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# **World Heritage Patrimoine mondial**

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**UNITED NATIONS EDUCATIONAL,  
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**ORGANISATION DES NATIONS UNIES  
POUR L'EDUCATION, LA SCIENCE ET LA CULTURE**

**CONVENTION CONCERNING THE PROTECTION OF THE WORLD  
CULTURAL AND NATURAL HERITAGE**

**CONVENTION CONCERNANT LA PROTECTION DU PATRIMOINE  
MONDIAL, CULTUREL ET NATUREL**

**WORLD HERITAGE COMMITTEE / COMITE DU PATRIMOINE MONDIAL**

**Thirty-seventh session / Trente-septième session**

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**Item 7 of the Provisional Agenda: State of conservation of properties  
inscribed on the World Heritage List and/or on the List of World  
Heritage in Danger.**

**Point 7 de l'Ordre du jour provisoire: Etat de conservation de biens  
inscrits sur la Liste du patrimoine mondial et/ou sur la Liste du  
patrimoine mondial en péril**

**JOINT WORLD HERITAGE CENTRE/ICOMOS REACTIVE MONITORING  
MISSION REPORT / RAPPORT DE MISSION DU SUIVI REACTIF  
CONJOINTE DU CENTRE DU PATRIMOINE MONDIAL ET DE L'ICOMOS**

**BUDAPEST, INCLUDING THE BANKS OF THE DANUBE, THE BUDA  
CASTLE QUARTER AND ANDRASSY AVENUE (HUNGARY) /  
BUDAPEST, AVEC LES RIVES DU DANUBE, LE QUARTIER DU  
CHATEAU DE BUDA ET L'AVENUE ANDRASSY (HONGRIE)**

**25 February – 1 March 2013 / 25 février – 1 mars 2013**

**This mission report should be read in conjunction with Document /  
Ce rapport de mission doit être lu conjointement avec le document suivant :**

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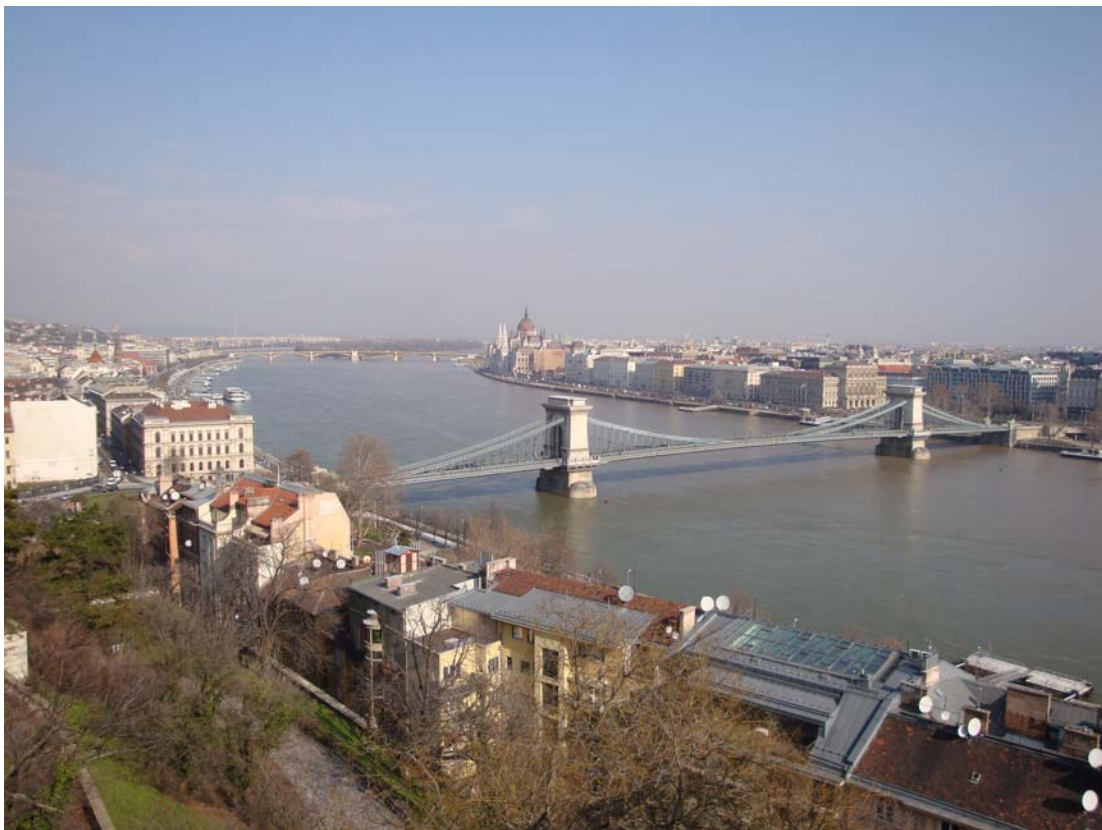


International Council on  
Monuments and Sites  
Conseil International  
des Monuments et des Sites

**REPORT ON THE REACTIVE MONITORING MISSION TO BUDAPEST,  
INCLUDING THE BANKS OF THE DANUBE, THE BUDA CASTLE QUARTER AND  
ANDRASSY AVENUE**

**HUNGARY**

**FROM 25 FEBRUARY TO 1 MARCH 2013**



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## ACKNOWLEDGEMENTS

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Special thanks go to Mr Zoltan Cselovszki, President of the Gyula Forster National Centre for Cultural Heritage Management and Chairperson of the Hungarian World Heritage Commission of the Hungarian National Commission for UNESCO, and to Dr Gabor Soos, Head of the World Heritage Secretariat, for accompanying its visits and for their valuable efforts in favour of the conservation of the property and the preservation of its Outstanding Universal Value.

The mission team also thanks the officials of the national institutions, and in particular, Ms Zsuzsanna Benko Kiss, Head of Department for Cultural Heritage Protection, Ministry of Human Resources who assisted with the organization of the mission and facilitated the meetings with various experts, local officials and stakeholders involved in the conservation and protection of World Heritage properties in Hungary.

Particular thanks go to the Hungarian National Commission for UNESCO, its Chairperson Dr Miklos Réthely and Secretary-General Ms Katalin Csillag, who participated in the official meetings with the national authorities.

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The mission acknowledges and thanks all specialists and ICOMOS experts, and in particular to Mr. Gergely Nagy, President ICOMOS Hungary, and Mr. Tamás Fejérdy as well as representatives of the civil society who met the mission and provided valuable information on the current situation of the World Heritage property. The mission would like to congratulate warmly all those persons and colleagues that it met during the visit for their efforts in support of the conservation of the property and the preservation of its Outstanding Universal Value.

Finally, special thanks go to Dr Horvath for her interpretation support throughout the duration of the mission.

## EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS

At its 35<sup>th</sup> session in Paris (19-29 June 2011), the World Heritage Committee (Decision 35 COM 7B.95 UNESCO, 2011) having examined the state of conservation of *Budapest, including Banks of the Danube, the Buda Castle Quarter and Andrássy Avenue* (Hungary) noted with extreme concern the major development proposal in the buffer zone in Pest, adjacent to the boundaries of the property, which would result in the demolition of one side of Bécsi Street and urged the State Party to use all means necessary to halt this demolition. The World Heritage Committee also requested the State Party to keep the World Heritage Centre informed regarding ongoing developments planned for Bécsi Street and Heroes' Square and, at all stages of these development proposals, and to carry out Heritage Impact Assessments to assess potential impacts on Outstanding Universal Value of the property.

At the request of the Committee, the State Party invited a joint World Heritage Centre/ICOMOS reactive monitoring mission to the property to assess progress in the implementation of the recommendations made by the World Heritage Committee.

The mission was undertaken from 25 February to 1 March 2013 and it assessed the state of conservation of the property, inscribed on the World Heritage List in 1987.

The mission wishes to emphasise its appreciation of the quality of documents prepared by the national authorities and submitted to the World Heritage Centre, which illustrate a clear understanding of all challenges and problems that must be faced in order to ensure adequate protection and management of the property and its buffer zone.

Following numerous consultations with national and local authorities, as well as site managers, and in light of on-site visits to the World Heritage property, the mission considered that **the general state of conservation of all components of the property is satisfactory and that the Outstanding Universal Value for which the property was inscribed on the World Heritage List is substantially maintained.**

The mission notes that an important reform of the administration responsible for Cultural Heritage was made within the recent National Administrative Reform in Hungary. Since this process has only recently been put into place, it was not possible for the mission to assess the extent to which it will be implemented in order to ensure the long-term protection and management of the property.

The mission notes that a new World Heritage Act came into force in January 2012; this legislation aims to ensure adequate protection of the World Heritage property and all of its components. An integrated Management Plan for the property will be prepared, within the framework of this Act, and the necessary funding has been approved by the authorities for its development. The mission also notes that the Gyula Forster National Centre for Cultural Heritage Management has been designated as a site manager for the property. The mission expresses its concern about development projects proposed by investors in the World Heritage area, and about the discretionary power for approval procedures authorizing the District municipalities to negotiate and conclude agreements with investors.

The mission emphasizes that, given that the Management Plan has yet to be developed, the existing administrative system for the building permits can jeopardize the conservation urban fabric of the property.

The mission recommends to the State Party to:

- establish, in line with the 2011 Act LXXVII on World Heritage, continuing collaboration between all relevant State institutions and national and local authorities to ensure the appropriate legal protection, management and monitoring of this property;
- put into place, as a matter of urgency, a moratorium on issuing permits for any new demolitions/constructions within the World Heritage property and its buffer zone which may affect the Outstanding Universal Value of the property until the Management Plan is completed and approved;
- formulate appropriate regulatory measures, including clear and transparent procedures for the issuing and approval of new demolition/construction permits;
- put into place an effective monitoring of the implementation by local governments of the “Governmental Decree 314/2012”, which took effect on 01 January 2013 and which addresses town development concepts, integrated town development strategies and the means for town planning, as well as certain specific legal institutions for town planning;
- establish regulations to govern agreements with partners (a Partnership Plan) prior to making town development or urban plans in order to prevent the serious deterioration of architectural and urban coherence of the property;

The mission also recommends that the following additional documents be submitted by the State Party to the World Heritage Centre for review by the Advisory Bodies:

- complete and detailed project documentation for the Royal Garden project, including a **heritage impact assessment** that takes into consideration the Outstanding Universal Value of the property and its specific urban landscape setting, as well as the associated important views, and details about access infrastructure foreseen;
- detailed information regarding soil investigations and analyses of the results of geological, hydro-geological and hydrological investigations along the Danube river banks in the areas of the on-going Kossut Lajos Square and Parliament Visitor Centre projects. These should, include information about underground water levels, risk assessments, monitoring reports and plans to minimize any impact the proposed constructions might have on the World Heritage property;
- information on any appropriate measures implemented for geo-protection and soil stabilization to reinforce the banks of the Danube.

The **general recommendations** of the mission concern the strengthening of institutional coordination and the approval of all regulatory measures necessary to reinforce the protection and monitoring of the urban fabric of the property.

The mission recommends that the State Party submit to the World Heritage Centre by 1 February 2015: a detailed state of conservation progress report detailing actions undertaken to ensure that the Outstanding Universal Value of the property is sustained. The report should include documents and information on measures implemented, with particular attention to the integrated and comprehensive Management Plan for the property and its buffer zone and the State Party response to all recommendations made by the reactive monitoring mission.

## **BACKGROUND TO THE MISSION**

### **1.1 Background and justification of the mission (background documents, terms of reference and composition of the mission team are provided in Annexes I, II, IV)**

A joint World Heritage Centre/ ICOMOS reactive monitoring mission to the property was undertaken from 25 February to 1 March 2013, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011).

The mission, conducted by Ms Anna Sidorenko, UNESCO World Heritage Centre representative and Professor Elvira Petroncelli, ICOMOS expert, met the national and local authorities in charge of the implementation of the World Heritage Convention in Hungary, and in particular of the conservation and management of the property.

## **2 NATIONAL POLICY FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY**

### **2.1. Protected area legislation**

The mission noted that there is sufficient legislation in place to provide adequate protection to the World Heritage property, including all its components. However, the lack of development and implementation of a Management Plan, as well as inconsistencies in the enforcement by the different Districts of the regulatory measures, hinder the efficacy of the legal tools.

The protection of the monuments in Hungary is based on Act No.LXIV, 2001, on the Protection of Cultural Heritage, which covers the areas of archaeology, built heritage and the protection of movable objects. This Act defines the specific responsibilities of owners with regard to state, local government and private (including Church) enterprises, and lays down rules for the protection and utilization of heritage.

A modification of this *Cultural Heritage Law (Act LXIV/2001)*, passed by Parliament on 26 November 2012, established the new concepts of historic and national memory sites, with 36 items belonging to the historic, and nine to the national list. The amendment separates the responsibility for the preservation of archaeological heritage and historic properties, which belong to the Ministry of the Interior, from the responsibility for cultural goods, assigned to the Ministry of Human Resources.

On 14 June 2011, the Hungarian Parliament adopted Act LXXVII, 2011, on World Heritage (the World Heritage Law). The law came into force on 1 January 2012 (in Annex II D is an extract of Act LXXVII of 2011 transmitted by the State Party). This *Act LXXVII/2011 on Hungarian World Heritage* aims to put on a solid legal and institutional basis the efficient implementation of the World Heritage Convention in Hungary and to ensure the efficient management of the Hungarian sites inscribed on the World Heritage list. In line with the cross-cutting nature of State duties (delegated to the Minister responsible for culture), the Law establishes a mechanism for inter-ministerial and inter-professional cooperation. The tasks of the Minister responsible for culture and of other related Ministries are carried out with the cooperation and assistance of an inter-ministerial body established by the Government and composed of expert delegates from all relevant sectors of government as well as professional civil organisations (such as the National Commissions of ICOMOS and of IUCN). The body also has one representative from each World Heritage site, the presidents of the relevant parliamentary commissions and the heads of the authorities responsible for the protection of cultural and natural heritage.

The protection of World Heritage properties will be reinforced by mandating that planning authorities take into account the management plans and provisions for each of the inscribed properties when issuing permits that could have an impact on them: "...the management of World Heritage areas covers provisions for using, developing, presenting and, if necessary, restoring World Heritage areas, as well as the harmonization of activities concerning the preservation and the sustainable usage of the World Heritage areas." When deemed necessary, the planning authorities may request a *Complex World Heritage Impact Assessment*.

The mission notes that, as the management plan for Budapest is not yet developed or approved, this provision is not currently in force.

As announced by Mr. Bálint OROSZ, Head of Department of Cultural Heritage (Ministry of the Interior) to the mission, "the Ministry of the Interior has drafted a ministerial decree on the detailed rules for the protection and recording of archaeological heritage and historic properties, completing the range of the legislation on heritage preservation that took effect on 1 January 2013. The goal of these legislative actions, to make the provisions for the preservation of archaeological heritage and historic properties more practical and flexible and thereby easier to apply, has been realized. These components together lay a foundation for the integrated preservation of archaeological heritage and historic properties through a new approach, i.e. **the harmonization of development and preservation.**"<sup>1</sup>

## 2.2. Institutional framework and coordination mechanisms between relevant parties

An important reform of the administration responsible for Cultural Heritage was made within the recent National Administrative Reform in Hungary.

The State Party transmitted to the mission team the summary of the most important Laws defining the system, structure and basic regulations for public administration (this document is provided in Annex III.D).

As stipulated by the State Party in its report, and in conformity with the Acts and Governmental Decrees<sup>2</sup> "the protection of Hungary's cultural heritage has been placed under the supervision of three ministries: the Ministry of the Interior (legislative and professional direction), the Ministry of Human Resources (matters related to the World Heritage Convention and the management of World Heritage properties remained with this Ministry responsible for culture) and the Ministry of Public Administration and Justice (legal supervision of local governments)".

The official system of heritage protection in the Budapest World Heritage property has been transformed. According to Governmental Decree 393/2012 (XII. 20) (on the regulations related to the protection of archaeological heritage and historic monument values), in Budapest two **District Construction and Heritage Protection Agencies**<sup>3</sup> administer the tasks associated with cultural heritage protection as primary heritage protection authorities within their defined jurisdictions. This took effect on 1 January 2013.

The 5<sup>th</sup> District Construction and Heritage Protection Agency administers the heritage protection tasks for the districts on the Pest side of the World Heritage area (the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> districts).

The 1<sup>st</sup> District Construction and Heritage Protection Agency administers the heritage protection tasks for the districts on the Buda side of the World Heritage area (the 1<sup>st</sup>, 2<sup>nd</sup> and 11<sup>th</sup> districts).

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<sup>1</sup> Annex III.A. Welcoming speech by Mr. Bálint OROSZ, Head of Department of Cultural Heritage (Ministry of the Interior), 26 February 2013

<sup>2</sup> Act XLII of 2010 on the specifying of the ministries of the Republic of Hungary;

Act XLIII of 2010 on central state administrative bodies as well as the legal status of the members of the government and secretaries of state.

<sup>3</sup> Act CXXVI of 2010 on metropolitan and county governmental offices as well as on legal amendments related to the creation of the metropolitan and county governmental offices and territorial integration;

- Governmental Decree 288/2010 (XII. 21) on metropolitan and county governmental offices;

- the Ministry of Public Administration and Justice Order 3/2013 (I. 18) on the organizational and operational regulations of governmental offices

- Governmental Decree 218/2012 (VIII. 13).

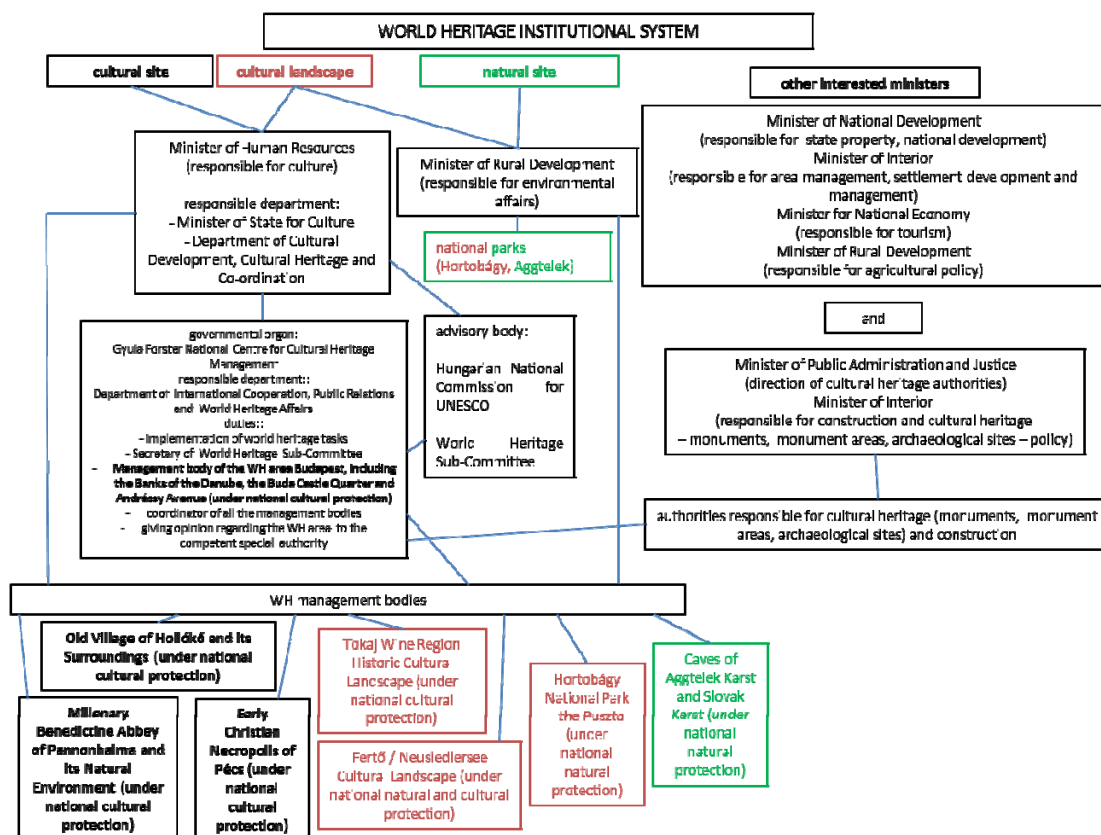
The Budapest Metropolitan Government's Construction and Heritage Protection Agency has jurisdiction as the heritage protection appeals board for issues related to the protection of historic and archaeological assets in the Budapest World Heritage area.

The entire Budapest World Heritage area (property and buffer zone) continues to be protected as a listed Area of Historic Significance and the listed monument buildings are still protected as historic properties; only the institutional setting has been altered by the amendments described above.

Thus, in the case of the listed Historic monuments, the district construction and heritage protection agencies issue Construction as well as Heritage Protection Permits. Within zones listed as Areas of Historic Significance only the district construction and heritage protection agencies may issue the Heritage Protection Permits while the notary of the given district may issue the Construction Permits.

Governmental Decree requires the district construction and heritage preservation agency to consult the Gyula Forster National Centre for Cultural Heritage Management over matters affecting World Heritage areas; – a response deadline is given to correspond with the deadline for administering the procedure.

The State Party also prepared and provided the mission with a document below clarifying existing institutional frameworks and coordination mechanism in Hungary.



The State Party also provided an “Organizational Chart – Ministry of Public Administration and Justice – Ministry of the Interior” (in Annex III.B)

Beside *Decree 315/2011 (XII. 27) on the World Heritage Management Plan and the Complex Interdisciplinary World Heritage Impact Assessment and tentative World Heritage Properties*, quoted above, the Hungarian Government has published other documents regarding the historic heritage, as the mission members have read in the *State of Conservation Report* (2013) and have learnt during the mission:

- **Governmental Decree no. 17/2012 (II. 16) on the UNESCO Hungarian National Commission** on the basis of which the new Hungarian World Heritage Commission has been formed;
- **Governmental Decree no. 310/2012 (XI. 6) on the Gyula Forster National Centre for Cultural Heritage Management**, which amongst other things defines the duties of the Forster Centre's in relation to the World Heritage. The Forster Centre, in cooperation with the Ministry of Human Resources, sees to World Heritage duties as well as other international tasks related to cultural heritage conservation;

In connection with the World Heritage Law, the **Minister of National Resources Decree no. 32/2012 (V. 8) on World Heritage Management Bodies** was published. The mission noted that the Gyula Forster National Centre for Cultural Heritage Management was designated as a management body for the *Budapest – the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue* World Heritage property, and will also be responsible for of the property's Management Plan.

The mission recommends that institutional coordination and collaboration should be reinforced between all relevant State institutions as well as national and local authorities to ensure appropriate legal protection and management of the property.

### **2.3. Management Structure and Management effectiveness**

#### **Urban Planning, Construction Regulations and Regulatory Plan**

In 2012, the State Party developed new Urban Planning and Construction Regulations based on a new approach using the concept of the Historic Urban Landscape.

The State Party gave the mission team information concerning legal regulations that determine the administration of town planning, town development and construction (this document is provided in Annex III.D).

The summary of this information is presented below:

- **“Act LXXVIII of 1997** on the shaping and protection of the built environment establishes the main rules for town development and town planning and the rights and obligations of those taking part in the construction process.”

The State Party informs the mission that “numerous amendments to this law that took effect on 01 January 2013 lay down the limits, for example, for development and regulatory type plans and the subjects of construction regulations that can be created by the Metropolitan Government and the District governments in Budapest (taking into account Budapest's two tiered municipal government system), as well as on boards for individualized legal institutions of town planning.”

- **“Governmental Decree 312/2012 (XI. 8)** on official procedures and inspections for construction and construction supervision, as well as on official services for construction”

The State Party emphasizes that “the sphere of construction supervisory procedures was significantly expanded to include the inspection and enforceability of the obligation for good maintenance (extending to historic buildings as well). An explicit obligation to impose sanctions as a result of unlawful construction activities appears.”

- **“Governmental Decree 314/2012 (XI. 8)** on town development concepts, integrated town development strategies and the means for town planning, as well as on certain specific legal institutions for town planning.”

The State Party reports that this new decree, referred to, in common professional parlance, as the Town Development and Town Planning Code, took effect on 01 January 2013, and was integrated into the new rules for town development and planning in **Act LXXVIII of 1997**. It defines the content requirements as well as the procedural system and guarantees in sufficient detail.

Thus, from 2013, **the local governments** – while assuring full transparency to the public and observing the deadlines defined in the decree – will, for example, **decide on the rules for concluding agreements with partners (a Partnership Plan) prior to making town development or regulatory plans**”.

The State Party reports that “on the one hand the Budapest Metropolitan Governmental Office oversees the observance of the material, legal and procedural rules for the adoption of these plans and ordinances under its general legal authority (over the metropolitan and district governments), while on the other hand the Office of Construction and Heritage Preservation (and within this, the State Head Architect’s Office) through its conclusive opinions in every stage supports or corrects (and in the end can prevent) the coming into force of local governments’ town regulatory plans and local construction regulations that comply with the material, legal and procedural rules.”

The mission considers the main issue to be addressed is that the State Party ensures appropriate control of the implementation of all relevant regulations. A system of monitoring, strict control and inspection should be established and the Management Plan should propose clear rules for local municipalities in order to prevent any “voluntary destructions” of the urban fabric by investors. All types of negotiations between the local municipalities and investors should be regulated, and ambiguous “case-by-case” agreements, which could jeopardize the urban fabric, should be prevented.

Specific regulation and controls should be established by the State Party regarding the development by the local municipalities of rules for concluding agreements with partners (a Partnership Plan) prior to making town development or regulatory plans.

### ***Management Plan***

The mission members noted that the State Party has started developing the Management Plan which will take approximately two years. The mission was informed by the authorities that appropriate funds were allocated for its development by the Government.

The State Party emphasised that the existing urban plan already provides numerous regulations for the protected areas. The Management Plan will unify this process of protection and regulation between several stakeholders.

The *World Heritage Law* ensures that Management Plans are recognised in national and local planning laws and other regulations. This Law also defines duties and responsibilities at national (State Party) and at local level (Municipalities, Districts, Organizations) in relation to the World Heritage.

In accordance with the World Heritage Law, *Decree number 315/2011 (XII. 27) on the World Heritage Management Plan and the Complex Interdisciplinary World Heritage Impact Assessment and tentative World Heritage Properties* has been published. This Decree details the *Preparatory Documentation Management Plan* and *Management Manual of World Heritage Properties*. The State Party submitted a summary of this document (see Annex III.C).

The mission, having noted the details currently available on the development of the Management Plan, emphasizes that the text of the Decree focuses on preservation/protection and pays more attention to forging agreements among stakeholders than to encouraging them. In the opinion of the mission members, the document should underline the importance of finding ways to support the development. It is also important to foster mutual cooperation among different authorities during work towards achieving this goal.

## **2.4. Boundary issues**

### **Progress on the revision of the delimitation of the buffer zone of the property, to include Margit Island into the property buffer zone**

**Margit Island** is a 2.5 km long and 500 meters wide island (0.965 km<sup>2</sup>), situated in the middle of the Danube in the 13<sup>th</sup> district, in central Budapest. The island is largely covered with landscaped parks, and is a popular recreational area. Its medieval ruins are reminders of its importance as a religious centre in the Middle Ages. The island spans the area between the Margaret Bridge (south) and the Árpád Bridge (north). Originally the island was 102.5 meters above sea level, but has now been built up to 104.85 meters above sea level to control the risk of flooding.

During the Middle Ages, the island was called *Nyulak szigete*, until it received its current name after Saint Margaret (1242–1270), the daughter of Béla IV of Hungary, who lived in the Dominican convent on the island.

Among the extant historical monuments on the island are the 13<sup>th</sup> century ruins of a Dominican church and convent, as well as a church from the 12<sup>th</sup> century. During the Ottoman wars, the monks and nuns fled from the island and the buildings were destroyed. The 18<sup>th</sup> century saw the island become a resort until it was declared a public garden in 1908.

Since the 1980s, entry by car has been limited; only a single bus line and taxis, along with the service traffic of local stores and restaurants, are allowed to enter. On the northern end of the island a car park accommodates the cars of hotel guests. Many sporting amenities can be found on the island as well as a small Japanese Garden, with a mildly thermal fish pond, a very small zoo featuring a wide range of exotic waterfowl among other animals, the "Music Well" (*Zenélő kút*), a small pavilion (close to Árpád Bridge), which was originally built for open-air concerts the "Music Fountain" (*Zenélő szökőkút*) where music is played and light shows are performed in the summer and an octagonal Water Tower 57 m in height (built in Art Nouveau style in 1911), which now functions as a lookout tower and an exhibition hall. Two hotels provide accommodation: the *fin de siècle* Grand Hotel Margitsziget, and the modern Thermal Hotel Margitsziget, with thermal spa and various medical services. There is also an open-air theatre accommodating an audience of 3,500, and several clubs and restaurants.

Currently, as stated in the State of Conservation Report (2011) and shown in the annexed map, the entire World Heritage property and its buffer zone are protected as a historic monument district. The protected districts are currently larger than the World Heritage property and its buffer zone. Margit Island, in its entirety, is protected as a historic

monument district. This is one of the reasons why the State Party is considering whether to propose Margit Island be incorporated in the buffer zone of the World Heritage property. For some years the State Party has been working on this proposal, initiated by the National Office of Cultural Heritage, for the possible extension of the buffer zone.

The mission members, taking account of the location of the Island, its context and setting, emphasize the opportunities offered by an extension of the buffer zone to include Margit Island. Moreover, the mission recommends the buffer zone be extended to include the landscape which surrounds all the components of the property, in particular the panorama along the rivers. The mission recommended the State Party to submit to the World Heritage Centre a proposal for a minor boundary modification to extend the buffer zone of the property. However, mission members do not consider the extension of the WH property itself to be justified.

### **3 ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY, INCLUDING CONSERVATION ISSUES, REMARKS AND RECOMMENDATIONS**

#### **3.1. Review any follow-up measures to previous decisions of the World Heritage Committee on the state of conservation of the property and measures which the State Party plans to take to protect the outstanding universal value of the property**

The World Heritage property of *Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue* (Hungary) was inscribed on the World Heritage List in 1987 under cultural criteria (ii), and (iv) and extended in 2002, using the existing criteria *ii* and *iv*.

The property includes the Budapest, the Banks of the Danube and the Buda Castle Quarter (property component 400 Ha) inscribed in 1987 and the Andrassy Avenue and the Underground Budapest (property component: 57.85 Ha and its buffer zone: 239.61 Ha) inscribed as an extension in 2002.

The Advisory Body statement of 1986 notes:

**Criterion II** can be evoked on several scores. Aquincum played an essential role in the diffusion of Roman architectural forms in Pannonia, then in Dacia. Buda Castle played an essential role in the diffusion of Gothic art in Magyar region from the 14th century. In the reign of Matthias Corvinus Buda was an artistic centre comparable to that of Cracow (included on the World Heritage List in 1978);

**Criterion IV** can especially be applied to Buda Castle, an architectural ensemble which, together with the nearby old district, illustrates two significant periods of history which were separated by an interval corresponding to the Turkish invasion. But the Parliament is also an outstanding example of a great official building on a par with those of London, Munich, Vienna and Athens, exemplifying the eclectic architecture of the 19th century, whilst at the same time symbolizing the political function of the second capital of the Austro-Hungarian monarchy.

The mission members have noted that, in general, the State Party pays close attention to the World Heritage property, and to the recommendations of the World Heritage Committee. For example, on the basis of paragraph 172 of the Operational Guidelines of the World Heritage Convention, the State Party has given information about planned projects in the property and in line with the decisions of the WH Committee, has halted the demolition of buildings in the buffer zone.

The mission members observe that nearly all requests expressed in Decision 35 COM 7B.95 have been formally considered, but note that the relatively long time taken for the new Law on World Heritage to come into force has caused a significant delay in the preparation of the Management Plan. Similarly, this has caused the delay in extending

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the buffer zone (Margit Island) and probably in other important issues related to interventions and demolitions in the buffer zone.

Furthermore, it is likely that many current problems have also been caused by “time inconsistency”: it is impossible to predict the timing and outcome of politico-administrative decisions and economic issues; it is very difficult for the State Party to strictly draw up and keep to a timetable when, on the one hand, it has to define policies and decisions governing interventions, organize and approve projects and find funds, and on the other, implement this complex procedure according to the requirements for maintaining the property’s Outstanding Universal Value. Moreover, the State is often forced to start works quickly, if funding deadlines are imminent. In such cases, the advice of the World Heritage Centre and the Advisory Bodies cannot be given due consideration. This last issue is especially pertinent in periods of economic crisis.

In essence, the mission members noted the **satisfactory general state of conservation** of all components of the World Heritage property and that, with reference to the nomination criteria, there are no specific changes to the urban landscape or the skyline in relation to the World Heritage property and its buffer zone.

### **3.2 Positive or negative developments in the conservation of the property since the last report to the World Heritage Committee**

The City of Budapest has 23 Districts. The World Heritage Area comprising the WH property and its buffer zone cover the area of 9 Districts. The whole World Heritage area is composed of 1369 monuments and plots with 793 **individually protected buildings** and 684 **buildings under territorial protection**.

The mission proposes a large number of recommendations, related to conservation, management and presentation of all components of the property and its buffer zone, as described in more detail below.

#### **WORLD HERITAGE AREA:**

- **1<sup>st</sup> District of the City of Budapest**

<ul style="list-style-type: none"><li>• <b>Buda Royal Castle Garden Pavilions, in the Buda Castle Quarter</b></li></ul>
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The complex of the Castle Quarter, surrounded by the historic castle walls, on the castle hill, is made up of the erstwhile Royal Palace and the historic civic district that belongs to it. The Buda Castle (formerly the Royal Palace of Buda) is one of the most important cultural centres of the country. Its buildings include the Budapest History Museum, the National Széchenyi Library and the Hungarian National Gallery.

The Royal Castle Garden Pavilions (Várkert Bazár) is one of the most important garden structures of the Royal Castle of Buda. The Pavilions and their surroundings were closed in the late 1960s and have been left derelict since then so their condition increasingly deteriorating. At the time of the property’s inscription to the World Heritage List (1987), the conservation of the ensemble was already problematic and in 1996 it was put on the list of the 100 most endangered monuments of the World Monuments Fund.

The ensemble plays an important role in the Danube panorama and today has a particularly high priority in the government programme for restoration. At the beginning of February 2013, work on a new project had started which had taken into account the requirements of heritage protection and professional consultation as well as ensuring the involvement of the Advisory Body on Historic Monuments and the National Architectural Planning Jury.

The project entails the construction of workshops, exhibition spaces, dining areas, a large hall and a big car park. The works involve both previously existing spaces and others obtained through excavations, which would be used primarily for the hall and the car park. As the designers explained, the idea is to integrate the Garden Pavilions within the complex of the Buda Castle and also from a functional perspective. The project seeks to promote the sense of history and thus to relate functionality with historical implication. Moreover, its objective is to promote the development of the Garden Pavilions through better integrating them in the monumental complex.

Beyond the proposed reuse of existing spaces, the project plans to make a physical link to the monumental complex of Buda Castle through the creation of paths connecting the complex of the Royal Palace with the new roof garden Pavilions. It aims to recreate the historic relationship between the Buda Castle and the Danube, by creating a new port access through the construction of a landing site for boats. A system of paths through the exhibition spaces, the roof garden, lifts and stairs would thereby represent such a strong physical and cultural link.

It is evident that the intervention area has a rich heritage with tangible and intangible values. Through this project the Buda Royal Castle Garden Pavilions may acquire the means for physical and functional rehabilitation. Its current precarious condition lends attraction to the project in many respects, not least culturally and historically.

The project is fully founded by EU funds and the state's financial support.

Beyond the positive ambitions and general provisions of the project, the mission members have some reservations about the creation of the variety of new services required to overcome the height difference of 80 metres between the riverside complex and the complex of the Royal Palace at the top. While recognizing that some existing links (indoor or outdoor) may be insufficient and inappropriate for tourist groups, the mission members ask for a careful reconsideration of the proposed solutions to the demand for transport and access. It is important to avoid the creation of excess infrastructure, especially if it is not easy to manage. It is particularly necessary to consider the possible negative and visual impact the infrastructural improvements might have on the outstanding universal value of the World Heritage property, therefore a Heritage Impact Assessment should be undertaken, in accordance to ICOMOS Guidelines in this respect.

The mission recommends the State Party to revise the connection system in the project, by exploring further proposals, and to communicate their alternative solution to the World Heritage Centre for consideration and review.

- **5<sup>th</sup> District of the City of Budapest**

**THE PEST HISTORIC URBAN LANDSCAPE, INCLUDING THE BANKS OF THE DANUBE**

- **Kossuth Square and the Parliament Visitor Centre (Danube Embankment)**

The neo-Gothic Parliament building (the building of the Hungarian National Assembly) designed by Imre Steindl, was built at the turn of the 19<sup>th</sup>-20<sup>th</sup> century (1884-1904). It is an emblematic building and an important attribute that conveys the Outstanding Universal Value of the property, closely connected to the urban tissue of the city through Kossuth Square. The Square is the fulcrum of Budapest and the main Square of the nation. It has been the scene of many significant historical events, and has recently been designated

“Outstanding National Memorial”. This emphasizes the importance of its current political and public functions.

The arrangement of the Square went through many changes in the 20<sup>th</sup> century, all based more or less on the original concept of Imre Steindl.

A special high priority government program is starting now and a new project for the complex is expected to be completed by 2014. The Square will be rearranged in such a way as to take into account the added values of the different historical periods but relying mainly on the original concept of Imre Steindl and re-framing it in a 21<sup>st</sup> century design. The plans take into account the requirements of heritage protection and professional consultation as well as the involvement of the Advisory Body on Historic Monuments and the National Architectural Planning Jury.

The aim of the intervention at Kossuth Square is to enhance heritage values and to help the ensemble to better accommodate the diverse functions appropriate for such a high-profile public space: political and state events, celebrations, everyday public and social uses, as well as visitor facilities.

The project aims to restore the quality of the Square combining its different functions and redesigning spaces in order to enhance the beauty and increase the visibility of the Parliament (from the Square, in front of the main facade of the Parliament, facing the Ministry of Agriculture and the Ethnographic Museum).

The present layout is the latest of several that have occurred over time. Although many generations of inhabitants are accustomed to it, the new intervention seeks to regain authenticity in the appearance of the Square. Changes will also affect green areas, trees, the traffic system and the integration of new functions such as an underground visitor centre and a multi-level garage, connected to the northern side of the Parliament building. Furthermore, an underground Parliament Museum will be housed in the north court of the building.

The intervention was begun in 2012 and beyond the redesign of roadways and open spaces, the project intends to respond to two basic issues: a strong need to find parking spaces for use by parliamentarians, thus freeing the Square of cars in front of the Palace; and a need to create parking spaces for tourists (Visitor Centre), whether for people visiting Parliament, or the museum that presents its history. Additionally, there are numerous problems which the planners have tried to address in compliance with the necessary requirements dictated by safety and human needs.

Therefore, in redefining the road system, the project seeks to separate tourist traffic from that related to parliamentary activities and to re-establish a visual connection between the roads leading to the Square with the Danube, as a fundamental cohesive element between Buda and Pest. The orientation towards the World Heritage component of the Danube River, is strong, and it is for this reason that the plan intends to enhance the basement of the Parliament House on the river side and create a path for pedestrian access, imagining that some visitors might arrive by boat.

The establishment of the new visitor centre and the enhancement of the connection of the Square and the Danube River could have an impact on the shape of the Danube Embankment, because there will be a flood defense construction, built along the river. In the retaining walls of the upper Embankment, two entrances will be opened to allow access to Parliament from the direction of the river: one for pedestrians to the underground visitor centre and one for vehicles to the underground car park.

The two entrances have to meet flood defense requirements and regulations. The designers have explained that the potential impact on the integrity of the embankment and on the panorama of the Danube has been analyzed, having taken into consideration the ratio between the overall size of the Embankment walls and their terraced arrangement (upper and lower embankments), in terms of vistas and dimensions. The designers have also announced that the intervention is within the limits of acceptable change, and hence will not negatively impact on the integrity of the site.

Though the project proposals seem valid, the mission members do have concerns about the necessary soil investigation, analyses and assessment of the results of the detailed geological, hydro-geological and hydrological engineering investigations along the Danube river banks in the areas of the on-going projects of the Kossut Lajos Square and Parliament Visitor Centre; and of studies of underground water levels; and of planned preventive risk preparedness measures (no reports, inventory of risks or monitoring report were presented to the mission team).

<ul style="list-style-type: none"><li>• <b>Citizen-friendly development of Széchenyi István Square and its surroundings</b></li></ul>
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The 5<sup>th</sup> District includes part of the World Heritage property for a small area along the Danube River; a large part, however, is included in the buffer zone. The Széchenyi István Square is a central square of great significance in the urban landscape surrounded, as it is, by a high concentration of historic buildings which are mainly in public use, such as the neo-renaissance building of the Hungarian Academy of Science (designed by Friedrich August Stüler, 1862-1865), the Secession-style Gresham Palace (designed by Zsigmond Quittner and Vágó Brothers, 1907) and the historicist building of the Ministry of the Interior (designed by Ignác Alpár, 1905-1917). The Széchenyi Chain Bridge, accessible to both vehicles and pedestrians, gives access to the square which features green areas in its centre. The present Square layout makes it difficult to access the centre of the Square by foot due to the roundabout surrounding it, giving the impression that the Square is a space utilized by cars only.

The Square represents a door to access Pest from Buda, and, bearing in mind the intended rehabilitation of the Danube banks of Pest, the administration has proposed a project which reorganizes and addresses spaces and traffic flows.

The main goals of the project are:

- Reorganization of transport, rationalization of traffic (new, small roundabout on the south edge of the Square), slight traffic reduction;
- Relief of Nador Street and surrounded small streets;
- Public space development in front of the Academy of Sciences and Grasham Palace;
- Creating a public park and a paved esplanade offering large areas for walking;
- Keeping green areas and creating new ones;
- Creating barrier-free passage ways for the disabled;
- Development of cycling infrastructure (bike paths and lanes, Euro velo, BUBI);
- Creation of the missing elements of the tourist corridor (Andrássy Road-József Attila Street, Basilica and Zrinyi Street);
- Extension of Pest's Promenade;
- Overall objective to increase the commercial and tourist attraction of the Square, prioritizing pedestrian areas and creating an architectural unit in the city.

Therefore, the mission members consider that in some respects the project is configured as a rehabilitation of the area of the square and is therefore acceptable though it could also help to enhance the value of the urban landscape setting. The mission members

don't express any particular concern about this project, but recommend the State Party to ensure the good execution of the project throughout the work, taking into consideration the Outstanding Universal Value of the property and its specific urban landscape setting within the whole territory of the World Heritage property and its buffer zone.

<ul style="list-style-type: none"><li>• <b>The status of the Heritage Impact Assessments of the on-going developments planned for Bécsi Street</b></li></ul>
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In the second half of 2010 a significant professional debate arose over a proposal of the developer Immobilia Project Management Kft. within the buffer zone of the Budapest World Heritage property. The project was linked to the project planned for Bécsei Street, situated in the centre of the 5<sup>th</sup> District of Budapest and on the direct limit of the World Heritage property. The preliminary design for the office complex was made by Foster & Partners of London and envisaged the demolition of the entire side of Bécsi Street. The project would have been on a scale without precedent in the urban fabric of the centre and would have affected buildings number **2, 4, 6, 8 and 10** (listed) on **Bécsi Street**. The buildings, though in poor physical condition or almost destroyed, were very typical in their context and notably situated in the buffer zone and under historic monument protection (in the category of a historic monument district). As can read in the *State of Conservation Report* (2011), the protection as a *Historic Monument District* aims at preserving the characteristic, urban structure and overall cityscape that has developed over time. Indeed, the characteristic Budapest cityscape and urban fabric constructed in the Historicist and Art Nouveau styles, in forty years around the turn of the 20<sup>th</sup> century, represent a unique value in the European context.

The Central Architectural Planning Jury judged the proposal qualified for further planning even though "the development project currently does not have any permits for demolition or construction". Later on (29<sup>th</sup> December 2010) the demolition request for the properties was judicially rejected by the primary level heritage preservation authority since the Government's intention is to protect and preserve the integrity and Outstanding Universal Value of the Budapest World Heritage property. As noted in the *State of Conservation Report* (2013), "the planned intervention related to Bécsi Street and Heroes' Square outlined in the *State of Conservation Report* of January 2011 has been struck from the agenda". The investor, IMMOBILIA Society, is a company created in 2000 which has worked in numerous commercial streets of Budapest. IMMOBILIA managers have declared that they aim to revitalize the city in a competitive way, by creating shopping malls, garages, offices and public spaces, and by attracting important brands.

The mission members took the opportunity to meet with Mr. Péter Csipak, President and CEO of the CSIPAK ACQUISITIONS, András Elekes, Managing Director of IMMOBILIA, and Mr. Dániel Kertész, Project Manager of IMMOBILIA; they have said that presently there is a preliminary concept design radically different from the previous idea, but did not show any project to the mission members.

The mission members believe that one of the factors contributing to the existing dangerous situation is the present administrative system for building permits. Usually in the historic district, attention is given particularly to height, despite the fact that this factor does not solely determine the impact on the heritage value. Alteration of urban fabric, the excessive emphasis on the importance of facades rather than the complete building, change of use and of inhabitants also impacts on the context.

The mission members note that it is important to reinforce the coordination between institutions responsible for ensuring appropriate legal protection and management of the property. Only constant collaboration can help achieve consensus in the choices of interventions to be implemented. The future Management Plan will certainly have to pay close attention to the definition of strategies and rules.

## Prevention of the demolition of one side of Bécsi

As noted in the *State of Conservation Report* (2013), the planned intervention to Bécsi Street outlined in the *State of Conservation Report* (2011) has now been struck from the agenda. In particular the demolition of two buildings at **2 Bécsi Street** (architect: Gyula Bukovics, 1873-75) and **4 Bécsi Street** (architect: Zoltán Gulyás, 1960) has been removed. With reference to the other three buildings - at **6 Bécsi Street**, **8 Bécsi Street** (architect Mór Kallina, 1884) and the so-called Fischer House at **10 Bécsi Street** (architects: Aladár Kármán-Gyula Ullman, 1909), also scheduled for demolition in the *State of Conservation Report* (2011) - there presently is no construction authority permit in force for the realization of the development and there is no process underway for such a construction authority permit. In Hungary it is obligatory to hold a building permit in order to claim a demolition permit.

The mission members are very concerned about Bécsi Street. Stopping the demolition doesn't resolve the issue which requires practical conservation solutions, because it might not be long until the abandoned buildings will collapse. The question arises as to whether this is not in fact the hope of the investors.

<ul style="list-style-type: none"><li>• <b>6th District of the City of Budapest</b></li></ul>
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<ul style="list-style-type: none"><li>• <b>Andrassy Avenue</b></li></ul>
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The mission noted that there is no overall cohesive strategy adopted by the local Municipality which would aim at maintaining the same state of conservation in different parts of this important avenue. The approach for the protection of this component of the World Heritage property is different from one part of the avenue to another.

The mission observed numerous buildings abandoned by the investors.

<ul style="list-style-type: none"><li>• <b>Heroes' Square and City Park</b></li></ul>
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The intervention of the Museum Quarter planned at Heroes' Square and in the City Park, and reported in the State of Conservation of the property submitted in January 2010 has been abandoned. Now in the agenda there is a new, more ambitious, large-scale government plan (the "Museum Park of Budapest") for 2014 to 2020, though at present the project is in a preliminary conceptual planning phase and the mission members were only able to listen to the ideas and programmes of the Director of the Museum of Fine Arts, Mr. László Baán, and the Project Manager, Mr. Zoltán Rostás. The idea is that 5 new buildings (which will require about 2-3 hectares), a National Gallery of Fine Arts, an Ethnographic Museum, a Photography Museum, an Architecture Museum and a Music House, will be designed by a public and international competition. The project has two main steps: firstly, a local competition will assemble ideas for a Museum complex (on May-June 2013); secondly, the site where the Museums will be built will be selected (in the City Park and in the present parking area near Heroes' Square). The volume and height of the Museums will be determined in the process. The second step will be conducted in the later half of 2013. It seems that about € 300Mio. is the estimated budget the project will require, but no documentation thereon was provided to the mission members.

Considering the lack of references of the situation, the mission members are very concerned. According to Paragraph 172 of the Operational Guidelines of the World Heritage Convention, the State Party will have to keep the World Heritage Centre informed on all new project and on-going works.

<ul style="list-style-type: none"><li>• <b>The 7<sup>th</sup> District, including the “Jewish Quarter”</b></li></ul>
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The Municipal Government of Budapest's 7<sup>th</sup> District, according to the ten year (2009-2018) district development plan, has a project entitled “Street of Culture” that has been partially implemented in Kazinczy Street by the 7<sup>th</sup> District Municipal Government of Erzsébertváros with the aid of European Union resources.

- The State of Conservation Reports notes that, according to the plan and program, part of the centre of the “Old Jewish Quarter” was completed. In particular: the Orthodox Synagogue, 29-31 Kazinczy street (street façade, roof rehabilitation and development of a shop selling devotional objects); the building, 34 Kazinczy street (historic rehabilitation, partial modification, elimination of apartments and development of an information centre, shop and restaurant); the Electrical Technology Museum, 21 Kazinczy Street (façade rehabilitation of the main building, rehabilitation of the interior courtyard, introduction of an elevator and provision of accessibility).
- According to a the program, the façade rehabilitation of the Eötvös Lorand University building at **23-27 Kazinczy Street** and the rehabilitation of the public space in the section of Kazinczy Street between Dob Street and Wesselényi Street were also completed. The Kazinczy Street has been altered through the addition of a new pavement and new measures for the reduction of automobile traffic.

In September of 2008, the Mayor of Budapest (with the support of the Capital City Council) made a recommendation for amending the law concerning the systems for economic and other incentives towards urban rehabilitation, in particular for World Heritage properties. This was targeted to facilitate pursuing commercial/economic activities, necessary for the high-quality utilization of buildings in a historic urban district, as well as promoting their rehabilitation as opposed to demolition. This recommendation, by an integrated approach, seems to introduce a mechanism aimed at future development, indeed promoting the rules for the development and actions to the heritage preservation.

By force of the Ministry of National Cultural Heritage decree 7/2005, the so-called “Old Jewish Quarter” of Pest is under protection of the national cultural heritage protection law in the category of a Historic Monument District. Within the listing of the Budapest and Pannanhalma World Heritage Sites it is included in the buffer zone of the Budapest World Heritage property (see map no. 1 in Annexe V.1).

In the last few years, in the area no buildings were demolished and no requests for demolition were submitted (see Appendix 2 of the state of conservation report submitted by the State Party 2013, in Annexe III.E):

- For the period since 2011, the *State of Conservation Report* (2013) notes that the major interventions affecting two buildings at **19-21 Dob Street** “were in extremely poor technical condition”. These building permits are presently under judicial review. Particularly **19 Dob Street** received the preliminary and final construction permits for the renovation and development of the building, but the appeals board did not uphold the permit; at **21 Dob Street** the building permit was upheld before, but OVAS! (PRESERVATION!) Society requested the suspension of the work.
- In the *State of Conservation Report* (2013) it is reported that a construction permit was issued for the full rehabilitation of the historic building at **21 Klauzál Street**. This project proposes “the modernization and partial alteration of the apartments and the addition of a usable storey”, but at the moment the construction has not yet begun (see appendix no. 2 of the Report).

- In the area of Inner Erzsébetváros, the 7th District Municipal Government has renovated several sections of public property (on **Kazinczy Street**, **Dob Street** and **Síp Street**) and a network of so-called “ruin pubs” has developed and provides local colour in the scattered dilapidated area of the urban fabric. Now the area represents a significant tourist attraction for this section of the city, but it remains questionable whether this is a solution to the problems and provides a desirable functionalization.
- In the past two years the development of shops on the ground and basement level of the **Gozsdu Courtyard** has also continued and with this project having been completed, this area has become popular with many tourist visitors.
- In relation to the properties at **10 Dohány Street** and **8-10 Síp Street** (see line 5 of the table in appendix no. 2 of the Report 2013, in Annexe II), only the demolition work has been performed by the owner. The construction work has not yet begun. The front-street wings of the buildings at **8** and **10 Síp Street** have been retained following demolition, and the further construction of their structures has not taken place. In December of 2012 the wooden ceiling of the second storey of the building at **10 Síp Street** partially collapsed. The authority has made an agreement with the owner about the preparation of plans relating to the mitigation of the dangerous conditions.

The mission members were able to visit the area, assess the situation and discuss it with the Mayor of the District, Mr. Zsolt Vattamány, the Deputy Mayor of the District, Mr. Zsolt Szikszai, the Chief Architect of the District, Mr. Péter Lantos, and with representatives of NGOs.

Beyond what emerges from the State of Conservation Report, the situation is worthy of special attention. The District is located in the buffer zone and shows tangible signs of discrepancies that are generated by the presence of some listed buildings in poor condition; gaps created by a system of easy demolition and no reconstructions; and a lack of attention paid to the values of the historic fabric. In short, it is possible to capture the obvious effects of different intervention policies carried out over the years, both in certain phases as well as in the absence of a plan or a clear intention of preserving the character of the fabric and minor architecture that contributes to the identity of the context.

The mission observed numerous examples of “voluntary destruction” by investors of ancient buildings. One of them is the building situated at Kiraly st., 40 which had been abandoned by its owner for twenty years.

This kind of examples illustrates the lack of municipal effort to use existing regulations in order to prevent progressive deterioration of the urban fabric.

The major concern of the 2008 plan, developed after attention had been brought to the district, even after the ICOMOS mission of 2007, seems to be mainly aimed at issues related to the definition of the maximum heights of the buildings and the purely economic aspects that derive from this.

The legislation in force provides different levels of protection for the properties and for the possibility to access financial support where buildings have **individual protection**. The laws also provide to the different institutional figures the authorization procedures for interventions and precise maintenance obligations by private individuals.

The State Party in its state of conservation report (2013) highlighted that “the entire Budapest World Heritage area continues to be protected as a listed Area of Historic Significance and the listed “Historic” buildings are still protected as historic properties, only the institutional setting has been altered according to the above. Thus, in the case of the listed Historic buildings the regional construction and heritage preservation agencies issue Construction as well as Heritage Preservation Permits. In the case of the zones listed as Areas of Historic Significance only the regional construction and heritage preservation agencies may issue the so-called heritage preservation permits, and in matters for the construction authority the regional clerk may issue the construction permits.

According to the Governmental Decree, in official professional procedures affecting World Heritage areas the regional construction and heritage preservation agency requests the opinion of the Gyula Forster National Centre for Cultural Heritage Management – providing a deadline for this that is determined by taking into account the deadline for administering the procedure.”

However, the maintenance obligations are not always taken into consideration. It also does not seem sufficient to trigger a process of redevelopment. It is evident that the lack of clear survey and monitoring of process strengthens the powers of local governments and in particular enhances their wide discretion in granting building permits and permitting in some particular cases “*façadisme*” operations. Practically, this situation favours degradation by neglect and subsequent replacement rather than providing for the maintenance of existing buildings.

The mission members are very concerned about this situation. In the district, where there are a good number of buildings in acceptable condition, there are also abandoned or reconstructed buildings to be found and many areas where larger scale demolition has occurred. Moreover very often “*façadisme*” has become a general practice, sometimes even in the case of individually listed buildings, given the addition of floors on the top of already existing buildings or their remains. It is important to remember, as it is written in the Valetta Principles (2011), that the character of the historic areas is expressed by the nature and coherence of all their tangible and intangible elements, most notably urban patterns, structure, volume, style, scale, materials, colour, various functions acquired over time, cultural traditions, social fabric, cultural diversity, etc.

The mission recommends declaring a moratorium on any new inappropriate constructions and to stop all major developments in the area until the Management Plan of the World Heritage property and its buffer zone is completed, and until the legal approval of all necessary restrictive regulations and mechanisms for inspection and monitoring occurs..

The mission recommends that all development projects should be submitted to the World Heritage Centre, in conformity with Paragraph 172 of the Operational Guidelines, for review by the World Heritage Centre and Advisory Bodies, before any commitment has been made to their implementation.

#### **4 CONCLUSIONS AND RECOMMENDATIONS FOR ADDITIONAL ACTION TO BE TAKEN BY THE STATE PARTY**

Besides the above mentioned observations about the new projects (*Royal Garden Pavilions*: reconsideration of the access infrastructure proposed in the project; *Kossuth Square*: analyses and assessment of the system of risk preparedness; *Museum Park of Budapest*: requests for information about the new project) the mission members would especially like to point out two issues that are important to consider. The municipalities in Hungary have a high level of discretion in the definition of the urban plans. In some controversial cases this could prove undesirable where local situations make interventions more difficult to resist. The recent redefinition of public administration and legislation requires a monitoring of the implementation and coordination of different authorities, in

order to verify the effects on the Outstanding Universal Value of the World Heritage property and on the preservation and protection of its buffer zone.

Apart from the above mentioned issues, it is important to remember that often it is the minor architecture and general architectural context, rather than the listed monuments, that face the greater dangers. Accordingly it is necessary to pay larger attention to the general and local plans, to define clear rules, and control uses and interventions on each building within the historic districts. If this remains unaddressed, there is a strong possibility that over time the area may lose its homogeneity and character.

The mission members do not express concern about the condition of the World Heritage property *per se* but rather about the buffer zone as a whole. The buffer zones in Budapest are not merely zones outside the protected area drawn up to shield the cultural values of the protected zone from the impact of activities in its surroundings; they very often also hold an intrinsic cultural value in themselves. For example, the permanence of facades, in light of increasing urban density could over time substantially determine different/transformed contents and in this way increase the loss of the character of the place. The risk is that the permanence of only some buildings, despite their typical features and significant value, may configure an exclave (elements in divorced contexts).

The future for these areas is very unclear. The projects, shown by the different administrations to the mission members, have no clearly defined idea of use or type of interventions. Moreover, the current projects are only those due to public initiative. Although these may be used as exemplars this does not mean that the private sector will move in line with them. How will the private sectors intervene in the process? Do they have the will to proceed if faced with the demands for housing rehabilitation and conservation of the property? These are questions that need to be answered and mechanisms established to sustainably address them in the future.

Therefore, the mission members emphasize that it is important to encourage the State Party to continue in its programme, but also invite it to keep the World Heritage Centre informed regarding ongoing developments and planned projects. It is important to continue to scrutinize plans and developments closely and to monitor the situation within the property and its buffer zones. With European funds beginning to flow more easily (e.g. "Museum Park of Budapest") this could create new opportunities for the conservation of the property, but, if uncontrolled, could also mean potential for significant change that might be detrimental to the property..

**TERMS OF REFERENCE**  
**Joint WHC/ICOMOS reactive monitoring mission to**  
**Budapest, including the Banks of the Danube, the Buda Castle Quarter and**  
**Andrassy Avenue**  
**Hungary**  
**25 February – 2 March 2013**

The World Heritage property of Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue (Hungary) was inscribed on the World Heritage List in 1987 under cultural criteria (ii), and (iv), and extended in 2002.

This property includes the Budapest, the Banks of the Danube and the Buda Castle Quarter

Budapest (property component 400 Ha) inscribed in 1987 and the Andrassy Avenue and the Underground Budapest (property component: 57.85 Ha and its buffer zone: 239.61 Ha) inscribed as an extension in 2002.

At its 35th session (Decision 35 COM 7B.95, UNESCO, 2011) the Committee noted with extreme concern the major development proposal in the buffer zone in Pest adjacent to the property boundary that would result in the demolition of one side of Bécsi and urged the State Party to use all means necessary to halt this demolition. The Committee also requested the State Party to keep the World Heritage Centre informed regarding ongoing developments planned for Bécsi Street and for Heroes' Square and that procedures for the Heritage Impact Assessments on Outstanding Universal Value are followed for all steps of these development proposals. The Committee further requested the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to assess progress in the implementation of all necessary measures in compliance with the World Heritage Committee's decisions, prior to its 37th session in 2013.

In line with this decision, the objective of the monitoring mission is to review the state of conservation of the property as well as progress in the implementation of the Committee's decision 35COM 7B.95.

In particular, the mission should review and assess the following key issues:

- a) The status of any intention to undertake or to authorize major restoration or new construction projects within the World Heritage property and its buffer zone which could affect the Outstanding Universal Value of the property;
- b) The status of the Heritage Impact Assessments of the ongoing developments planned for Bécsi Street and for Heroes Square;
- c) Prevention of the demolition of one side of Bécsi ;
- d) The status of the revision of the property management plan and its management organization;
- e) The status of and supervision mechanisms of all components of the property;
- f) Progress in the revision of the delimitation of the buffer zone of the property, including the Margit Island into the property buffer zone ;
- g) Progress in the establishments of measures to strengthen monitoring and management of the property, including the revision of its management plan ;
- h) Other conservation issues currently affecting the property.

The mission should hold consultations with the Hungarian authorities at national and local levels and all other relevant stakeholders.

Based on the results of the above mentioned assessment and discussion with the State Party representatives, the mission team will propose recommendations to the State Party and the World Heritage Committee to further improve the conservation and management of the property. The mission team will prepare a concise mission report in English or French on the findings and recommendations of this Monitoring Mission for review by the World Heritage Committee at its 37th session (2013). The report should follow the standard format. The ICOMOS expert is expecting to submit the first draft to the World Heritage Centre's representative for comments. The final draft should be submitted for comments and validation to the World Heritage Centre and ICOMOS Headquarters in hard copy and an electronic version.

## **ANNEX II**

### **Mission Team :**

Ms Anna Sidorenko (UNESCO World Heritage Centre)  
Professor Elvira Petroncelli (ICOMOS Expert)

## **Annex III**

### **Documents received by the WHC/ICOMOS experts during and after the mission**

#### **Annex III. A.**

**Welcoming speech by Mr. Bálint OROSZ, Head of Department of Cultural Heritage (Ministry of the Interior), 26 February 2013**

### **Changes in the Hungarian public administration system affecting heritage preservation**

Dear Mses. Sidorenko and Petroncelli,  
Dear ICOMOS Delegation Members,  
Dear Guests,

Cultural heritage is the irreplaceable, unique and non-renewable source of our country's past and present, and an inseparable component of the national and global culture.

The protection, maintenance and preservation of cultural heritage for future generations is indispensable for strengthening national consciousness and the identities of all ethnic groups, denominations and cultural classes living in Hungary, and therefore constitutes an organic part of our government's policies.

Having said this, let me inform our Honourable Guests that in the year 2010, Hungary launched comprehensive public administrative reforms with the intent of establishing a modern 21st century state, and this initiative has included changes in the field of heritage preservation as well. During this we have made efforts to establish an institutional and legislative environment where fulfilling our duties will be easier than before, the preservation of cultural values will not be neglected and EU expectations for a more efficient state apparatus will be met, while at the same time providing greater room for economic interests.

As of September 21, 2012, the preservation of archaeological heritage and historic properties has fallen within the responsibility of the Minister of the Interior. Within the Ministry of the Interior, heritage preservation has been integrated into the Deputy State Secretariat of Regional Development, Construction and, now, Heritage Preservation. At the end of last year, the new Office of Heritage Preservation was responsible for preparing amendments in the legislation on heritage preservation related to the protection of archaeological heritage and historic properties as well as to the transformation of the administrative organisational system.

The basis for the new heritage preservation regulations is the amendment to the Law on the preservation of cultural heritage passed by the Parliament on November 26. According to the amendment, the preservation of archaeological heritage and historic properties, which are the responsibility of the Ministry of the Interior, were separated from the responsibilities related to cultural goods, which were assigned to of the Ministry of Human Resources.

In the law, the definition of archaeological heritage includes the expression “significant”, a classification that requires evaluation, because every science must classify the significance of scientific achievements, and archaeology is no exception. Making a decision on whether or not a phenomenon carries meaningful scientific information, whether or not it adds to our previous knowledge, cannot be avoided. For this reason, the law focuses the means of protection on phenomena that carry genuine significance from an archaeological point of view. Accordingly, the amendment to the law involved significant changes in the rules on archaeological tasks, primarily related to construction projects. Compared to the regulations in force, these provisions specify the different methods for archaeological excavations applicable in various cases through a new approach that results in a transparent, but at the same time differentiated system.

The Hungarian National Museum is to be responsible for the preparation of preliminary archaeological documentation in the future, while the official museums from cities that have the political rights of counties are to perform preliminary excavations, with the Hungarian National Museum being involved where required.

As a result of this differentiation, it is only genuinely justified archaeological excavation work that is to be performed in relation to construction projects, which is likely to ease the load on their investors. In addition to the above, the rules for archaeological excavations related to major projects are to be simplified in relation to the administrative burdens as well.

With a view to a more flexible and transparent legislation, the text of the law has been relieved of provisions on issues of specific details. Enumeration of these details has been assigned to the Government. It was at its session on December 12 that the Government passed the package of governmental decrees that laid down the rules for the enforcement of the amendment, in compliance with the new organisational structure of heritage preservation.

Revamping the organisational structure of heritage preservation under the professional supervision of the Minister of the Interior has on the one hand involved the setting up of district offices and on the other hand the reorganization of construction authorities. All of this was completed by January 1, 2013.

Primary authority related to the protection of archaeological heritage and historic properties has been delegated to the regional offices of construction and cultural heritage preservation, which operate as specialised administrative bodies within regional governmental offices. There have been 21 regional offices of construction and cultural heritage preservation set up in Hungary: one in every county and two in the capital. In

each county and in the capital, secondary (appeals) authority related to the protection of historic properties is held by the uniform specialised construction and cultural heritage preservation administrative bodies of the Budapest and county government offices, while for archaeology the office of construction and cultural heritage preservation within Budapest's Governmental Offices wields this authority nationally.

In addition to the implementation of the organisational changes, the governmental decrees based on the amendments to the legislation ensure the up-to-date and efficient performance of official duties, as well as more streamlined and faster official procedures. In the course of heritage preservation procedures, the client may request a preliminary position statement from the construction and heritage preservation authority, which will clarify the activities that require the permit procedures.

The new regulations eliminate the dual management (by construction design review boards and historic preservation bodies) of plans related to historic properties. Design review board positions on category I and II historic properties shall be submitted to the central design review board, which shall consider them using a specially comprised team (including art historians, archaeologists and restorers/conservators). Third category historic properties shall be evaluated by regional design review boards directed by leading national architects, also complemented by historic preservation experts.

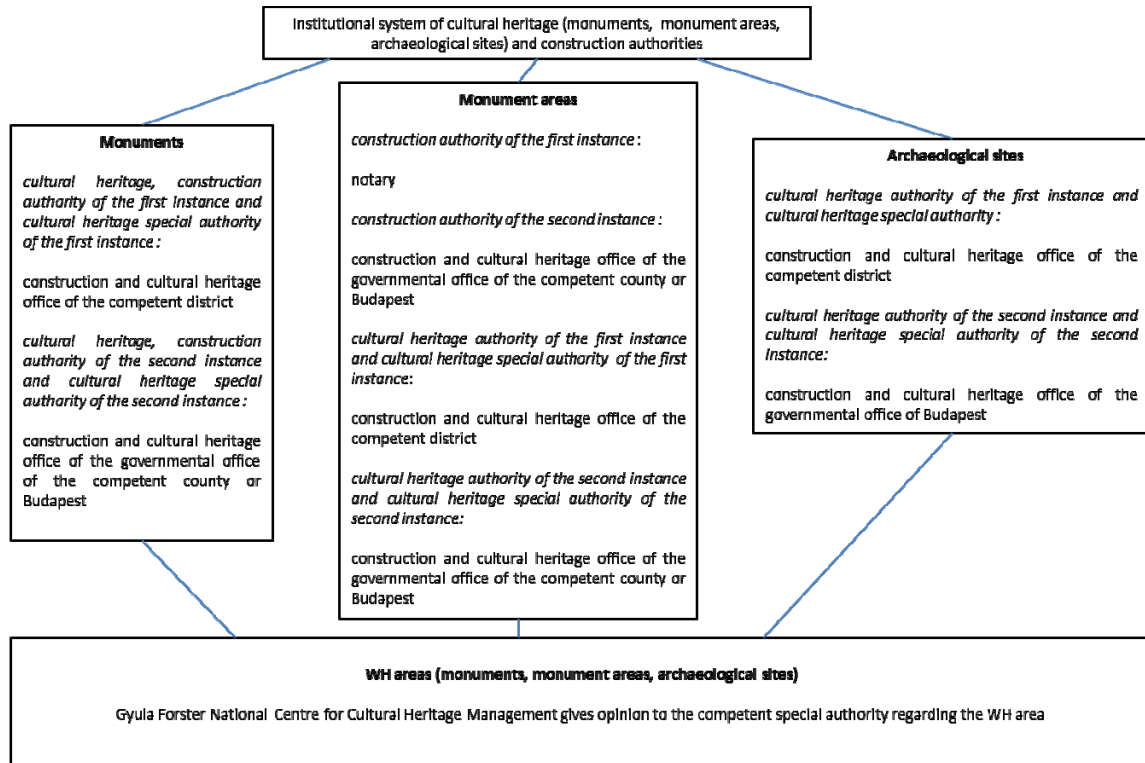
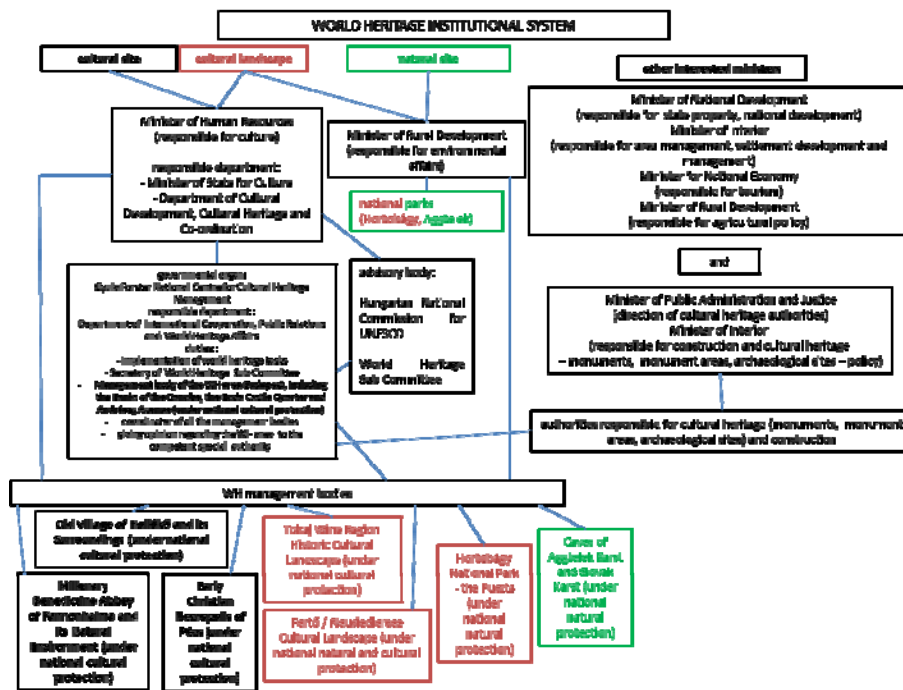
In addition to the above, the Ministry of the Interior has drafted a ministerial decree on the detailed rules for the protection and registration of archaeological heritage and historic properties, completing the range of the legislation on heritage preservation that took effect as of January 1, 2013.

The goal of these legislative actions, i.e. to make the provisions on the preservation of archaeological heritage and historic properties more practical and flexible and thereby easier to apply, has been realised. All these components lay a foundation for the integrated preservation of archaeological heritage and historic properties through a new approach, i.e. the harmonisation of development and preservation.

The functioning of the regulations that took effect at the beginning of this year and of the new organisational structure will be carefully monitored and appropriate measures will be taken if deemed necessary to fine tune the system. Our well-trained experts experienced in heritage preservation, whose numbers have in fact grown slightly as a result of the reforms, are of great help in this work.

Trusting that our relationship with both the Hungarian and international organisations of ICOMOS will continue to be of benefit for all partners, let me welcome you to the Ministry of the Interior.

## Organizational Chart - Institutional System



**Act LXXVII of 2011 on World Heritage****Annex 1 Act LXXVII of 2011 on the World Heritage** <sup>□</sup>

In conformity with the Convention of the United Nations Educational, Scientific and Cultural Organization concerning the Protection of the World Cultural and Natural Heritage (henceforth: Convention), dated 16 November 1972 and proclaimed in Hungary through the decree with force of law no. 21 of 1985, with a view to the effective implementation of the said Convention and in order to establish the stipulations required for preserving Outstanding Universal Values, also in consideration of the principles of sustainable development, the National Assembly has adopted the following Act:

**I. Scope of the Act, Definitions****Article 1**

1. The scope of this Act covers:
  - a) World Heritage areas and Tentative World Heritage areas,
  - b) activities related to World Heritage areas and Tentative World Heritage areas as well as concerning the outstanding universal value of World Heritage areas and the outstanding value of Tentative World Heritage areas, furthermore
  - c) organisations and persons carrying out, or affected by the activities under point b).
2. Only those areas may be declared World Heritage or Tentative World Heritage areas that are declared protected under Act LXIV of 2001 on the protection of cultural heritage, Act LIII of 1996 on the protection of nature and the legal regulations issued for their implementation, and thus they are properties under cultural heritage protection and/or protected natural areas. Being declared a World Heritage or Tentative World Heritage area shall not bestow any further protection beyond the already existing protection.

**Article 2**

In the application of this Act:

1. *outstanding universal value*: a value embodied by the World Heritage property - accepted as such by the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (in the following: UNESCO) – that carries outstanding and unique cultural and/or natural heritage significance also in international terms due to its exceptional and unique character, thus its continuous preservation and protection is of prime importance for the whole of humanity, for present and future generations;
2. *World Heritage property*: property inscribed on the World Heritage List based on the decision of the UNESCO World Heritage Committee, bearing the World Heritage title, as specified in Appendix 1 hereof, declared to be protected under the legal regulations on cultural heritage and/or nature protection, thus being a property under cultural heritage protection and/or a protected natural area;
3. *buffer zone of the World Heritage property* : the surroundings of the World Heritage property that – based on the decision of the UNESCO World Heritage Committee – protect the integrity and/or the authenticity of the outstanding universal values of the World Heritage property and that were declared protected or designated under the legal regulations on cultural heritage and/or nature protection and thus they are areas under cultural and/or natural heritage protection, and/or the buffer zone of the protected natural area;

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\* The Act was adopted by the National Assembly on 14 June 2011.

4. *World Heritage List*: list established and regularly updated by the UNESCO World Heritage Committee under paragraph (2) of Article 11 of the Convention;
5. *World Heritage area*: World Heritage property and its buffer zone;
6. *Tentative World Heritage property (henceforth: tentative property)*: property declared to the UNESCO World Heritage Centre (henceforth: Centre) under the criteria specified in Articles 1 and 2 of the Convention and included in the List of Tentative World Heritage Properties due to their outstanding cultural heritage and natural values (in the following: outstanding value), declared to be protected under the legal regulations on cultural heritage and/or nature protection and thus they form an area under cultural heritage protection and/or protected natural area;
7. *List of Tentative World Heritage Properties*: list of properties – and their buffer zones - selected for submission to the World Heritage List based on their outstanding cultural and/or natural values, announced in the decree of the minister responsible for culture, also covering their boundaries according to the EO<sup>4</sup> and WGS84<sup>5</sup> coordinates;
8. *buffer zone of Tentative World Heritage properties (henceforth: buffer zone of tentative property)*: the surroundings of the Tentative World Heritage property protecting the integrity and the authenticity of the outstanding values, declared to be protected under the legal regulations on cultural heritage and/or nature protection and thus they form an area under cultural heritage protection and/or protected natural area;
9. *Tentative World Heritage area (henceforth: tentative area)*: Tentative World Heritage property and its buffer zone.

## II. General Provisions

### Article 3

1. World Heritage properties carry outstanding universal value, tentative properties carry outstanding value. Both are to be protected by everyone in conformity with the protection established in the legal regulations on cultural heritage and/or nature protection.
2. Protecting World Heritage and Tentative World Heritage areas and using them in a way that serves their subsistence and preserves their values is a public interest that - in conformity with the obligations arising from the protection set forth in the legal regulations on cultural heritage and nature protection – is realised through the cooperation of state and local governmental bodies, churches, civic and other organisations as well as natural persons.
3. World Heritage and Tentative World Heritage areas shall be used in conformity with the Convention, furthermore World Heritage areas shall be used according to the World Heritage management plan, and they shall be developed, presented and, if necessary, restored in a sustainable manner, by preserving their universal and national values.

### Article 4

1. State tasks related to World Heritage areas are carried out by the minister responsible for culture – not affecting the tasks and scope of authority specified in separate legal regulations – in agreement with the ministers specified in Appendix 1, and in cooperation with other ministers concerned.

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<sup>4</sup> EO<sup>4</sup> – Egységes Országos Vetület (Uniform National Projection system), 1972. Hungarian national surveying system.

<sup>5</sup> WGS'84 - World Geodetic System, 1984  
Unified geodetic system for the whole world, determined by the US Department of Defense.

2. Within his/her tasks under paragraph 1 the minister responsible for culture shall especially carry out the following activities:
- a) specifying the concept and the strategy of the implementation of the tasks deriving from the Convention;
  - b) enforcing World Heritage aspects in legal regulations and in comprehensive planning programmes that affect World Heritage areas;
  - c) preparing the World Heritage management plan of World Heritage areas and Tentative World Heritage areas (henceforth: World Heritage management plan), initiating its revision and – if necessary – its modification, as well as performing other related tasks;
  - d) ensuring the survey and regular monitoring of the condition of World Heritage areas, furthermore taking measures required for preserving, presenting and maintaining the outstanding universal value as well as for preventing adverse impacts on it;
  - e) supervising activities of World Heritage management bodies' as specified in this Act and in separate legal regulation established by virtue of this Act, and revoking the appointment of World Heritage management bodies in cases specified in the separate legal regulation;
  - f) reporting to the Government every year and to the National Assembly every four years on the condition of the World Heritage areas and on the implementation of tasks related to the Convention;
  - g) if necessary, reporting to the Centre on modifications regarding World Heritage areas, thus specifically changes to the boundaries of World Heritage areas as well as to the name or to the outstanding universal value of World Heritage properties;
  - h) ensuring the preparation and implementation of plans, programmes and projects for the use, development and presentation serving the purpose of maintaining World Heritage areas;
  - i) performing World Heritage related international tasks deriving from the Convention, thus specifically, in the case of trans-boundary World Heritage properties, seeking cooperation with the responsible minister of the affected State Party;
  - j) ensuring the elaboration and implementation of educational, awareness-raising and training programmes aimed at the general public for the presentation, promotion and development of heritage carrying outstanding universal value, as well as
  - k) in the course of monitoring the condition and preserving the value of World Heritage areas, ensuring cooperation with civic organisations whose statutes include the protection of cultural heritage and/or that deal with nature protection.

## **Article 5**

In cooperation with other ministers concerned, the minister responsible for culture performs state tasks related to tentative areas, thus specifically:

- a) selects tentative properties;
- b) submits tentative properties to the Centre;
- c) reviews the justification for keeping the tentative properties in the List of Tentative World Heritage Properties every five years;
- d) takes measures for the inscription of tentative properties included in the List of Tentative World Heritage Properties to the World Heritage List as well as
- e) ensures the elaboration and implementation of educational, awareness-raising and training programmes for the presentation, promotion and development of heritage carrying outstanding cultural and/or natural value.

## **Article 6**

The minister responsible for culture performs the tasks under paragraph 2 of Article 4 and Article 5 in cooperation with the proposal-making, opinion-giving and decision-preparing body set up specifically for this purpose by the Government; this body shall consist of the following members:

- a) members with outstanding theoretical and practical knowledge, delegated by the ministers concerned in terms of their scope of authority,
- b) heads of the central offices responsible for cultural and natural heritage protection,
- c) one representative of each World Heritage management body,
- d) chairpersons of the concerned committees of the National Assembly,
- e) a person appointed by the Hungarian National Committee of the International Council on Monuments and Sites (ICOMOS) as well as
- f) a person appointed by the Hungarian National Committee of the International Union for Conservation of Nature and Natural Resources (IUCN).

### **III. Management, World Heritage Management Plan, World Heritage Management Body**

#### **Article 7**

1. In order to preserve the outstanding universal value as well as all material and non-material attributes carrying it, the management of World Heritage areas covers the use, the development and presentation and, if necessary, restoration of World Heritage areas, furthermore, the harmonisation of activities concerning the preservation of World Heritage areas and of activities concerning their sustainable use.
2. Management under paragraph 1 shall especially cover the following:
  - a) participation in the scientifically based survey of the values of the properties, the documentation of the status of the properties and the elaboration of site-specific criteria for sustainable use to be enforced in the World Heritage management plans;
  - b) cooperation in elaboration and review of World Heritage management plans of World Heritage areas and in conducting the related consultations (with the involved owners, local governments as well as scientific, professional and civic organisations specified in separate legal regulation);
  - c) participation in presenting the implementation of the World Heritage management plan to all stakeholders;
  - d) cooperation with the concerned management bodies situated in other State Parties in the case of trans-boundary World Heritage areas;
  - e) regular monitoring of the condition of the World Heritage area, initiating related measures, participation in collecting and analysing data required for implementing the World Heritage management plan as well as in determining the steps required for implementing the World Heritage plan;
  - f) initiating, organising and promoting the implementation of tasks related to the development and preservation of the values of World Heritage areas, in continuous cooperation with the partners concerned, including civic organisations protecting cultural heritage, or in the case of natural values, civic organisations dealing with nature protection in conformity with their statutes in both cases; as well as
  - g) making reports to the minister responsible for culture about the condition of the World Heritage area, with special regard to all activities concerning the World Heritage areas that affect the outstanding universal value of the World Heritage property.

#### **Article 8**

1. The World Heritage management plan of World Heritage areas and tentative areas is proclaimed by the Government in a decree – with the exception set forth in paragraph 3 – in order to preserve the outstanding universal value carried by the World Heritage properties or the outstanding value carried by tentative properties and with a view to use not endangering the subsistence of their values.
2. The local governments concerned shall be involved in the consultation of the World Heritage management plan.
3. If the outstanding universal value of the World Heritage property or the outstanding value of the tentative property solely consists of natural value and the whole of the World Heritage area or tentative area is located in a protected natural area, furthermore, it has a nature protection management plan as specified in a separate legal regulation, the nature protection management plan shall be recognised as the World Heritage management plan under paragraph 1.
4. If the World Heritage area or the tentative area also includes nationally or locally protected natural area, the World Heritage management plan as defined in paragraph 1 shall be elaborated in harmony with the relevant nature protection management plan as specified in separate legal regulation, by making reference to the nature protection management prescriptions established in the nature protection management plan ensuring the protections of the outstanding universal value or the outstanding value. The restrictions and prohibitions deriving from protection based on separate legal regulation on nature protection, are laid down in the nature protection management plan.
5. The World Heritage management plan includes:
  - a) identification of the location of the World Heritage property or tentative property by using topographical lot numbers as well as defining their boundaries using EOVS and WGS 84 coordinates;
  - b) delimitation of the World Heritage property or tentative property in a real estate registration or topographical map at a scale appropriate for the size of the property;
  - c) identification of the location of the buffer zone of World Heritage property or tentative property by using topographical lot numbers as well as defining their boundaries using EOVS and WGS 84 coordinates;
  - d) delimitation of the buffer zone of World Heritage property or tentative property in a real estate registration or topographical map at a scale appropriate for the size of the buffer zone;
  - e) summary of the outstanding universal value of the World Heritage property or the outstanding value of tentative property;
  - f) objectives and the strategy of the preservation, maintenance and presentation of the outstanding universal value of the World Heritage property or the outstanding value of the tentative property;
  - g) tasks related to the preservation of the outstanding universal value of World Heritage property or the outstanding value of tentative property, thus specifically the management methods concerning World Heritage areas or tentative areas, furthermore, the detailed description of restrictions and prohibitions – deriving from the protection set forth in the legal regulations on cultural heritage protection as well as on the formation and protection of the built environment – given from the viewpoint of the outstanding universal value of World Heritage properties or the outstanding value of tentative properties and established with regard to the specificities of the World Heritage area or tentative area;
  - h) if a nature protection management plan is in force in a protected natural area located in a World Heritage area or tentative area, reference to the nature protection management prescriptions that are laid down in the plan and that guarantee the protection of the outstanding universal value or outstanding value; furthermore
  - i) those specific circumstances, required methods of use and activities that serve as a basis for the identification of financial needs of World Heritage area or tentative area.

6. The following tasks shall be especially carried out in consideration of the provisions of the World Heritage management plan:
  - a) the revision, and if necessary the modification and harmonisation of the spatial plan, as well as of the settlement planning tools with regard to the order and the rules on area usage;
  - b) the prevention, elimination and mitigation of harmful effects affecting the natural and cultural heritage values of World Heritage areas or tentative areas,; as well as
  - c) making any changes (especially development, renovation, restoration) that affect World Heritage areas or tentative areas.
7. The World Heritage management plan shall be revised as necessary, but at least every seven years.

## **Article 9**

1. In order to preserve the outstanding universal value carried by World Heritage properties and the outstanding value carried by tentative properties, the cultural heritage protection and nature protection authority – acting in official procedures as an authority or a special authority – shall enforce the provisions of this Act as well as those of the World Heritage management plan in the course of the proceedings relevant to the World Heritage area or tentative area.
2. If an expert opinion is necessary for the assessment of a request for restoration, renovation, development or construction affecting World Heritage area, the acting authority or special authority shall appoint - at its own cost – an expert specified in the ministerial decree on the conditions of pursuing cultural expert activities and on maintaining the cultural expert registration.
3. In his/her expert opinion, the expert shall present the complex World Heritage impact study documentation.

## **Article 10**

1. For carrying out the management tasks as defined in Article 7 aiming at the preservation of outstanding universal value carried by the World Heritage property, according to the World Heritage management plan, one management body shall operate at each World Heritage property, unless this task is delegated to scope of authority of another body by virtue of a separate legal regulation.
2. The World Heritage management body is an organisation with legal entity (in particular a budgetary organisation, local government, legal church entity, civic organisation, foundation, non-profit economic association) whose activities are related to the outstanding universal value of the given World Heritage property, they also cover the representation of World Heritage interests, the protection of the outstanding universal value, and the area of operation of the organisation covers the World Heritage area or a major part of it.
3. The minister responsible for culture selects the World Heritage management body for each World Heritage property in consideration of the provisions of paragraph 2, with the exception set forth in paragraph 4. The World Heritage management body is mandated for a maximum period of seven years, which can be extended.
4. If the outstanding universal value of the World Heritage property is exclusively of natural value and a special legal regulation appoints a body for nature protection management for the nature protected area covering the whole World Heritage property, in that case this body shall perform the management tasks set forth in Article 7.
5. If a special legal regulation appoints a body responsible for managing a part of the World Heritage property, the World Heritage management body selected in conformity with paragraph 3 shall cooperate with that body.

## **Article 11**

At World Heritage areas affecting the public administrative territory of several settlements, the local governments concerned shall, in association, establish a local architectural-technical jury in conformity with the governmental decree on urban planning and architectural-technical juries.

## **IV. Financing**

### **Article 12**

1. The budgetary means related to the World Heritage status shall be determined in consideration of the costs of state tasks set forth in this Act and of the tasks specified in paragraph 2.
2. The state finances the following tasks from the central budget:
  - a) the elaboration of the World Heritage management plan;
  - b) the costs of expertise specified in paragraph 2 of Article 9;
  - c) the revision and modification of the spatial plans and the settlement planning tools in view of their harmonisation with the World Heritage management plan.
3. The state provides support from the central budget for the carrying out of the following tasks:
  - a) dissemination of information about World Heritage areas, elaboration and implementation of educational, pedagogical programmes, as well as programmes of further training;
  - b) research related to the World Heritage area, introduction and application of findings methods (models) concerning the preservation of its values, its presentation and use not endangering its subsistence;
  - c) supporting activities and investments related to the management, presentation and the development of World Heritage areas;
  - d) rendering recognitions for achievements related to World Heritage areas;
  - e) supporting the World Heritage area-related tasks of professional juries – also including local professional juries established at the World Heritage area -, set up in conformity with the governmental decree on urban planning and architectural-technical juries. .
4. The state may grant tax allowances – determined in a separate law – for sustaining protected values and state of conversation as well as for appropriate operation in conformity with the World Heritage management plan.

## **V. Transitional Provisions**

### **Article 13**

1. Within a year after the entry into force of this Act, the minister shall review the justification of inclusion on the List of Tentative World Heritage Properties of items submitted to the Centre on the basis of the criteria specified in Articles 1 and 2 of the Convention. If after the review, the minister does not consider justified to inscribe the item on the List of Tentative World Heritage Properties, the minister shall notify the World Heritage Centre of it without delay.
2. The competent national organisations and county municipalities shall provide for the harmonisation of their spatial plans in conformity with a) of paragraph 6 of Article 8 within 5 years at the latest following the proclamation of the World Heritage management plans or on the occasion of an obligatory revision prescribed by other legal regulations or on the occasion of modifications made for any another reason.

3. Local (capital, capital district) municipalities shall provide for the modification of their settlement planning tools under a) of paragraph 6 of Article 8 within 18 months after the proclamation of the World Heritage management plans.
4. The World Heritage management body shall be appointed within six months after the entry into force of this Act.
5. The Government shall initiate the proclamation of properties inscribed on the World Heritage List after the entry into force of this Act, through the modification of Appendix 1 to this Act. The World Heritage management body of these properties shall be appointed within six months from the date of proclamation.
6. Within six months after the date of entry into force of this Act, the minister shall – in cooperation with the minister responsible for supervising state assets – revise contracts of lease, of asset management or contracts establishing other forms of usage regarding the utilisation of asset elements that are located at World Heritage areas and that are in state ownership. Should the minister find that any contract is contrary to the objectives laid down in the Convention or in this Act, or it significantly restricts or hinders the implementation of the said objectives, s/he shall notify:
  - a) the organisation responsible for utilising the asset element as well as
  - b) the person, the person with legal entity or the economic organisation without legal entity, contractually using the asset element.
7. The minister shall publish his/her decision in conformity with the statement under paragraph 6 on the website of the ministry and he/she takes measures for proclaiming this decision on the public notice board of the local municipality competent at the location of the real estate concerned. The contract of lease, of asset management or contracts establishing other forms of usage regarding the utilisation of state-owned asset elements shall cease to exist by virtue of this Act on the sixtieth day following the publication of the ministerial decision on the ministry's website.

## **VI. Closing Provisions**

### **Article 14**

1. The Government is authorised to determine in the form of a decree:
  - a) the detailed rules of the inscription and revision of Tentative World Heritage properties on the List of Tentative World Heritage Properties, on submitting them to the Centre as well as on nominating Tentative World Heritage properties to the World Heritage List;
  - b) the ministers entitled to delegate members to the World Heritage body, as well as the detailed tasks and operation of the body;
  - c) the rules of the preparation of the World Heritage management plan, the detailed requirements on its content elements, the order of preliminary consultation with stakeholders and its supervision;
  - d) the content elements of the complex World Heritage impact study documentation and the special rules regarding its preparation;
  - e) the World Heritage management plan of World Heritage areas; as well as
  - f) the World Heritage management plan of Tentative World Heritage areas.
2. The minister responsible for culture is authorised to establish in the form of a decree and in agreement with the ministers specified in Appendix 1:
  - a) the detailed rules on selecting World Heritage management bodies as well as the tasks and the operation of the World Heritage management body, furthermore
  - b) the List of Tentative World Heritage Properties.

## Article 15

1. In point 3 of Article 2 of Act LXXX of 2001 on the return of cultural objects unlawfully removed, the text "3911/92/EEC" shall be replaced with "116/2009/EC".
2. In Article 3 of the decree with force of law no. 21 of 1985 on the proclamation of the Convention on the Protection of the World Cultural and Natural Heritage, adopted in Paris, on 16 November 1972 at the General Conference of the United Nations Educational, Scientific and Cultural Organization, the text „with the minister responsible for the agrarian policy and with the minister responsible for nature protection" shall be replaced with the text „with the minister responsible for the agrarian policy, with the minister responsible for construction, with the minister responsible for nature protection, with the minister responsible for spatial planning and with the minister responsible for settlement development and settlement planning".
3. Paragraph 6 of Article 12 of Act LIII of 1995 on the general rules on environment protection shall be replaced with the following provision:  
„(6) If the contacted body does not have the requested environmental information, it is obliged to send the request for obtaining the information to the body that has the environmental information, and it shall notify or inform the person requesting about which body possessing the environmental information he/she is to contact. If the request for obtaining the environmental information is rejected, the rejection shall contain its reasons, together with information as to which body the person requesting may contact or appeal against the rejection."

## Article 16

1. Article 5/A of Act LXIV of 2001 on the protection of cultural heritage, the text "world heritage and" in point p) of Article 81 as well as point n) of paragraph 2 of Article 93 shall lose effect.
2. Paragraph 4 of Article 56 of Act LXXVIII of 1997 on the formation and protection of the built environment as well as point k) of paragraph 2 of Article 62 shall lose effect.

## Article 17

1. This Act shall enter into force on 1 January 2012, with the exception as specified below in paragraphs 2 and 3.
2. Point e) of paragraph 1 of Article 14 and point b) of paragraph 2 shall enter into force on 1 January 2013.
3. Point f) of paragraph 1 of Article 14 shall enter into force on 1 January 2014.
4. Article 15 shall lose effect on the day following the enter into force.

### *Appendix 1 to Act LXXVII of 2011*

#### **Ministers carrying out state tasks related to the World Heritage properties in agreement with the minister responsible for culture**

World Heritage property	Consenting minister
Budapest - the Banks of the Danube with the Gellért Hill and the Castle Hill, the Buda Castle Quarter and Andrassy Avenue	Minister responsible for supervising state assets
	Minister responsible for construction
	Minister responsible for development policy

	Minister responsible for organising public administration
	Minister responsible for nature protection
	Minister responsible for spatial planning
	Minister responsible for settlement development and settlement planning
	Minister responsible for tourism
Old Village of Hollókő and its Surroundings	Minister responsible for agrarian policy
	Minister responsible for construction
	Minister responsible for the development policy
	Minister responsible for organising public administration
	Minister responsible for nature protection
	Minister responsible for spatial planning
	Minister responsible for settlement development and settlement planning
	Minister responsible for tourism
Caves of Aggtelek Karst and Slovak Karst	Minister responsible for development policy
	Minister responsible for organising public administration
	Minister responsible for nature protection
	Minister responsible for spatial planning
	Minister responsible for settlement development and settlement planning
	Minister responsible for tourism
	Minister responsible for construction
Millenary Benedictine Abbey of Pannonhalma and its Natural Environment	Minister responsible for development policy
	Minister responsible for organising public administration
	Minister responsible for nature protection
	Minister responsible for spatial planning
	Minister responsible for settlement development
	Minister responsible for tourism
Hortobágy National Park - the Puszta	Minister responsible for agrarian policy
	Minister responsible for construction
	Minister responsible for development policy
	Minister responsible for organising public administration
	Minister responsible for nature protection
	Minister responsible for spatial planning
	Minister responsible for settlement development and settlement planning

Early Christian Necropolis of Pécs (Sopianae)		Minister responsible for tourism
		Minister responsible for construction
		Minister responsible for development policy
		Minister responsible for organising public administration
		Minister responsible for spatial planning
		Minister responsible for settlement development and settlement planning
Fertő / Neusiedlersee (briefly: Fertő landscape)	Cultural Landscape	Minister responsible for tourism
		Minister responsible for agrarian policy
		Minister responsible for construction
		Minister responsible for development policy
		Minister responsible for organising public administration
		Minister responsible for nature protection
		Minister responsible for spatial planning
Tokaj Wine Region Landscape	Historic Cultural	Minister responsible for settlement development and settlement planning
		Minister responsible for tourism
		Minister responsible for agrarian policy
		Minister responsible for construction
		Minister responsible for development policy
		Minister responsible for organising public administration
		Minister responsible for nature protection
		Minister responsible for spatial planning
		Minister responsible for settlement development and settlement planning
		Minister responsible for tourism
		Minister responsible for tourism

**The Most Important Laws Related to the Preservation of the Budapest World Heritage Property (except WH special laws and Forster Centre):**

1. The laws defining the system, structure and basic regulations for public administration
2. The most important legal regulations that determine the administration of town planning, town development and construction
3. The general regulations for historic preservation and the preservation of archaeological heritage.

## **The Most Important Laws Related to the Preservation of the Budapest World Heritage Property (except WH special laws and Forster Centre):**

### **1. The laws defining the system, structure and basic regulations for public administration:**

#### **1.1. Act CXL of 2004** on the general regulations for official public administrative procedures and services:

This is the law containing nearly every Hungarian official public administrative procedure (including the official, specialized and supervisory procedures and record keeping for construction and cultural heritage preservation), as well as the general procedural regulations for public administrative services. Its most recent significant amendment took force on 01 February 2013, when amongst other changes the system for enforcing client rights and the involvement of the specialized agencies were amended. The main regulation for specialized agencies is for them to state their position within 15 days (with grounds this deadline can be extended once for a maximum of 15 days). The specialized agency does not have to be a public administrative body, but can also be a scientific or professional association or body, and a testifying organization may participate by issuing a testimonial to clarify the state of affairs. The main regulation on the 30-day procedural deadline affecting the agencies was not amended, but any legal regulation may set down a procedural deadline that is shorter than this. The provision that allows a client to propose – in relation to itself – an inspection is important in connection to construction supervisory office inspections.

#### **1.2. Act XLII of 2010** on the specifying of the ministries of the Republic of Hungary:

This sets down, among other things, that the member of the government responsible for construction, regional planning, town planning and town development is the Minister of the Interior. In accordance with this, the Under-Secretary of State's Office for Regional Planning and Construction was created in the summer of 2010. The member of the government responsible for cultural heritage preservation (including the preservation of historic properties and archeological heritage) between the summer of 2010 and the summer of 2012 was the Minister of National Resources. (Since the summer of 2012 the name of this portfolio, which is also responsible for culture, has been the Ministry of Human Resources). The portfolio responsible for public administration and the legal supervision of local governments is the Ministry of Public Administration and Justice.

#### **1.3. Act XLIII of 2010** on central state administrative bodies as well as the legal status of the members of the government and secretaries of state:

This regulates, among other things, the system of relationships between regional state administrative bodies and the ministries that provide leadership for them and the other central state administrative bodies. The sphere of authority for leadership in the realm of cultural heritage provided for in this law was exercised by the president of the Office of Cultural Heritage until 20 September 2012, while from 21 September 2012 the Ministry of the Interior became the professional leader in the field of preserving historic properties and archeological heritage (however, matters related to the World Heritage Convention and the management of World Heritage properties remained with the ministry responsible for culture). See also the provisions of the **Governmental Decree 212/2010 (VII. 1)** that took effect in the fall of 2012

for the realm of duties and sphere of authority of the individual ministers and the secretary of state directing the Prime Ministry. In accordance with this, the Under-Secretary of State for the Ministry of the Interior was expanded to the Under-Secretary of State for Regional Planning, Construction and Heritage Preservation. Since the fall of 2012 the member of government responsible for the protection of historic properties and archeological heritage has been the Hungarian Minister of the Interior.

**1.4. Act CXXVI of 2010** on metropolitan and county governmental offices as well as on legal amendments related to the creation of the metropolitan and county governmental offices and territorial integration:

The primary specialized administrative bodies for the preservation of historic and archeological heritage previously functioning as regional offices of the Office of Cultural Heritage were transformed as of 01 January 2011 into specialized administrative bodies of the established governmental offices with independent spheres of duties and authority. In Budapest from this day the Budapest Metropolitan Governmental Offices' Office of Cultural Heritage Preservation was created as the primary specialized administrative body for the preservation of historic and archeological heritage with its jurisdiction extending over the territory of the capital. Similarly with jurisdiction extending over the territory of the capital, the Budapest Metropolitan Governmental Offices' Construction Office was also created from this day as the primary authority for the supervision of construction and to see to the tasks of the state head architect. More detailed regulations related to the governmental offices are contained in part in **Governmental Decree 288/2010 (XII. 21)** on metropolitan and county governmental offices and in the **Ministry of Public Administration and Justice Order 3/2013 (I. 18)** on the organizational and operational regulations of governmental offices. The inclusion of the most important regulations related to regional (metropolitan district) offices can be considered a significant amendment to the law. From 01 January 2013 the primary construction, construction supervisory and heritage preservation tasks are performed by the Budapest Metropolitan Governmental Offices' 1<sup>st</sup> District Office of Construction and Heritage Preservation with jurisdiction over nine districts in Budapest (primarily in Buda) and the Budapest Metropolitan Governmental Offices' 5<sup>th</sup> District Office of Construction and Heritage Preservation with jurisdiction over Budapest's other fourteen districts (all in Pest). The sphere of construction authority for the municipal government clerks in the twenty-three districts has not been completely removed either, they see to construction matters of lower significance (non-highlighted, e.g. not involving historic properties). Therefore, in the capital there operate twenty-five primary construction authorities and two primary authorities for both construction supervision and heritage preservation. The supervision and guidance for all of these, as well as the administration of official matters of appeal are performed by the Budapest Metropolitan Governmental Offices' Office of Construction and Heritage Preservation, whose special administrative department is also the State Head Architect's Office for the capital and has national jurisdiction as the appeals authority for archeology as well as heritage preservation research and registration. More detailed regulations related to the regional (metropolitan district) offices are contained in **Governmental Decree 218/2012 (VIII. 13)** and also the **Ministry of Public Administration and Justice Order 3/2013 (I. 18)**.

## 2. The most important legal regulations that determine the administration of town planning, town development and construction:

### **2.1. Act LXXVIII of 1997** on the shaping and protection of the built environment:

In addition to the determination of the division of construction duties between state bodies and local governments, this law establishes the main rules for town development and town planning and the rights and obligations of those taking part in the construction process. These involve the general requirements placed on structures and extend to issues of the maintenance/use of the built environment, including the preservation of architectural heritage (which is broader than historic preservation). Numerous amendments to this law that took effect on 01 January 2013 lay down the limits, for example, for development and regulatory type plans and the subjects of construction regulations that can be created by the Metropolitan Government and the District governments in Budapest (taking into account Budapest's two tiered municipal government system), as well as on boards for individualized legal institutions of town planning and the **Governmental Decree 343/2006 (XII. 23)** on the naming and operational requirements for construction and construction supervisory authorities. The latter regulation is related to certain points of the **Governmental Decree 29/2012 (III. 7)** (on the rules for qualifications of public servants) effective from or modified on 01 January 2013. Therefore, only governmental officials with a degree in architecture may proceed in official construction matters affecting historic properties, or, in the realm of the protection of archeological heritage, a governmental official with a degree in archeology must prepare the decision.

### **2.2. Governmental Decree 312/2012 (XI. 8)** on official procedures and inspections for construction and construction supervision, as well as on official services for construction:

This new decree, referred to as the Building Code in common professional parlance, took effect on 01 January 2013, and is integrated into the new system of rules for construction in **Act LXXVIII of 1997**. It sets forth in detail the system for construction permits and other procedures that had only been introduced in principle in the law. The sphere of construction supervisory procedures was significantly expanded to include the inspection and enforceability of the obligation for good maintenance (extending to historic buildings as well). An explicit obligation to impose sanctions as a result of unlawful construction activities appears. A fundamental change is that the procedural system for construction permits (and the system for new construction services preceding this) has been made electronic, and as of 01 January 2013 plans on paper may not be attached to permit requests. The official procedures related to the construction process for the contractors (e.g. keeping a construction journal) and for construction supervision (e.g. obligations) are becoming electronic in two phases. The specific details for these and related topics have been set down in **Governmental Decree 313/2012 (XI. 8)** (on the Construction Documentation and Information Center and on the National Construction Registry).

**2.3. Governmental Decree 314/2012 (XI. 8)** on town development concepts, integrated town development strategies and the means for town planning, as well as on certain specific legal institutions for town planning:

This new decree, referred to as the Town Development and Town Planning Code in common professional parlance, took effect on 01 January 2013, integrated into the new rules for town development and planning in **Act LXXVIII of 1997**. It defines the content requirements as well as the procedural system and guarantees in the necessary detail. Thus, from the year 2013 the local governments – while assuring full transparency to the public and observing the deadlines defined in the decree – will, for example, decide on the rules for concluding agreements with partners (a Partnership Plan) prior to making town development or regulatory plans, during the course of which they determine:

- a) the methods and means of informing the participants in the negotiations (the partners),
- b) the method of documenting and keeping a register of recommendations and opinions,
- c) the method of justifying why recommendations and opinions have not been adopted, and the documentation and registration system for this, and
- d) the steps to ensure the transparency to the public of the adopted concept, strategy and methods of town planning.

On the one hand the Budapest Metropolitan Governmental Office oversees the observance of the material legal and procedural rules for the adoption of these plans and ordinances under its general legal supervisory authority (over the metropolitan and district governments), while on the other hand the Office of Construction and Heritage Preservation (and within this, the State Head Architect's Office) through its conclusive opinions in every stage supports or corrects (and in the end can prevent) the entrance into force of local governments' town regulatory plans and local construction regulations that are in accordance (or possibly are not in accordance) with the material legal and procedural rules.

### 3. The general regulations for historic preservation and the preservation of archeological heritage:

#### **3.1. Act LXIV of 2001** on the preservation of cultural heritage:

As of 01 January 2013 the prevailing text of this law, which went through numerous significant amendments in the year 2012, defines the sphere of heritage preservation duties of the Ministry of Human Resources, which is the ministry responsible for culture. In general these include non-official matters related to the property management of cultural heritage sites (so-called heritage management) as well as related to historic and national memorials, the World Heritage Convention and domestic World Heritage properties. Its official authority, through the Gyula Forster National Center for Cultural Heritage Management that was created as an institution of the Ministry of Human Resources, is connected to one type of heritage: the movable elements of cultural heritage, or in other words works of art (in the terminology of the law: cultural goods). The other set of legal provisions contains the main regulations of the bodies under the professional direction of the Ministry of the Interior (thus, the offices of construction and heritage preservation of governmental offices and district offices) for conducting the official, record keeping and other duties (related to scientific research, informational services and the listing of historic and archeological properties as protected) in the fields of historic preservation and archeological heritage preservation.

**3.2. Governmental Decree 393/2012 (XII. 20)** on the regulations related to the protection of archeological heritage and historic sites:

This new Heritage Preservation Code, which took effect on 01 January 2013, contains the majority of the regulations related to the protection of archeological heritage and historic sites within the framework of **Act LXIV of 2001**. The requirements defined in this decree must be applied on the one hand in construction and construction supervisory matters (that affect historic sites). The decree precisely defines the system for examining official expert decisions affecting historic properties and areas of historic significance as well as archeological sites and their buffer zones. In addition, it sees to matters in relation to construction and other activities that otherwise would be able to be performed without a permit from another authority, but do require a heritage preservation permit (the decree also contains a list of these matters, separately for archeological sites, for areas of historic significance and – naturally in the most detail – for historic properties). In the case of historic properties the documentation section of the permitting must be comprised of the scientific documentation of construction history related to the structure and the required content of this is contained in one of the appendices of this decree. Furthermore, before being submitted to the authority, it is the obligation of the builder to have the competent scientific body (from 01 January 2013, the Heritage Preservation Office of the Budapest Metropolitan Governmental Offices' Office of Construction and Heritage Preservation) provide an opinion as regards the professional adequacy of this documentation of construction history. The further duties of this scientific body are: providing expert opinions in support of the builder in official and specialized official procedures (e.g. in matters of invasive building research or restoration); providing scientific data in support of district and governmental offices in matters of historic properties; and also seeing to all non-official matters. These latter non-official matters include the evaluation of the character and value of historic and archeological heritage, the preparations for registering a site as protected, and methodological and other scientific activities in relation to the character and value of these sites domestically as well as in comparison with international practice (this is particularly in connection with the character/value of historic properties because in contrast with archeology or works of art there are no other specialized institutions in Hungary for these types of monuments). The up-to-date maintenance of the Hungarian registry of actual historic and archeological sites (and the provision of these data) is also the province of the Heritage Preservation Office.

**3.3. Ministry of the Interior decree 80/2012 (XII. 28)** on the registration of the protection of archeological sites and historic properties and on the detailed regulations for archeological excavations:

Within the framework of **Act LXIV of 2001** and **Governmental Decree 393/2012 (XII. 20)**, this is the ministerial decree, which took effect on 01 January 2013, containing the detailed regulations in relation to the registration of the protection of archeological sites and historic properties and the provision of data from these registries, as well as related to archeological excavations.

**3.4. Governmental Decree 191/2001 (X. 18)** on heritage preservation penalties:

This is the decree that, within the framework of **Act LXIV of 2001**, contains the sanctions for activities that endanger, damage or – in extreme circumstances – destroy archeological or historic sites, which was amended to a slight degree as of 01 January 2013. This decree and

the individual decrees of protection contain the classification into heritage preservation penalty categories of Hungarian historic properties and archeological sites (in addition to the extent of penalties, as of 01 January 2013 this also has significance in relation to which historic design board – the national board or one of the 9 regional boards – will provide their opinion on the plans for altering a given historic property).

**3.5. Governmental Decree 395/2012 (XII. 20) on heritage preservation impact statements:**

In instances defined in **Act LXIV of 2001** an impact statement must be prepared within the framework of the examination serving as the foundation for town development concepts or methods of town planning. The prescribed minimum professional content and those authorized to prepare these statements in specific cases is contained within this decree that took effect on 01 January 2013.

**sgd. Ferenc Tóth**

Office Director

Budapest Metropolitan Governmental Offices' Office of Construction and Heritage Preservation

Budapest, 04 March 2013

## Appendix 2 of the State of Conservation Report submitted by the State Party in 2013

## Appendix number 2

Building authority permits related to individually listed historic monuments in the area of Inner Erzsébetváros located within the World Heritage buffer zone in the period between 1 January 2006 and 31 December 2012 for interventions that significantly affect the entire building or property. With reference to the State of Conservation Report of 2011 the data is submitted in the same format.

Item no.	permit			notes
	date	reference number	subject	
2006				
1.	08 Jan 2006	460/712/2006	9 Király St. ground floor shops, building permit	Completed
2.	25 Jan 2006	460/467/2,4/2006	36 Dohány St. elevator, building permit	Completed
3.	18 Apr 2006	460/719/8/2006-I.	Gozsdu Court I elevator permit	Completed
4.	08 May 2006	460/712/9/2006.	9 Király St. foundation stabilization, building permit	Completed
5.	19 Dec 2006	460/996/26/2006	10 Dohány St. historic rehabilitation, partial alteration, 56 apartments + shops, underground garage, 8-10 Sip St. wing partial retention, historic rehabilitation, 96 apartments + shops, underground garage construction, building permit	Work began in 2007, construction came to a halt following the completion of the demolition work, and is currently suspended.
2007				
6.	04 Apr 2007	460/60/19/2007	13 Király St.-16 Dob St. Gozsdu Court rehabilitation, amended building permit	Completed
7.	04 May 2007	460/60/21-24/2007	Gozsdu Court I-IV elevator, amended permit	Completed
8.	09 May 2007	460/198/5/2007	18 Dob St. theoretical building permit clarifying development	Appeal, the permit has expired

			requirements	
9.	09 May 2007	460/2217/1/2007	19 Király St. elevator, building permit	Completed
10.	09 May 2007	460/789/13/2007	57 Király St. rehabilitation of the courtyard façade, building permit	Completed
11.	06 Jun 2007	460/2210/1/2007	22-24 Dohány St. ground floor development of a senior citizens club, building permit	Completed
12.	24 Jul 2007	460/1809/13/2007	11-13 Rumbach S. St. Synagogue historic restoration, extension, museum, shop, restaurant construction, building permit	Permit lapsed, project did not occur
13.	25 Jul 2007	460/1540/7/2007	5 Csányi St. historic rehabilitation, 9 unit condominium, building permit	Permit lapsed, project did not occur
14.	31 Jul 2007	460/1653/19/2007	7-9 Klauzál St. building partial rehabilitation, development of a 82 unit condominium, theoretical building permit	
15.	08 Aug 2007	460/1809/14-18/2007	11-13 Rumbach S. St. Synagogue 1-5 elevators, building permit	Permit lapsed
16.	08 Aug 2007	460/2949/4/2007	61 Akácfa St. theoretical building permit clarifying development requirements	
17.	07 Sept 2007	460/775/3/2007	47 Király St. ground floor restaurant building permit	Permit lapsed, construction did not occur
18.	09 Oct 2007	460/789/26/2007	57 Király St. basement + ground floor restaurant, building permit	Appeal, new proceedings were abandoned, did not occur
19.	29 Nov 2007	460/60/36-38/2007	Gozsdu Court, amended elevator permits	Completed
<b>2008</b>				
20.	30 Jan 2008	460/933/2/2008	57 Király St. I/7 alteration, attic development, building permit	lapsed, did not occur

21.	13 Feb 2008	460/474/2/2008	47-49 Akácfa St. properties, lot alteration permit	
22.	15 Feb 2008	460/1285/5/2008	7-9 Klauzál St. properties, lot alteration permit	
23.	20 Mar 2008	460/1499/2/2008	57 Király St. basement + ground floor restaurant, withdrawal of previous permit, retention and further building permit	Proceedings abandoned, did not occur
24.	23 Apr 2008	460/1830/7/2008	18 Dob St. temporary use of ground floor premises, building permit (temporary)	Temporary operation occurred
25.	07 May 2008	460/171/13/2008	61 Akácfa St. street side U-shaped building section rehabilitation, rear section demolition, new building section, senior citizens club, 52 unit condominium, building permit	Proceedings abandoned, did not occur
26.	15 May 2008	460/1285/14/2008	7-9 Klauzál St. street side building rehabilitation, courtyard section demolition, building façade rehabilitation on no. 9, 82 unit condominium, building permit	Construction began, following demolition construction halted, currently suspended, modified building permit request underway
27.	26 May 2008	460/1831/9/2008	18 Dob St. temporary use of courtyard, guest area, temporary building permit	Temporary operation occurred
28.	30 Jul 2008	460/1675/13/2008	9 Király St. basement rehabilitation, building permit	Completed
29.	07 Aug 2008	460/875/5/2008	3 Dob St. III/1-2 connecting of units, development of attic, façade rehabilitation, building permit	Lapsed, did not occur
30.	27 Oct 2008	460/1215/28/2008	Gozsdu Court I operation permit	
31.	10 Dec 2008	460/4176/39/2008	42-44 Dohány St. historic rehabilitation of the remaining portion of the Hungária baths, new 281 room hotel building, building permit, permit for the	Completed

			retention of foundation work	
32.	17 Dec 2008	460/2601/9/2008	2 Dohány St. Jewish Museum elevator permit	Completed
<b>2009</b>				
33.	05 Jan 2009	460/9/2009	Gozsdu Court II operation permit	
34.	07 Jan 2009	460/902/2009	46 Dohány St. exterior and interior façade, gallery, entryway rehabilitation, building permit	Completed
35.	04 Apr 2009	460/896/2/2009	57 Király St. 1/7 remodeling, attic development, building permit	Lapsed, was not constructed
36.	13 Jul 2009	460/790/1/2009	42-44 Dohány St. remaining Hungária baths building section rehabilitation, restoration permit	Completed
37.	14 Sept 2009	460/790/18/2009	42-44 Dohány St. Hungária baths, hotel (272 rooms), amended building permit	Completed
38.	15 Sept 2009	460/5347/8/2009	21 Kazinczy St. Electrotechnical Museum façades, interior courtyard rehabilitation, building permit	Completed
39.	15 Sept 2009	460/5346/6/2009	29-31 Kazinczy St. Orthodox synagogue rehabilitation of the main façade and roof, store, handicap-accessible bathroom, building permit	Completed
40.	30 Sept 2009	460/5345/13/2009	29 Dob St. historic rehabilitation, ground floor alteration, shop, multifunctional center development, building permit	Completed
41.	13 Oct 2009	460/6067/2009	11-13 Rumbach S. St. Synagogue rehabilitation, building permit extension	Lapsed, was not constructed
42.	13 Oct 2009	460/6067/9/2009	11-13 Rumbach S. St. synagogue elevator building	Lapsed

			permit extension	
43.	28 Oct 2009	460/6706/6/2009	47 Király St. ground floor restaurant, building permit extension	Lapsed, was not constructed
44.	28 Nov 2009	460/5804/7/2009	5 Csányi St. rehabilitation, building permit extension	Lapsed, was not constructed
45.	14 Dec 2009	460/5451/13/2009	34 Kazinczy St. historic rehabilitation, information center, shop, restaurant construction, building permit	Completed
46.	15 Dec 2009	460/2070/9/2009	61 Akácfa St. partial historic rehabilitation, alteration, extension, senior citizen's club, new 44 unit condominium, building permit	Proceedings abandoned, was not constructed
<b>2010</b>				
47.	26 Jan 2010	460/844/1/2010	9 Király St. façade, entryway rehabilitation, building permit	Completed
48.	27 Jan 2010	460/145/2/2010	7 Wesselényi St. BZSH building partial rehabilitation, alteration, handicap-access, building permit	Completed
49.	18 Feb 2010	460/1644/1/2010	21 Kazinczy St. Electrotechnical Museum, elevator permit	Completed
50.	23 Feb 2010	460/99/4-9/2010	42-44 Dohány St. hotel elevator permits	Completed
51.	09 Apr 2010	460/1998/3/2010	34 Kazinczy St. elevator permit	Completed
52.	17 May 2010	460/337/18/2010	47 Kazinczy St. historic rehabilitation, extension of the courtyard building, 11 apartments, building permit	Completed
53.	31 May 2010	460/2583/22/2010	42-44 Dohány St. Continentál Hotel Zara Hungária baths operation permit	
54.	18 Jun 2010	460/3246/2/2010	15 Holló St. façade rehabilitation building permit	Construction completed

55.	07 Jun 2010	460/329/12/2010	47-49 Akácfa St. partial historic rehabilitation and extension of existing buildings, 75 room hotel, 5 apartments, restaurant, bar, pastry shop, offices, shop premises and service areas, underground garage construction, building permit	Proceedings abandoned, was not constructed
56.	22 Jun 2010	460/2135/7/2010	9 Király St. basement level rehabilitation, kitchen, event hall operation permit	
57.	02 Jul 2010	460/99/2010	42-44 Dohány St. hotel elevator operation permit	
58.	05 Jul 2010	460/4168/1/2010	4 Holló St. façade rehabilitation, building permit	Completed
59.	26 Jul 2010	460/2743/2010	2 Dohány St. Heroes' Church interior rehabilitation, structural reinforcement building permit	Construction did not occur
60.	26 Jul 2010	460/3799/3/2010	19 Dob St. issuance of a theoretical building permit clarifying the requirements for property development	
61.	26 Jul 2010	460/3798/3/2010	21 Dob St. issuance of a theoretical building permit clarifying the requirements for property development	
62.	02 Sept 2010	460/1958/2/2010	24-28 Kertész St. garage structure alteration, rehabilitation 1 <sup>st</sup> phase operation permit	
63.	12 Nov 2010	460/1185/12/2010	5 Csányi St. historic rehabilitation, modernization, attic development, building permit extension	Lapsed, was not constructed
<b>2011</b>				
64.	30 Mar 2011	460/1313/2011	12 Síp St.-7 Wesselényi St. operation permit for the historic rehabilitation and partial alteration related to Goldmark Hall of the Hungarian Jewish	

			Religious Communities' Association headquarters	
65.	11 May 2011	460/127/2011	21 Dob St. partial historic rehabilitation, alteration and extension of the building, development of 17 apartments and 2 shop premises, building permit	Court review underway, construction continues
66.	24 Nov 2011	460/1473/4/2011	19 Dob St. historic rehabilitation of the building, partial alteration and extension, development of accommodations, commercial and guest service premises, building permit	Appeal, the appeals court did not grant the permit, in the wake of an appeal by the builder a court review is underway
67.	29 Dec 2011	460/3753/2011	21 Kazinczy St. Electrical Technology Museum, operation permit for the rehabilitation of the façade and inner courtyard	
<b>2012</b>				
68.	24 Jan 2012	V-P-019/106/2012	19 Dob St. acceptance and approval of the fulfillment of danger mitigation obligations (structural reinforcement)	Construction underway
69.	06 Apr 2012	V-P-019/222/2012	29-31 Kazinczy St. orthodox synagogue operational permit for the main façade and roof rehabilitation	
70.	27 Apr 2012	V-P-019/23/2012	47, 49 Akácfa St. historic properties, lot configuration (restoration of original conditions)	
71.	22 May 2012	V-P-019/106/2012	19 Dob St. partial historic rehabilitation related to structural reinforcement, building permit (façades)	Construction underway
72.	15 Aug 2012	V-P-019/46/2012	34 Kazinczy St. full rehabilitation, development of informational center, shop and restaurant operational permit	

73.	05 Sept 2012	V-P- 019/2494/2012	19 Király St. development of attic space operational permit	
74.	06 Sept 2012	V-P- 019/610/2012	47 Akácfa St. roofing in of courtyard, development of exhibition space and nightclub retention permit	
75.	24 Sept 2012	V-B- 091/110/2012	29 Dob St. rehabilitation, ground floor alteration, change in function operational permit	
76.	17 Oct 2012	V-B-091/54/2012	21 Klauzál St. rehabilitation, partial alteration, extension with a new usable story building permit	Construction not yet begun
77.	18 Dec 2012	V-B- 091/404/2012	47 Kazinczy St. Mika Tivadar Building rehabilitation, alteration, development of 18 apartments and entertainment premises operational permit	

Budapest, 17 January 2013

Table compiled by: Ms Zsuzsanna Sajti, Historic Monuments Inspector

## BACKGROUND INFORMATION OF THE MISSION

### Inscription History of the World Heritage Property

The World Heritage property of Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue (Hungary) was inscribed on the World Heritage List in 2002, under Criteria: Cultural site (ii) and (iv) during the 11<sup>th</sup> Session of the Committee.

### **BRIEF DESCRIPTION:**

This site has the remains of monuments such as the Roman city of Aquincum and the Gothic castle of Buda, which have had a considerable influence on the architecture of various periods. It is one of the world's outstanding urban landscapes and illustrates the great periods in the history of the Hungarian capital.

### **STATEMENT OF SIGNIFICANCE (STATEMENT OF THE STATE PARTY)**

[1987] (III) L'unique effet esthétique de Budapest est du en premier lieu au rapport harmonieux de paysage et ville, de nature et oeuvre humaine, dans lequel les facteurs de valeur particuliers ne se totalisent pas seulement, mais se multiplient encore. Dans le cas de Budapest la connexion du paysage et de la ville est tellement harmonieuse et parfaite parce que le Château, point principal de paysage urbain à l'égard du contenu et de la morphologie, est situé sur cette aire déterminée nécessairement par la formation de la surface comme donnée primaire. Le point principal de la beauté du paysage et celui de la ville coïncident, en rehaussant et multipliant cela réciproquement énormément leur effet esthétique.

(I) L'ensemble historique du quartier de ville représente l'esprit créateur de l'homme d'une manière unique. Ayant ressuscité à plusieurs reprises de la destruction, il offre un bel exemple de la continuité et de la survivance résistante d'ordre supérieur aussi au point de vue esthétique d'un ensemble architectural et d'urbanisme.

(IV) Et la ville médiévale et la ville baroque respresentent un type caractéristiquement spécifique qui diffèrent des ensembles architecturaux des époques analogues ou pareilles des pays limitrophes.

(I) A l'égard des caractéristiques de la typologie des maisons médiévales, le Château de Buda a exercé une influence considerable sur les autres villes hongroises.

(VI) En un tel sens il s'agit d'un espace vital traditionnel et caractéristique qui a conservé organiquement sa structure développée au Moyen Age et était aussi capable de changer plusieurs fois fonction au cours de l'histoire. De nos jours, la zone est le centre culturel et de tourisme de la capitale de Budapest, mais en dehors de cela aussi le quartier résidentiel et le lieu d'habitation d'environ 3000 personnes dans les belles maisons restaurées.

[2002]: The proposed extension area of the Andrassy Avenue and the Millenary underground is unique as an entity of harmonious interaction between parkland and a modern urban area all created within an unprecedented short timespan. As a perfect technical solution providing easy and inexpensive access to the parkland for all classes of an emerging modern society.

(ii) In the context of painfully protracted cultural and technical development in Central-Eastern Europe the innovative planning and implementation of a unique architectural and technological concept of modern townscape design.

(iv) The proposed extension, together with the previously inscribed area, represents as a whole all major historical sources of inspiration for the Hungarian nation, as reflected in the architectural trends, united harmoniously in a dynamic townscape.

(vi) The Opera House, the old and the current Music Academy, all built within the proposed extension, are unique artistic and literal homes of the greatest Hungarian musicians: Ferenc Liszt, Bela Bartok and Zoltan Kodaly, to mention just a few, whose contribution to the world's musical tradition is of outstanding universal significance.

#### **ADVISORY BODY STATEMENT:**

ICOMOS 1986:

**Criterion II** can be evoked on several scores. Aquincum played an essential role in the diffusion of Roman architectural forms in Pannonia, then in Dacia. Buda Castle played an essential role in the diffusion of Gothic art in Magyar region from the 14th century. In the reign of Matthias Corvinus Buda was an artistic centre comparable to that of Cracow (included on the World Heritage List in 1978) as a result of its influence.

**Criterion IV** can especially be applied to Buda Castle, an architectural ensemble which, together with the nearby old district, illustrates two significant periods of history which were separated by an interval corresponding to the Turkish invasion. But the Parliament is also an outstanding example of a great official building on a par with those of London, Munich, Vienna and Athens, exemplifying the eclectic architecture of the 19th century, whilst at the same time symbolizing the political function of the second capital of the Austro-Hungarian monarchy.

<b>Summaries of Working Documents and Decisions: 35th, 33th, 32nd, 27th, 26th, 16th and 11th sessions of the Committee and Bureau</b>
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<b>Working Document, state of conservation report 35th session of the World Heritage Committee, Paris, UNESCO Headquarters, 19-29 June 2011 Document WHC-11/35.COM/7B</b>
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**95. Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrássy Avenue (Hungary) (C 400 bis)**

Year of inscription on the World Heritage List

1987 and 2002 (extension)

Criteria

(ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**27 COM 8C.2; 32 COM 7B.94; 33 COM 7B.107**

International Assistance

N/A

UNESCO and Extra-budgetary Funds

Total amount provided to the property: 800 million HUF (ca. 2.7 million EUR) EU support for the “Street of Culture” project

Previous monitoring missions

March 2005: World Heritage Centre/ICOMOS advisory mission; November 2007: ICOMOS advisory mission

Factors affecting the property identified in previous reports

- a) Demolition and inappropriate development in the buffer zone known as the ‘Jewish Quarter’;
- b) Inappropriate use of public areas and street amenities;
- c) Lack of conservation of residential housing in the area inscribed as World Heritage;
- d) Increased traffic volume

Illustrative material

<http://whc.unesco.org/en/list/400>

Current conservation issues

On 27 January 2011, a report on the state of conservation of the property was submitted by the State Party to the World Heritage Centre. The report addresses issues raised in Decision **33 COM 7B.107** and also contains detailed information about a major city centre development proposal in the buffer zone, adjacent to the property’s boundary, in the 5th District of Budapest.

*a) Inappropriate development in the buffer zone*

The State Party reported that although there are still valid demolitions and construction permits in the so-called Jewish Quarter of the buffer zone, work is not proceeding. Furthermore, it reports that between 2004 and 2010 the municipality authorities have taken decisions that endangered the status of the property’s buffer zone. The responsible municipal officials no longer hold these positions and some are the subject of criminal proceedings.

The State Party also reports that a comprehensive ten-year rehabilitation project (2009 – 2018) with a total budget of 3.622 million EUR has been initiated in the ‘Jewish Quarter’. The project ‘Street of Culture’ is centred on Kazinczy and involves the renovation and rehabilitation of buildings and their re-use as cultural spaces. In 2008, the City recommended that the government consider the development and legal enactment of detailed financial tax benefits and a targeted support system that would facilitate commercial and economic activities associated with the rehabilitation and re-use of historic urban districts. No action was taken regarding these initiatives by the previous Parliament. The State Party reports that the current government understands the merits of such an approach and will explore these possibilities.

*b) Management plan and management system*

The State Party reports that progress on a management plan and system has been suspended while the World Heritage Bill is being pursued.

*c) Boundaries and buffer zone*

The State Party also reports that the property and its buffer zone are currently protected in a historic monument district much larger in area than the inscribed property, including the entire Margit Island. It also reports that the incorporation of Margit Island into the property’s buffer zone has been agreed upon in principle at a national level, but that

research would be required to advise on any possible extension and demarcation of the historic monument district.

*d) World Heritage Bill*

Within the present timeframe, a new World Heritage Bill could be enacted by the end of 2011 or the beginning of 2012. This would regulate the procedural and organisational issues related to the management of World Heritage sites and create necessary financial support.

*e) Other issues*

The State Party reports on the completed and necessary extension of the retaining wall of the lower Buda embankment to accommodate a new main wastewater collector. It also states that the advice of the UNESCO/ICOMOS advisory mission of 2005 was followed and the embankment road was not widened from two to four lanes.

*f) Development Project in Bécsi Street*

The State Party, in accordance with Paragraph 172 of the *Operational Guidelines* and in response to a request by the World Heritage Centre of 8 December 2010, provides details on a development project planned for Bécsi Street in the historic part of downtown Pest, in the buffer zone between the so-called Jewish Quarter and the property boundary.

The State Party reports that this large-scale project would require the demolition of an entire side of Bécsi Street. Details of this demolition were made public in the second half of 2010 and occasioned a significant professional debate due to the intended design, and the number of important protected historic buildings that would be affected. These buildings are under historic monument protection and lie within a historic monument district.

Currently no permission has been given for this demolition. The preliminary position statement of the professional authority of 29 December 2010 rejected the demolition request for three properties. The State Party acknowledges the need to strengthen heritage protection and to consider subsidy schemes to encourage restoration and adaptation.

*g) Museum Project*

The World Heritage Centre and the Advisory Bodies have been made aware of a project to restructure and extend reuse at the Fine Arts Museum, Heroes' Square by developing new rooms underground and creating various light wells at ground level as well as a new entrance structure on the principal elevation. The symmetry of this building and of the overall structure of the Square would appear to be interrupted by the proposals.

*Conclusions*

The World Heritage Centre and the Advisory Bodies note that activating demolition permits in the so-called Jewish Quarter have slowed down and welcome the investment in the "Street of Culture" project to rehabilitate and find new uses for buildings along Kazinczy Street.

They also welcome progress with the drafting of a new World Heritage Bill and note that work on the revision of the management plan and improvements to the management system now await this Bill.

The World Heritage Centre and the Advisory Bodies further welcome the potential decision to enlarge the property buffer zone with the addition of Margit Island.

They note with extreme concern the development proposals in the historic part of downtown Pest that are predicated on the demolition of the whole of one side of Bécsi street. The buffer zone in this area includes many distinguished buildings that are linked to the attributes of the property's Outstanding Universal Value. It provides a framework for Andrassy Avenue embedded in the urban fabric and for the overall Danube cityscape.

They note the commitment of the State Party to strengthen protective measures to ensure the conservation of this extraordinarily important urban landscape. The World Heritage Centre and the

Advisory Bodies consider that the impact of the proposals for Heroes Square needs to be considered through a detailed heritage assessment. They suggest that a reactive monitoring mission takes place prior to the 37th session of the World Heritage Committee in 2013 to assess the progress in the implementation of all necessary measures requested by the World Heritage Committee.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 35TH SESSION,  
Paris, UNESCO Headquarters, 19-29 June 2011  
Document WHC-11/35.COM/20**

**95. Budapest, including the Banks of the Danube, the Buda Castle Quarter and  
Andrassy Avenue (Hungary) (C 400 bis)**

**Decision: 35 COM 7B.95**

The World Heritage Committee,

1. Having examined Document WHC-11/35COM/7B,
2. Recalling Decision **33 COM 7B.107** adopted at its 33rd session (Seville, 2009),
3. Notes the reduction in demolition permits in the so-called Jewish quarter;
4. Acknowledges the information provided by the State Party on progress being made regarding the 'Street of Culture' initiative that aims to act as a model for sustainable development of this area;
5. Also notes with extreme concern the major development proposal in the buffer zone in Pest adjacent to the property boundary that would result in the demolition of one side of Bécsi and urges the State Party to use all means necessary to halt this demolition;
6. Requests the State Party to keep the World Heritage Centre informed regarding ongoing developments planned for Bécsi Street and for Heroes Square and that procedures for the Heritage Impact Assessments on Outstanding Universal Value are followed for all steps of these development proposals;
7. Recognises the work by the State Party to enable and enact a new World Heritage Bill by the beginning of 2012 and also requests that a copy of the document be sent to the World Heritage Centre on its promulgation;
8. Encourages the State Party to finalise the revision of the property management plan and its management organisation as soon as possible, following the promulgation of the new Bill;
9. Welcomes the in-principle decision reached at a national level for the incorporation of Margit Island into the property buffer zone and also urges the State Party to bring this initiative into action through the formal procedures of the Committee;
10. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to assess progress in the implementation of all necessary measures in compliance with the World Heritage Committee's decisions, prior to its 37th session in 2013;
11. Requests moreover the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

Conservation issues

Since 2005, the World Heritage Centre has been alerted to concerns over the demolition of existing buildings and construction of new buildings in part of the buffer zone, significantly altering the character of the area. Erzsébetváros (the section within the Grand Boulevard of the District, Erzsébetváros), is commonly referred to as the “old Jewish quarter of Pest” due to the concentration of Jewish cultural heritage that developed there over time – and for the ghetto that was established there from 1944 to 1945.

On 1 February 2008, a report on the state of conservation of the World Heritage property was submitted by the State Party. It addresses the concerns of the World Heritage Committee and also points out that damaging changes have occurred although the entire property and its buffer zone, has been designated as an “historic district” and 51 buildings within the “old Jewish quarter of Pest” are individually protected. The report explains that there are two main reasons for this: first the regulations did not enter into force until 2005 and secondly existing local building regulations, as well as the financial/economic regulations worked against conservation.

The issues are in particular:

*a) Demolition and reconstruction*

The report indicates that no further demolitions have taken place – but there are still existing permits not yet acted upon. As for the quality of new buildings, there is little that can be done for existing structures.

*b) Re-examination of existing demolition permits*

Consultations began at the October 2008 meeting of the Hungarian National World Heritage Commission, when the 7th District Erzsébetváros Municipal Government expressed its willingness to participate in ensuring the financial resources for possible compensation in collaboration with the state and the Capital City Government. The present international financial crisis may improve the conditions for negotiations aiming at the retraction of demolition permits that have been issued.

*c) Urban conservation and development plan for the buffer zone*

When the District’s urban planning and building regulations were prepared by the Budapest Capital City Head Architect’s Office and the National Office of Cultural Heritage, the principal architectural and urban values of the area were taken into consideration. However, before being adopted by the Budapest Capital City Assembly, the heritage section of the regulations was detached and postponed until new regulations for the preservation of historic value are drafted that will have jurisdiction over the other districts of Budapest as well.

*d) Funding for rehabilitation and restoration*

The Capital City Assembly has proposed the drafting of a government bill and recommended legal amendments to address economic/financial problems. These initiatives could be enacted at the earliest in the 2010 tax law. Currently other opportunities to promote interventions of a rehabilitative nature are being investigated.

*e) Archaeological survey of the ancient ghetto* A condition survey of the former ghetto wall has been performed, and the documentation prepared. It is however pointed out that except between November 1944 and January 1945, there was never a walled ghetto at the territory of Budapest. The so-called “old Jewish quarter of Pest” is an example where Jewish residents lived together with others including Hungarians and Germans, from the

second half of the 19th century. The area was never a homogenous district inhabited only by Jews.

*f) Conservation measures for the "Jewish quarter"*

The report highlights the importance of the involvement of civil organizations and individuals in promoting an understanding of the character and value of the quarter. The above responses are supplemented by details of strategic measures being considered to establish a regulatory system that encourages and provides incentives for interventions aimed at rehabilitation in the property and its buffer zone. These measures are still at the initial planning stages.

They include:

- A review of the management plan by the Capital City Mayor's Office and the formation of a Management Body;
- The drafting of a *World Heritage Act* to promote the better preservation and sustainable development of the Hungarian World Heritage properties. The Hungarian Parliament is expected to debate this in the middle of 2009, and the scheduled date for its enactment is 1 January 2010.

In response to a better understanding of the overall urban landscape and threats to its integrity, consideration is being given to an extension of the buffer zone and a reassessment of the relationship between the property and the buffer zone. The World Heritage Centre and ICOMOS note the specific measures taken to contain the demolition and redevelopment and the limitations of these processes given the validity of formal demolition permits. They consider that the strategic response now being considered by the State Party are a valuable way forward and particularly the introduction of a World Heritage Act.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 33RD SESSION,  
SEVILLE, SPAIN, 22-30 June 2009  
Document WHC-09/33.COM/20**

**107. Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrássy Avenue (Hungary) (C 400 and 400 bis)**

Decision: **33 COM 7B.107**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B,
2. Recalling Decision **32 COM 7B.94**, adopted at its 32nd session (Quebec City, 2008),
3. Notes the specific measures undertaken to re-examine demolition permits and promote a fund for rehabilitation, and urges the State Party to continue with its vigilance in preventing further losses and inappropriate development in the buffer zone of the property;
4. Welcomes the various strategic measures being planned, in particular the revision of the management plan, the establishment of a management body, the reassessment of the buffer zone, the assessment of the relationship between the property and the buffer zone, and the drafting of a national World Heritage Bill;
5. Requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a progress report on the issues above, for examination by the World Heritage Committee at its 35th session in 2011.

**Working Document, state of conservation report**

62/71

Conservation issues

The main issue concerns the demolition of old buildings and the construction of new ones in their place in a part of the buffer zone, in particular the old « Jewish quarter » in the 6th and 7th districts:

Between 2004 and the present day, the demolition of several large or important buildings in this area may be noted. These buildings are of great architectural and urban quality. They date from the second half of the 19th century and the beginning of the 20th century;

In the framework of real estate projects, these old buildings are replaced by higher buildings, of denser housing and mediocre architectural quality. They modify the urban integrity and authenticity of the quarter;

The urban regulations presently in force in the buffer zone would appear to be ill-adapted.

A clear negative effect to the urban value of the buffer zone and the outstanding universal value of the property is noticeable.

Demolition problems and reconstruction of old buildings in the Jewish quarter appear more to be an economic problem of rentable property rather than a heritage one. The buildings being demolished are generally of high architectural interest and conserve an evident contemporary urban potential that could lend itself to rehabilitation or restoration appropriate to the integrity of the property.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 32ND SESSION,  
Quebec City, Canada, 2 - 10 July 2008  
Document WHC-08/32.COM/24Rev**

**94. Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue (Hungary) (C 400 and 400 bis)**

**Decision:32 COM 7B.94**

The World Heritage Committee,

1. Having examined Document *WHC-08/32.COM/7B*,
2. Recalling Decisions **26 COM 23.10/11/12** and **27 COM 8C.2**, adopted at its 26th (Budapest, 2002) and 27th (UNESCO, 2003) sessions respectively,
3. Expresses its utmost concern regarding the ongoing demolition of old buildings of great architectural and urban quality in the buffer zone of the inscribed property, particularly in the “Jewish quarter”;
4. Also expresses its grave concern regarding the reconstruction, in their place, of contemporary buildings of questionable quality that profoundly transform the architectural and urban value of this quarter;
5. Requests the State Party to act, without delay, to:
  - a) re-examine, case by case, the demolition permits already granted with a view to equity with the holders of permits already granted, but giving priority to the conservation of the existing built heritage;
  - b) consider establishing an urban conservation and development plan for the buffer zone, fully respecting the principal architectural and urban values of each quarter, and for which enforcement would be stricter than it is at present in each quarter;

c) seek additional funding (for example tax incentives, grants) and in a dynamic manner, direct private building investment to rehabilitation operations and restoration rather than demolition and reconstruction;

6. Also requests the State Party to undertake archaeological work to identify the physical traces of the ancient ghetto and to submit to the World Heritage Centre, by **1 February 2009**, a detailed report on the urban situation in the “Jewish quarter” and on conservation measures in force.

**Working Document, state of conservation report  
27th session of the World Heritage Committee,  
Paris, UNESCO Headquarters, 30 June - 5 July 2003  
Document WHC-03/27.COM/8C**

#### **I. Changes to names of properties inscribed on the World Heritage List**

At the request of the Hungarian authorities the Committee is asked to approve changes to the names of the following properties included on the World Heritage List:

***Draft Decision: 27 COM 8C.1*** *The World Heritage Committee,  
Approves the proposed name changes to existing properties on the World Heritage List as  
proposed by the authorities of Austria, Hungary, and Slovakia:*

<b>Existing Name (English / French)</b>	<b>Name change requested (English / French)</b>
Budapest, the Banks of the Danube and the Buda Castle Quarter / Budapest : le panorama des deux bords du Danube et le quartier du château de Buda	Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue / Budapest, avec les rives du Danube, le quartier du château de Buda et l'avenue Andrassy

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 27TH SESSION,  
Paris, UNESCO Headquarters, 30 June - 5 July 2003  
Document WHC-03/27.COM/24**

#### **27 COM 8C.2**

The World Heritage Committee,

1. Approves the proposed name changes to existing properties on the World Heritage List as proposed by the authorities of Austria, Hungary, and Slovakia:

<b>Properties in Hungary: Former Name (English / French)</b>	<b>New Name (English / French)</b>
Budapest, the Banks of the Danube and the Buda Castle Quarter / Budapest: le panorama des deux bords du Danube et le quartier du château de Buda	Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrassy Avenue / Budapest, avec les rives du Danube, le quartier du château de Buda et l'avenue Andrassy

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 26TH SESSION,  
BUDAPEST, HUNGARY, 24 - 29 June 2002  
Document WHC-02/CONF.202/25**

**26 COM 23.10** The World Heritage Committee,

Approves the extension of **Budapest, the Banks of the Danube and the Buda Castle Quarter, Hungary** with the **Andrássy Avenue and the Millennium Underground Railway** on the basis of the existing *cultural criteria (ii) and (iv)*.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 26TH SESSION,  
BUDAPEST, HUNGARY, 24 - 29 June 2002  
Document WHC-02/CONF.202/25**

**26 COM 23.11** With regard to **Budapest**, and in particular the **Andrássy Avenue (1872-85) and the Millennium Underground Railway (1893-96), Hungary**, the World Heritage Committee,

Encourages the Hungarian authorities to: (a) consider measures to improve the public spaces and street amenities; (b) propose incentives that could stimulate the conservation of residential housing in the World Heritage area, and (c) improve control of the growing automobile traffic.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 26TH SESSION,  
BUDAPEST, HUNGARY, 24 - 29 June 2002  
Document WHC-02/CONF.202/25**

**26 COM 23.12** With regard to **Budapest, the Banks of the Danube and the Buda Castle Quarter, Hungary**, the World Heritage Committee,

Encourages the Hungarian authorities to extend the buffer zone of the World Heritage area to the western side of the existing property, on the Buda side of the town.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 16TH SESSION,  
Santa Fe, New Mexico, United States of America, 7 – 14 December 1992  
Document WHC-92/CONF.002/5**

**16COM VIII**

SOC: Budapest, the Banks of the Danube (Hungary) VIII.2

After having analyzed the characteristics of the construction project for the French Institute of Culture building in Budapest, the ICOMOS Representative emphasized the doctrinal considerations involved in inserting contemporary architecture in historic quarters, and the necessity to avoid pastiche or "kitch". He proposed that no action should be taken with regard to this project.

**Working Document, state of conservation report  
11th session of the World Heritage Committee,  
Paris, UNESCO Headquarters, 7 - 11 December 1987  
Document SC-87/CONF.005/4**

Budapest, the banks of the Danube  
with the district of Buda Castle

400

Hungary

C(ii),(iv)

The Bureau recommended that the Hungarian authorities adopt a policy for safeguarding the whole built-up area, particularly with a view to stopping the development of tower blocks built on a different scale to the old buildings.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 11TH SESSION,**

*WHC/ICOMOS Joint mission report  
Budapest, including the Banks of the Danube, the Buda Castle Quarter and Andrássy Avenue  
Hungary*

**11COM VII.A**

Inscription: Budapest, the banks of the Danube with the district of Buda Castle (Hungary)

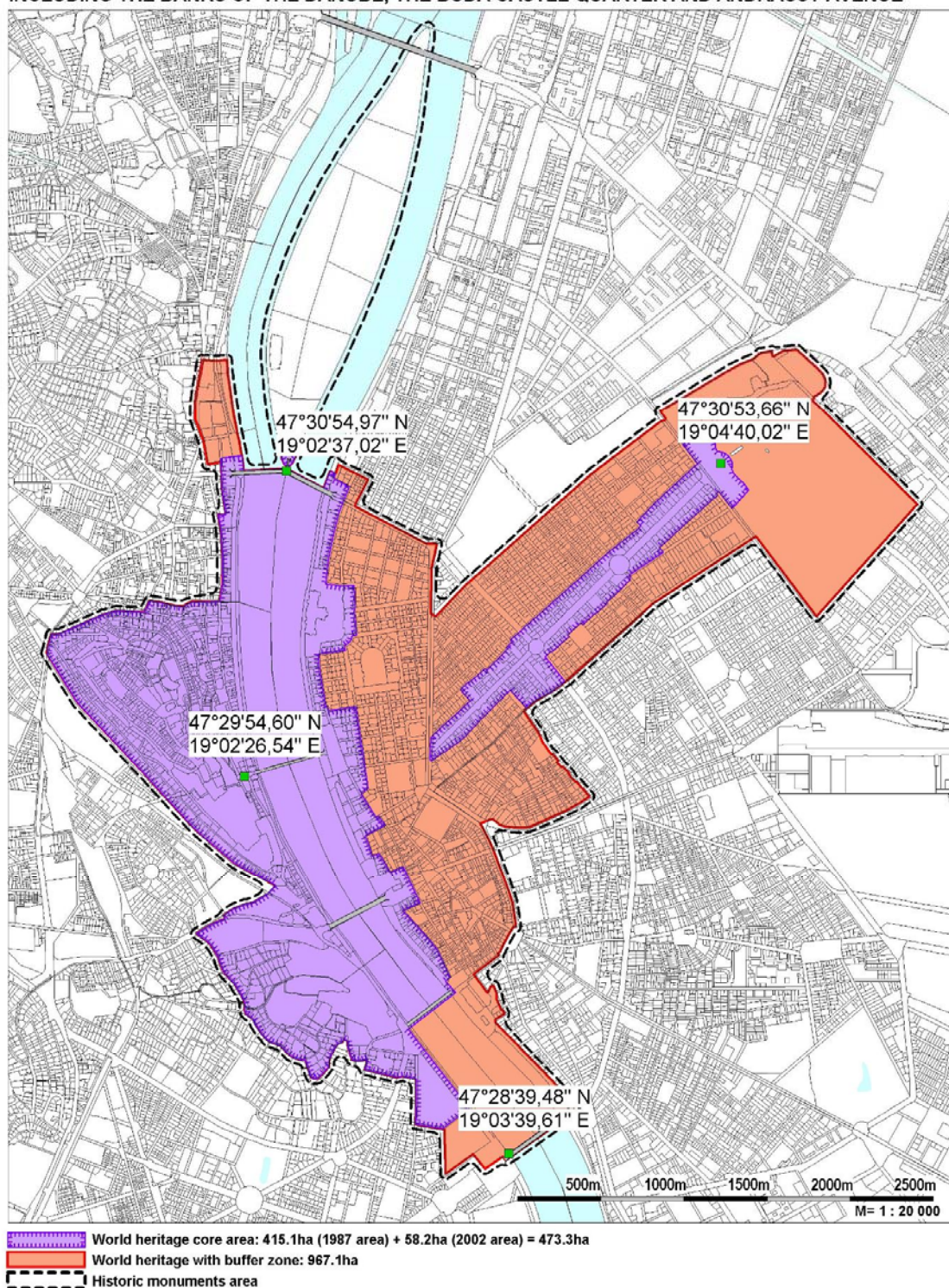
<u>Budapest, the banks of</u>	400	Hungary	C(ii) (iv)
<u>the Danube with the dis-</u>			
<u>trict of Buda Castle</u>			

The Committee took note of the statement made by the observer from Hungary that his Government undertook to make no modifications to the panorama of Budapest by adding constructions out of scale.

## ILLUSTRATIVE MATERIALS

## Map n° 1

THE WHS OF BUDAPEST,  
INCLUDING THE BANKS OF THE DANUBE, THE BUDA CASTLE QUARTER AND ANDRÁSSY AVENUE



## Illustrative material / Photos







