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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

**Phnom Penh, Cambodia / Phnom Penh, Cambodge
16 - 27 June 2013 / 16 - 27 Juin 2013**

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

MISSION REPORT / RAPPORT DE MISSION

**Ancient City of Nessebar (Bulgaria) /
Ancienne cité de Nessebar (Bulgarie)**

20 - 25 November 2012 / 20 - 25 novembre 2012

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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REPORT OF THE ICOMOS REACTIVE MONITORING MISSION TO THE ANCIENT CITY OF NESSEBAR (BULGARIA, 217)

From 20 November to 25 November 2012



January 2013

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1. Acknowledgements

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The mission is also grateful to the Nessebar municipal authorities who supported and accompanied the mission on its visit and in particular to Mr. Nikalai Dimitrov, Mayor of Nessebar. It finally would like to acknowledge and thank all the specialists, experts and representatives of the civil society who met with the mission and provided detailed information. The mission would like to warmly congratulate all those persons and colleagues for their efforts in favour of the conservation of the property.

2. Executive summary and list of recommendations

As requested by the World Heritage Committee at its 35th session, a reactive monitoring mission to the Ancient City of Nessebar was carried out from 20 November to 24 November 2012. The objective of the mission was to review the overall situation of the World Heritage property of the Ancient City of Nessebar (Bulgaria), inscribed on the World Heritage List in 1983, with regard to its state of conservation, as well as to evaluate the status of any development, construction or restoration projects within the property and its buffer zone which might affect the Outstanding Universal Value, authenticity and integrity of the property.

The mission was able to consult with a range of stakeholders, including representatives of the Ministry of Culture, the local authorities of Nessebar. The presence of the Deputy Minister of Culture during the mission was a clear sign of the importance given by the Bulgarian authorities to the implementation of the decisions made by the World Heritage Committee.

The mission wishes to underline the high quality of documents prepared by the national authorities that have been submitted to the World Heritage Centre since 2010, which illustrate a clear understanding of all challenges and problems to address in order to ensure adequate protection and management of the property and its buffer zone.

A large territory surrounding the peninsula and the different components of the property is under control of the Nessebar City Municipality, which plays a crucial role in the monitoring and management of the property and its buffer zone.

Following numerous consultations with all stakeholders and in the light of on-site visits to the World Heritage property, the mission considers that the attributes that convey the Outstanding Universal Value of the property, which warranted inscription on the World Heritage List, have been substantially maintained.

During the site visits, the mission observed that the existing earlier negative urban developments within the property have stopped. Notwithstanding, the mission considers that the property is vulnerable to threats and it expresses its concern regarding potential future urban development activities within the World Heritage property, its buffer zone and the sea coastline area in front of, and around the peninsula prior to the approval of all necessary regulations and documents. The changes at the buffer zone are also a matter to be addressed.

Based on the results from the mission, considers it is critical to finalise the process to approve the management plan and prepare the master and conservation plans according to the management frameworks.

In addition, the following measures should be taken by the national and local authorities as a matter of urgency:

- Maintain a moratorium on any new constructions within the World Heritage property until the master plan and conservation plan are developed and adopted.
- Halt the authorization of new construction permits within the World Heritage property. Halting permits should also be applicable for the surrounding sea coastline area given the potential visual impacts of development on the property. The restriction should be revised upon completion of a visual impact study for development projects, upon the approval of the Manager plan and Master Plan with effective protective juridical regulations and upon the establishment of regulations for tourism activities, movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity;
- Establish and make operational an overall management system, including coordination mechanisms for the property, in accordance to the Management Plan. The management system could consider the establishment of a Special World Heritage Coordination Unit to survey, monitor and manage the property and its buffer zone, as well as to function as specific liaison between the Ministry of Culture and local authorities;
- Develop and enforce a coherent regulatory system to ensure the conservation, management and protection of the property and its buffer zone;
- Adapt planning mechanisms to the boundaries of the property and its buffer zone;
- Develop and adopt an Urban Master Plan for the Ancient City establishing land use goals, including rehabilitation of infrastructure provisions, zoning controls (including no build zones) and strengthening capacity building, community relations and tourism development;
- Establish clear operational plans that strictly limit development at the property and its buffer zone in consideration to management and conservation guidelines and visual impact and heritage impact assessments;
- Formulate a conservation master plan, with clearly defined development rights for private property;
- Improve the availability of accessible and use friendly planning information for the public;

- Create an integrated multi-institutional tourism strategy with regulations governing movable facilities and infrastructure development;
- Prepare a Technical Manual for conservation, rehabilitation and restoration;
- Strengthen the protection status of the sea coastline in relation to the capacity of the municipality, including heritage impact assessments of the any proposed developments on the sea coastline in relation to the property's Outstanding Universal Value;
- Monitor restoration and maintenance works including long term consolidation of the historic monuments of ancient Nessebar and strengthen the monitoring mechanism for physical conservation of buildings and archaeological sites;
- Develop guidelines for new construction, urban design and advertising and information panels in the property and its buffer zone;
- Create a training programme for conservation and management for the personnel responsible for the World Heritage property;
- Develop a special programme for the protection of the property's archaeological resources;
- Identify financial support to assist home owners in rehabilitation work;
- Develop capacity building activities including a World Heritage training seminar for all professional staff involved with World Heritage properties, conservation and management training for maintenance staff;

Taking into account the evaluation of the state of conservation of the property, and considering the efforts made by the State Party to prevent and address its serious deterioration, along with recent improvement in protective legislation, the mission considers that the property does not meet the criteria for inscription on the List of World Heritage in Danger.

It recommends that the State Party submit to the World Heritage Centre by 1 February 2015 a detailed state of conservation progress report including all documents and information on the implementation of all necessary measures and the recommendations of the reactive monitoring missions.

3. Background to the mission

3.1 Inscription history

The Ancient City of Nessebar was inscribed on the World Heritage List in 1983 under criteria (iii) and (iv).

3.2 Inscription criteria and/or Statement of Outstanding Universal Value

Brief synthesis

The Ancient city of Nessebar is a unique example of a synthesis of the centuries-old human activities in the sphere of culture; it is a location where numerous civilizations have left tangible traces in single homogeneous whole, which harmoniously fit in with nature. The different stages of development of its residential vernacular architecture reflect the stages of development of the architectural style on the Balkans and in the entire East Mediterranean region. The urban structure contains elements from the second millennium BC, from Ancient Times and the Medieval period.

The medieval religious architecture, modified by the imposition of the traditional Byzantine forms, illustrates ornamental ceramics art, the characteristic painted decoration for this age. The town has served for over thousands of years as remarkable spiritual hearth of Christian culture.

Criterion (iii): The Ancient City of Nessebar is an outstanding testimony of multilayered cultural and historical heritage. It is a place where many civilizations left their tangible traces: archaeological structures from the Second millennium BC, a Greek Black Sea colony with surviving remains of fortifications, a Hellenistic villa and religious buildings from the Antiquity, preserved churches (in some of them preserved only parts of archaeological structures) from the Middle Ages. Nessebar has demonstrated its historical importance as a frontier city on numerous occasions. Having been a remarkable spiritual centre of Christianity for a thousand years, today it is a developing and vibrant urban organism.

Criterion (iv): The Ancient City of Nessebar is a unique example of an architectural ensemble with preserved Bulgarian Renaissance structure, and forms a harmonious homogenous entity with the outstanding natural configuration of the rocky peninsular, linked with the continent by a long narrow stretch of land. Its nature and existence is a result of synthesis of long-term human activity, which has witnessed significant historic periods - an urban structure with elements from 2nd millennium BC, classical antiquity, and the Middle Ages; the development of medieval religious architecture with rich plastic and polychrome decoration on its facades in the form of ceramic ornamentation typical for the period; the different stages in the development of the characteristic residential vernacular architecture, which testify to the supreme mastery of the architecture of the Balkans as well as the East Mediterranean region. The vernacular architecture of the urban ensemble, dominated by medieval churches and archaeology, together with the unique coastal relief, combine to produce an urban fabric of the high quality.

Integrity (2010)

Within the boundaries that encompass the small rocky peninsula, is all the evidence of the numerous cultural layers - from the 2nd millennium BC until the present time.

Although the main elements have generally remained unchanged, since 1986 some exceptions have occurred with a number of illegal interventions on 19th century structures, and some new buildings executed in violation of the Cultural Heritage Law.

In addition, and in violation of the Law on Monuments and Museums, negative influences have also emerged with the emergency stabilization of the peninsula shoreline. All of these changes have the potential to threaten the extraordinary coherence of the urban fabric and the overall visual integrity of the property.

Authenticity (2010)

Only conservation and stabilization work is carried out on the Medieval Churches, and all the investigated archaeological sites are exposed and preserved. Some Medieval Churches now require repair. The unauthorized changes to some of the vernacular buildings, and persistent and increasing pressures from tourism, public and residential functions, and investment interests, combined with the introduction of mobile retail units, are beginning to threaten the traditional urban structure of the city, its architectural appearance, and its atmosphere.

Protection and management requirements (2010)

Management is implemented by virtue of:

- Cultural Heritage Law (Official Gazette No.19 of 2009) and sub delegated legislation. This law regulates the research, studying, protection and promotion of the immovable cultural heritage in Bulgaria, and the development of Conservation and Management plans for its inscribed World Heritage List of immovable cultural properties.
- Ordinance No.8 of the Culture Committee and the Committee on Architecture and Public Works of the architectural historical reserves Sozopol and Nessebar /SG 9/1981; covers the issues of general and detailed spatial planning; projects; carrying out conservation and restoration works; and new building. It also determines the borders and contact zones of the site, the main principles involved, and sets out the rules for protection and implementation.
- Developed by the National Institute for Monuments of Culture /in 2009 renamed as National Institute for Immoveable Cultural Heritage/, the Directive Plan is a Concept paper on the preservation and development of the cultural-historic heritage of the town of Nessebar. The Plan offers an integrated professional analysis and prognosis of urban development over a wide range of activities. Ostensibly contributing to the protection, promotion and sustainable development of the property, the document, unfortunately, does not fully reflect current conditions, and requires up-dating.
- The current Construction and regulatory plan of the Ancient city of Nessebar, adopted in 1981, and the preliminary construction and regulatory plan (adopted on 30.07.1991 by the Ministry of construction and urban planning) regulates land use, types of building, parks and gardens etc.
- The Spatial Planning Act - (Official Gazette, No. 1 of 2001 with amendments) and sub delegated legislation relates to spatial and urban planning, investment projects and buildings

in Bulgaria. It also determines particular territorial and spatial protection, and the territories of cultural heritage.

In order to provide adequate response to the threats from unauthorized development, pressure from tourism and new uses, there is a need to put in place an overall Management Plan for the property that provides a collaborative framework for all stakeholders.

3.3 Authenticity and Integrity issues at time of inscription

At the time of the evaluation, 1983, no particular issues were highlighted by the ICOMOS report in regard to authenticity or integrity.

3.4 Justification of the mission

Since its inscription, potential threats to the Outstanding Universal Value, integrity and authenticity of the property have been identified in different state of conservation reports. The identified threats have included unacceptable development of the urban fabric, lack of monitoring and surveillance of the urban fabric, the absence of an appropriate urban master plan and conservation master plan for monuments and archaeological sites, as well as absence of a management plan, which would include a tourism strategy and guidelines for the use of historic buildings and monuments.

At the latest state of conservation reports submitted to the World Heritage Committee, it was noted that attributes from the World Heritage property had not been thoroughly maintained and could be potentially under threat. The National Institute for Cultural Monuments ascertained certain negative impacts, due to the constant development for the tourist, public and residential functions of the town, as well as the need of urgent consolidation of the waterside of the peninsula. Furthermore, in the past years, the illegal construction had increased which affected the traditional size and scale of some of the existing buildings and violated new construction codes. New construction was an important threat due to their close location to the cultural monuments and unacceptable architectural quality. It also led to changes in the traditional scale that have resulted in partial loss of the authenticity of the urban structure, architectural view and atmosphere from the period of the Bulgarian Revival. These potential threats were examined by the World Heritage Committee at its 34th session and a request was made to submit a state of conservation of the report to ascertain the state of conservation of the property with a view to consider the possible inscription of the property on the List of World Heritage in Danger. The World Heritage Committee also requested the State Party to invite joint World Heritage Centre/ICOMOS joint reactive monitoring mission to the property to assess its state of conservation. The mission took place from 29 November to 1 December 2010, and was conducted by Ms. Anna P. Sidorenko, Programme Specialist in charge of Central, Eastern and South-Eastern Europe, UNESCO World Heritage Centre and Ms. Nur Akin, ICOMOS representative.

At its 35th session, the World Heritage Committee again requested the State Party to invite a joint World Heritage Centre/ICOMOS joint reactive monitoring mission review the state of conservation of the property, the implementation of measures which would adequately ensure the authenticity and integrity of the property and its World Heritage values and the

existence of an integrated and comprehensive management plan for the World Heritage property, and specifically the State Party response to all 2010 mission recommendations. The mission took place from 20 November to 25 November 2012 and was carried out only by the ICOMOS representative.

4. National policy for the preservation and management of the World Heritage property

4.1. Heritage legislation

Information on Bulgarian heritage legislation is derived from responses to Sections I and II of Periodic Reports, the retrospective Statement of Outstanding Universal Value of the Ancient City of Nessebar, as well the progress reports submitted by the State Party in 2010 and 2011 and legislative documents presented or submitted by the national authorities to the mission team. Some of these documents are directly related to the decisions made by the World Heritage Committee.

The mission notes that there are a sufficient number of laws to provide adequate protection of the World Heritage property, including all its components. The Ancient City of Nessebar is subject to national legislation. The Law on the cultural heritage (in force from 10.04.2009) “regulates the research, studying, protection and promotion of the immovable cultural heritage in Bulgaria, and the development of Conservation and Management plans for its inscribed World Heritage List of immovable cultural properties”.

The Law on spatial planning (amend. SG. 15/23 Feb 2010) “relates to spatial and urban planning, investment projects and buildings in Bulgaria. It also determines particular territorial and spatial protection, and the territories of cultural heritage.”

The land use and types of buildings, parks and gardens are still being regulated by the construction and regulatory plan of the Ancient city of Nessebar, adopted in 1981, and the preliminary construction and regulatory plan (adopted on 30.07.1991 by the Ministry of construction and urban planning).

The Ordinance No.8 SG 9/1981 of the Culture Committee and the Committee on Architecture and Public Works of the architectural historical reserves Sozopol and Nessebar “...covers the issues of general and detailed spatial planning; projects; carrying out conservation and restoration works; and new building. It also determines the borders and contact zones of the site, the main principles involved, and sets out the rules for protection and implementation.”

The mission also notes that several regulations (No. 10, No. 2 and Decisions (No. 735/30.09.2009 of Protocol No. 21, Decision No. 519 /Protocol No. 17/16 December 2005, in force since 23 December.12.2005) regarding movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity on the territory of the Municipality of Nessebar have not been applicable for several years due to the lack of any control and coordination between national and local authorities.

In addition, while the Black Sea Coastline Spatial Planning Act has been in force since 1 January 2008, the sea coastline tourism development is still out of adequate control in relation to the property's World Heritage status. The mission would like to underline that the

introduction of a new skyline in front of and around a relatively small peninsula, of an exceptional and unusual natural configuration that is built of rock and connected to the mainland by a long and narrow isthmus, alters the historical and visual characteristics of the site. The mission underlines the lack of updated decrees, regulations and directives without which the normative acts, while adequate, are still insufficient or inapplicable. The Management Plan stresses this lack of enforcement and the need to develop a coherent regulatory system as one of the fundamental issues that affect the conservation, management and protection of the property and its buffer zone.

Further information regarding the heritage legislation system is summarised in Annex 4.

4.2. Institutional framework

The directors of the Inspectorate for Conservation of Cultural Heritage and the National Institute for Conservation of the Immovable Cultural Valuables (NICICV), established under the Minister of Culture, and the Cultural Heritage Directorate, accompanied the mission during all site visits and meetings and provided several clarifications concerning their roles.

While the Inspectorate has the power to ensure control and coordination of conservation activities, the mission notes that there is insufficient capacity of the local inspectorate in charge of the Ancient City of Nessebar. The tasks and expected results of this local inspectorate should be clearly defined and controlled. This inspectorate is crucial for the implementation of all activities and for the control of the state of conservation of all components of the property.

Due to the lack of appropriate regulations and sufficient control, the mission confirmed that, even though some conservation and restoration works have been carried out in past years, the poor condition of the archaeological remains, the risk of destruction of sections of the wall, and inappropriate use of the property could present potential threats if emergency measures are not taken to protect all archaeological sites.

4.3 Management structure

The mission notes that the management of the property and its buffer zones is supported among numerous stakeholders as described in the legal acts mentioned. Over the past several years, many actors have influenced the process of uncontrolled urban development within the property, its buffer zone and especially on its sea coastline. A very large territory surrounding the different components of the property, its buffer zone and sea coastline is under control of the City Municipality.

It should be noted that the lack of joint and officially approved programmes for management and funding, as well as a unified system for the protection of the World Heritage property and its surroundings present a threat to its Outstanding Universal Value.

In its 2010 report, the State Party provided information on 18 archaeological sites and remains and underlined that an overall project to reinforce, protect, restore and present archaeological sites to the public should be prepared and implemented.

The mission did not receive any information or documents concerning the structure and activities of the Centre for underwater archaeology.

As mentioned in the nomination file for the Ancient City of Nessebar "... the archaeological finds cover an area almost twice as large as the peninsula itself since a great part of them are placed underwater, on the sea bottom, where the antic Messambria has been situated." The mission underlines that any illegal investigations should be prevented and a scientific programme on underwater archaeological research of the Ancient City of Nessebar, including investigations and conservation activities of this large area, should be established and adopted as a matter of urgency.

The mission recommends developing a project proposal for underwater area protection within the framework of the UNESCO Convention on the Protection of the Underwater Cultural Heritage.

An overall management system for the Ancient City of Nessebar adapted to its World Heritage status is not yet in place. This mission underlines the importance of the creation of the "Social Council" for the protection of cultural heritage, as a consultative body under the Municipality, in order to enhance awareness-raising activities and active involvement of the local society.

The mission recommends establishing a Special World Heritage Coordination Unit to survey, monitor and manage the property and its buffer zone, as well as specific liaison arrangements between the Ministry of Culture and local authorities in order to provide effective support from the central government for safeguarding the integrity, authenticity and Outstanding Universal Value of the World Heritage property. In addition, management arrangements should be integrated into the national legislation in order to reduce any influence of different actors on the processes of regulation of the urban and sea coastline development and on the suspension of the issuing of new construction permits within the property.

Since the boundaries of the protected area of the Ancient town of Nessebar were set in 1991 (and the regimes existing in DPK date back to 1986) it is necessary to develop detailed protection regimes that regulate the admissible interventions and the restrictions regarding structural indicators, architectural characteristics, movable facilities, coverings and elements of urban furniture parking, etc., at the inscribed property.

The Municipality of Nessebar, in accordance with its powers, should take actions to identify any illegally constructed sites under items U 2 and 3 of the protocol on the territory of Ancient town of Nessebar, under Ordinance no. 10 on the order and the conditions to construct movable sites and elements of urban furniture and the advertising activities on the territory of Nessebar Municipality /amended and complemented by Decision no.735/30.09.2009 of Protocol No. 21 of Nessebar Municipal Council /Art.83, para. I and Para. 84 of the CHA, and give orders for their removal. The Municipality of Nessebar should check whether all advertisements have been legally put on the territory of Ancient Nessebar with a view to their coordination by the Ministry of Culture in accordance with their Art. 83, para. 1, under para. 84 of the CHA.

After the legality of the interventions has been clarified by the Nessebar Municipal Administration, DG IPCH should immediately take administrative and enforcement actions against the violators in accordance with its powers and the Municipality of Nessebar should undertake actions in order to remove the illegal interventions.

5. Assessment of the state of conservation of the property

5.1. Identification and assessment of issues / threats

Nature and extent of threats to the property

The inefficiency of property management increases the impact of several factors on the state of conservation of the property. The mission assessed the influence of the following factors:

a) Urban pressure

In the previous years, pressure from the process of urbanisation has increased significantly. “The unauthorized changes to some of the wooden vernacular buildings, and persistent and increasing pressures from tourism, public and residential functions, as well as investment interests, combined with the introduction of mobile retail units, are beginning to threaten the traditional urban structure of the city, its architectural appearance, and its atmosphere.” The structure and scale of the traditional urban fabric are often threatened by addition of inappropriate volumes to the buildings.” The buildings in front of the sea walls and the restaurants and cafes built on the seaside have a direct impact on the authenticity of this small town. The mission wishes to underline that, at this stage, most of the interventions have a reversible nature, and urges the national and local authorities to begin the implementation of the necessary measures for improving the situation. It should be noted that the Management Plan accepts the statement of the ICOMOS Charter for Conservation of Historic Towns and Urban Areas that the improvement of housing should be one of the basic objectives of conservation.

The Management Plan sets the tasks needed to identify the infringements with best possible preciseness and objectivity in order to set adequate measures for overcoming these problems. The “Problems within the World Heritage Site and its Buffer Zone” is presented in the Management Plan (scheme No. 9) and notes that there are serious damages due to the new building-up of part of the buffer zone of the mainland (the bordering peripheral area) that are result from the lack of protection prescriptions in that area. The valid Regulation and Building plan from 1981 is totally out-of-date.

b) Threat to the view shed around the peninsula of the Ancient City

It is important to underline the deterioration of the authenticity of the view shed of the sea coastline around the peninsula of the Ancient City, distorted by buildings whose volume or architecture contrasts with the context.

c) Movable sites and elements of urban furniture and objects

The mission notes that inappropriate scale and location of existing advertising panels and numerous inappropriate items of street furniture and objects present a great negative impact on the authenticity and integrity of the property, and underlines the urgent need to coordinate, with the national authorities concerned, the issuing of permits for such interventions at the World Heritage property

d) Street networks and facilities of the technical infrastructure

The mission was unable to examine in detail the impact of traffic on the World Heritage property and strongly recommends that this issue be taken into consideration during the development of necessary regulations which restrict the traffic of vehicles and parking while taking into account the specificity and small scale of the Ancient City of Nessebar. The risks

of uncontrolled traffic in the pedestrian areas of the city and occupation of recreational areas by parked vehicles need to be adequately assessed and addressed. The existing plans do not consider the necessity of definite functions to be moved out from the Ancient City of Nessebar to be executed in the larger territorial context, they do not offer decisions also for the better interrelation between the property and its immediate area (for instance parking).

e) Administrative factors

A lack of, and sometimes absence of, control at the local and national level regarding investment projects and issuing of construction permits also presents a negative impact on the Outstanding Universal Value of the property. The mission considers that there are enough legal documents concerning cultural heritage and spatial planning, but that there is no appropriate system allowing the legislative system to be applied.

f) Monitoring and geo-protection

The mission has been informed that the works of stabilisation of the peninsula shoreline have been accomplished in violation of the legal regulations and pose a potential threat to the extraordinary coherence of the urban fabric and overall visual integrity of the property. The mission recommends that national authorities evaluate all means for reversing as much as possible, the above mentioned interventions and prepare a project proposal for the long-term stabilisation of the peninsula shoreline, including measures for protecting the seashore's panorama and recreational areas, which prohibit its use for parking or illegal seasonal constructions, in conformity with Article 96 of the Law of the Spatial Planning.

5.2 The status of the implementation of the recommendations of the 2010 joint World Heritage Centre/ICOMOS reactive monitoring mission to the property, including:

1. Establishment of regulations for tourism activities, movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity

The proposed guidelines of the Management Plan aim to improve the vitality, quality of living and all year activity of the property as living historic town and world destination for cultural tourism. The priorities and objectives of the Management Plan are determined in absolute coordination between the parameters and the legal protection of the property, its functional and planning development and the requirements of modern cultural tourism.

The Guidelines of the Management Plan determine that the priority development of components for cultural tourism include the heritage site, tourist infrastructure, information and transport infrastructure. Elaboration of network of local cultural tourism routes as modern organisation of cultural tourism in the property is in process of implementation as it is detailed in the Management Plan.

A historical and cultural product "Old Nessebar - World Heritage" was defined in the Management Plan. The formation of a network of local cultural and tourist routes was envisaged as well as the full integration of the Old Nessebar in cultural systems and cultural routes networks which are tourist products at a higher territorial level. Deductions from tourism incomes were proposed for the preservation and the use of cultural heritage. The program activities include: development and adoption of Integrated strategy with a Program

for cultural tourism development in Old Nessebar; implementation of a package of emergency initial measures for implementation of the Strategy; a project for co-ordinated marketing and promotional strategy of the Property; development and implementation of a program establishing local cultural and historical routes such as integrated cultural tourism products; drafting an integrated cultural and historical product as an element of the cultural corridor "Via Pontica": Messambria - Anhiolo - Apollonia Pontica. These actions will be implemented to support the overall aim of cultural tourism development.

Resources have been allocated in the draft budget of Nessebar Municipality for the purpose of elaborating an overall concept of the movable objects and advertising facilities within the boundaries of the protected area. With the adoption of Budget 2011 by the Nessebar Municipal Council, resources have been provided to fund the design of movable objects. Also, the reorganising of the places of the garbage containers which are under construction and the connection with a new system for garbage collection (with smaller garbage cars) is currently being carried out. Partners also joined to the program, the Coca-Cola Co. developed a new brown unique sunshade instead of the aggressive big red one only for the Ancient City of Nessebar with contribution of Leventis Foundation. It is expected that with the creation of the project and the available funding, provisions can be made to create adequate conditions for the preservation and conservation of the cultural sites and the overall preservation of Nessebar. The elaboration of a Conceptual scheme for advertising and information elements for Nessebar Ancient quarter was assigned, as was mentioned by the Ministry of Culture mentioned. These efforts should be helpful in controlling the impact of modern advertising elements on the property and should be integrated into an overall presentation and interpretation strategy.

The projects were submitted to the Municipality of Nessebar and will be submitted to National Institution for Immovable Cultural Heritage (NIICH) and the Ministry of Culture in order to be co-ordinated, after having been co-ordinated with the Municipal Council and the citizens of Nessebar. In addition, the Municipality has committed to the implementation of the proposed projects after they are coordinated and approved.

As for the temporary movable facilities placed on the facades of buildings located within the architectural and archaeological reserve of Nessebar, the following can be noted:

- Mesembria Street is one of the main streets of the Ancient town of Nessebar which is used largely by tourists. This has increased the interest of traders leading to the conversion of the ground floors of floors of the buildings into stores, which is the reason why most interventions in the buildings and their surroundings are namely along this street. They consist mainly in installing movable facilities of the "chest" type /wooden and metal showcases, constructing wooden sheds and bars, with some of them constructed in the restaurants operating within the buildings. Movable facilities like the ones described were identified in more than 30 buildings in this street.
- Rusalka street: in the beginning of the street and in the southern side of the coast, the ground floors of three buildings are home to restaurants, and wooden sheds have been constructed in the area in front of them, where exterior bars and tables have been placed.

- Ivan Asen II. street: movable facilities of the "chest" type/wooden showcases were installed in 12 buildings, and one of them contained a wooden shed with a screen on the side.
- Neptune street: restaurants have been opened in two of the buildings, where wooden sheds have been constructed and exterior bars and tables have been placed.
- Mitropolitska street: the other main street of Ancient town of Nessebar which is used largely by tourists. More than 14 buildings in this street had movable facilities like the ones described.
- Slavyanska street: temporary movable single-story stores of the pavilion type have been built along the whole of the street.
- Kraybrezhna street: the third main street of Ancient town of Nessebar also has movable facilities in more than 14 buildings. In the section from the St. Mary Church almost to the fortress walls there are terraced restaurants at several levels. They are constructed by building a terrace, then closing it and covering it with a wooden construction which is glazed, and each level has either exits to the streets or a staircase for the upper level. Thus two- and three-story buildings have been erected with terraces covering each other.
- Emona street: a single-story shop has been built in the yard of light wooden constructions, but also sheds made of light wooden constructions too.
- Hemus street: in 10 of the buildings we identified movable facilities of the "chest" type /wooden showcases and wooden sheds have been constructed in two of the houses.
- Aheloy street: in 5 of the buildings movable facilities of the "chest" type/wooden and metal showcases were identified. Aluminium protective shutters have been installed on some of the shops.
- Tervel street: along this street, there are also single-story light wooden shops with sheds attached to them. Besides movable facilities of the "chest" type have been installed on some of the buildings.
- Rusalka street: in 9 of the buildings movable facilities of the "chest" type /wooden showcases were identified.
- Chayka street: along the street next to the harbour there are restaurants which have been transformed by constructing terraces on their roofs and have been covered and glazed to function as temporary places. Tables have been placed outside of them and they are used as sheds for eating in the open.
- Ribarska street: in 4 of the buildings were identified movable facilities of the "chest" type/wooden showcases.
- Along the East coast, there are around 7 restaurants located in the ground floors of the buildings. Attached to them are wooden and metal sheds which take up wide urban spaces and are closed with light screens made of artificial materials or whole windows.

The owners of the abovementioned buildings should be identified by the municipal administration in order to clarify the legality of the specified facilities and to take

administrative enforcement actions against the violators.

2. Full development and implementation of all planning, policy and legislative initiatives recently launched or planned by the State Party including preparation, adoption and implementation of a management plan (including integrated multi-institutional tourism strategy and guidelines for the use of historic buildings and monuments), urban master plan and a conservation master plan of monuments and archaeological sites,

The Management Plan “The Ancient City of Nessebar” – World Heritage Site (Duration of the plan 2012-2032) was developed by the National Institute of Immovable Cultural Heritage in 2011. The Management Plan (MP) was drawn up very thoroughly, taking account of the standards set forth in the Operational Guidelines as well as ICOMOS principles. The Management Plan was drafted under the direction of the Cultural Heritage Directorate and the team was led by Professor Todor Kretev. More than 60 experts in different fields contributed to the work under his direction. The documentation of approximately 1,000 pages in three volumes presents and evaluates the current state of conservation and defines the necessary tasks to ensure the protection, preservation and management of the property. Short, medium and long-term programmes are set out. The Management Plan is comprehensive and addresses diverse issues regarding the property. It responds to all remarks and questions of the 2010 reactive monitoring mission and the decisions of the World Heritage Committee. It is important to highlight that the Management Plan correctly identifies all factors that can potentially threaten the attributes that sustain the Outstanding Universal Value of the property and its conditions of integrity and authenticity.

The problems in the property and its buffer zone have been identified and strategic guidelines for their solution have been proposed as well as concrete programmes – long-term (20 years) and short-term (5 years and one year 2013). The Management Plan is already being implemented in the following 10 directions: 1) a project for regimes and prescriptions – development of conservation regulations; 2) in accordance with the national legislation, delineation of the boundaries of the property and the Necropolis; 3) development of pilot projects for conservation of significant medieval churches (St John the Baptist, St Paraskeva, St Archangels); 4) funding for the realisation of the project Faith in Nessebar for a cultural tourism route in the property; 5) preparation of regulations and schemes for the movable trade and advertisement; 6) removal by the Municipality of Nessebar of all municipal street trade; 7) establishment of a unit within the Municipal Administration for the implementation of the Management Plan; 8) Development of an adapted corporate design for Nessebar by Coca-Cola Bulgaria; 9) the socialisation and dissemination of the Management Plan through its online publication and the opening of the “Nessebar in the Old Maps” exhibit; 10) undertaking of rescue archaeological research.

The summary is appended with a large number of plans and schemes illustrating the theses presented in the Plan, together with additional illustrative material from contemporary and archival documents. The appendices contain some conservation and restoration projects (including ICOMOS projects) already accomplished intended to illustrate and support the theses in the Plan. It should be noted that not all of the pilot projects in the section on

“Applied Products” have been elaborated specifically for the needs of the Plan. Some of them, such as the restoration project on the Church of the Holy Archangels Michael and Gabriel, were launched long before the Management Plan was initiated.

For 2013, the most urgent and pressing actions scheduled include the development of a Detailed Spatial Plan and Conservation Plan, realisation of the conservation projects, etc.

Chapter VI “Strategic guidelines for conservation, use and Management” of the Management Plan gives “Guidelines for sustainable development of the urban functional system”. In this section, under “Trade and Public Service” topic, the need to define a coherent regulatory system, within a coordinated program for sustainable development of trade and services in the Ancient City, is noted. Among others, the plan makes the following provisions:

- Constant removal of the movable street trade and dining establishments from the public areas of the property and their transferring to the indicated spaces in the harbour areas of the buffer zone or outside it.
- Use of the yards and ground floors for service activities in accordance with the respective prescriptions.
- Flexible execution of service activities in local market places with changeable location or cyclic organisation (weekly, monthly, and annually).
- Differentiation of specialised zones for development of specific service activities, thematically related to the inherited values, traditions, unique local production, etc.

Dialogue with the local citizens is being undertaken to involve them with the implementation of the Management Plan, which has already had results. It would be useful to clarify the approaches and mechanisms of management system, the ways of interaction between the stakeholders, and the access of the local population (residents and the local business community) to the decision-making and management process. That is also important to propose management policies and tools that would actively involve the broadest possible range of groups from the local community in formulating the local priorities and ways of action.

The summary does not provide an analysis of the state of conservation and a comprehensive strategy ensuring the effective operation of the ancient city’s social and technical infrastructure related not only to tourism but also to the daily life of its residents. Issues such as energy and mobility planning, tourism development and its interaction with other economic activities should be included.

In the spirit of the recommendations made by the 2010 Reactive Monitoring Mission and the decisions of the World Heritage Committee, the Management Plan proposes an efficient form of the institutional network of partners with enhancement of the role of each partner: state, local authorities, population, and business. The establishment of a National Fund and Board “Nessebar World Heritage” is proposed which should ensure the real role of the state to provide possibilities to accumulate means for the preservation of the property and active coordination of the partners. The Law for the Preservation and Development of the Ancient City of Nessebar will, in turn, contribute to finding new legislative mechanisms for providing public support of the local citizens and the priority development of cultural tourism.

During the whole phase of formulating the plan both in Nessebar and in NIICH many joint workshops for outreach and participation of the citizens and the municipal authorities in the process of its development were held. These included the following:

- 2.01.2011 and 24.01.2011- meeting in Sofia IVth representatives of civil society "Ancient Nessebar "
- 22. 03.2011 - meeting in Sofia at the invitation of NIICH with representatives of Nessebar Municipality on the problems of the business and trade advertisement on the territory of the reserve
- 08. 04.2011 - meeting in Nessebar with the citizens
- 21.06.201 - meeting in Nessebar of the team developing MP with representatives of civil society "Ancient Nessebar"
- 08.12. 2011 - open meeting with the citizens of the town on which an expose of the current results from the plan's development was presented.
- 24.07.2012 - public discussion of MP
- 20 .08.20 12 - in NIICH a meeting with representatives of the civil society and citizens of Nessebar was held on which the project team acquainted them with manner by which notes and recommendations for the MP are accepted

The reduction of the buffer zone, proposed in the Plan raise questions that have to be addressed.

The critically important issues of risk assessment and risk management are also absent in the summary although widely recognized as key elements in the management of both urban development and cultural heritage.

It is also necessary to elaborate a detailed scheme of the financing mechanisms of conservation and management activities – possible funding sources, coordination, responsibilities and the motivation of the actors involved.

There is an English version of the summary of the management plan (63 pages and attachments). According the guidance of the adopted MP it is necessary to prioritise the development and adaptation of the master plan and the conservation plan. These measures would be critical to ensure a larger articulation with other planning tools, particularly those existing at the Municipal level. The Ministry of Culture intends to lay down the requirements for the World Heritage site and regulate the activities that may be conducted there in a statute entitled “Law for conservation and development of the Ancient City of Nessebar” based on the adopted Management Plan.

3. A moratorium on construction works within the property and the buffer zone until the adoption of the regimes and the detailed spatial plan has been proposed.

In 2010, in the Architectural, Archaeological and Urban Planning Reserve of the Ancient City of Nessebar, the Regional Directorate for National Construction Control - South-Eastern region, along with the Municipality of Nessebar, undertook actions for compliance with the already enforced orders for the removal of the following illegal constructions:

- Superstructure on top of the second storey, 9 Venera St.
- Extension and superstructure on top of residential building 26 Mitropolitska St.
- Shops No. 3 and No. 4, 3 Slavyanska St.

- Superstructure on top of a two-storey residential building, 14 Ivan Asen II St.
- Third storey superstructure on existing residential building, 11. Aurora St
- Third storey superstructure on existing residential building, 6 Venera St.
- Third storey superstructure on a two-storey building, 11 Ivan Aleksandar St.

By 2010, the Regional Directorate for National Construction Control - South-eastern region had initiated administrative procedures and issued 23 orders in total for the removal of illegal construction interventions on the land of the Architectural, Archaeological and Urban Planning Reserve of the Ancient City of Nessebar.

Out of these:

- for 2 properties, an appeal has been lodged and the orders revoked by the court;
- 8 properties are in the process of appealing in the court;
- 3 of the Orders have been handed on 16.12 .2010;
- 10 Orders are enforced (7 implemented or in the process of implementation)

An updated report on the implementation of the orders to remove illegal constructions will be provided by the Regional Directorate for Construction Control - Burgas.

Nessebar has three ports: north and south – in the buffer zone on the peninsula, as well as a marina in southern part of the buffer zone on the mainland. The Management Plan proposes the organization of their areas as "areas of port, trade and public parking spaces" (see SCHEME № 15 of the Summary of the Plan). These areas are provisioned to include functions and site for:

- Transport infrastructure (including development of public parking spaces with the needed capacity to serve people with disabilities, local people and service sites in the Ancient city according to a specially established access mode),
- Trade/commercial services (including spaces for temporary placement of movable trade sites),
- Restaurants,
- Places for public city events,
- Public green areas.

The plan envisages the establishment of such zones to help the release of the public urban spaces within the World heritage property, which is now too overloaded with functions like trade, parking and different services. Of course, this strategy also provides for outsourcing of functions outside the buffer zone.

On this basis, and in relation with the Management Plan, the National Institute of Immovable Cultural Heritage (NIICH) has developed a project for protection regimes and prescriptions that concern also the marine areas (SCHEME № 11 of the Summary Plan). These protection regimes provide specific parameters for the areas – e.g. allowable percentage of built-up area – up to 20% of the total area; provision of visual connections and openings towards the sea coast; requirements for the new construction that has to emphasize and exhibit the World heritage property, to be harmonically included in context, etc.

The Management Plan proposes in the period of the adoption of the regimes and approval of a Detailed Spatial Plan to impose a construction moratorium in the protected areas, including the sites provided for construction, but this has still not proceeded.

Having in mind these conditions, the situation within the two areas at the southern port is the following:

In 2009, urban and architectural conceptual designs for construction in the two areas were approved. These projects perhaps were provided to the UNESCO/ICOMOS Mission in 2010, because there is a perspective view about the development (from 2009) on the billboard of the site, but as it was mentioned, the appearance of the building has been changed since that time. According to the Management Plan for the period of the moratorium these projects, along with other similar projects (e.g. construction at the Necropolis in the buffer zone on the mainland), should be revised or cancelled after the adoption of the regimes, regulations and the Spatial Plan. That is actually the meaning of the construction moratorium in this period.

Until the completion of the Management Plan (end of 2011) no construction works are undertaken within the two areas. After the completion of the Management Plan, the Ministry of Culture approved in April 2012 technical architectural projects for the construction within the two areas of the southern port. The projects are made on the basis of the revised architectural projects from 2009. The World Heritage Centre has not been notified of these projects (according to item 5 of 34 COM decision).

At the inspection on site, the mission found out that there are already some two-storey concrete buildings built (rough construction), and that the construction continues. This is in clear contradiction with the decisions made by the World Heritage Committee at its 34th and 35th sessions as well as with the Management Plan and the construction moratorium within the property and the buffer zone, valid until the adoption of the regimes and the Urban Plan.

It should be taken into account that the external team members of the Management Plan, outside the Ministry of Culture system and ICOMOS Bulgaria, were not familiar with the approved projects for the areas and with their constructions.

The projects are different than the images of the billboard on site. Only the layout of the construction was put at the mission's disposal, so the appearance of the construction cannot be evaluated at this moment. (The layout plan is in the attachments). The projects under construction do not meet the characteristics of the areas under the Management Plan and the parameters set out in the draft project for regimes and prescriptions for these areas, namely:

- The buildings include residential functions that are incompatible according to the Management Plan – 5 residential buildings, which violates the functional characteristics and the open public nature of the area;
- The building density of the areas exceeds the limit rate of the built-up area compared to the total area (20%), according to project for regimes and prescriptions;
- The height of the buildings reaches a height of 8 m ridge of the sloped roofs, and a tower of 10 meters height is provisioned – an absolutely unacceptable vertical accent in the city skyline;
- The proposed buildings create a visual barrier towards the sea coast with their stressful urban unit.

Currently another project (not available at the Municipality) for pontoons and piers for yachts in the surrounding port is in process of development. This is also in contradiction with the

requirements of the Management Plan for a rigid control of the coastline of the peninsula and the way it enters the sea.

The envisaged development will change the character of the buffer zone and will have unfavourable impact on the Outstanding Universal Value of the property. The problem is that the construction is totally legal and is a project being implemented at a fast pace. The authorities should reconsider this project and carry out a heritage impact assessment to ascertain whether modifications are needed to ensure that there is no impact on the property.

4. Permanent monitoring of the property with a view of halting and preventing any threats to its Outstanding Universal Value

Carrying out of monitoring for assessment of the conservation conditions of the immovable cultural heritage and the urban environment is essential in this respect. To date, the following progress has been made:

In January 2011 monitoring maps were been developed for observation of the 115 individual cultural buildings with conclusions regarding the threats to the objects and the urban environment. Standardise formats for scientific observation of immovable cultural property were used to ascertain the condition of the buildings.

In June 2012, monitoring was carried out and the results were entered in the maps used for condition recording. During the period when the Plan for protection and management of Ancient Nessebar was being developed, a team of experts of NIICH analysed and assessed the level of preservation of the urban environment and identified the areas that required the implementation of activities for protection of the authenticity and integrity of the property and its setting. In the documentation there are photos from the 80's and from 2011, and review of the findings established by the monitoring carried out of the site's physical condition, non-harmonious interventions on the site and the adjacent property (its immediate surroundings), present day function, and site conservation level. This work is one of the main bases to define projects the further restoration works and has also served to create baseline data for subsequent monitoring, which will be crucial for the long-term conservation and protection of the property. This work is the "Terms of References for the Preparation of a Conservation and Management Plan of the Ancient City of Nessebar" made by the Management Plan group. The main purpose of the CMP is to ensure the efficient conservation and management of the Cultural Property by attaining a good balance of two groups of objectives, one dealing with the conservation of Cultural Property as per certain conservation strategies and other dealing with the development of the Cultural Property, its sustainable use for present day functions within the framework of the common social and economic development. The main three tools (legal protection, spatial plans and urbanism, management system for the conservation activity) exist regardless of and beyond CMP and present the basis of the conservation policy and practise.

5. Establishment of a protection regime for the buffer zone of the property, as well as for the sea coastline and strengthening the system of development control within it.

"Inspectorate for Protection of Cultural Heritage" controls and supervises the compliance with the requirements of the Cultural Heritage Act. This ensures prevention of violations of this

Act. In the periods February 12-15 2012 and June 18-21 2012 a series of inspections were conducted upon notifications provided to the Ministry of Culture and related to sites located within the Old Nessebar territory. A number of acts establishing administrative violations and penalty provisions of offenders were issued. Inspections were carried out in respect of movable facilities within the boundaries of the inscribed property and its buffer zone. Some of these acts are being appealed in court. (A report is provided in the attachments – Report from Maria Arbova – Demireva – regional inspector in CDE (Centre for development of enterprise) Burgas, “CHC” Cultural Heritage Conservation MD- Ministry of Culture).

6. Review that all tourism development plans are subservient to the overall Master Plan for the inscribed property

Trade and service of visitors are traditional activities for Nessebar, but the commercial activity chaotic and not harmonious development during the last few decades threatens the Outstanding Universal Value of the property. To a great extent this is due to the lack of regulations for the movable facilities and components of urban infrastructure, advertising activity and open-air as has been pointed out. The Management Plan considers the elaboration of such regulations within a coordinated programme for sustainable development of trade and services in the Ancient City in the following directions:

- Constant removal of the movable street trade and the dining establishments from the public areas of the property and their transferring to the indicated spaces in the harbour areas of the buffer zone or outside it;
- Use of the yards and ground floors for service activities in accordance with the respective prescriptions;
- Flexible execution of service activities in local market places with changeable location or cyclic organisation;
- Differentiation of specialised zones for development of specific service activities thematically related to the inherited values, traditions, unique local production.

The Management Plan proposes the definition of guidelines and measures for activation of the participation of local community in the priority development of cultural tourism. The plan relies on the local population for the development, interpretation and attractive demonstrations of activities, which consolidate the identity of the property in combination with contemporary art forms. The need to stress the relation between the all-year round cultural tourism in the property and the out-of-the-season activities in Sunny Beach is underscored. The Management Plan recommends that cultural tourism should be developed with priority and be integrated with other forms of tourism in the broader territorial context. Cultural tourism is combined with other forms of tourism in an integral tourist package. The Ancient City takes advantage to the tourist complex Sunny Beach.

7. Implementation of measures which adequately ensure the conservation and protection of the conditions of authenticity and integrity of the property and the attributes that sustain the Outstanding Universal Values of the property

The regimes for the protection of cultural property and its buffer zone that have been developed, as well as the Plan for Conservation and Management, which contribute to the preservation of the property.

The proposed program activities of MP are included in main programs. Long term program (2012-2032), five year program (2013-2017), one year working program 2013. In the last section of the Management Plan the aspects of implementation of the plan, referring to supervision and evaluation of implementation, the requirements for the development of the succeeding one-year and five-year programs are determined, and reasonable grounds for possible up-dating and amendments to the long-term program are defined.

The Management Plan is a strategic document and does not propose concrete operational decisions, which are on the basis of other operational instruments (conservation prescriptions, spatial plans, conservation plan, etc.). The Plan recommends some exemplary options for concrete actions but these are not proposals for decisions which will become compulsory after the adoption of the Management Plan. Therefore the mission urges the adoption of the Management Plan and the integration of further regulations that have been identified, along with the formulation of a master plan and the conservation plan to be integrated into a coherent system of planning tools to assist decision making.

However, at this time the capacity of the newly organised municipality's World Heritage working group (2 persons) and the inspector of monuments for the Burgas region (1 person) is very limited compared to the size of the task. The limited resources available will need to be enhanced to adequately operate a comprehensive management system.

6. Conclusions and recommendations

Based on the 2010 mission, major steps have been taken to preserve the Outstanding Universal Value of the ancient city of Nessebar in compliance with the requirements defined by the World Heritage Committee. The Ministry of Culture has taken the first measures intended to counter the threatening factors and to prevent the effects of other harmful phenomena.

The completed work is of exemplary value in Bulgaria, and the requirements of this documentation are intended to serve as a model for drafting management plans for the other World Heritage sites in the country, which are lacking at present. For this reason the Management Plan for the property attracted great attention from this aspect as well. The organisations concerned ensured the appropriate conditions for the work, and provided support and help in all areas. The documentation discusses the necessary tasks and defines the requirements precisely in accordance with the earlier decision of the World Heritage Committee. The material evidences the major shift in approach that has occurred since the last reactive monitoring mission in order to preserve the property's Outstanding Universal Value. However, the process of adopting the Management Plan is ongoing and still affords the possibility of change, in relation with the procedures that will have to take into account the observations of the specialised authorities, public discussion, politicians and other stakeholders before being tabled for adoption. Despite the best intentions, it is probable that during the approval process in the coming months the Management Plan will be modified so

particular attention will need to be placed so that the tasks necessary for the management and protection of the World Heritage property are not compromised. At present there is no precedent in Bulgaria of how the stakeholders' observations are reviewed in the control mechanism before evaluation and how these may change the Management Plan and its objectives.

According to statements made during the consultations, the Ministry of Culture intends to lay down the requirements for the World Heritage property and regulate the activities that may be conducted there in a statute entitled "Law for conservation and development of the Ancient City of Nessebar" based on the adopted Management Plan. Furthermore, the Ministry has also proposed enacting a World Heritage Law instead of the Nessebar Law because the Management Plan now being prepared for Nessebar and its methodology can serve as a model for the drafting of management plans for the other World Heritage sites, which is planned in the near future. Whereas the World Heritage Law may regulate the tasks with more general provisions, in terms of Nessebar more effective, more comprehensive and faster obligations may be created by the passage of the Nessebar Law based on the Management Plan for this particular site. In spite of the excellent work, it is important that the World Heritage Committee monitors the process of the insertion of the Management Plan into the legal order as well as the implementation of the specific tasks defined.

The work done between 2010 and 2012 demonstrated that the State Party is treating the recommendations of the World Heritage Committee seriously. Compared to the conditions in 2010, a major shift and change in attitude has occurred. A moratorium on construction is in force at the property since the 2010 recommendation. This illustrates the successful cooperation between the government and the local authority. A list of illegal buildings in the area has been compiled and, naturally, there are different legal options in every case. The first demolitions of the illegal structures by the authorities have begun and proceedings to enforce regulations in relation to several illegal structures are before the courts. Tackling illegal buildings erected in the recent period is a highly important step and its effect is already perceptible. Not only have the demolitions and commenced court cases resulted in the elimination of unprofessional interventions, but establishing order in the legal regulation also plays a major role in raising awareness. In view of the large number of these cases, this is a very considerable undertaking, which deserves recognition.

The municipality of Nessebar has established a World Heritage working group whose remit is to liaise with local people and continuously monitor the site. The newly created working party also oversees the activities conducted at the site. Professional heritage protection control is organised through the Burgas Regional Centre for Monument Protection, which mainly gives advice on construction matters.

Based on the results from the mission, the application of the following is recommended in order to protect the Outstanding Universal Value of the property and ensure the efficiency of management activities.

1. After the adoption and approval of the Management Plan, a master plan will be drafted, which is intended to be followed by a conservation plan. The urban plan, however, needs to cover the whole city as well. Traffic technology, public transport, public utility and environmental protection issues related to the World Heritage property and its buffer zone,

including view shed, can only be assessed in relation to the whole city. The further relief of the property and buffer zones, as well as issues related to tourism, and relocating specific functions such as coach parking to places further away, also need to be viewed in a similar context. One task of this type is the regulation of the coastline. The importance of this comprehensive plan must be pointed out because its conclusions will have major implications for the World Heritage property. For this reason drafting this plan must be coordinated by an architect or overseen by an expert who has sufficient experience in architecture and monument protection in addition to expertise in urban planning. Activities impacting the protected area must be regulated in their full context. Upon completion of the different planning tools, these should all be articulated into a coherent system to assist decision-making at all levels.

2. Currently, the building permit procedure does not guarantee the requisite standard for the contemporary architecture appearing in the area. This criterion is not given sufficient emphasis either on the part of the designers or of the authority and it is not a requirement in the planning process. The recent architectural manifestations in the buffer zone and the core zone demonstrate the shortcomings of the present system. The local planning authority bears responsibility for the plans from a structural aspect, while the cultural heritage protection inspector examines the potential threat to other values posed by the intervention as an archaeologist. Thus reviewing architectural quality is not incorporated into the monitoring mechanism.

This weakness becomes manifest not only in the new buildings but also in the restoration of old, protected structures when contemporary elements duly adapted to a new function and respecting the authenticity of the complex as a whole need to be included in buildings. It is important for planning to be the remit of an appropriately experienced specialist with an understanding of monument protection and new architecture in a historic environment. For this reason in the renovation of protected historic buildings, the architect responsible should be a specialist sensitive towards both new and old buildings. Greater attention must be devoted to monitoring the architectural standard of plans, not only for individual protected buildings but when planning all construction activities in the buffer zone and the core zone. Monitoring would be effectively served by setting up a panel of experienced, competent, recognised architects with a detailed knowledge of the criteria whose opinion would be decisive for all building permit applications.

3. The Management Plan recommends altering the boundary of the buffer zone in one area on the mainland toward the city where the excavated section of the necropolis is bordered by new development. The necropolis extends far under the built-up area of the city. The unexcavated section enjoys archaeological protection beyond the buffer zone as well and thus the local values are not under threat. However, the new constructions over the necropolis are not keeping with World Heritage value. One example of this is the frontage of the row of buildings forming the limit with the necropolis, which regrettably impacts the World Heritage property as it is visible from there. In this area a block of buildings was part of the buffer zone which the Management Plan recommends to be excluded from the zone. The

architecture of the block could only reach a standard worthy of a World Heritage buffer zone affording protection to the value of the property after the complete reconstruction of the block. Irrespective of the position of the boundary of the buffer zone, the frontage in its current form is unsuitable as the visual boundary of a World Heritage property. As the architectural correction of the full area is unrealistic, the notion of altering the boundary of the buffer zone is acceptable. Dealing with the architectural state of the frontage facing the necropolis cannot be excluded from the range of issues of the World Heritage property to be addressed. For this reason pushing back the boundary of the buffer zone is only practical to the back border of the plots of the line of buildings forming the frontage in order to retain the possibility for implementing the necessary corrections. The architectural alteration of this frontage should be solved in harmony with the new developments proposed in the area of the necropolis (see point No.4 as well).

At the same time, the buffer zone does not extend to the section of coastline within the city visible from the peninsula forming the core zone. On this continuous section of coastline there is a green area. The Management Plan could protect values more effectively if the buffer zone extended to this area as well.

4. The possible new development on the mainland (necropolis area) and the presentation of the area of the necropolis are important from a World Heritage viewpoint as well. The necropolis area is divided by a busy road and the archaeological site extends under the public area. The land which is currently not built on has two owners and the Management Plan permits building on the two corners of the upper section of the necropolis. On these two sites appropriate architectural solutions could be employed to provide a visual boundary compatible with World Heritage standards. It is recommended that the entire frontage facing the necropolis – that is the structures to be built on each of the two corner plots together with the existing frontage behind them – be treated in a unified manner from a complex architectural viewpoint and the development be effected based on a common concept irrespective of the actual timing of the construction.

The unified management of the area also demands that the road dividing the two areas be rerouted, thereby enabling the area of the necropolis under the road to be excavated and displayed. This would also restore the unity of the area to be presented. Measures for rerouting the dividing road must be included in the Management Plan when defining the programme. The conditions for rerouting the road should be decided in the transport and road development concept of the comprehensive master plan for the entire urban area. The road to be rerouted is currently the main connecting thoroughfare to the peninsula with the World Heritage zone but could be replaced by two minor roads of the appropriate width skirting the necropolis, freeing the space occupied by the central road and directing vehicular traffic onto the two outer roads. A pedestrian greenway which also displays the values of the necropolis could be created in the area.

In order to ensure the appropriate standard of architecture of the new and renewed buildings, it is recommended that an international architectural design competition be announced in which the primary criteria are the unified use of the whole area of the necropolis and the

protection of World Heritage value. International experts should be included in the jury for the competition.

5. The coastal defence system in the buffer zone around the World Heritage core zone has been strengthened in the past. Two large quays were constructed mainly to act as breakwaters. Unfortunately, the open space later came to be regarded as a building area. On one quay a market with a unified concept comprised of a row of simple cuboids units has been erected. The structure cannot be regarded as fortunate from a World Heritage aspect as it distorts the view of the protected city of the property from an urbanistic viewpoint. Next to the protected fortified city a new quarter has been built outside the city wall whose silhouette disturbs the proportions, significantly compromising the visual integrity and authenticity of the complex in the World Heritage property. The World Heritage Committee acknowledged this state previously because mainly functions related to the reception of tourists were located in this area (restaurants and shops). The appearance of the current buildings is relatively neutral, and they have no distinctive architectural character. However, this threatening process is currently continuing with a new construction. The situation is complicated by the fact that this major construction project, which is underway in the market area on the quay, has a valid building permit. A substantial building a storey taller and with a different shape from the existing structures is being constructed next to and between the buildings that have already been erected outside the city wall. This latest development heightens the distortion of the formerly unspoilt view from the sea created by the market area. Regrettably, the structure is already standing. The mass of the building is already imposing and it is evident that the unfavourable new development will further detract from the integrity of the protected built environment within the city wall from both an architectural and urbanistic viewpoint. Information about this construction project was not supplied with the data for the Management Plan. Underground parking facilities were earmarked there, thus the Management Plan cannot have dealt with this situation and its ramifications. In the knowledge of the situation, halting the construction is unrealistic because it is legal. Nevertheless, the size of the structure should be altered and a regulation restricting the building height to that of the existing buildings is required. Every roof or roof superstructure that projects above the roof shapes of the existing buildings aggravates the situation. The building threatens the integrity of the World Heritage property. The mission considers that in light of the unsatisfactory partial solutions, the best recommendation would be for the building now under construction to be single storey and a green roof to cover the structure at the height of the existing buildings. The World Heritage Centre could enforce stopping of the construction until the development of a report on the case.

The management of the market area foreshadows the likelihood of the other harbour area being declared a construction zone sooner or later as well because the fishermen's organisation has been granted the right to manage the harbour. Thus demand to build in this area too can be expected. The strictest prohibition on construction is required in the area outside the city wall in order to preserve the integrity of the property and to protect the view of the historic complex.

6. It can be stated that since the 2010 mission a major change has occurred in the area within the city wall with regard to the main sites, and in particular the churches, and to handling advertisements, signs and inappropriate equipment. However, the renovation of privately owned properties, mainly dwellings, represents a bigger problem. There is still much room for improvement in regard to private interventions. The professionalism of conservation and the architectural standard of the extensions constructed remain questionable. The Management Plan defines measures to deal with the tasks and clearly defines the action to be taken but in the current system the desired technical standard of the interventions is not guaranteed even when the positive intention of the intervention is clearly evident. In other words adequately qualified partners with the right approach are not involved in private or small interventions. A model area (with the surrounding public area) illustrating the required standard and requirements of restoration would be expedient in order to provide a yardstick for renovation. A location where owners can join the renovation scheme as partners can be chosen under the guidance of the local authority or ministry. By involving the best professionals and using suitable techniques, materials and structures, the restoration of a complete block could transform the location to act as a reference work presenting the desired solutions for subsequent restoration.

One possible way of promoting this could be making a collection of the most frequent, preferred architectural solutions and structural joints to serve as blueprints for owners when preparing restoration works. Such details do not usually form part of the restoration plans and in the absence of these, restoration of an acceptable standard cannot be expected.

Aid schemes offering financial support, a tax concession or a contribution in kind to the works (building materials, design, etc.) based on the earlier WHM recommendation should be considered in order to promote conservation programmes and encourage authentic restoration.

7. Piping and distribution points at public utility connections are often visible within the property. In the course of consultations with utility providers regulations should be introduced to control utility connections in a uniform, refined manner complying with monument and historic building protection criteria throughout the World Heritage property.

8. The World Heritage listing has significantly increased the tourist traffic of the protected area. This resulted in the appearance of numerous unauthorised souvenir stands on the fronts of buildings. The owners receive income by leasing the space. Often there are several such jumbled stands on the same building, distorting and covering the façades. The dismantling of these structures which look like shops when open and boxes when closed has begun. The souvenirs sold at these outlets are mass-produced low quality wares which are present at every similar location throughout the world. A World Heritage property should require that unique, quality souvenirs representing the local culture and traditions are vended. The Management Plan treats this issue as a priority.

9. A row of illegal catering terraces have been built along the rows of houses on the sea front. These were reviewed and the Management Plan recommends their demolition. The

terraces also cover part of the sea walls, thus their demolition will restore the relationship of the natural environment and the historic city, serving the protection of the historic urban landscape.

10. Within the inscribed property to the north of the road leading to the peninsula there is a disused, partly sunk in restaurant attached to barrels on the seashore, which is an eyesore. It is incongruous with the World Heritage property and needs to be removed immediately.

11. The constant monitoring of the existing buildings is required. The stone structure of the western city wall and the gate is in a critical condition and the wooden structure of the windmill shows signs of advanced corrosion, as noted by the previous mission. Since then no progress has been made in this area.

12. The capacity of the municipality's World Heritage working party (2 persons) and the inspector of monuments for the Burgas region (1 person) is very limited compared to the size of the task, thus broadening the interdisciplinary professional support given to them is justified.

To summarise, the following measures should be taken by the national and local authorities as a matter of urgency:

- Maintain a moratorium on any new constructions within the World Heritage property until the master plan and conservation plan are developed and adopted.
- Halt the authorization of new construction permits within the World Heritage property. Halting permits should also be applicable for the surrounding sea coastline area given the potential visual impacts of development on the property. The restriction should be revised upon completion of a visual impact study for development projects, upon the approval of the Manager plan and Master Plan with effective protective juridical regulations and upon the establishment of regulations for tourism activities, movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity;
- Establish and make operational an overall management system, including coordination mechanisms for the property, in accordance to the Management Plan. The management system could consider the establishment of a Special World Heritage Coordination Unit to survey, monitor and manage the property and its buffer zone, as well as to function as specific liaison between the Ministry of Culture and local authorities;
- Develop and enforce a coherent regulatory system to ensure the conservation, management and protection of the property and its buffer zone;
- Adapt planning mechanisms to the boundaries of the property and its buffer zone;
- Develop and adopt an Urban Master Plan for the Ancient City establishing land use goals, including rehabilitation of infrastructure provisions, zoning controls (including no build zones) and strengthening capacity building, community relations and tourism development;

- Establish clear operational plans that strictly limit development at the property and its buffer zone in consideration to management and conservation guidelines and visual impact and heritage impact assessments;
- Formulate a conservation master plan, with clearly defined development rights for private property;
- Improve the availability of accessible and use friendly planning information for the public;
- Create an integrated multi-institutional tourism strategy with regulations governing movable facilities and infrastructure development;
- Prepare a Technical Manual for conservation, rehabilitation and restoration;
- Strengthen the protection status of the sea coastline in relation to the capacity of the municipality, including heritage impact assessments of the any proposed developments on the sea coastline in relation to the property's Outstanding Universal Value;
- Monitor restoration and maintenance works including long term consolidation of the historic monuments of ancient Nessebar and strengthen the monitoring mechanism for physical conservation of buildings and archaeological sites;
- Develop guidelines for new construction, urban design and advertising and information panels in the property and its buffer zone;
- Create a training programme for conservation and management for the personnel responsible for the World Heritage property;
- Develop a special programme for the protection of the property's archaeological components
- Identify financial support to assist home owners in rehabilitation work;
- Develop capacity building activities including a World Heritage training seminar for all professional staff involved with World Heritage properties, conservation and management training for maintenance staff;

In addition, the following recommendations from the 2010 reactive monitoring mission should also be implemented:

- Creation of a "Social council" for the protection of the cultural heritages a consultative body under the municipality in order to enhance the awareness-raising activities and encourage an active involvement of the local community.
- Prepare for all new development and infrastructure projects, within and which can be seen from the peninsula, cultural heritage impact assessments using the ICOMOS model, as well as visual impact studies based on topographical analyses and environmental impact studies, thereby recognising the need to protect the visual integrity as well as the balance between the natural and built environment of the World Heritage area.
- Find the means to provide financial support to private homeowners to ensure the in-situ conservation of existing historic structures of their 19th century houses which are an important component of the property, and to discourage replacing older structures with new construction and inappropriate annexes.

- Inform the World Heritage Centre in advance of all major interventions to key monuments and sites, in accordance with Paragraph 172 of the Operational Guidelines.
- Strengthen the financial resources and staffing of the national institutions concerned in order to ensure that management can effectively conserve the Outstanding Universal Value of the property;

ANNEXES

Annex 1 Terms of reference

The World Heritage property of Ancient City of Nessebar was inscribed on the World Heritage List in 1983 under cultural criteria (iii) and (iv).

In line with the Decision 35 COM 7B.87 adopted by the World Heritage Committee at its 35th session (Decision, UNESCO, 2011), the objective of the reactive monitoring mission to the property, requested by the World Heritage Committee, is to review the state of conservation of the property as well as progress in the implementation of this Committee's decision.

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

- a) The status of the implementation of the recommendations of the 2010 joint World Heritage Centre/ICOMOS reactive monitoring mission to the property, including:
 - establishment of regulations for tourism activities, movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity,
 - full development and implementation of all planning, policy and legislative initiatives recently launched or planned by the State Party including preparation, adoption and implementation of a management plan (including integrated multi-institutional tourism strategy and guidelines for the use of historic buildings and monuments), urban master plan and a conservation master plan of monuments and archaeological sites,
 - permanent monitoring of the property with a view of halting and preventing any threats to its Outstanding Universal Value,
 - establishment of a protection regime for the buffer zone of the property, as well as of the sea coastline and strengthen the system of development control within it,
 - review that all tourism development plans are subservient to the overall Master Plan for the inscribed property and that control mechanisms was established for the buffer zone,
 - review that all illegal and inappropriate structures within the property and its buffer zone were removed or demolished;
- b) Other issues relevant to the state of conservation of the property.

The mission should hold consultations with the Bulgarian 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 will propose recommendations to the State Party and the World Heritage Committee to further improve the conservation and management of the property. The mission 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 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 2 Composition of mission team and programme

Gergely Nagy (ICOMOS)

PROGRAM

For the monitoring mission on the condition of the Ancient City of Nessebar, Bulgaria,
20. 11. 2012:

12.40 - Welcome of Mr. Gergely Nagy and accommodation in a Grand Hotel Sofia (by Rumiana Mitreva, General Secretary of the National Commission for UNESCO)

13.30 - Lunch (held by the National Commission for UNESCO)

15.30 - Meeting in the National Institute for Immovable Cultural Heritage which developed a draft plan for preservation and management of the Ancient City of Nessebar and presentation of the main ideas of this draft.

18.00 - Meeting with the BNC from ICOMOS.

19.30 - Dinner (held by the Deputy Minister of Culture).

21.11.2012:

8.00 Departure for Nessebar (with transportation from MC)

13.30 - Accommodation in the hotel "Vigo"

14.00 - Lunch

16.00 - Inspection of the Ancient City

17.30 - Meeting with the Mayor of Nessebar Municipality, representatives of the Municipal Administration and "Ancient Nessebar" Museum

20.00 - Dinner (held by the Ministry of Culture)

22.11.2012:

9.00 - Inspection of the Ancient City - urban structure, archaeological sites, medieval churches, folk architecture buildings, new construction (for access to the medieval churches, a representative from "Ancient Nessebar" Museum is provided)

13.00 - Lunch

15.30 - Meeting with representatives of NCCD (RD NCC Burgas at the Regional National Construction Control Directorate, Southeast Region - Burgas)

18.00 - Meeting with representatives of non-government organizations from Nessebar

20.00 - Dinner (held by the Mayor of Nessebar Municipality)

23.11.2012:

8.30 -- Departure for Sofia

13.30 - Lunch

15.00 - Meeting with Mr Vejdy Rashidov, Minister of Culture

15.30 - Visit of the newly discovered archaeological sites in the centre of Sofia.

19.30 - Dinner (held by the Ministry of Culture)

24.11.2012:

11 .10 - Departure from the hotel

Note:

During the meeting of Ancient Nessebar, experts are to be accompanied by representatives of the Ministry of Culture, the National Institute for Immovable Cultural Heritage and the National Commission for UNESCO.

Annex 3. World Heritage Committee decisions

World Heritage Committee recalling Decision 34 COM 7B81 adopted at its 35th session (2011).(35COM 7B.87 Ancient City of Nessebar (Bulgaria) (C 217))

1. Having examined Document WHC-11/35.COM/7B.Add,
2. Recalling Decision 34 COM 7B.81, adopted at its 34th session (Brasilia, 2010),
3. Acknowledges the State Party detailed report and the efforts made to launch policy and legislative initiatives intended to enhance protection of the World Heritage property, as well as the strong commitment of the State Party to improve measures in place for the conservation of the World Heritage property;
4. Notes with appreciation that the municipality suspended the issuing of building permits in the protected area and requests the State Party to declare a temporary construction moratorium within the buffer zone of the property and its sea coast line prior to the approval of adequate and effective protective juridical regulations, and the establishment of effective control mechanisms and institutional frameworks among all stakeholders involved in the management and protection of the Ancient City of Nessebar;
5. Also notes that the continued absence of an appropriate planning, monitoring, management and conservation mechanisms could pose a threat to the property's Outstanding Universal Value, as defined in Paragraph 179 (b) of the Operational Guidelines;
6. Also requests the State Party to implement all the recommendations of the 2010 joint World Heritage Centre/ICOMOS reactive monitoring mission to the property, including:
 - a) immediately establish regulations for tourism activities, movable facilities and components of urban infrastructure, advertising activity and open-air commercial activity,
 - b) fully develop and implement all planning, policy and legislative initiatives recently launched or planned by the State Party including preparation, adoption and implementation of a management plan (including integrated multi-institutional tourism strategy and guidelines for the use of historic buildings and monuments), urban master plan and a conservation master plan of monuments and archaeological sites,
 - c) ensure a permanent monitoring of the property with a view of halting and preventing any threats to its Outstanding Universal Value,
 - d) establish a protection regime for the buffer zone of the property, as well as of the sea coastline and strengthen the system of development control within it,
 - e) ensure that all tourism development plans be subservient to the overall Master Plan for the inscribed property and that control mechanisms be established for the buffer zone and be developed in ways which will not negatively impact on the Outstanding Universal Value, of the property,
 - f) remove or demolish all illegal and inappropriate structures within the property and its buffer zone;
7. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission, prior to its 37th session in 2013, to review the state of conservation of the property, the implementation of measures which adequately ensure the authenticity and integrity of the property and its World Heritage values, - and the existence of an integrated

and comprehensive management plan for the World Heritage property, and specifically the State Party response to all 2010 mission recommendations;

8. Requests furthermore the State Party to submit to the World Heritage Centre by 1 February 2013, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

Annex 4. List of persons met during the mission

Mr. Vezhdi Rashidov	Ministry of Culture
Mr. Georgi Stoev	Deputy Minister of Culture
Mrs. Mima Stoilova Nikolova	Ambassador Ministry of Foreign Affairs of The Republic of Bulgaria
Mrs. Roumiana Mitreva	Secretary General National Commission for UNESCO
Mrs. Uliana Maleeva	Director Cultural Heritage Directorate
Mr. Atanas Terziev	Deputy Governor Burgas Region
Mr. Nikolay Dimitrov	Mayor Nessebar
Mr. M.Sc. Hristo Gantchev	Head of Department Immovable Cultural Heritage Ministry of Culture
Mr. Rosen Vulkov	General Manager National Institute for Immovable Cultural Heritage
Mr. Boris Hadjiev	Liaison Officer A.G. Leventis Foundation
Mr. Stefan Belinshky	President, ICOMOS Bulgaria
Mr. prof. Todor Kretev	Team leader of the authors of the MP
Mr. Rumen Draganov	Institute for Analysis and Assessment in Tourism
Mr. Dimitar Kostov	arch. member of the MP team
Mrs. Galya Stoyanova	arch. member of the MP team
Mrs. Evtelipa Teoklieva Stozcheva	archaeologist Nessebar World Heritage
Mrs. Maria Arbova Demireva	regional inspector Centre for Development of Enterprises Burgas
Mrs. Nina Veledivina	Nessebar municipality
Mrs. Vanya Radeva	Nessebar municipality
Mr. Valentine Dimov	Nessebar municipality

Annex 5. Report to the deputy Minister of Culture by the regional inspector

TO
DEPUTY MINISTER
OF CULTURE
ARH. GEORGI STOEV

REPORT

from
Maria Arbova – Demireva – regional inspector in CDE (Center for
development of enterprises) Burgas, "CHC"- Cultural Heritage Conservation
MD - Ministry of Culture

**REF: Checks, conducted at sites in the town of Nessebar as a result of
signals, submitted to "CHC" MD**

Dear arch. Stoev,

In the periods 12-15.02.2012 and 18-21.06.2012 we conducted checks together
with arch. Milen Marinov following some signals, submitted in the Ministry of Culture at
sites, located at the territory of Old Nessebar, namely:

1. Check of immovable cultural heritage "Dimitar Aytov's house" /Aphrodita Aytova's
house/, sq. 27, RLP VII-79, Nessebar, and found the following violations:

- The former shed (shelter) is glazed.
- Flat roof - terrace is built at the place of the slope cover with single-guttered roof
tiles, as the access to it is provided by one-arm ladder.
- The single-floor volume is stuck to the southeast facade of the house - immovable
cultural heritage.
- The yard space is divided into two parts by newly-built wall.

After reviewing of the submitted documentation and site attendance we have found
violation of art. 83 para. 1 items 1 and 2 of the CHA (Cultural Heritage Act) since the
ICH interventions have been done without legal grounds for them. Two Acts of
administrative violations existence have been drawn – under art. 83, para. 1 and under.
71, para. 1, i.1 of the CHA, which are presently appealed in court.

2. Check of immovable cultural heritage „Evtim Draganov house /Milcho and Dobri
Draganovi House/, sq. 39, RLP X-188, Nessebar, and found that internal reconstruction
has been made without any legal ground, namely:

- Reconstruction has been done at the firsts floor, as stipulated in the preliminary

design and two shops have been settled.

- The ground floor elevation is made equal to the street level.
- The authentic glazing over the two-leaved entrance door have been removed, as well as the glazing above the gold-shop shop-window and door. Thus the wooden shop-windows with wooden lining under the windows have been replaced by new shop-windows, fully made of glass.
- The size of design shop-window in the silver-shop has been enlarged in the southwest part of the facade.
- „Wooden louver-boards” has been constructed replacing the wooden railing of the terrace, facing the yard..
- Two name-boards have been mounted, one of them is hung on the existing railing and due to its large size hides the greater share of the authentic terrace - flower stand of the street facade. No design agreed with the Ministry of Culture is available for the advertisement boards.

There is agreed architecture preliminary design in the NCC, which however shall not be grounds for the corresponding reconstruction. No preliminary, technical or work investment design has been submitted and approved in Nessebar municipal administration under the TSA about the site in question and there is no Construction Permit issued respectively by Nessebar Municipality Chief Architect. Two Acts of administrative violations existence have been drawn – under art. 83, para. 1 and under. 71, para. 1, i.1 of the CHA, which are presently appealed in court.

3. Check under submitted signal of construction works on "Struma" street pavement, done at a building in RLP УПИИ III-323, sq. 58 under the town of Nessebar territory structure plan. The building next to which the facility has been erected is not an immovable cultural heritage, but is situated at the territory of " Ancient City of Nessebar " national archaeological and architectural -town planning reserve, /CMD № 243/18.07.1956, CMD № 174/03.09.1991./, included in the World Heritage List / VII regular session of UNESCO World heritage Committee, 1983/.

During the check it was found that "sun-protection facility - tent" has been constructed with metal structure, covered by polycarbonate sheets with plan dimensions 10.00/4.00m and height of 3m. It is constructed at the territory of " Ancient City of Nessebar " national archaeological and architectural - town planning reserve, without an agreement with the corresponding competent authority in accordance with the stipulations in art 21 of CMA /repealed/ and Regulation № 8 of CC(cultural committee) and CA (Chamber of architects) about architectural - historical reserves in tourist sites of Sozopol and Nessebar /SG iss. 9 dated 1981/ in regard to art. 103 from TSA Implementing Regulations / repealed/. Experts from „CCD” /Construction Control Department in Nessebar Municipality draw an Act of findings № 65/27.04.2010 about the above said "tent in front Snad cafe" in sq. 58 under the town of Nessebar plan. The act stipulates that at the moment of check conducting, there is no permit for placing a facility at that place and such one is not intended for placement in the corresponding territory structure scheme. Ordinance № 202/28.05.2010 has been issued by Nessebar Municipality Mayor for removal of the facility, described as "sun-protection facility" as per art. 57a of TSA. By Decision № 1128 от 13.10.2010 of the Administrative Court composition in the town of Burgas under administrative case № 1087 under the court

register for the same year the ordinance was proclaimed void. In accordance with the recited facts in the Decision, it is assumed that the shed is part of the building and not independent structure and accordingly it is not a movable facility, but part of construction. Nessebar Municipality sends a signal to DNCS (Directorate for national Construction Supervision) - Sofia by letter № 92-00444/23.01.2012 as well as to RDNCS - South East region - Burgas about illegal construction site under the meaning of art. 225, para.2, i.5 of TSA. The administrative case under TSA provisions was not closed at the moment of our check.

4. Check under submitted signal for floating facility /pontoon Bs-310/, functioning as restaurant, located in plot LP 51500.502.558 under the town of Nessebar's plan. The check found out that any design documentation is missing and it is not agreed with the Ministry of Culture respectively /NIRCH/. The pontoon itself is a temporary movable structure as per art.56 of TSA. By letter from MD "CHC" it is required from the mayor of Nessebar municipality, the officers, engaged with construction control to be instructed to conduct a check, based on which Nessebar Municipality mayor to issue an Order for removal under the provisions of art.57 of TSA.

5. Check, under submitted signal for a reconstruction of first floor of a residential building in sq. 58, RLP III-323, Nessebar, /the building is not an immovable cultural heritage/, by reviewing the site design documentation "Reconstruction of a ground floor and basement for a cafe" in property sq. 58, III-323, Nessebar, we have found out that the reconstruction is approved by the Nessebar Municipality and that an interior reconstruction is performed at the site, which is not an immovable cultural heritage. The site is in the boundaries of the national architectural historical reserve "Ancient City of Nessebar", (CMD No. 243/18.07.1956, CMD No. 174/03.09.1991), included in the World Heritage List (7th Session of the World Heritage Committee of UNESCO, 1983), and the implementation of the interior reconstruction does not require coordination with the NICM.

During a check of three sites in Nessebar, we have found that there is a violation in sq. 42, RLP XII-97, PI 51500.501.148, Nessebar. The immovable cultural heritage "House of Ivan Marko Hason" (promulgated as such in SG 41/1964 with category of "local importance") as well as the north original wall of immovable cultural heritage church "St Vlaherna" (promulgated as such in SG 41/1964 with category of "local importance") are situated in the plot. During the check we have found out as follows:

- removal of the north original wall of "St Vlaherna" church. The latter wall has been used as a fencing wall between property RLP XII-97 and street regulation. The stone wall has been covered with a concrete cap and single-guttered tiles, thus it has been preserved in its entire width and height.
- A procedure for alternation of the street regulation has been conducted through a set of Nessebar Municipality documents, namely partial amendment of the construction and regulation plan approved with order No. 2 19.01.1998 of the Nessebar Municipality mayor, which was not conformed to NICM
- pursuant to a decision No. 130 of protocol No. 24 /23.10.1997 of the Nessebar municipal Council a contract was concluded on 18.11.1997 between Nessebar municipality and Zoya Ivanova Markova. The contract states that the municipality is obliged to alter the regulation of sq. 42 in the Nessebar's town plan by adding 30 sq. m.

municipal yard plot to site XII-97, and in return Zoya Ivanova Markova agrees to use and maintain the adherent archeological remains and has no right to perform construction works.

After the conducted check, the chief director of "CHC" MD informed by letter the District Prosecutor's Office – Burgas of the intentionally committed crime - destruction of immovable cultural heritage. The next steps will be to inform the Mayor of Nessebar municipality and the Municipal Council chairman about the violation found and to demand termination of the concluded contract from 18.11.1997, due to one of the parties nonfeasance, as well as to reconsider decision No. 130 of protocol No. 24 /23.10.1997 of the Nessebar municipal Council. It is urged to restore the street regulation, effective prior 1998, because the amendment is enacted without agreement with NICM, by setting a separate RLP with a separate identifier of church "St Vlaherna", in order for the NCH to be better preserved and protected

Worked out by:

Maria Arbova – Demireva – regional inspector CDE-Burgas, "CHC" MD

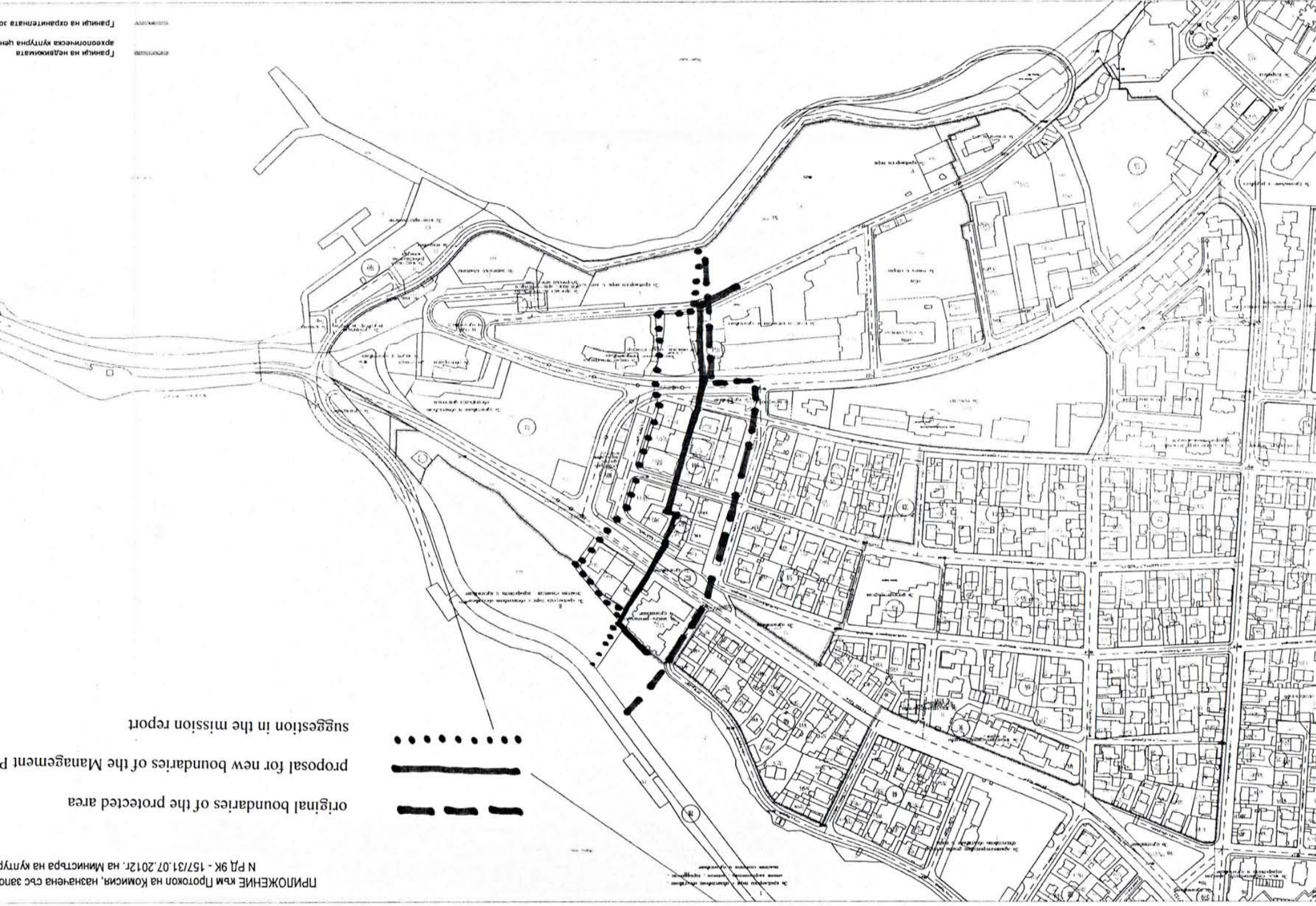
Annex 6. Bordering of the buffer zone at the mainland part of the buffer zone

original boundaries of the protected area

proposal for new boundaries of the Management Plan

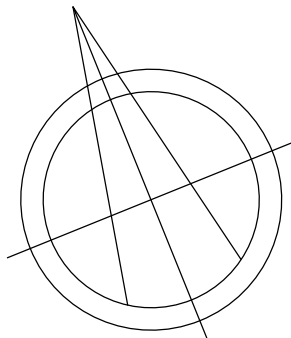
suggestion in the mission report

Граници на недвижимата археологическа културна ценност



Annex 7. New constructions in the harbour: layout plans

Черно море

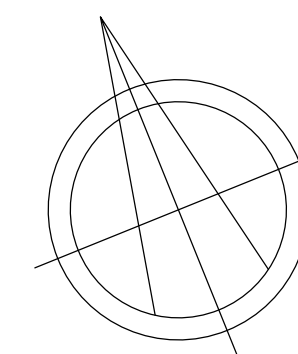


ПЛОЩ НА ИМОТА - 3056 м²
ПЛОЩ НА СЪЩЕСТВУВАЩИ КЕЙ - 930.64 м²
ЗП - 608.76 м² (Плостр. = 19.92% < 20%)
РЗП - 1447.28 м² (Кинт = 0.47 < 0.5)

- Външна релефна керамика
- Външна релефна керамика
- Алейна настилка
- Требни площи
- Пешеходни требни пъти за открити и озеленени площи

ЛЮБОМИР СЕМЕРДЖИЕВ ИНЖЕНЕРИНГ АРХИТЕКТИ И ИНЖЕНЕРИ	
ОБЕКТ: Яхтено пристанище с търговска административен комплекс "Марина Несебър 1" УЛ. "14-ВЕ" №105, гр. Несебър	
ИНВЕСТИТОР: "Марина мениджмънт компани" ЕООД	
ЧАСТ АРХИТЕКТУРА	А. ФАЗА ТЕХНИЧЕСКИ ПРОЕКТ
ЧЕРТЕЖ: ГРАДОУСТРОЙСТВЕНО РЕШЕНИЕ	МАЩАБ: 1:200
КОТА ±0.00=1.60	
ГЛ. ПРОЕКТАНТ: арх. Л. СЕМЕРДЖИЕВ	ЧЕРТЕЖНИК: арх. И. НОВАКОВ
ОТГ. ОБЕКТ: арх. И. НОВАКОВ	
ОБ. инж. Ст. Чанова	
ВК. инж. М. Велюска	
ВП. инж. Ст. Бондарова	
ВП. инж. В. Николов	
СЪГЛАСУВАЛ ИНВЕСТИТОР	
No	
A 0 2	
ДАТА: ДЕКЕМВРИ, 2011	

ул. Крайбрежна



- Външна релефна керамика
- Външна релефна керамика
- Алейна настилка
- Тревни площи
- Пешеходни тревни пътища за открити и озеленени площи

ПЛОЩ НА ИМОТА - 4035 м²
МАХ ЗП - 807 м²
МАХ РЗП - 2017,5 м²
ЗП - 806,22 м² (Пзастр. = 19.98% < 20%)
РЗП - 1641,84 м² (Кинт = 0.41 < 0.5)

АТЕЛИЕ 90

ОБЕКТ:Търговско обслужващ комплекс "Марина Несебър 2"			
УПИ II-454, кв.106, гр. Несебър			
ИНВЕСТИТОР: "Марина мениджмънт компани" ЕООД		A	"ЛСИ" ЕООД
ЧЕРТЕЖ: ГРАДОУСТРОЙСТВЕНО РЕШЕНИЕ			част: Архитектура
Кота ±0.00 = 2.00			фаза: Техн. Проект
ПРОЕКТАНТИ:			
Гл.проектант:	арх. Л.Семерджиев		К инж. Л.Ангелов
Отг.обект:	арх. И.Новиков		ЕЛ инж. С.Бъчваров
			ВП инж. М.Белински
			ОВ инж. С.Чанова
			ВП инж. В.Новков
МАЩАБ	1:200	ДАТА: Декември 2011 г.	Чертеж: 

Annex 8. Photos



