

Management Challenges and Civil Society Experience in the Region of Kotor, Montenegro

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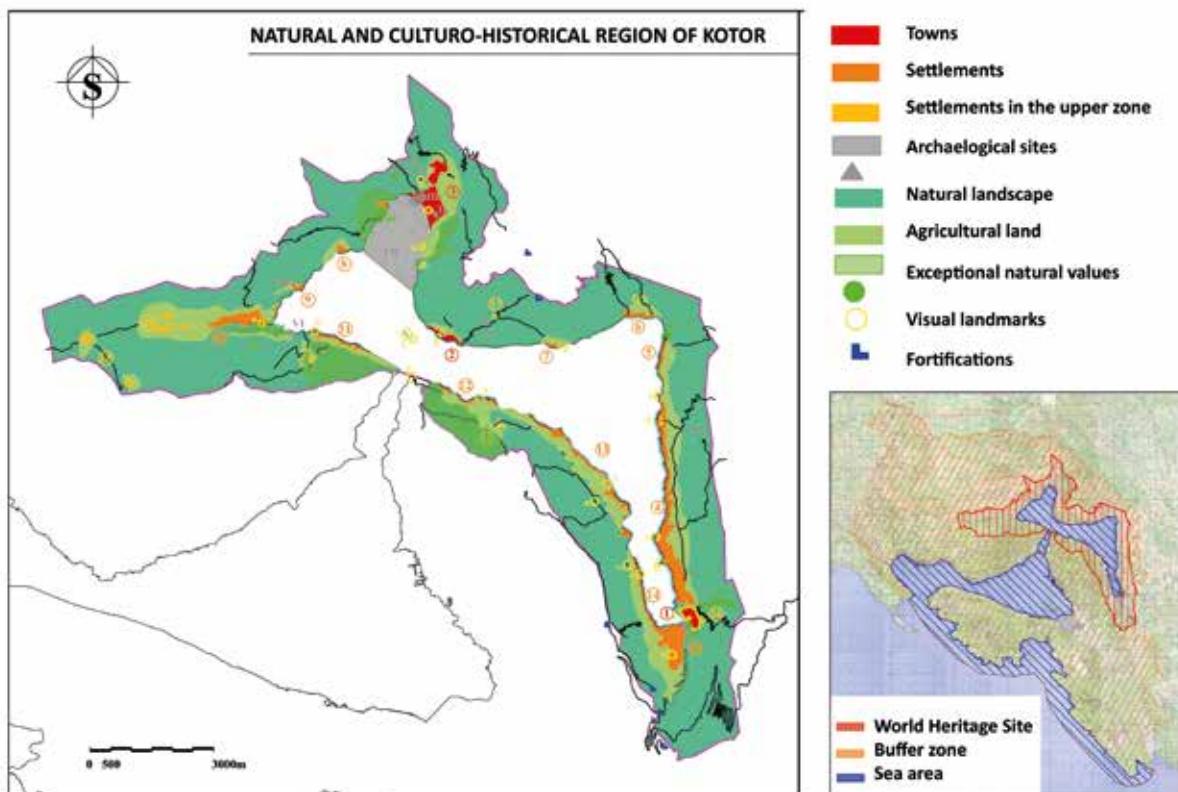


Fig. 1: Kotor Region World Heritage site values (left) and the site with its buffer zone and sea area (right).

Maps: Management Plan of Natural and Culturo-Historical Region of Kotor, Ministry of Culture of Montenegro, Cetinje, 2011

The Natural and Culturo-Historical Region of Kotor

The Natural and Culturo-Historical Region of Kotor (hereinafter referred to as the Kotor Region) is located in the Boka Kotorska Bay, a unique fjord-like bay on the Adriatic coast of Montenegro. The property was inscribed on the UNESCO World Heritage List in 1979. It encompasses the best preserved part of the bay, covering its inner portion with an area of 12,000 ha, while in 2011, the buffer zone was defined as encompassing the whole Bay of Boka Kotorska (Fig. 1).

The Outstanding Universal Value of the Natural and Culturo-Historical Region of Kotor is embodied in the quality of the archi-

ecture in its fortified and open cities, settlements, palaces and monastic ensembles, and their harmonious integration to the cultivated terraced landscape on the slopes of high rocky hills. The Natural and Culturo-Historical Region of Kotor bears unique testimony to the exceptionally important role that it played over centuries in the spreading of Mediterranean cultures into the Balkans.¹ The Kotor Region is inscribed as a cultural property. At the time of its inscription, the World Heritage Convention did not yet categorize sites as cultural landscapes², however it had already been

¹ Adoption of Retrospective Statement of Outstanding Universal Value, WHC-14/38.COM/8E, Paris, 30 April 2014, <http://whc.unesco.org/archive/2014/whc14-38com-8E-en.pdf>, p. 103-105

² The World Heritage Convention recognizes and protects cultural landscapes since 1992.

recognized that the property had Outstanding Universal Value (OUV) because of a successful harmony of monuments and cities in tune with the landscape. Therefore, in 2008, the WH Committee invited the State Party to "consider re-nominating an enlarged area around the bay as a cultural landscape"³. While this has not taken place yet, the greatest challenge for protecting the OUV of the Kotor Region is how the landscape aspect of this complex area is going to be treated.

Key issues regarding protection and management of the Kotor Region

The Kotor Region is an expansive and complex property, especially considering its buffer zone, which is currently being brought under great pressure that is threatening its OUV. In 2003, the Kotor Region was removed from the List of World Heritage in Danger since the threats for which it was placed on the list in 1979, i.e. the partial destruction caused by an earthquake, have been reduced through professional restoration. At the same time, other, more serious threats were identified for the first time that year, i.e. the risks that excessive and uncontrolled urbanisation are posing to the OUV of the property. Accelerated urbanization unfortunately still continues on the territory of the protected region and its buffer zone (Fig. 2).



Fig. 2: Boka Kotorska Bay, encompassing the Kotor Region WHS and its Buffer Zone.

This was confirmed by the Advisory Mission in 2013⁴, which concluded that the link between spatial planning and protection policy is rather weak and that spatial and urban plans tolerate and, to a certain degree, encourage this urbanization, while they fail to sufficiently integrate the requirements for the protection of OUV and cultural landscape attributes. The mission identified the weakness

of the protection system as a serious problem, as well as its inability to exert a positive influence on the process of urbanization, spatial plans and transport networks. *"The protected region has not yet been granted the legal status of cultural landscape; there are no detailed regimes and regulations for the development of spatial and urban plans; decisions made by the protection authorities are not binding; managerial structures are weak and insufficiently coordinated, without a clear vision of development."⁵*

The Advisory Mission Report identifies well the key problems. Additionally, through a detailed analysis of the processes that have been going on lately in the region, and through an analysis of the protection, planning and management system, the following can be added:

- Although progress has been made in certain aspects related to legislative and institutional framework (a new Law on Cultural Properties, adopted in 2010, and the Law on the Protection of the Natural Region and Cultural-Historical Region of Kotor, 2013), in general, the legal framework has many shortcomings when it comes to cultural heritage, especially cultural landscape protection: some aspects are inadequately and insufficiently defined, and the procedures are unclear (e.g. vaguely described procedures for the issuance of conservation conditions or Protection Studies that, as defined by the law, still deal with individual cultural properties only, and not the entire landscape). A particular problem is posed by the fact that the Law on Spatial Development and Construction of Structures is not harmonized with the Law on Cultural Properties. Therefore, there are failures in procedures resulting in the adoption of plans and issuance of building permits without the formal approval of protective institutions⁶.
- The Regional Institute for Cultural Heritage Protection, established in 1980 for the purpose of management and conservation of the Kotor Region, was transformed, under the new law from 2010, into two new units: the Regional Unit of the Directorate for Protection of Cultural Property and the Regional Unit of the Centre for Conservation and Archaeology of Montenegro. Although this transformation of protection institutions has led to the improvement of some aspects of protection, the total system has been weakened, and the two newly-formed units have less competences and reduced capacities.
- The 2011 Management Plan for the Kotor Region was developed with the participation of all relevant stakeholders' representatives. The new Law on the Protection of the Kotor Region, adopted in 2013, envisages the formation of a Management Council for the Kotor Region, with the role to coordinate the activities of protection and management of the site. However, the Council has not yet begun implementing the Plan. Furthermore, according to the Law, the Coun-

³ Decisions adopted at the 32nd Session of the World Heritage Committee (Quebec City, 2008), WHC-08/32.COM/24Rev, 31 March 2009, Decision : 32 COM 7B.101, Natural and Culturo-Historical Region of Kotor (Montenegro) (C 125), <http://whc.unesco.org/en/decisions/1708>, p.124-125

⁴ Report of the Advisory Mission for the Natural and Culturo-Historical Region of Kotor (Montenegro), 25-31 March 2013, <http://whc.unesco.org/en/list/125/documents/>

⁵ Report of the Advisory Mission for the Natural and Culturo-Historical Region of Kotor (Montenegro), 25-31 March 2013, <http://whc.unesco.org/en/list/125/documents/>

⁶ The Report on state of conservation in 2014 states that the Detailed urban plan (DUP) for Dobrota was adopted without prior approval of the Administration for cultural heritage protection, <http://whc.unesco.org/en/list/125/documents/>

cil does not include representatives of the municipalities on the territories to which the buffer zone extends, and competences of the Council are not compatible with its representative membership.

In addition, it is important to note some general issues related to the national context that have a major impact on the identified problems, such as:

- the system's institutions have been weakened in the process of transition;
- corruption, especially in the field of spatial planning and construction⁷;
- lack of long-term planning, in general and especially related to tourism (Fig. 3).
- It is also important to mention that the State of Conservation Reports do not give a complete picture of real threats and condition at the site.



Fig. 3: Due to a dramatic increase in tourism, urban sprawl is taking over ever larger parts of the inner bay. Settlement of Dobrota.

Photo: Expeditio

There is also the general attitude of the softening of problems and the WH requirements. Draft decisions made at the 2014 WH Committee Meeting included an article stating: "*Halt any building or infrastructure development projects within the property until such time as the necessary planning and management tools have been finalized and put into practice*".⁸ However, after discussion on the meeting, and despite the advisory bodies' clear recommendations, this article was re-formulated into: "*Encourages controlled implementation of developments in Morinj, Kostanjica and Glavati and requests the State Party to undertake Heritage Impact Assessment to ensure that no impact occurs on Outstanding Universal Value*".⁹ (Fig. 4).



Fig. 4: Due to the steeply ascending terrain, inappropriate construction development has an immediate effect on the visual integrity of the cultural landscape. Settlement of Dobrota.

Photo: Expeditio

Civil society activities

In the area of the Kotor Region, different civil society organizations are active in the field of cultural heritage, ranging from informal and small local to professional ones.

Several traditional associations of citizens that have existed in Kotor for a long time have a special status as they are important for the safeguarding of different segments of intangible heritage. One of them is the Boka Navy – a confraternity of the seamen of Boka Kotorska, established in 1859, tracing its origin back to the mid-15th century. There are a number of smaller local NGOs committed to safeguarding the heritage of some settlements, such as "Kamelija" from Stoliv and "Association of Friends of Perast", organizing mainly traditional local events. Over the past few years numerous local initiatives and organizations have been promoting traditional music, masked balls and carnivals, cuisine, crafts such as the making of Dobrota lace, or the safeguarding of wooden boats and the knowledge to restore them.

Activities focusing on heritage presentation and popularization are the most common, resulting in the realization of publications, exhibitions, websites, presentations, round table discussions, etc. A smaller number of organizations occasionally conduct concrete conservation activities, like the village councils for churches restoration, restoration of graves by the Community of Italians of Montenegro, restoration camps etc. One of the most recent cross-border projects, titled "Heritage - Driver of Development", was implemented by two local NGOs and the local government and dealt with issues related to cultural landscape, with a special focus on cooperation between stakeholders and participatory process, knowledge enhancing and sharing, capacity-building as well as awareness-raising.

There are just few professional NGOs in the Kotor Region, such as the Centre for Preservation and Presentation of Kotor's Documentary Heritage, or "Notar", attracting mainly archivists, and EXPE-

⁷ EU-Montenegro Stabilisation and Association Parliamentary Committee (SAPC), Declaration and Recommendations from the 10th EU-Montenegro SAPC meeting in Budva on 8-9 April 2015, https://polcms.secure.europarl.europa.eu/cmsdata/upload/776bf42b-e88e-49f3-9357-b4fa59b54f86/Recommendations_10th%20SAPC%20-%20EN.pdf

⁸ Draft Decision: 38 COM 7B.30, Item 7B of the Provisional Agenda: State of conservation of World Heritage properties inscribed on the World Heritage List, WHC-14/38.COM/7B, Paris, 30 April 2014, <http://whc.unesco.org/archive/2014/whc14-38com-7B-en.pdf>, p. 41-43

⁹ Decision: 38 COM 7B.29, Decisions adopted by World Heritage Committee at its 38th Session (Doha, 2014), WHC-14/38.COM/16, Doha, 7 July 2014, <http://whc.unesco.org/archive/2014/whc14-38com-16en.pdf>, p. 82-83

DITIO, Centre for Sustainable Spatial Development. EXPEDITIO, founded in 1997 and run by architects, is active in the fields of cultural heritage and landscape protection, sustainable architecture, urban/rural planning and civil society development. The majority of EXPEDITIO's numerous cross-disciplinary projects and activities have been implemented within the Region of Kotor, addressing its various aspects, through developing studies and researches, organizing events (lectures, seminars, exhibitions, etc.), architectural workshops, restoration camps, as well as advocacy activities, campaigns, publishing, actions in public spaces, and so on (Fig. 5). As part of its professional engagement, EXPEDITIO also launches appeals and provides comments and recommendations in respect to urban plans, strategies, laws, etc. EXPEDITIO members took part in the process of preparing the Management Plan for the Kotor Region, and will represent the NGO sector in a Managing Council that is still to begin functioning. This is going to be the biggest challenge regarding the CSOs' involvement in the process of World Heritage management.

In conclusion, it can be said that in the Kotor Region there are not many organizations or initiatives dealing solely with World Heritage issues. Although different representatives of the civil sector contribute to World Heritage area protection through different activities, so far, unfortunately, they have not been able to considerably influence the key on-going processes.



Fig. 5: An illustration of Expeditio's activities.

Photo: Expeditio

Conclusions and Recommendations

The Retrospective Statement of OUV, adopted in 2014, identifies the framework that will be essential to ensure protection of the Kotor Region: *Increased awareness to treat the inscribed property and the buffer zone as an integral part of the unique cultural landscape of the Boka Kotorska Bay is needed. Challenges remain for*

the further definition of common development strategies for the property and its buffer zone, for integrated planning and for the establishment of an overall management system.¹⁰

The Advisory Mission from 2013 defines a recommendation that should serve as the basis for all further activities related to the improvement of protection policies, spatial and urban planning policies, transport network and technical support.

All the issues posing problems for the protection of the Kotor Region are connected, and they should be addressed in an integral way. However, in our opinion, at this moment the most urgent would be to *halt problematic development projects¹¹* and to give priority to the following:

1. harmonizing the protection and planning policies,
2. changing and harmonizing the legal framework,
3. reviewing and activating the system of management of the property.

All these should be followed by capacity-strengthening, education, promotion, and awareness-raising.

Civil society should take part in these processes, and their role could be to:

- contribute to initiating activities and processes (such as, changing the legal system);
- actively be involved in different segments of protection and management (such as being represented in the Management Council, and contribute to the preparation of State of Conservation Reports);
- encourage cooperation and partnership with state institutions and other stakeholders/ fostering participatory processes;
- continue to draw attention to problems;
- monitor the condition of the Property.

This would require a coordinated activity of CSOs and their involvement in the processes related to World heritage protection and management, as well as the readiness of institutions to cooperate.

If Montenegro does not start addressing these issues, we seriously risk losing the OUV of the Kotor Region and being removed from the World Heritage List. It is a great challenge for the civil society in general to contribute to future protection, planning and management of the Historical Region of Kotor WH site.

¹⁰Adoption of Retrospective Statements of Outstanding Universal Value, WHC-14/38.COM/8E, Paris, 30 April 2014, <http://whc.unesco.org/archive/2014/whc14-38com-8E-en.pdf>, p. 103-105

¹¹Draft Decision: 38 COM 7B.30, Item 7B of the Provisional Agenda: State of conservation of World Heritage properties inscribed on the World Heritage List, WHC-14/38.COM/7B, Paris, 30 April 2014, <http://whc.unesco.org/archive/2014/whc14-38com-7B-en.pdf>, p. 41-43