regular or irregular meetings to study and coordinate the protection of the Maritime Silk Road heritage and cooperation on its World Heritage sites application. The Comprehensive Management Plan for the Maritime Silk Road · Chinese Heritage Sites, which was compiled by the Chinese Academy of Cultural Heritage and the State Administration of Cultural Heritage's Center for Underwater Cultural Heritage Protection in 2017, consists of nine chapters. These cover general provisions, an overview of the heritage sites, the value of the heritage, an assessment of the current status of the heritage, planning principles, objectives, and basic strategies, plans for the protection and management of the heritage, the utilization of the heritage, interpretation and exhibition planning, heritage monitoring, and action plans, providing overall control and guidance to the management. The specialized heritage conservation plan formulated for the "Maritime Silk Road · Chinese Historical Sites" project, encompassing the entire project, its constituent parts, and their environments, serves as the basis for protection and management by governments at all levels and relevant institutions. This plan facilitates coordinated efforts among the numerous administrative bodies responsible for the series of heritage sites and their buffer zones. This ensures the long-term preservation and protection of the Outstanding Universal Value (OUV) upon which the inscription of the "Maritime Silk Road · Chinese Historical Sites" on the World Heritage List is based. It also aligns with the Chinese government's efforts to advance the Belt and Road Initiative, aiming to rejuvenate the ancient Silk Road and infuse it with new vitality. Furthermore, it contributes to fostering closer people-to-people bonds among countries along the global Maritime Silk Road, thereby making a Chinese contribution to the world's cultural heritage.

Formulating and optimizing specialized regulatory frameworks dedicated to the conservation of World Cultural Heritage sites is a critical approach to establishing and detailing the institutional requirements for heritage protection and management, defining protection standards and objectives, and delineating related legal responsibilities. Through the development and refinement of such regulations, more effective assurance of the proper protection and management of World Cultural Heritage can be achieved. Statistical data indicates that 12 alliance cities, including Guangzhou, Ningbo, Changsha, Nanjing, Quanzhou, Fuzhou, Jiangmen, Yangjiang, Beihai, Lishui, as well as the Special Administrative Regions of Hong Kong and Macao, have enacted specialized protective management regulations. For example, Guangzhou Municipality issued the Regulations on the Protection of Maritime Silk Road Historical Sites in Guangzhou in 2016, comprising 30 articles that clarify the standards of authenticity and integrity for World Cultural Heritage. Ningbo, in 2017, promulgated and implemented the Measures for the Protection of Maritime Silk Road Historical Sites in Ningbo, consisting of 26 articles. These measures encourage and support universities and research institutions in conducting scientific research on the protection of Maritime Silk Road historical sites, aiming to enhance the scientific level of protection and rational utilization of these historical sites. Additionally, they promote cooperation and exchange among social organizations, enterprises, and individuals regarding the protection and rational utilization of the Maritime Silk Road historical sites. This expresses support for and expectations of public participation in the protection of Maritime Silk Road cultural heritage and lays the foundation for the completion of the Research on Legislation for the Protection of Maritime Silk Road Historical Sites in Ningbo, offering recommendations for further legislative protection for them. Fuzhou officially implemented the Fuzhou Regulations on the Protection of Maritime Silk Road Historical Sites from October 2018, which consists of 31 articles. Similarly, Lishui put into effect the

Regulations for the Protection of Dayao Longquan Kiln Sites from March 2020, comprising 32 articles. In formulating these regulations, due regard was given to the uniqueness of the Dayao Longquan Kiln Sites, and a principle of protection was adopted to manage different types of protected objects through categorization. The specialized protective management regulations that have been issued are predominantly in Chinese; however, Ningbo and Guangzhou have also released English versions of these regulations. The protection and management measures involve 46 historical sites, accounting for 58% of the total project.

3. Analysis of the Present State

Through the systematic review of legal texts pertaining to the protection of the "Maritime Silk Road · Chinese Historical Sites" cultural heritage in each of the applicant cities, a comprehensive understanding of the current legislative status for the nomination of these sites has been achieved. To date, some of the applicant alliance cities have enacted legislation specifically targeting the "Maritime Silk Road · Chinese Historical Sites," clearly stipulating the protection, utilization, and inheritance of these historical sites. Additionally, numerous provisions within other relevant laws and regulations cover the protection of this project, addressing aspects such as water pollution prevention and control, ancient city preservation, and intangible cultural heritage protection. Notably, when formulating local regulations, some alliance cities have taken into full consideration the holistic character of the "Maritime Silk Road · Chinese Historical Sites" project. These regulations explicitly propose requirements for comprehensive protection and coordinated management. This demonstrates a concerted legislative awareness and determination among various regions to protect this project. Although the protection of the "Maritime Silk Road · Chinese Historical Sites" has initially achieved a basis in law, and some regulations emphasize the importance of communication and cooperation among departments, the specific operational provisions for collaborative protection remain somewhat vague and lack detailed, instructive regulations. This could potentially pose difficulties in the practical implementation of coordinated legislation.

The "Maritime Silk Road · Chinese Historical Sites" project exemplifies China's significant contributions to the world's maritime civilization and holds an indispensable and important position throughout the history of the Maritime Silk Road. Our primary tasks at this stage should involve top-level design and high-level promotion, with all relevant departments steadily advancing the foundational work for the nomination process. This effort aims to secure the inclusion of this project on the World Heritage List. Employing legal means to guide coastal cities along the Maritime Silk Road in the protection of cultural heritage is conducive to establishing a legal safeguard mechanism for the "Maritime Silk Road · Chinese Historical Sites" cultural heritage. It also aids in resolving contradictions among parties involved in heritage protection. This approach helps to refine both the content and procedures of local legislation concerning cultural heritage in our country, thereby advancing the protection efforts and the nomination process for the "Maritime Silk Road · Chinese Historical Sites" cultural heritage.

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