



**PERMANENT DELEGATION  
OF THE REPUBLIC OF BULGARIA  
TO UNESCO**

Ref.: U-3.6-35

Paris, 28 February 2017

**Subject: State of Conservation Report and measures undertaken to protect the Outstanding Universal Value of the Ancient City of Nessebar (Bulgaria) in accordance with your letter Ref.: CLT/HER/WHC/EUR/16/9354 and the World Heritage Commission's Decision 37COM7B.73 (UNESCO, 2013)**

Dear Dr. Rössler,

Referring to your letter Ref.: CLT/HER/WHC/EUR/16/9354 dated 19<sup>th</sup> December 2016, I have the honour to transmit to your attention the report from the Bulgarian party concerning the State of Conservation of the World Heritage site "Ancient City of Nessebar" for consideration at the 41<sup>st</sup> Session of the World Heritage Committee in July 2017.

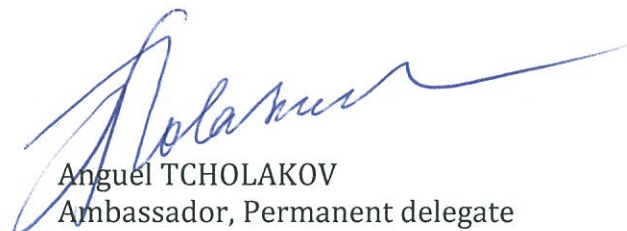
I take this opportunity to inform you that the Bulgarian Party agrees the report and its annexes to be uploaded for public access into the World Heritage Centre's State of Conservation Information System.

The report and the annexes are also available for download online at the following address: <http://dox.bg/files/dw?a=7a56ffebc2>.

Please accept, dear Dr. Rössler, the assurance of my highest consideration.

**Annexes:**

1. Letter from the Bulgarian Ministry of Culture
2. State of Conservation Report of the Ancient City of Nessebar
3. Report Summary
4. Chronological Reference
5. Text and graphic annexes to the report.



Anguel TCHOLAKOV  
Ambassador, Permanent delegate

Dr. Mechtild Rössler  
Director  
World Heritage Centre



REPUBLIC OF BULGARIA  
MINISTRY OF CULTURE

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Outgoing. № *04-01-736/27.02.* 2017

**TO: DR. MECHTILD ROSSLER  
DIRECTOR  
WORLD HERITAGE CENTER  
UNESCO**

**TROUGH:  
H. E. Mr. ANGEL CHOLAKOV  
AMBASSADOR AND  
PERMANENT DELEGATE  
OF BULGARIA TO UNESCO**

**COPY:  
MRS. MARIA DONSKA  
SECRETARY-GENERAL OF  
NATIONAL COMMISSION  
OF THE REPUBLIC OF BULGARIA FOR  
UNESCO**

27 February 2017

Ref.: CLT/HER/WHC/EUR/16/9354

**Subject: State of Conservation Report and measures undertaken to protect the Outstanding Universal Value of the Ancient City of Nessebar (Bulgaria) in accordance with your letter Ref.: CLT/HER/WHC/EUR/16/9354 and the World Heritage Committee's Decision 37COM7B.73 (UNESCO, 2013)**

**Madam Rossler,**

In reference to your letter from December 19, 2016 and the attached Technical Review of ICOMOS International, I submit a report from the Bulgarian party about the State of conservation of the World Heritage site "Ancient city of Nessebar" for consideration by 41th. Session of the World Heritage Committee in July 2017. The report and its annexes are available on paper and in digital format.

In pursuance of paragraph 5 of Annex 13 of the Operational Guidelines, I would like to inform you that the Bulgarian party does not oppose the report to be uploaded for public access into the World Heritage Centre's state of Conservation information System.

I take this opportunity to express my gratitude to the World Heritage Center and ICOMOS International for their assistance and recommendations in the Technical Review presented in December 2016 and during the conducted in January and February 2017 working meetings to discuss and resolve issues related to the State of Conservation of the World Heritage site and the prevention of the negative impacts on the Outstanding Universal Value of the Ancient city of Nessebar.


I would like to assure you that the Bulgarian party will continue its efforts to implement the Decisions of the World Heritage Committee and to ensure the preservation of the authenticity and integrity of the Ancient city of Nessebar.

In case additional information is needed on the Report, the Bulgarian party will be ready to provide the relevant data, documentation and clarifications in due time.

Madam, please accept my best wishes.

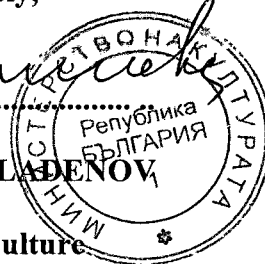
Annexes: State of Conservation Report of the Ancient city of Nessebar;  
Report Summary;  
Chronological reference;  
Text and graphic annexes to the report.

Yours sincerely,

  
.....

➤ RASHKO MLADENOV

Minister of Culture



**STATE OF CONSERVATION REPORT**  
**OF THE WORLD HERITAGE SITE ANCIENT CITY OF NESSEBAR**  
**BULGARIA, (C 217) - 2017**

Ancient City of Nessebar was included in the World Heritage List at the 7<sup>th</sup> Session of the World Heritage Committee in 1983 according to criteria iii and iv.

**Most recent Decision of the World Heritage Committee for the Ancient city of Nessebar (Decision 37 COM 7B.73. – 2013).**

In implementation of p. 5 of the Decision in the end of January 2015 the Bulgarian party sent to the World Heritage Centre a detailed report on the state of conservation of the Ancient City of Nessebar and the actions taken for implementation of the decisions of the Committee;

**This report covers the period February 2015 – February 2017.**

In the period 2015 - February 2017 repeatedly through the World Heritage Center, the Bulgarian party in relation to the Technical Reviews of ICOMOS International, has provided detailed informations and documentations for the activities on the territory of immovable cultural property. The Bulgarian party keeps constant contacts with the World Heritage Center and through the latter - with ICOMOS, for discussion of issues on the protection of "Ancient Nessebar".

In connection with the State of Conservation Report of the Ancient city of Nessebar sent on January 29, 2015 by the Bulgarian party at the end of May 2015, the Ministry of Culture of the Republic of Bulgaria received a prepared by ICOMOS International Technical Review of the report recommending to the State Party to invite an advisory mission intended to support the implementation of the decisions of the World Heritage Committee and drafting a strategy for the sustainable conservation and development of the Ancient City of Nessebar. In November 2015 following the invitation by the Ministry of Culture (*Appendix 1*), an advisory mission by ICOMOS International was held. Obtained in March 2016 advisory mission's report confirmed that some recommendations of the Committee's decisions and reactive mission monitoring reports have been complied with, others are partially complied with; however there is much work still to be done regarding the conservation of the OUV of the property. The major comment is the continuing lack of an approved World Heritage site management plan. A note was also made regarding the intention to expand the Fishing Harbor on the north side of the peninsula. The report made key recommendations in accordance with decisions of the Committee.

With a letter dated 13 May 2016 (ref No: 04-01-260) the Ministry of Culture, based on the provided information, sent factological comments and clarifications to the World Heritage Center on the comments made in the mission's report, as well as on the subsequent actions taken by the government and the municipality to preserve the Ancient city of Nessebar. This material explained the reasons requiring, based on a scientific and experimental development 'Plan for the Conservation and Management of Nessebar – Ancient City', to submit a draft of

Plan for the Conservation of the Ancient City of Nessebar for approval, taking into account the relevant comments and necessary additions. Information is provided on the activities for conservation and restoration of architectural, construction and artistic monuments (medieval churches) and development of open spaces around them, study and conservation of archeological sites, monitoring and control of the territory of value, construction and prescriptions for protection in the buffer zone on the territory of the New City, moveable objects, Port Terminal, and again highlighted the initiative of the Municipality of Nessebar to expand the Northern fishing harbor, while presenting a brief description of the results of previously conducted archeological research.

On a motion of the World Heritage Centre a meeting was held on 13 January 2017 between representatives of ICOMOS International, the World Heritage Centre, The Secretariat of the Convention on the Preservation of Underwater Cultural Heritage and representatives of the Bulgarian party (Embassy of the Republic of Bulgaria in Paris, the Permanent Representation of Bulgaria for UNESCO, the Ministry of Culture, the Maritime Archaeology Centre), for discussion on the issue of the Fishing harbour, as well as other key issues related to the preservation of the Ancient City of Nessebar. On behalf of ICOMOS, as main discussion topics, in addition to those related to the Conservation and Management Plan and the common vision for preservation of Ancient Nessebar, they have pointed out the need to assign an impact assessment of the project for Fishing harbour „Northern dike“ on the Outstanding Universal Value of the Ancient City of Nessebar.

By request of the Municipality of Nessebar a teleconference meeting was held on 15 February between representatives of the municipality, ICOMOS International, World Heritage Committee and Permanent Representative of Bulgaria for UNESCO to clarify positions on issues related to the Ancient City of Nessebar, the project for Fishing Harbor ‘Northern dike’, the invitation to assess the impact of the world heritage site on the OUV. Mr. Nikolay Dimitrov, Mayor of the Municipality of Nessebar, made a detailed presentation of the activities of the municipality over the past ten years and of the current state of the Ancient City. He stressed that its administration had always been looking for the perfect balance between the preservation of cultural heritage, the promotion of cultural tourism and the economic development of the municipality. Of particular importance is that a number of legislative acts have been adopted in recent years that ensure better protection of the world heritage site. In February 2017 an invitation was sent through WHC to ICOMOS to provide advisory mission to assess the potential impact of the fishing port.

#### **I. On Decision 37 COM 7B.73 of the World Heritage Committee (2013):**

***Under para 3. Welcomes the progress made by the State Party in the implementation of its previous decisions and urges the State Party to adopt and implement the Management Plan:***

The Ministry of Culture is well aware with the problems related to the adoption of the prepared “Research and experimental project development “Conservation and Management Plan of the City of Nessebar – Old town“ and is making its best efforts for their resolution and progressing with the procedure for adoption and coming into effect of a Conservation and

Management Plan of the World Heritage site. To finalize the procedure, it is necessary to account for the notes and recommendations made by: The Ministry of Finance; the Legal and Regulatory Affairs and Public Procurement Directorate at the Ministry of Culture; the ICOMOS comments of September 2013 on the project development, as well as the national legislation, since the ultimate end is not to adopt a plan at any cost but to have such a plan that is a reflection of the changed circumstances and guarantees the preservation of the Ancient city of Nessebar. It should be noted that the Specialized Expert Council for the Preservation of Immovable Cultural Properties has approved the project development as a strategic document and a large part of underlying strategic and specific tasks have been complied with or undergoing implementation, regardless of the fact that the conservation and management plan for the site has not yet become effective.

**- ICOMOS recommendations on the Conservation and Management Plan (CMP) for the Ancient City of Nessebar of September 2013:** ICOMOS (International) has given a positive opinion; however in "Conclusions and recommendations" it has pointed out the following as a deficiency of the project development: „The existing document is very long and does not contain any illustrations integrated in the text which makes it rather difficult to read.... It would be also useful if the provisions for each of the designated territories are collected in one place... Many of the quite important provisions made are diluted in the overall text which makes awareness difficult as regards subsequent decision-making, and therefore ICOMOS recommends those to be clearly defined and outlined with respect to the particular territories in order to facilitate the setting of limitations and the precise provisions.“

**- Opinion of the Ministry of Finance:** By a letter outgoing No. 04-01-68 pf 21.07.2014 (*Appendix 2*) the Ministry of Finance has submitted to the Ministry of Culture an opinion on “Conservation and Management Plan of the Ancient City of Nessebar” with expressed disagreement regarding: the establishment of National Fund „Nessebar-World Heritage” because of the provision for that fund to accumulate and spend funds out of the state budget; the proposal for changes in the Local Taxes and Fees Act and the Value Added Tax; the proposal for establishing a new duty-free area /free areas/. It is noted that Article 2 of the Public Finance Act has introduced a restriction on provisioning subject matter of the Public Finance Act by virtue of another law which deviates from the principles and rules established by the PFA. As regards the proposal “the companies of local residents living in the Ancient City of Nessebar to be exempted from VAT”, the Ministry of Finance informs that “the value added tax is a tax on consumption which is indirect, multiphase and economically neutral. The value added tax regulates the taxation of the supplies of goods and services effected for consideration with a place of execution in the territory of the country wherein the exempted supplies of goods and services are expressly listed“. Finally, it is noted that for the support of activities in the field of the cultural heritage of the Ancient City of Nessebar related to spending of public funds, such activities should be complied with the State Aid Act and the Public Finance Act. In response to the International ICOMOS Technical Review sent by the Ministry of Culture to the Ministry of Finance on December 19, 2016, the Ministry of Finance, sent a letter dated February 22, 2017, it confirming its position from July 2014 on the need for "some prioritization and adaptation of the aims of the plan in order to synchronize

them with related laws governing both public relations in the field of cultural heritage and in respect to established other laws rules on public finances. " The letter also noted that it is necessary to prepare a "working plan based on feasible and realistic assumptions about the possibilities of public funding" and "in terms of opportunities for the creation in any form of "funds" for budget accumulation and spending, a reminder that according to the Law on Public Finance provided for the administration and management of fund organizations, including municipalities to be realized through their budget or accounts for funds from the European Union.

- **Opinion of the Legal Directorate of the Ministry of Culture:** The proposal of the "Research and experimental project development – Conservation and Management Plan of the Ancient City of Nessebar" for adoption of a separate Act on the Preservation and Development of the Ancient City of Nessebar is considered as inappropriate, as the preservation of cultural properties is regulated by the Cultural Heritage Act and any additional settlement of public relations should be done by amending and supplementing the same Act. The Statutory Instruments Act states that "Public relations from the same area shall be governed by one and not several legislative acts of the same rank. Public relations, belonging to an area, for which there is an issued statutory instrument shall be governed by its additions and amendments, rather than a separate act of the same rank. "

- **Inconsistency between the project development and the approved protection regimes:** The „ Research and experimental project development – Conservation and Management Plan of the Ancient City of Nessebar" is accompanied by a pilot product „Proposal for protection regimes of the heritage site and the buffer zone" which is expressly highlighted as not forming a part of the plan. The provisions of the Cultural Heritage Act require that the protection regimes covering the determination of a territorial scope (boundaries and areas of the site and the buffer zone) and preservation prescriptions should be included in the Conservation and Management Plan. As a result of the discussion of the Conservation and Management Plan, this methodologic inconsistency was remedied and in a revised form the protection regimes for a group immovable cultural property "Archaeological reserve and historic settlement – architectural, construction and urban immovable cultural property „Ancient City of Nessebar" were adopted according to the regulatory procedure /after a positive opinion by the Specialized Expert Council for the Preservation of Immovable Cultural Property; conciliation with the Ministry of Regional Development and Public Works; an order issued by the Minister of Culture No. RD9P-14 of 05.06.2015; promulgated SG, No. 51 of 07.07.2015/.

In the research and experimental project development there are inconsistencies with the protection regimes adopted in 2015. The only "Scheme of cultural monuments" attached to the nomination record of 1982 points out the different cultural heritage sites but the site boundaries are not outlined (as evident both of the scheme title and the pertaining legend). It is stated in the textual part of the record that the „Ancient City of Nessebar is situated on a peninsula covering 24 hectares while the archaeological remains are situated on approximately twice larger area and many of them are located on the sea bottom, underwater where the ancient city was situated". By a letter dated 03.09.2007 by the Director of the World Heritage Centre, in conjunction with the clarification of the boundaries and areas of the

world heritage sites on the “Retrospective Inventory List” and attached cartographic materials, Bulgaria was informed that the boundaries of the Ancient City of Nessebar are not clearly shown in the 1982 nomination and from the map/chart sent in 2005 (according to a decree of the Council of Ministers of 1991) it is understood that the area of the heritage site is 24,7 hectares but its buffer zone is not identified adequately as its perimeter is not clearly specified and its area in hectares is missing. In this connection the Bulgarian party has sent a map where the boundaries and the area of the heritage site are clearly shown - 27,1 hectares (Decision 32 COM 8D of the World Heritage Committee). On the contrary, in all graphic and textual materials in the research and experimental project development - “Conservation and Management Plan of the Ancient City of Nessebar” the boundaries are shown along the platform at the highest point of the peninsula with an area of 16, 29 hectares which is over 30% less than the area specified in the 1982 nomination and could result in reduction of the protection level of a part of the current peninsula territory. It is necessary to remind that the steep coasts of the peninsula which the research and experimental project development does not include in the boundaries of the heritage site are a part of the ancient settlement formed as a result of the sinking of peninsula territories into the sea and containing archaeological remains submerged under later embankments. The protection regimes adopted in 2015 for the Ancient City of Nessebar have kept the boundary outlines set out by a Decree of the Council of Ministers No. 174 of 1991, coinciding with the boundaries of the world heritage site sent to the World Heritage Centre and approved for information purposes by Decision 32 COM 8D of 2008 of the World Heritage Committee. (*Appendix 3*)

The above facts do not refer to details of the “Research and experimental project development “Conservation and Management Plan of the Ancient City of Nessebar“ but concern some of its key proposals linked to the remaining provisions.

**To find a solution to the occurring situation**, an interinstitutional workgroup appointed by the Minister of Culture after getting familiarized with the proposals of the research and experimental project development „Conservation and Management Plan of the Ancient City of Nessebar“ and the submitted opinions and notes thereon arrived at the joint decision to submit the end product “Draft Conservation and Management Plan of the Ancient City of Nessebar” for approval by the Council of Ministers with: inclusion therein of the protection regimes with presentation of all graphic and textual materials in compliance with the latter; taking into consideration of all quoted remarks and recommendations; preparation of a proposal for methods of financing the activities based on a financial analysis and justification, including on behalf of the state. It was considered that the implementation of the above requirements is to be urgently assigned to the National Institute for Immovable Cultural Heritage (NIICH) as an author of the research and experimental project development – “Conservation and Management Plan of the Ancient City of Nessebar” and the financial analysis and justification, as well as the proposal for methods of financing the activities underlying the plan to be assigned by the Ministry of Culture to external experts after receipt of the material prepared by NIICH.

Having regard to the above, the Minister of Culture has enjoined by an order the implementation of the quoted requirements by NIICH (with the exception of the financial



part). The Ministry of Culture provided financing for the assignment with the purpose for final submission and approval of a Conservation and Management Plan of the Ancient City of Nessebar. NIICH is expected to present the project so that the financial analysis and justification are assigned by the Ministry of Culture, as well as a proposal for methods of financing the activities underlying the plan. It is envisaged that within this year the final draft of the plan for conservation and management of the world cultural property will be completed.

At the skype meeting held on 15 February Mrs. Luisa De Marco (ICOMOS) expressed an opinion that the current situation in Nessebar spoke of chaotic development, but according to representatives of the municipality the existence of a legislative framework ensures clear rules about what is allowed and what is not allowed within the boundaries of the world heritage site and in the buffer zone. The Municipality of Nessebar assured that although there was not still formally an effective Conservation and Management Plan of the World heritage property, the project development and regimes for preservation are used as a 'strategy' for the development and conservation of the OUV of the Ancient City of Nessebar.

It should be noted that despite the fact that the Conservation and Management Plan of the Ancient City of Nessebar is not yet adopted, a fair part of the strategic and specific tasks set out in the "Research and experimental project development „Conservation and Management Plan of the Ancient City of Nessebar" are already completed or are being performed for which the Bulgarian party has informed in the National Report of January 2015, as well as in the subsequent correspondence with the World Heritage Centre exchanged in 2015 and 2016. (*Appendix 4*) Already completed activities should be taken off the provisions of the plan.

***4. Takes note of the results of the November 2012 ICOMOS reactive monitoring mission to the property and requests the State Party to implement its recommendations, in particular:***

***a) Approve effective legislative and regulatory measures, including those for new construction and development, for the management of the buffer zone and the surrounding sea coastline and for the regulation of tourism activities,***

The management and the activities in the territory of the Ancient City of Nessebar and its buffer zone are carried out in compliance with the national legislation and the general and individual administrative acts issued on its basis, where the following are commonly applied with respect to the preservation of the immovable cultural heritage and development of tourism: the Cultural Heritage Act, the Spatial Planning Act, the Black Sea Coast Planning Act, the Tourism Act and their delegated legislation, as well as the ordinances of the Municipal Council of the Municipality of Nessebar.

The primary delegated legislation of the Cultural Heritage Act concerning the preservation of the world heritage site: Ordinance of the Council of Ministers on the scope, structure, content and methodology for preparation of conservation and management plans for single or group immovable cultural properties (effective of 25 February 2011) enabling the assignment of conservation and management plans of major cultural heritage sites; Ordinance of the Ministry of Culture on the procedure for identification, declaration, granting of status and determination of the category of immovable cultural properties, on the access to and

circumstances subject to entry in the National Register of Immovable Cultural Properties (effective of 11.12.2012) regulating the establishing of protection regimes for immovable cultural properties; Ordinance of the Ministry of Culture for carrying out of field archaeological surveys (effective of 01.03.2011); Ordinance of the Ministry of Culture on the terms and procedure for establishing and keeping a public register of the persons authorized to perform activities for conservation and restoration (effective of 19.04.2011); Ordinance of the Ministry of Culture for establishing, keeping and provision of the information from the automated information system "Archaeological Map of Bulgaria" (effective of 19.04.2011), whereas the information from the database is used only for activities related to the survey, preservation and promotion of the archaeological heritage; Ordinance of the Ministry of Culture on the terms and procedure for presentation of cultural properties (effective of 28.03.2014) regulating the presentation of the cultural properties in terms of: a method to ensure their socialization; integration in the environment and to the needs of the society in compliance with the preservation principles; activities for disclosure of their cultural and scientific value to the society which is performed through exposure, designation, provision of access and promotion, under terms and according to procedure which do not pose a threat to their physical integrity, condition and authenticity, protect them from any infringements and harmful impacts; Ordinance on the scope and content of documentations for performance of conservation and restoration activities to immovable cultural properties issued by the Ministry of Culture and the Ministry of Regional Development and Public Works (effective of 30 December 2016).

Especially important are the changes and supplementation made to the status of the archaeological reserve Ancient Nessebar as a group immovable cultural property "Archaeological reserve and historic settlement – architectural, construction and urban immovable cultural property „Ancient City of Nessebar“ and the enforcement of the regimes for protection of the cultural property and its buffer zone which are compulsory complied with.

The management of the territory of the heritage site and its buffer zone is carried out by the municipal structures at the Municipality of Nessebar, in accordance with the issued legislative and administrative acts, through the “Ancient Nessebar – World Heritage” Department and Ancient Nessebar Museum with the support of the governmental structures. The National Institute for Immovable Cultural Heritage and the department of "Ancient Nessebar - World Heritage" are conducting a monitoring and the regional inspectors for Burgas Region of the Inspectorate for Protection of Cultural Heritage Chief Directorate with the Ministry of Culture conduct regular inspections of the world heritage site.

In connection with the regulation of touristic activities a Tourism Development Programme was adopted at the Municipality of Nessebar for the period 2013 – 2017 which set out a series of priorities, objectives and measures targeting the cultural heritage in the territory of the Ancient City of Nessebar. Tourism, along with accompanying services accounts for approximately 90% of the employment in the municipality. The main touristic product is “maritime holiday tourism” supplemented by cultural-knowledge programmes and pilgrimage and religious tourism itineraries.

The Ancient City of Nessebar is advertised by all possible methods – as a member of the Organization of World Heritage Cities /OWHC/ and UNESCO, in the websites of prestigious organizations - <http://www.ovpm.org/>; in the official travel web portal of Bulgaria - <http://bulgariatravel.org/>; in the official touristic webpage of the Municipality of Nessebar - <http://www.visitnessebar.org>, <http://www.nessebarinfo.com/>; in the official webpage of Ancient Nessebar Museum - <http://www.ancient-nessebar.com/> and in numerous other information websites; through participation in prestigious national and international tourism exhibitions, as well as through various other forms and events. The territory of the Ancient City of Nessebar is equipped with a very good information system: tourist information centre, tourist services at Ancient Nessebar Museum, street marking of the Faith in Nessebar itinerary, signage and advertising boards on the spot; signs in front of the sites with brief info texts.

## **LEGISLATIVE AND REGULATORY MEASURES - 2015 - 2016:**

**1. Change of the status of the Archaeological reserve Ancient Nessebar as a „Group immovable cultural property „Archaeological reserve and historic settlement - architectural, construction and urban immovable cultural property „Ancient City of Nessebar“** – By order of the Minister of Culture No. RD9P-14 or 05.06.2015 (promulgated, SG No. 51 of 07.07.2015) according to the procedure of the Ordinance on identification, declaration, granting of status and determination of the category of immovable cultural properties, on the access to and circumstances subject to entry in the National Register of Immovable Cultural Properties the status of the Archaeological reserve Ancient Nessebar as a „Group immovable cultural property „Archaeological reserve and historic settlement - architectural, construction and urban immovable cultural property „Ancient City of Nessebar“ was changed and supplemented. The ancient city has preserved movable and immovable cultural properties from the antiquity, the Byzantine and Bulgarian Middle Ages, the Ottoman Rule, the Bulgarian Revival and the modern times. This is how the specific quality of the heritage site has been formed – an integrity of function and value within the boundaries of a common settlement system encircled by the fortification system of the city in the VI century B.C. Based on the determination of the typological characteristics, the two constituent elements of the site have been defined under the national legislation– „archaeological reserve“ and „group immovable urban and architectural-construction cultural property „historic settlement“ of “national importance” category“. By this change the site received protection under the national legislation and with respect to its architectural and urban development characteristics.

**2. Enforced protection regimes of immovable cultural property (SG No. 51 of 07.07.2015)** – The Cultural Heritage Act determines the volume of spatial planning protection of the immovable cultural heritage, a very important part of which is comprised of the protection regimes of immovable cultural properties as a main tool for setting out the limits, the eligible interventions and the implementation of the preservation activities within the boundaries of the heritage site and the buffer zone. The protection regimes include the territorial coverage (boundaries and areas of the site and the buffer zone) and conservation prescriptions of the immovable cultural properties, whereas the application thereof is

compulsory for all natural and legal persons and ensures the preservation of the Outstanding Universal Value of the world heritage site. Taking into account the specifics of the Ancient City of Nessebar as an architectural reservation, historic settlement and a living settlement system, a proposal has been drafted for determination of the regimes for its conservation as a unified settlement structure.

The protection regimes serve to keep the skylines of the boundaries set out by the Decree of the Council of Ministers No. 174 of 1991 coinciding with the boundaries of the world heritage site sent to the World Heritage Centre (Decision 32 COM 8D of 2008 of the World Heritage Committee).

The protection regimes for the Ancient City of Nessebar require ensuring the effective enforcement of the national legislation and the international documents in the field of preservation of cultural heritage through:

- Creating conditions for sustainable development in the territory of the heritage site while adhering to its three principles: economic development, social balance and environmental protection (incl. cultural heritage), as defined in the documents of the UN and the Council of Europe on sustainable development.

- Protection of the immovable cultural property through specific requirements for spatial planning and investment design of conservation and restoration activities aimed at protection, modern use and integration of the cultural property into the socio-cultural fabric of the city, with preservation of its authenticity and integrity.

- Creating possibilities for socio-economic development, with preservation of the authenticity and integrity of the group and single immovable cultural properties and the buffer zones of the peninsula, the mainland and the aquatory, through provision of possibilities for: rehabilitation of urban areas and public spaces; provision of modern habitation and use of the single immovable cultural properties for traditional or modern functions with preservation of their heritage characteristics; use of the cultural potential for the purposes of economic development.

**The conservation prescriptions of the Ancient City of Nessebar** treat on equal terms the entire territory of the immovable cultural property, taking into account the specifics of its constituent elements. They help define the requirements to spatial planning and investment design, eligible interventions and conservation works, the restraints and procedures concerning the territory of the heritage site and its buffer zone, of the urban structure, the street and square spaces; of the architectural-construction, the archaeological immovable cultural properties; of the buildings not holding a status of immovable cultural properties; of complementary development in real properties; the requirements to: the peninsula aquatory; public works, green areas, park landscaping; the restraints for development of the coastal line, the isthmus, the mainland; tourism, reinforcement of slopes; the arrangement of networks and facilities of the technical infrastructure, the transport and communication service, the requirements and conditions for placement of movable sites and elements of urban furniture, etc. Thus, for instance, in the territory of the peninsula the height of the buildings without a status of monuments may not exceed the relative roof-base elevation and ridge elevation of the nearest and visualized immovable cultural property – representing vernacular architecture. Construction should obey the architecture of the traditional residential building of Nessebar:

scale, proportions, colour, processing and treatment of facades, obligatory wooden casing of the floor and solid stonemasonry or traditional white plaster for ground floors, woodwork for windows and for the craftsmen's shops and wooden shutters on ground floors. In the shaping of street spaces and squares and the performance of public works, it is necessary to employ natural, local, traditional building materials. Investment designs in the territory of the heritage sites should be preceded by or simultaneously prepared with a project for volumetric development survey with street skylines, covering the development in one to three quarters, depending on the location of the site and cross sections through two quarters – that pertaining to the site and the opposite one thereto. The territory of Ancient Nessebar and its buffer zone is subject to a comprehensive archaeological survey conducted according to the procedure of the legislation and in compliance with the conservation prescriptions of the respective area.

For the places where the integrity of the urban structure in terms of character and method of development is affected, for the purpose of its restoration, working development plans with skylines are being prepared as an addition to the detailed development plans.

For the conservation of archaeological properties it is necessary to ensure exposure, integration and socialization of the archaeological structures.

**Under part 3. „Prescriptions for conservation of the Ancient City of Nessebar and its buffer zone“, p. 3.1. “Common approach”:** „The characteristics of the territory and its adjoining aquatory imply the following and consistent application of the principles of integrated conservation and it should be noted that:

- integrated conservation is a part of the global concept for sustainable development;
- sustainable development presumes a creative attitude to preserve and bequeath the diverse cultural heritage enriched by modern achievements;
- the conservation of heritage should not be viewed independently as it is a tool for achievement of the primary sustainability objective on economic, social policy and environmental level,
- the preservation of the immovable cultural properties and the effective realization of their role as a sustainability factor is possible to do in coordination with spatial planning;
- archaeological sites and their context should be considered in their functional, logical and organizational integrity. “

**Under p. 3.2. „General conservation prescriptions of the Ancient City of Nessebar and its buffer zone“,** in compliance with the quoted fundamental principles and the adopted common approach the general preservation prescriptions have been set out, some of which are the following:

„Any activity for: spatial planning interventions, land development, movable sites and elements of urban furniture, landscaping and public works, design and construction of networks and facilities of the technical infrastructure is carried out after conciliation with the Ministry of Culture.

For projects for significant restoration works or new construction which might affect the Outstanding Universal Value of the heritage site, the World Heritage Committee should be notified according to the Convention concerning the Protection of the World and Natural

Heritage, adopted by Order No. 13 of the Bureau of the Council of Ministers on 4.02.1974, promulgated, SG No. 44/2005 and pursuant to Article 172 of the Rulebook on its implementation. The projects are processed after ruling by the World Heritage Committee;

Spatial planning interventions and activities aimed at restoration of the cultural landscape of the city and expression of its rich cultural stratification are admissible...»

**3. General Development Plan of the Municipality of Nessebar** – prepared and submitted for conciliation at the Ministry of Environment and Water, together with an Environmental Impact Assessment Report. Remarks have been found which are presently corrected by team of designers in order to finalize the procedure. In the course of the abovementioned procedure the boundaries of the protected territories and protected areas under the Natura 2000 ecological network have been established.

4. In the report of the advisory mission conducted in November 2015, one of the main recommendations was the development and adoption of a Master Plan with special attention to the World Heritage site. A requirement of the Cultural Heritage Act is that the development plans for protected territories of immovable cultural heritage should include the adopted protection regimes for the heritage site and its buffer zone and be prepared in compliance with those regimes. After the coming into effect in 2015 of the protection regimes for the Ancient City of Nessebar it is possible to initiate a procedure for assignment and preparation of a **detailed development plan** for the territory of the heritage site and its buffer zone. According to information by the Municipality of Nessebar, a Terms of Reference for preparation of a Detailed Development Plan for the Ancient City of Nessebar has been drafted; however it is not yet submitted for opinion to the NIICH and for conciliation to the Ministry of Culture.

**5. Ordinance on the scope and content of documentation for carrying out of conservation and restoration works on immovable cultural properties (promulgated, SG No.105 of 30 December 2016)**, issued by the Ministry of Culture and the Ministry of Regional Development and Public Works. The Ordinance regulates the preparation of feasibility studies (research, documentation, spatial planning survey), the programmes and investment designs for conservation, restoration, exposure and adaptation of immovable cultural properties. It is required to specify the selected methodological approach; technology for the performance of conservation and restoration works; a justification for proposal of modern intervention; representation and clarification of the original structure of the cultural property, the stages and types of interventions executed in the site, as well as a proposal for modern intervention prepared on the basis of the feasibility studies and in conformity with the protection regimes and the effective legislation. All feasibility studies and projects for conservation and restoration of immovable cultural properties should conform to the scope and content laid down with this Ordinance.

**6. An Ordinance on the terms and procedure for the preparation and keeping of specialized maps and registers of the immovable cultural heritage** is under preparation by a wide participation workgroup appointed by the Minister of Culture in 2016. The coming into effect of this Ordinance will allow for the creation of such maps and registers of the immovable cultural properties in the territory of the world heritage site and its buffer zone.

**7. “Scheme - concept for advertising and information elements in the territory of Ancient Nessebar”** – The placement and type of the advertising elements in the territory of the Ancient City is realized based on the provisions in the scheme consulted with the Ministry of Culture and approved by the Municipal Council of the Municipality of Nessebar. The scheme -concept is published on the official website of the Municipal Council <http://nessebarinfo.com/nessebar-world.php>

**8. Ordinance on the Terms and Procedure for Conducting Open-Air Commercial Activity of the Municipal Council of Nessebar**, effective of 02.06.2014 prohibiting the placement of commercial facilities around the buildings – cultural monuments and on the walls and fences of all houses in the Ancient City of Nessebar.

**9.** In 2016 the Municipality of Nessebar has introduced a fee for sale of souvenirs comprising of or containing images of cultural monuments of the Ancient City of Nessebar and the revenues will be used for improvement, preservation and conservation of the cultural heritage of the ancient city.

**10.** Under the adopted **Tourism Development Programme at the Municipality of Nessebar** for the period 2013 – 2017, also covering priorities, objectives and measures intended for the cultural heritage in the territory of Ancient Nessebar, the municipality and the archaeological museum „Ancient Nessebar“ carry out activities underlying the programme by parts: „Priorities of the product policy in the Municipality of Nessebar“, „Cultural Tourism“ (participation in different projects for financing by the European Fund of the regional touristic product in the aspect of cultural tourism and religious (pilgrimage) tourism – promotion of Nessebar as a destination for pilgrimage and religious tourism in view of the available cultural sites, unique with their rich architecture, mural paintings, icons, conducting an assessment and execution of changes (modernization) of museum expositions to raise their attractiveness; improvement of the advertising and marketing of touristic products, update and maintenance of the Web page of the municipality with up-to-date information of the offering of tourist services, etc.).

The report of the Bulgarian party of January 2015 features some of the measures implemented under the programme.

- An official touristic website of the Municipality of Nessebar has been created– [www.visitnessebar.org](http://www.visitnessebar.org). Cultural events and happenings taking place in the territory of Ancient Nessebar form a part of the annual cultural calendar of the town and are a main tool for promotion of the cultural heritage. They are organized in the background of the outstanding historic sites. The Mesembria Orphica Festival is held in the basilica St. Sophia – the Old Archdiocese which has excellent acoustics, the summer stage of the Amphitheatre situated at the foot of the medieval church of St. John Aliturgetos and the southern fortification wall hosts a large part of the international festivals - “Sun, Joy, Beauty“, the World Folklore Championship, the International Festival for people with disabilities “Nessebar without Borders”, etc. The international day of the archaeologist (14 February) was included in the programme of the winter festival “In Love with Nessebar” in 2016.

- Exhibitions, meetings, seminars, concerts, events, etc. are held in the medieval churches of St. Paraskeva and St. John the Baptist which have been used for exposition spaces

for two years. The European Night of Museums in May 2016 was celebrated in the church of St. John the Baptist – with a chamber music concert, in the church of St. Paraskeva – with a presentation of documentaries among which the awarded production of the Municipality of Nessebar „Mesembria Orphica – a Story about Nessebar in Notes“. The Ancient Nessebar Archaeological Museum celebrated the International Museum Day with the exhibition “Nessebar through the Lens of Time“, dedicated to the 60<sup>th</sup> anniversary of the declaring by a Decree of the Council of Ministers in 1956 of the territory of the Ancient City of Nessebar for an architectural-urban planning and archaeological reserve of national importance and placing it under a special regime of urban planning and architectural development. The exhibition contains about 100 photos of the past of Nessebar and presents the town’s monuments in their development and change throughout the 20<sup>th</sup> century.

- Ancient Nessebar Museum (<http://www.ancient-nessebar.com/>) in connection with the International Museum Day also held a public presentation of the book by Assoc. Prof. Ivan Vanev “On the Path of Nessebar Icons”, as well as an academic public lecture of Assoc. Prof. Ivan Vanev „The preservation of Nessebar churches during the first half of the 20<sup>th</sup> century ”, dedicated to the events and condition of the cultural heritage of Nessebar during that period. Other printed editions and publications dedicated to the heritage of Ancient Nessebar came out in 2015-2016, among which: „Respect to the Beginning ” – 60 years of Nessebar – a museum town“; „33 years of Nessebar on the List of UNESCO ”, „The Golden Book of Nessebar ”.

- In July 2016 Ancient Nessebar Museum completed the project “Provision of accessible architectural environment for people with disabilities” funded by the Agency for People with Disabilities. The museum is equipped with robots designed for climbing of stairs.

- A project proposal “Raising tourist attractiveness of Nessebar and Kirklareli through preservation of the world cultural and natural heritage” was approved for financing under the Interreg Programme for cross-border cooperation Bulgaria-Turkey 2014-2020 which includes the construction of a further part of the Spiritual Path route in Ancient Nessebar according to an issued construction permit No. 89/11.03.2016 for „Reconstruction of street network“. The duration of the project implementation is 2 years.

- The Municipality of Nessebar participates in an application procedure under the Cross-Border Cooperation Programme „Balkans – Mediterranean“2014-2020 with a project proposal „Monuments in Nature: A Creative Co-existence“, which includes the second stage of the reconstruction of the street network. Presently the project proposal is in a process of evaluation.

- The Municipality of Nessebar envisages the connection of all churches in Ancient Nessebar into a cultural-historic route. The objective of the project proposal is also a reconstruction of the street network in Ancient Nessebar in order to profoundly expose the rich historic stratigraphy through a careful modern intervention. According to Ancient Nessebar Museum the replacement of the street and sidewalk pavements with such used in the construction of the cultural and tourist route “Spiritual Path” will contribute to the formation of a complete architectural ensemble. The route covers 5 sites, among which the two medieval churches restored under the Faith in Nessebar project – St. John the Baptist and St. Paraskeva,



and is included in the tourist packages offered by Ancient Nessebar Museum. The museum also offers a cultural route “Mesambria-Messembria-Nessebar” covering all historic sites in the ancient city.

- The Municipality of Nessebar is the leading contractor under a joint project „Innovative Marketing Approach for Development of Regional Tourist Product in the Municipalities of Nessebar, Byala and Dolni Chiflik“ under the logo „5 days – 4 seasons - 3 municipalities“ under the Operational Programme „Regions in Growth“, co-financed by the European Union. The project objective is to promote attractive destinations, local traditions and various activities during the four seasons. 25 tourist packages have been developed, including tourist routes to natural reserves, cultural and historic sites, traditional local festivities. For two consecutive years the three municipalities present their joint product at 3 tourist fairs in Bulgaria and 4 tourist fairs abroad: Russia, France, Poland and the United Kingdom.

- The tourist information centre in Ancient Nessebar provides full information about the cultural sites which is offered in Bulgarian, English, German and Russian. Tourist guides are also offered in Bulgarian, Russian and French, maps in English, brochures, books, discs, DVDs with a film about Ancient Nessebar, etc.

- The Municipality of Nessebar has regulated the access of motor vehicles in the territory of the peninsula, whereas access control regime is effective in the summer holiday season for motor vehicles– only for motor vehicles with a permit for the citizens with registered address in the Ancient City, for tour operator companies transporting tourists to accommodation sites, as well as for tourists arriving with their own transport or by taxi. A time schedule for deliveries to points of sale and for the work of waste disposal machinery has been introduced. Outside the tourist season, due to the considerably lower rate of attendance and the small number of residents with permanent address in the territory of Ancient Nessebar (as of February 2016 – 1817 people), these restrictions do not apply.

- The Municipality of Nessebar annually participates in reputable international tourist exhibitions in Russia, the Czech Republic, Serbia, Romania, Macedonia, Poland, with a highlight on Ancient Nessebar and the development of the associated cultural tourism. Advertising is made by dissemination of a rich variety of tourist materials. The Municipality of Nessebar has received numerous awards for its performance.

***Under p.4, b) Maintain the moratorium on any new constructions within the World Heritage property, its buffer zone and at the surrounding sea coastline until the development and approval of an Urban Master Plan and a Conservation Plan,***

Among the main recommendations of the advisory mission conducted in November 2015 are: to stop new permits for construction along the coastline in the vicinity of the site of world cultural heritage and explicitly prohibit the expansion of port infrastructure; to maintain a moratorium on new construction, stop permits for the expansion of existing construction, for the reorganization of old buildings and the reconstruction of buildings within the World Heritage site until adopting a Management Plan and updated Master Plan; to develop and adopt a Master Plan with special focus on the World Heritage site; changes in old buildings to

be permitted so far as necessary to bring them in compliance with the safety regulations and basic living standard, while preserving their structure and traditional character; to strengthen the monitoring and control of construction activities in the Ancient City; to establish and put into effect an overall management system for the implementation of the future Management Plan. A note was also made regarding the intention to renovate the Fishing Harbor on the north side of the peninsula.

The mission's report was sent to the Municipality of Nessebar and the institutional stakeholders for submission of additional factology and information;

According to information by the Municipality of Nessebar in the territory of the Ancient the issue of construction permits for new constructions in the City of Nessebar has been suspended.

According to the data presented by the Municipality of Nessebar and the National Institute for Immovable Cultural Heritage (NIICH) for the territory of Ancient Nessebar and its buffer zone:

- the issued construction permits are mainly under projects for facilities and elements of the technical infrastructure (electrical, sewage and other installations, pavements and public works). The Municipality of Nessebar is gradually performing pursuant to a coordinated project the removal of existing asphalt pavements and placement of stone pavement (repair and rehabilitation of pavements) of the streets in Ancient Nessebar, under a project coordinated with the Ministry of Culture;

- permits have been issued for repairs and reorganizations of ground floors, for the purpose of changing the intended use for commercial functions, in connection with the removal of stands, lockers, tables and other similar objects from the street spaces and squares;

- permits have been issued for implementation of reorganization projects after removal of illegal parts of residential buildings (superstructures, roofs, etc.) identified in 2009, as well as for the remaking of facades for the purpose of recovery of the traditional outlook of the buildings. In order to evaluate the possibility for harmonic integration into the environment in terms of scale, architecture, materials, details, skyline plans are attached to the technical designs for these buildings, covering the building which is subject to reconstruction and the existing development in neighbouring landed properties. (*Appendix 5*)

- permits have been issued for implementation of the project „Faith in Nessebar” under which conservation and restoration works were carried out on the medieval churches of St. Paraskeva and St. John the Baptist and the adjoining infrastructure and the street connecting them have been restored, developed and socialized in an urban environment. The church of St. Paraskeva is already functioning as a museum site. The medieval churches of St. Stefan /with frescos from the XVI and XVIII century/, Christ Pantocrator, St. John the Baptist and the church of St. Spas are also museums.

NIICH has prepared a list of the projects received in 2016 at the National Documentary Archive (NDA) of NIICH for the territory of the Ancient City of Nessebar, containing information about coordination procedures conducted according to the terms of the Cultural Heritage Act or about issued refusals for conciliation.

The check of the list indicated the following:

1. Coordination of project documentation according to the procedure of the Cultural Heritage Act has been made for:

- two projects for street pavements of natural materials and 1 project for street lighting complied with the requirements for protection of the Outstanding Universal Value of the heritage site;

- five projects for four buildings lacking the status of single immovable cultural properties for remaking of facades and reconstructions for the purpose of restoring them to their original outlook and correction of violations.

- eight projects for interior reconstructions and repair of nine buildings lacking the status of single immovable cultural properties which do not change their spatial planning and architectural characteristics and are complied with the adopted conservation prescriptions;

- a visa for survey and design of “concrete complex transformer station” on the northern coast of the world heritage site.

2. Refusal for coordination has been issued for eight project which do not comply with the adopted conservation prescriptions of the world heritage site.

3. Three projects have been returned for incomplete documentation.

Based on the above data, the NIICH informs that no investment designs have been received for new constructions in the territory of the world heritage site and its buffer zones. Conciliation opinions according to the procedure of the Cultural Heritage Act have been issued only for projects of buildings lacking the status of single immovable cultural properties, which envisage their restoration to the original outlook and for interior reconstructions not changing their spatial planning and architectural characteristics.

According to the Decision of a commission held according to the procedure of Article 73(1) of the Cultural Heritage Act for a building – immovable architectural-construction cultural property “House of Ivan Tulev”, an architectural survey was conducted with conciliation according to the procedure of the Cultural Heritage Act and on that basis a project is to be prepared for the reconstruction of demolished parts of the house.

It should be noted that in the meaning of the Spatial Development Act the scope of the term “new construction” is not identical to the definitions “reconstruction”, “complete renovation”, “overhaul”, “reorganization”, “extension”, and “superstructure” of an existing construction. Coordinated projects and the issued construction permits are related to interventions which do not change the spatial planning parameters of the buildings and the urban structure or which are not constructions in the meaning of the Spatial Development Act or are related to removal of illegal construction. These projects are intended for performance of the required replacement and maintenance of the technical infrastructure, of asphalt with stone pavements, the rendering of non-harmonic or illegal constructions, into compliance with the conservation prescriptions where after demolishing the illegal parts it would be impossible for the owners to reside in the buildings without a roof or in half-destroyed buildings. With respect to the territory of the mainland, as well as the buffer zone of the peninsula, we should note that until 2015 it was not covered by any specific preservation prescriptions as a buffer zone of the World Heritage Site and a zone in direct visual contact with the Ancient city, and the presently existing modern construction is a result of that fact.

***Under p.4, c) Strengthen the protection status of the sea coastline and include mandatory heritage impact assessments for proposed developments,***

Regulatory measures have been taken, establishing and enforcing **Prescriptions for protection of coastline territories** falling within the boundaries of the heritage site and its buffer zone (Order of the Minister of Culture No. RD9P-14 of 05.06.2015 ) According to the Cultural Heritage Act single and group immovable cultural properties with their boundaries and buffer zones form protected territories for preservation of the immovable cultural heritage which are also represented in the cadastre maps and in the general and detailed development plans.

**For the „Isthmus area“**(within the boundaries of the heritage site) no interventions are allowed which could result in an increase of the territory of the isthmus and removal of all illegal constructions and placed objects and elements is required;

**For the „Reception area“** (within the boundaries of the heritage site, in front of the historic entrance of the city and the western slope of the peninsula) – residential construction is not allowed, as well as the placement of temporary and movable retail outlets; conservation, exposure and integration of archaeological cultural properties is required at the Western Gate; placement of information elements and signs for the cultural heritage, the history and life of the city is allowed, including local and specialized tourist transport and transportation technical infrastructure;

**For the „Zone of retrieved territories and slopes“** (within the boundaries of the heritage site – covers the low horizontal platform and the slopes in the north-western, the northern and eastern part of the peninsula – developed territories, the Fishing harbour and the promenade) – required exposure, integration and socialization of archaeological structures; the projects for reinforcement works of the slopes should be adapted to the morphology of the terrain and the results of the archaeological surveys based on the existing data and the results of the archaeological surveys, the fortification facilities built on the slopes should be functionally, structurally and architecturally integrated in the context of the ancient city; a part of the territory with no archaeological immovable cultural properties may be available for public landscaping and parking for the city residents, movable-type retail, construction and placement of facilities for disadvantaged people and facilities for the needs of the fishing harbour.

**For the mainland territory** (buffer zone of the heritage site) and the Necropolis of Mesambria/Messembria – investment design is made after preliminary conducted rescue archaeological survey within the limits of the development. If a commission appointed by the Minister of Culture after conducting the archaeological survey does not set any other requirements, reduced development may be allowed in that zone – amphitheatrically along the natural relief (with 2 to 4 floors above the ground) in order to preserve the visual connection between the mainland and the peninsula and effect the transition between the mass construction made in previous years. For the remaining part of that territory, any excavation works should be obligatory performed under the supervision of an expert archaeologist. It is required to reduce the volume of the hotel in which the windmill is embedded – reduction of the height and ensuring free space around and above the windmill. It is necessary to note that

the development in that area until 2015 was performed in the absence of specific conservation prescriptions which has resulted in problems with respect to the spatial planning and characteristics of some of the new buildings.

**For the buffer zone of the Ancient City of Nessebar** the development should be free, with low density of development and horizontal disposition along the terrain, so that it complies with the traditional spatial development characteristics of the heritage site and in order to ensure the preservation of the cultural landscape, including the view towards the immovable cultural properties;

**For newly acquired coastline territories in the south-eastern part of the peninsula** (buffer zone B of the heritage site) – in the retail, catering and service area for harbour functions new construction is not allowed. In the area of Nessebar Port Terminal – the territory is to be used for a port terminal – a part of public transport harbour, harbour facilities, public works and public landscaping; public parking and public and information services, and in case of proven technical and operational necessity reconstruction of the building of the Seaport is allowed with preservation of the spatial planning parameters of existing development and building of infrastructure networks and facilities only for the needs of the harbour while preserving the existing wood vegetation. Any extensions beyond the spatial planning parameters of existing development related to the functioning of the port terminal upon proven technical and operational necessity shall be allowed after provision of the information and ruling by the World Heritage Committee pursuant to the Convention concerning the Protection of the World and Natural Heritage and according to the procedure of Article 172 of the Guidelines for its implementation.

#### **Heritage impact assessment of project developments:**

Having regard to the receipt of the Technical Review of ICOMOS International of 19 December 2016 and the meeting held on 13 January 2017 between representatives of: the World Heritage Centre; ICOMOS; The Secretariat of the Convention concerning the Protection of Underwater Heritage, the permanent representation of Bulgaria for UNESCO; the Ministry of Culture; the Maritime Archaeology Centre which, in addition to other necessary actions, has also discussed the need to assign an impact assessment of the project for „Reconstruction and modernization of Fishing harbour – Northern dike – Nessebar” and the provisions of the concession contract for the harbour with the sea port (Port Terminal – Nessebar) on the Outstanding Universal Value of the Ancient City of Nessebar, the Ministry of Culture has sent letters to the Municipality of Nessebar and the Ministry of Transport, Information Technologies and Communications, recommending that the assessment is assigned to international experts nominated by ICOMOS, as already recommended in the Technical Review of ICOMOS. By a letter of 13 February 2017, H.E. Angel Cholakov, Ambassador and permanent delegate of Bulgaria for UNESCO, notified the World Heritage Centre of the invitation made by the Mayor of the Municipality of Nessebar for the preparation of an impact assessment. (*Appendix 6*) The intention of the Municipality of Nessebar to invite through the WHC an advisory mission to explore the site and preparing an impact assessment was also confirmed during the skype meeting held on 15 February between representatives of the municipality, the World Heritage Centre, ICOMOS International and the permanent representation for UNESCO.

***Under p. 4, d) Make operational the proposed management system, including adequate staffing and resources for the implementation of the proposed projects,***

The report of the advisory mission from November 2015 recommended an approval and execution of a comprehensive management and strengthening system for the monitoring and control of construction activities in the Ancient city.

The management of the heritage site and the buffer area is exercised by the Municipality of Nessebar, in compliance with the issued regulatory and administrative acts. The Law on Cultural Heritage defines functions and competences of mayors and of municipal councils in the field of cultural heritage protection. Municipal structures involved in the management and development of the territory of the Ancient city of Nessebar are: the Spatial Development, Investor Control and Construction Control Directorate; Ancient Nessebar – World Heritage Department and the Ancient Nessebar museum.

The mayor of Nessebar municipality organizes and coordinates the implementation of policies on protection of cultural heritage on the territory of Ancient Nessebar and assists in the conduction of finding, research, preservation and promotion of cultural properties, according to his power and performs other activities that are set in a normative act. The municipal council issues regulations, approves programs, rules, provides funding through earmarked funds from the municipal budget of activities finding, research, preservation and promotion of cultural heritage on the territory of Ancient city of Nessebar.

The Ancient Nessebar – World Heritage Department performs the functions of a municipal body for management and control of the activity for protection of the cultural heritage in the territory of the Ancient City of Nessebar, interacts with state structures, NGOs and citizens involved in the conservation of the World Heritage site; organizes the preparation and execution of contracts for international cooperation, partnership contracts with municipalities / cities from other countries, organizing of forums, conferences and other forms of cooperation; organizes the implementation of the cultural program and the celebration of the anniversaries related to local, regional and national cultural and historical calendar. According to information submitted by the Municipality of Nessebar, Ancient Nessebar – World Heritage Department performs daily monitoring of the immovable cultural properties while their maintenance is ensured by the respective municipal structures.

The Ancient Nessebar museum, as a municipal cultural institute participates in the conduct of the state policy on the protection of cultural heritage in the territory of the Municipality of Nessebar; manages and organizes museum exhibitions in the medieval churches of St. Stefan, Christ Pantocrator, St. Paraskeva, St. John the Baptist, St. Todor and the church of St. Spas, as well as the exhibitions in the archaeological and ethnographic museums - all sites, except the building of the Archaeological Museum, are immovable cultural properties of the highest category; conducts archaeological surveys, performs the cleaning and maintenance jointly with municipal workers of the archaeological sites and their environment; promotes the cultural heritage of Ancient Nessebar; offers and presents cultural itineraries "Spiritual path "(partially realized) and" Mesambria-Mesemvria-Nessebar "covering all the historical sites in the Ancient city

The National Institute for Immovable Cultural Heritage makes the proposals for establishing protection regimes, performs monitoring and prepares monitoring maps for the sites—immovable cultural properties on the territory of Ancient city of Nessebar and its buffer zone, conducts the surveying of the cultural heritage sites and street outlines, gives opinions on development plans and investment designs, schemes for movable objects and advertising elements for the territory of the world heritage site. It is currently working on the preparation of the end product - the “Draft Conservation and Management Plan of Ancient City of Nessebar” which is to be submitted for approval by the Council of Ministers.

The Ministry of Culture coordinates (or issues refusals for coordination) investment intentions and design documentations, conducts inspections on the implementation of the Cultural Heritage Act through the Inspectorate for Protection of Cultural Heritage Chief Directorate – regional inspectors for the Region of Burgas, according to established rules and criteria it funds requested conservation and restoration activities, regular archaeological surveys and field conservation, conducts coordination activity with the stakeholder institutions in connection with the protection of the world heritage site.

The specialized expert council for preservation of the immovable cultural properties reviews the proposals of the Director of the National Institute for Immovable Cultural Heritage on establishing protection regimes, terms of reference, programmes, draft Conservation and Management Plan of Ancient City of Nessebar and proposes solutions in this respect.

***Under p.4, e) Implement priority conservation and maintenance works, as identified in the Management Plan, for the historic buildings and archaeological sites, and prepare a technical manual for conservation, rehabilitation and restoration,***

The project „Conservation and restoration of the church of St. John Aliturgetos in Nessebar” is currently in a process of implementation. The project is funded by the U.S. Ambassador’s Large Grant Fund for Cultural Preservation and its deadline for implementation is by 2017. The project is implemented by the Bulgarian National Committee (BNC) of ICOMOS with the active cooperation, including logistic and financial support of the Municipality of Nessebar. ***(Appendix 7.1 - photos)***

Under a project prepared by the Municipality of Nessebar for conservation and restoration of the medieval church of St. Archangels Michael and Gabriel, with the funding by A. Leventis Foundation the implementation of the project started in 2014. Emergency reinforcement was performed. In 2016 an expert of the Leventis Foundation revisited Nessebar and got personally acquainted onsite with the completed emergency actions for the restoration of the church of St. Archangels Michael and Gabriel. He has assured the Municipality of Nessebar that the funding will be resumed in 2017 and the restoration activities will continue.

The Municipality of Nessebar has provided funds for preparation of a design for conservation and restoration of the medieval temple of Christ Pantocrator and is intending to apply for a grant for the implementation of the restoration activities under the Operational Programme “Regions in Growth“, Priority Axis 6 „Regional Tourism“, following announcement of the reception of project proposals under the respective measure by the Managing Authority of the

Programme. Currently, a design visa has been issued which is coordinated at all instances and a design terms of reference is under preparation.

The Municipality of Nessebar has also provided funds for a conceptual design for conservation and restoration of the Late Antiquity thermal baths situated within the boundaries of the world heritage site. (*Appendix 7.2 - photos*)

In 2016 in the territory of the Ancient City of Nessebar the following public work activities have been performed:

1. renovation of 2440 sq.m. of asphalt by replacing it with stone pavement along the southern alley of the city;
2. laying of 350 sq.m. pavement according to approved detail by the Ministry of Culture for the Spiritual Path site along Mesambria Street.
3. In 2016 the archaeological surveys in Nessebar were conducted again in the territory of the national cultural property „Necropolis of Mesambria”; however they were of a rescue nature and were funded by a company owner of the land which has investment intentions for the terrain.

During the period 2013 – 2015 many archaeological surveys were conducted, including one in the aquatory. This has relatively changed the vision for the archaeological map of Nessebar. Protection regimes have been determined and approved for the Necropolis of Mesambria/Messembria in the mainland. The western fortifications were studied and surveyed. Regular archaeological surveys were made in the area to the northeast of the Main Gate and along the northern coast – to the east and west of the church of Holy Mother of God Eleusa, two ancient buildings, remains of a monumental structure of the late antiquity period and ruins of medieval housing. A geodetic survey was made of most of the exposed archaeological structures in the territory of the Ancient City. Field conservation is being implemented after conducting of archaeological excavations of all sites investigated during the period 2013-2015, (*Appendix 8*). In 2016 rescue archaeological surveys were conducted in the territory of the Necropolis.

In 2015, in connection with a project initiative for „Reconstruction and Modernization of Fishing harbour – Northern dike – Nessebar”, the Maritime Archaeology Centre has conducted an underwater archaeological investigation using a complex of non-destructive geophysical methods: bathymetry; scanning with a side-scan sonar; scanning with a subsurface profilograph; geo-electrical measurements. No archaeological structures were identified. Fragments of household pottery were discovered. More detailed information is provided in section III of this report in accordance with Article 172 of the Guidelines and the full survey report is enclosed as an appendix.

In 2016 the National Institute for Immovable Cultural Heritage continued working on the drafting of skyline designs of the streets in the territory of the reserve. Geodetic works covered the streets „Mitropolitska“, „Messembria“, „Sofroniy Vrachanski“, „Ivan Asen II“, „Dobromir“, „Tervel“, „Aheloy“, „Rusalka“, „Glarus“, „Albatros“ and parts of “Hemus”, “Neptun”, “Khan Asparuh” and “Sadala” /Appendix – explanatory scheme/. Based on the performed geodetic measurements and the subsequent computer processing the Photogrammetry and Geodesy Department submitted skyline designs of the above listed



streets of the Ancient City of Nessebar in a digital and graphic format in 1:200 scale (*Appendix 9*). The geodetic documentation of the street silhouettes with their parameters will be used to determine the necessary actions to harmonize and to recover as far as possible the original scale of the urban structure of the Ancient City.

***Under p.4, f) Develop capacity building activities for all professional staff involved with the conservation, protection and management of the property;***

The Nessebar - World Heritage Department presently has six experts, among them specialists in the field of protection of the cultural heritage – an architect and archaeologist. The department performs the functions of a municipal body for management of the activity for preservation of the immovable cultural properties in the territory of the Ancient City of Nessebar and is responsible for planning of the cultural programme of the municipality.

Ancient Nessebar museum – The total number of the staff is 29 people. Specialists with university degree are eight; specialized positions are six; administrative positions – four; support staff – two. In 2015 and 2016 the director and museum specialists from the municipal Ancient Nessebar Museum have participated in the following training workshops:

Fourth meeting: „Museums and Sustainable Development “– Burgas, June 2015;

„Good practices: Preservation and conservation of the movable cultural properties. Modernization of museum storage facilities“– Yambol, September 2015;

Workshop „Problems of museum legislation: identification, funds and storage facilities”, organized by the Regional Historic Museum - Burgas, December 2015;

Restoration workshop organized by ITA /Italian trade agency / in the National Archaeological Institute with Museum with the Bulgarian Academy of Science, Sofia, June;

„Preservation of the national identity and the museums in Bulgaria - Gabrovo, October 2016.

Regarding the project "Faith in Nessebar", realized under Operational Program Regional Development were trained 4 specialists in the categories of "animation" and "guiding" who are to serve the churches "St. John the Baptist" and "St. Paraskeva".

The Ministry of Culture organizes training related to the presentation and implementation of best practices developed by experts from the National History Museum, awarded with the project "EMPE - Eurovision Museums Presenting Europe" for the implementation of best approaches for socializing the community to the cultural heritage. In the training are participating two experts from the museum "Ancient Nessebar" – 2015.

Experts from governmental institutions that are relevant to the preservation of cultural heritage of the Ancient City of Nessebar such as NIICH, Inspectorate for the Preservation of Cultural Heritage to the Ministry of Culture, Directorate of Cultural Heritage, Museums and Fine Arts at the Ministry of Culture, National Institute with a Museum at the Bulgarian Academy of Sciences are involved in various forms of education, training seminars and projects, including those whose financing is supported by UNESCO /Colloquium and International round table "Modern methods for protection of newly discovered archaeological

structures, emergency conservation, protective coverings, historical climate and secondary backfilling of archaeological monuments" 10-13 November 2015/.

## **II. Actions taken to prevent and remove illegal construction:**

The control for prevention of illegal construction has been strengthened. The activities for issue of orders and removal of the illegal constructions identified in 2009-2010 continue. According to the report filed by Sector Burgas – Regional Directorate for National Construction Supervision – South-Eastern District (RDNCS – SED) on the illegal construction in the territory of the city of Nessebar – Old Town”, the situation as at 10. 01. 2016 is, as follows:

- regularization refusals/order not yet made effective  
under Article 216 of the Spatial Planning Act /SPA/: - 6
- removal orders repealed by the court - 6
- enforced removal orders - 15
- undergoing enforcement procedure under Ordinance 13  
of orders for removal of illegal constructions or parts thereof of the bodies of the  
Directorate for National Construction Supervision -10

The report, together with the attached table are continuously updated by Sector Burgas, Regional Directorate for National Construction Supervision – South-Eastern District.

It was established from the report that in addition to the performed removal of 12 illegal constructions until 2015, three more orders have been enforced in 2016.

## **III. Implementation of Article 172 of the Guidelines for the implementation of the Convention:**

### **Information on Nessebar Terminal – part of a port of national significance Burgas and the Project "Reconstruction and modernization of Fishing Port - North Buna - Nessebar":**

Ever since Antiquity Nessebar is a port town. This function of the town during the Middle Ages is given special attention in the study of professor Ivanchev in his book "Nessebar and its houses: Evolution of city development and features of the house." (1957). This traditional function defines the spirit of the place and its maintenance, stores a basic semantic characteristic of the settlement as its sustainable development should take place within the relationship and balance between social needs, economic and environmental protection, including cultural heritage as well /policy paper on integration prospects for sustainable development in the processes of the World Heritage Convention, adopted by Decision 39 COM 5D on the 39th session of the World Heritage Committee /.

During the skype meeting held on 15 February to clarify positions on issues related to the Ancient city of Nessebar, the project for Fishing Harbor ‘Northern dike’, assessing the impact of project on the OUV of the World Heritage site, etc., Mr. Roberto Bobbio, expert and

participant in the advisory mission in Nessebar in 2015, expressed an opinion that Nessebar was becoming a center of mass tourism and it was not possible to find a balance between two different policies – the policy for protection of cultural monuments and the policy for social and economic development of the municipality. This required to make a very clear choice – economic development or cultural tourism. Mr. Bobbio said that near Nessebar there was plenty of territory to move all ports close to the city, but without entering the buffer zone. Mr. Nikolay Dimitrov, Mayor of the Municipality of Nessebar noted that since 2009 all possible measures had been taken to protect the cultural heritage on the territory of the municipality.

In May and July 2016 the Ministry of Culture sent to the World Heritage Center factological comments on the remarks made in the mission's report, including the information on Nessebar Port Terminal – part of a port of national significance Burgas and the Project "Reconstruction and modernization of Fishing Port - North Buna - Nessebar".

### **1. Provision of service concession in respect of "Nessebar port Terminal", a part of Burgas, a port of national significance:**

The harbour with the seaport, a part of the national importance public transport harbour Burgas falls within the buffer area of the Ancient City of Nessebar included in the World Heritage List and is situated in the newly acquired coastal territories in the south-eastern part of the peninsula.

Information about the concession of the Port Terminal is provided in: the report of the Bulgarian party from January 2015; explanations on the Technical Review of ICOMOS – in May 2015 and September 2015; in May 2016 in connection with the report of the mission. The Ministry of Culture, on the occasion of Port Terminal Nessebar, also sent a letter, outgoing ref. No: 54-00-214/17.04.2015, to the Director of the World Heritage Center with clarifications on the possible measures that can be taken by the Bulgarian party to prevent any negative impact on the heritage of the Ancient city of Nessebar. (*Appendix 10.1*)

The Ministry of Culture is notified by letter incoming ref.No. 92-00-186/09.06.2015 of the Ministry of Transport, Information Technologies and Communications that MTITC has made available to the World Heritage Centre information and opinion on the questions raised about the concession of the Nessebar port terminal. By a letter of 16.06.2015 the MTITC has submitted to the Ministry of Culture its opinion on the questions and remarks of ICOMOS International (*Appendix 10.2*). By a letter of 22.04.2016 the Minister of Transport, Information Technologies and Communications has informed the Ministry of Culture of their awareness of the prohibition of the harbour infrastructure, as well as the ban on future construction or development of the harbour (*Appendix 10.3*). To ensure the strict compliance with the requirements and recommendations made by ICOMOS for the Ancient City of Nessebar, a representative of the National Institute for Immovable Cultural Heritage has been included in the supervisory commission for the implementation of the concession contract. Assurance was given that the Ministry of Transport, Information Technologies and Communications will continue to strictly monitor the implementation of the concession contract and the investment programme of the concessionaire in accordance with the effective legislation and the recommendations made by ICOMOS.

To guarantee the requirements for protection of the immovable heritage of Nessebar laid down in the concession contract, as well as compliance with and application of the provisions of the Cultural Heritage Act, a representative of the National Institute for Immovable Cultural Heritage (NIICH) has been included in the Commission for control of the implementation of the concession contract with Order No. RD -16-51/05.10.2015 of the Minister of Transport, Information Technologies and Communications. The commission tasks regulated in the Concessions Act and the Rules on its implementation are to approve the reports of the concessionaire, as well as its annual investment programmes. A representative of NIICH is a member of the commission. This enables the exercising of direct control on any investment intervention in the territory of the port terminal and in proximity thereto.

The commission exercises ongoing control within its delegated powers throughout the term of the concession contract on all investment initiatives in the implementation of which the protection regimes for the immovable cultural property and its buffer zone approved by Order No. RD 9P-14 of 5 June 2015 of the Minister of Culture should be complied with.

On the implementation of the investment programme of the concessionaire and the envisaged future activity, the following has been discussed at the meetings held:

1. The commission has approved reports on the fulfilment of the concessionaire's obligations in 2015 the scope of which does not cover performance of construction works. A metal fence has been built for encircling the territory of the port terminal for the purpose of implementing access control.

2. A proposal of the concessionaire was taken up for discussion concerning an annual investment programme for the second contractual investment year which includes the making of a car park. The proposal is admissible and may be implemented in compliance with the provisions of the Cultural Heritage Act and the Spatial Development Act.

With regards to the underlying provision after the 14<sup>th</sup> year of the concession contract for construction of a new seaport, the following protection regimes have been established which are mandatory for any natural or legal person pursuant to the effective legislation:

- *in case of proven technical and operational necessity reconstruction of the Seaport is allowed with preservation of the spatial planning parameters of existing development;*
- *any extensions beyond the spatial planning parameters of existing development related to the functioning of the port terminal in case of proven technical or operational necessity are allowed after conciliation with the World Heritage Committee pursuant to the Convention concerning the Protection of the World Cultural and Natural Heritage adopted by Order No. 13 of the Bureau of the Council of Ministers of 4.02.1974, promulgated, SG бп.44/2005 and according to the procedure of Article 172 of the Rules on its implementation;*

Based on the actions taken by the state – issuance under the Cultural Heritage Act of an administrative act for imposition of protection regimes, as well as exercise of control over the concession territory, effective protection has been introduced concerning the part of the buffer zone of the world heritage site Ancient City of Nessebar.

It should be known that the development plans and investment designs for interventions in the protected territories for conservation of cultural heritage are subject to coordination and review according to the procedure of the Cultural Heritage Act. The Minister of Culture

coordinates the design documentations after a written opinion of the National Institute for Immovable Cultural Heritage. Presently, no such documentation has been received at the institute or the ministry. Upon submission of the design documentation the World Heritage Committee will be notified through through the Secretariat and the admissibility of the interventions envisaged by the projects will be considered with respect to the protection of the world heritage site.

## **2. Project „Reconstruction and modernization of Fishing harbour – Northern dike – Nessebar”:**

The Fishing harbour „Northern dike – Nessebar“ is an integral part of the coast reinforcement structures along the northern coast of Nessebar built during the 1980s and 1990s. It is comprised of two jetties fencing from the west and north-east which protect from the north-eastern winds and waves both the unstable northern coast of the peninsula and the narrow connection of the peninsula with the mainland. The project needs to prevent threatening the northern fortifications and the archaeological remains in the aquatory.

The report of the Advisory mission by the end of November 2015 was made a note regarding the intention for extension of fishing port in the northern part of the peninsula.

The "Scientific and experimental project development - Conservation and Management Plan of the Ancient City of Nessebar" states that: „The coastal area of the peninsula is adequately reinforced and stabilized thanks to the coast reinforcement facilities. The new panoramic promenade allows direct contact with the sea and untraditional views towards the urban skyline.” (page 125; p.125 in the English version), and with respect to the territory of the northern coast it is said that: „The remains of the fortifications along the northern coast of the city are conserved and covered up during the coast reinforcement works and are inaccessible for monitoring and exposure” (p.114 of the draft Conservation and Management Plan (CMP); p. 105 in the English version); „The transport infrastructure above the coast protection facility along the north-western periphery of the peninsula (from the isthmus to the Northern port and the entrance of the North-big car park”) is fully developed, with an asphalt traffic lane and stone-paved sidewalks and furniture (benches, lighting units, waste bins, vessels with greenery).” (page 45, p.43 in the English version); „A part of the northern facility is also the coast reinforcement dike – jetty which also functions as breakwater for the formation of the northern harbour. The idea to make that port was derived from data evidencing the existence of a Northern harbour on the peninsula in ancient times.” (p.50; p.47 of the English version)

On 14 September 2015 the Ministry of Culture sent comments and additional information relating to the Technical Review of ICOMOS of the report of the Bulgarian party, which, in accordance with paragraph 172 of the Guidelines for Implementation of the World Heritage Convention, contained information on the concession of the Port Terminal and on the initiative of the Municipality of Nessebar to apply with a project for EU funding for the implementation of a project ‘Reconstruction and Modernization of Fishing Harbor - Northern dike’, as well as on the forthcoming conduction of underwater archaeological research. With a letter dated 13 May 2016 (ref. No: 04-01-260) the Ministry of Culture, based on the provided information, sent factological comments and clarifications to the World Heritage Center on

the remarks made in the mission's report, including the Port Terminal, and again on the initiative of the Municipality of Nessebar to expand the Northern fishing harbor, presenting a brief description of the results from previously conducted underwater archaeological research.

With a letter dated 22 July 2016 the Ministry of Culture sent to the World Heritage Center a full set of the draft detailed development plan, working development plan with silhouettes and text section, provided by the Municipality of Nessebar for the project 'Reconstruction and Modernization of Fishing Harbor Northern dike - Nessebar', city of Nessebar, by which the municipality applies under the operational program. (*Appendix 11.1*)

Presented at the end of December 2016 ICOMOS Technical review of the factual comments on Bulgarian party on 13 May and the project of the Fishing port was sent for familiarization, opinion and information to: Nessebar municipality, the National Institute of Immovable Cultural Heritage; Underwater heritage Center; Ministry of Transport, Information Technology and Communications; Ministry of Regional Development and Public Works; Directorate for National Construction Control; "General Inspectorate for Protection of Cultural Heritage".

During the meeting held at the World Heritage Center on 13 January 2017 between representatives of ICOMOS International, the World Heritage Center, the Secretariat of the Convention on the Preservation of Underwater Cultural Heritage and representatives of the Bulgarian party (Embassy of the Republic of Bulgaria in Paris, Permanent Representative of Bulgaria for UNESCO, the Ministry of Culture, the Maritime Archaeology Centre) were discussed the issue with Fishing port, the need to assess the impact of the project on the Outstanding Universal Value of the site on heritage. The Bulgarian party made the relevant clarifications on the issues raised and stated that the project 'Reconstruction and Modernization of Fishing Harbor Northern dike - Nessebar', city of Nessebar, would not be coordinated by the Ministry of Culture without a positive decision of the advisory bodies and World Heritage Committee. The Ministry of Culture, on 18 January 2017, and the Municipality of Nessebar, on 2 February, sent again by e-mail the full documentation for the site 'Reconstruction and Modernization of Fishing Harbor Northern dike - Nessebar'.

During Skype-held meeting on February 15, in connection with the project for a Fishing port, Mr. Bobbio and Mrs. De Marco (ICOMOS) expressed concerns that the said project envisaged doubling the territory of the port and that the increased traffic of vehicles from and to the port would have an extremely negative effect on the nearby monuments of culture and on the flow of tourists for religious and cultural tourism. Mr. Dimitrov, Mayor of the Municipality of Nessebar, explained that fishing activities were extremely limited in time and amount (two or three months in the spring and in the autumn) and the port was very small and housed 40-50 small fishing boats. He also noted that the documentation submitted to the Center and to ICOMOS was a project, not an implementation that had already started, and the request of the municipality was ICOMOS to give its expert opinion. Mr. Dimitrov stated there would be no works done to the Fishing harbour before the impact assessment and without a positive opinion by ICOMOS, respectively the World Heritage Committee, and if required, the harbour would not be extended but only renovated. In connection with the implementation of the project, the municipality has funded a detailed underwater survey of

the area. If ICOMOS consider that such a project would jeopardize the Outstanding Universal Value of the site, the municipality would not implement it. The need to modernize the port derives from the provisions of the European Union, which Bulgaria as a Member State must comply with. The negative opinion of ICOMOS would be submitted to the competent EU institutions. The only thing that the municipality could do in the case was to modernize the port without undertaking larger projects. The Municipality of Nessebar appealed to bear in mind that the Ancient City of Nessebar is a living town whose inhabitants make their living by fishing and fisheries.

Regarding the meeting discussions, we also implement and a complete report of the results of the conducted non-destructive methods archaeological underwater research adjoining water area of the Ancient city of Nessebar as well as a report by Dr. Kalin Dimitrov, director of the Center for Underwater Archaeology on conducted and necessary future underwater studies with administered program and schedule. (*Appendices 11.2 and 11.3*)

**Final comments:** Evidenced by the findings of the present report, within the period January 2015 – February 2017 the Bulgarian party has kept permanently in touch with the World Heritage Centre and ICOMOS International on the issues of the preservation of the Ancient City of Nessebar, and has provided detailed and full information and documentation concerning any arising questions. In 2015 following the invitation by the Bulgarian side a advisory mission by ICOMOS was held, in January and February 2017 meetings were held between the Bulgarian state institutions and Nessebar Municipality, the World Heritage Centre and ICOMOS International. In February 2017 an invitation was sent through the World Heritage Centre to ICOMOS to assess the potential impact of the fishing port on the OUV of the World Heritage site. It is envisaged that within this year the final draft of the Conservation and management plan of the World Heritage property will be completed. In recent years there is an increasingly more intensified coordination between the national institutions and local authorities having relevance to the heritage of the Ancient city of Nessebar. The Ministry of Culture is in constant touch with the Municipality of Nessebar, the National Institute for Immovable Cultural Heritage, the Maritime Archaeology Centre, the Directorate for National Construction Supervision, the Inspectorate for Protection of Cultural Heritage Chief Directorate, National Commission on Bulgaria for UNESCO and the Permanent Delegation. Correspondence has been exchanged with the Ministry of Transport, Information Technologies and Communications and the Ministry of Regional Development and Public Works.

Bulgarian side confirmed its readiness to continue joint work on prevention of endangering the universal Outstanding Universal Value of the Ancient City of Nessebar and the implementation of decisions of the World Heritage Committee and expressed its certitude that with the joint efforts of all stakeholders and expertise of ICOMOS International and the World Heritage Centre will preserve for future generations the remarkable heritage of the World Heritage Site.