



**FORMAT FOR THE SUBMISSION OF
STATE OF CONSERVATION REPORTS
BY THE STATES PARTIES**

(in compliance with Paragraph 169 of the *Operational Guidelines*)

Natural and Culturo-Historic Region of Kotor (Montenegro) (Identification number)

1. *Executive Summary of the report*

The State Party of Montenegro stays devoted towards sustaining requests set by the Decision 45 COM 7B.191 of the World Heritage Committee, emphasizing its commitment to Heritage Impact Assessments (HIA) integration and expertise development. Acknowledging challenges, especially regarding personnel and legal requirements, the State Party plans to further enhance HIA implementation. The State Party emphasizes its commitment to protecting Outstanding Universal Value (OUV) and plans to inform UNESCO through Heritage Impact Assessments

The Ministry of Culture aims to further develop capacities of the Administration for the Protection of Cultural Properties, providing diverse forms of support to reflect on cumulative impacts in project evaluations when HIAs are prescribed. Despite facing challenges such as staffing shortages and legal complexities, the State Party has implemented several activities with an aim to improve procedures and enhance expertise.

The slow pace of Management Plan revision is attributed to the complexity of the task. The plan, aligning with spatial plans, reflects strategic tourism development. The slow revision of the Management Plan is addressed, emphasizing its complexity and incorporation of recommendations. Montenegro highlights strategic tourism management, sustainable development, and measures to control construction. The moratorium's end is explained, proposing alternative control measures until the Management Plan's completion.

The State Party has provided detailed explanation on the requested documents, one by one.

Concerns about quarries are addressed, highlighting and explaining the separation of Heritage Impact Assessments and the Ministry's efforts to improve their placement.

Concerns over new construction after the 2020 moratorium end are addressed, proposing alternative control measures until the Management Plan is revised. Updates on requested documents on different developments include explanations for their status.

[Note: each of the sections described below should be summarized. The maximum length of the executive summary is 1 page.]

2. Response to the Decision of the World Heritage Committee 45 COM 7B.191

1. Welcomes the preparation of Heritage Impact Assessments (HIA) for a number of developments and the provision of information on various proposed projects, and encourages the State Party to continue to improve the HIA process and to give particular consideration to the indirect and cumulative impacts of the many projects being implemented, in the light of the strategic documents being prepared for the property and the Guidance and Toolkit for Impact Assessments in a World Heritage Context;

Montenegro is among the few member states that have successfully integrated Heritage Impact Assessment (HIA) into its legislative and administrative system. This integration is part of the legal procedures arising from the Law on the Protection of the Natural and Cultural-Historical Region of Kotor. To further deepen this knowledge and find a path for continuous implementation of these international standards, with the support of the World Heritage Centre and the World Heritage Fund, Montenegro has also organized a regional workshop on HIA development. The workshop was led by ICCROM experts and held in Kotor in 2018 with a purpose to offer knowledge and experience to numerous experts from SEE in order to better understand HIA and its role to the world heritage protection and safeguarding.

These undertakings show that member state continuously invests in development of legal procedures and expert knowledge in order to follow international standards in this area. However, although Montenegro has invested efforts to integrate HIA in legal system and widen the knowledge of professionals dealing with world heritage, additional efforts should be invested, since the implementation of HIA continues to present certain challenges for the institutions.

The Administration for the Protection of Cultural Properties, the main body responsible for implementing and monitoring the mentioned legal provisions on HIA, faces challenges due to a shortage of qualified personnel and stringent legal requirements when imposing HIA, which sometimes puts additional pressure on the Administration and puts obstacles to translate original philosophy of Heritage Impact Assessment (HIA) in everyday work of the institution.

The main priority of the Administration for the protection of Cultural Properties for future period will be the advancement in the application of the *Guidance and Toolkit for Impact Assessments in a World Heritage Context*, in order to pay special consideration to cumulative impacts of potential projects.

Despite challenges, Montenegro is committed to meeting international standards, with the Ministry of Culture actively monitoring and supporting institutions in cultural heritage protection. The Ministry will continue to invest in further development of the expertise in the field of cultural heritage. Hopefully, with the support of UNESCO and national partners, additional training for HIA/EIA developments for experts in the field of natural and cultural heritage.

2. Expresses concern about the slow pace of revision of the Management Plan and requests that it is completed as a matter of priority, incorporating the recommendations of the 2018 Joint Reactive Monitoring mission so that it becomes a fully operational instrument for the efficient management of the entire property and its buffer zone, with binding policies and provisions endorsed at national and local government level within the changing legal framework, addressing the following issues in particular:

General comment on the revision of the Management plan:

The revision of the Management Plan is an exceptionally complex and significant undertaking, and the requirements set forth in the Reactive Monitoring Mission Report from 2018 are mostly binding already, since the Spatial Plan has already included most of them, except for the area which is out of the area of Municipality of Kotor. Almost all requirements are already integrated in the draft Management plan which is final stage of preparation and soon will be sent to the Government for the adoption as a draft document. After this adoption it will be shared with the World Heritage Centre for comments and approval. After the approval of the WHC the Government will adopt it as a final document. This procedure is prescribed by the law.

Although the revision was slow paced, the process is coming to an end, but this time the document is less descriptive and more instrumental and operational. The reason is lesson learnt from previous document, which was truly important and comprehensive, but in some cases was ignored by some of the institutions. The revised document should ease management procedures and give guidance how to direct processes concerning the world heritage.

Significant portion of the Management Plan revision has been completed during the previous period, concluding at the end of the year 2021. Before the actual drafting of the text, the Working Group held intensive meetings that commenced in 2019. These meetings addressed all current challenges the site faces, Decisions of the World Heritage Committee, on-site state of conservation analyses, comparative analyses with other regions, and a portion of the material related to the history and description of the current state was updated. All of this was done with the aim of finding an adequate management model for the area, which is extremely complex. This region includes zones with green areas, historical settlements, cultural cities, cultural landscapes, but most importantly, it is inhabited by people — permanent residents for whom normal functioning must be ensured, sometimes hindered by the presence of various forms of tourism.

Vision for spatial development of Kotor Municipality goes hand in hand with the vision for the development of the littoral, which, as an important spatial, economic and social resource of Montenegro, should be developed in a guided and controlled manner, using its natural, cultural and manmade potentials in a sustainable way. Further development calls for the observance of international standards and values. Rules are to be established for high quality regulation and management of the area.

In order to reflect on these issues and find optimal approach and allow controlled tourism development, while ensuring protection of OUVs and everyday life of citizens, the Municipality of Kotor has implemented several strategic activities. The Tourist Organization of the Municipality of Kotor has adopted the Tourism Development Strategy of Kotor until 2030. This strategy is based on principles of

sustainable development and coordinated destination management, enabling adequate and stable progress for the tourist destination. The prerequisites for achieving this include optimal spatial plans and the development of a harmonious tourism policy. The document is currently in the process of translation and will be provided subsequently. In view of the importance of preservation of the natural and cultural heritage of the destination through sustainable tourism, Kotor Municipality, as well as the Port of Kotor concluded a contract with the representatives of the Global Sustainable Tourism Council (GSTC) and Cruise Lines International Association (CLIA). GSTC and CLIA are going to evaluate current destination successfulness by applying leading global standard for responsible destination management i.e. GSTC Criteria. In this way Town administration is going to be given guidelines for the improvement of destination sustainability with a view to bringing benefit to local population and protecting natural and cultural heritage. Additionally, the Municipality of Kotor has engaged experts to prepare a 'Sustainability Study of Tourism in Kotor,' which will also be submitted to UNESCO after the finalization of the document and its translation. It is noteworthy that both processes are being conducted with consultation from the 'World Heritage and Sustainable Tourism' program.

In addition, cultural heritage protection is defined through measures in the planning document and in the Cultural Properties Protection Study for the needs of developing the Spatial Urban Plan of Kotor, which was also adopted on the basis of exchanging information and cooperation with UNESCO, and which is integral plan of the Spatial plan.

a) Development issues, in harmony with the Spatial urban Plan for Kotor Municipality,

Draft Management plan already reflects on major development issues, which are also considered through HIA system which is already in place for several years. Special attention is drawn to the fact that in 2020, after several iterations and exchanges with UNESCO experts, the Spatial Urban Plan of Kotor Municipality (SUP) was finally adopted, which is an alleviating circumstance for all institutions given that basis for its drafting and later adoption were the Conservation Study and the Report of the Reactive Monitoring Mission. Almost all recommendations from the Report have been fully incorporated in the Spatial plan of Kotor Municipality (with the exception of the item of the construction of underwater tunnel from Vrmac to the Old Town and the potential projects of the Verige Bridge which is the area beyond the boundaries of municipality of Kotor, hence the spatial plan cannot reflect on that project. However, it has been part of the Study of Protection of Cultural Properties of Coastal area which was also shared with UNESCO).

b) The conservation of the tangible and intangible attributes that convey Outstanding Universal Value (OUV) and other values,

Outstanding universal value (OUV) of the Culturo-historic region of Kotor is contained in the *Retrospective Statement of Outstanding Universal*

Values achieved in the unity of its attributes which contribute to the integrity and cohesion of the overall structure of the landscape (manmade and the natural one) as the essential quality on the basis of which the Natural and culturo-historic region of Kotor was granted UNESCO status. All attributes of the OUV have been preserved to the best possible extent through the Conservation Study and the Spatial Urban Plan of Kotor Municipality, but also through various administrative procedures which were being put in action with amended legislation, introduction of HIA in the first place. The attributes are protected with the mandatory HIA for every potential project which might have an impact on the preservation of the value. With the adoption of Kotor SUP in 2020 in exchange and communication with UNESCO, revoking almost entire spatial planning documentation, as well as with its implementation tangible and intangible attributes get preserved, those which make Kotor a world heritage town.

Additionally, special attention has been given to the protection of intangible values as defined in the Convention on the protection and safeguarding of intangible cultural heritage, thus only in this part of the Management Plan intangible characteristics can be stated so as to give a context for the protection of the OUV.

c) Disaster risk reduction,

Montenegro adopted the National Disaster Risk Assessment in December 2021, within the framework of which adoption is prescribed of local disaster risk reduction strategies, thus one of these refers to Kotor. Its conclusions/recommendations are quite certainly going to be a part of the Management Plan, and we advocate the idea for this process of adoption of the local strategy to go in parallel with the revision of the Management Plan.

d) Tourism management, including issues related to the direct, indirect and cumulative impacts that tourism could have on the property;

The Spatial Plan proposed locations intended for tourists, i.e. it is possible to implement tourist and catering facilities within the settlements in accordance with the needs of the users of the space, but solely in line with the guidelines of this plan. Additionally, Kotor Municipality adopted Tourism Development Strategy up to 2030, which is based on the principles of Sustainable Tourism Programme for World Heritage Sites. The document envisages series of measures by means of which tourism is placed under the control of the Municipality and competent services, in order to reduced tourist pressure created by day trips or half day trips to the Town.

3. *Notes that the moratorium on new construction and development ended in 2020 and urges the State Party to renew it until a complete suite of planning and protection measures are in force to satisfactorily accommodate possible*

sustainable developments within the sensitive landscape of the area and prevent any impact on the cultural and landscape values of the property;

The Spatial-Urban Plan of the Municipality of Kotor has been in effect for four years, meticulously implemented by both the Municipality and various stakeholders at national and local levels. This plan, rooted in the 2018 Report of the Reactive Monitoring Mission and subsequent decisions of the World Heritage Committee, was adopted after extensive and frequent exchange of information and collaboration with UNESCO. Additionally, a moratorium on new construction in the Municipality of Kotor was in place from 2017 until the end of 2020, in accordance with legal provisions.

The drafting and adoption of the Spatial Plan represented an exceptional effort by institutions, streamlining planning processes and project approvals in the area. All development projects within the Kotor Municipality are aligned with this plan. For those assessed to have a potential impact on the Outstanding Universal Value (OUV), a Heritage Impact Assessment (HIA) is conducted, while in the other cases a notification and information is submitted to the WHC, following Article 172 of the Operational Guidelines.

Considering the challenges institutions face in meeting the numerous requirements put on hold during the previous moratorium, the potential imposition of a new moratorium could face solid opposition from the local population and might even encourage illegal interventions. Hopefully, the completion of the revision of the Management Plan will end by the end of this year. In the interim, several modalities are proposed to enhance control over the implementation of the Spatial-Urban Plan, such as more frequent reporting to the World Heritage Centre, the establishment of a multi-institutional team for on-site field visits, local inspection mechanisms, alert-raising officers, or other forms of control. These measures would foster a multispectral approach, facilitate the flow of information between local and national authorities, and bridge the information exchange gap until the revised Management Plan is enforced.

4. *Reiterates its request to the State Party to submit the following documents to the World Heritage Centre for review by the Advisory Bodies at the earliest opportunity:*

a) *The updated HIA for Natural and Culturo-Historic Region of Kotor for Harmonizing Policy/Planning Framework and Instruments,*

The document to which this part of the Decision refers was drafted before the Reactive Monitoring Mission, during a period when there were no prerequisites for addressing the protection of Outstanding Universal Values (OUVs) in a comprehensive manner. It predates the legal and administrative changes implemented in response to the Mission Report. Notably, at that time, there were no amendments to the Law on the Protection of the Natural and Culturo-Historic Region, which would have enabled the drafting of a Heritage Impact Assessment (HIA), the Conservation Study for the Spatial Plan was not adopted and there was no Spatial-Urban Plan. Following the adoption of these legal and administrative enhancements, and many other administrative and

technical activities which were undertaken, the relevance of this document has become redundant.

b) The Detailed Urban Plan for Lepetani and the Urban Plan for the Lepetani Tourist Zone,

These areas fall within the jurisdiction of Tivat Municipality, which has shared the information that the mentioned documents have not been adopted. Specifically, for the Lepetani area, the Spatial Urban Plan of Tivat Municipality is currently in force. However, it does not provide direct construction requirements. The Municipality is planning to re-evaluate this area through a lower-order planning document. This document will be shared with UNESCO for review before final approval.

c) The buffer zone study to define areas in and around the property where an impact assessment should be required for potential projects,

Local and national institutions have recognized the need to prepare and propose a study for a buffer zone, which is also request by this Decision. This initiative aims to alleviate the pressure on administrative procedures, particularly in cases where they may not be necessary, and to direct attention towards potential development projects that could emerge within the buffer zone. The existing legal prerequisites for various projects currently place a significant burden on the Administration for the Protection of Cultural Properties and the Municipality of Kotor.

In a recent meeting involving the Municipality of Kotor, the Ministry of Culture, and the Administration for the Protection of Cultural Properties, it was collectively agreed that the creation of this document is a priority. It is seen as crucial for enhancing the efficiency of institutions and ensuring better protection of Outstanding Universal Values (OUVs). Ongoing negotiations are taking place to finalize the conceptualization of this document, and once drafted, it will be promptly shared with the World Heritage Centre.

d) An HIA for the Verige Bridge project,

The Verige bridge construction project poses one of the most challenging Heritage Impact Assessments (HIA) within the Montenegrin system. This initiative has long been a concern for UNESCO, its advisory bodies, and national institutions. Despite the explicit recommendation in the Reactive Monitoring Mission Report to abandon the project, the request for an HIA consistently appears in various World Heritage Committee Decisions. However, the Study of the Protection of Cultural Properties, prepared for the Coastal Area Spatial Plan of Montenegro, has considered an alternative location.

When assessing the circumstances around this subject, special focus should be given to the fact that lives of citizens in Herceg Novi, Tivat, and Kotor, especially during summer months, are significantly impacted by traffic

congestion in this area. Moreover, transit transportation often passes near the Old Town of Kotor.

Recognizing the urgency of addressing transportation challenges, the Ministry of Culture has proposed conducting an HIA with the involvement of international experts from UNESCO Advisory bodies networks, with support of local staff. The proposed HIA is distinctive in its approach, as it involves a comparative analysis of at least three solutions: the Verige bridge, Lustica-Zelenika bridge, and an underwater tunnel. These comprehensive analyses will be conducted simultaneously to identify the most suitable solution, if any, for facilitating transportation across the coastal area, with such complexities of the site itself and the sensitiveness of the landscape.

- e) *Documentation on the proposed underpass near Kotor old town and the planned developments associated with the Luštica peninsula road, even if these have already been authorised,*

The information and available documentation on these two projects has already been shared with the World Heritage Centre in previous reporting cycles and the response has been already provided by the World Heritage Centre. It was also subject of exchange before the adoption of the Spatial urban plan for the Municipality of Kotor;

- f) *The revised project for the Morinj accommodation complex,*

There is no revised project, as the initial proposal was abandoned in accordance with the conclusions drawn from UNESCO's report on the proposed development. The abandonment of the project is clearly evident in the planning document – the Spatial-Urban Plan of the Municipality of Kotor, which was shared with UNESCO and approved after extensive consultations.

- g) *The detailed spatial plan under preparation for the conversion and construction of a hotel complex on the former Fjord Hotel site and the Jugooceanija building,*

The requested document is under translation and will be shared with the World Heritage Centre upon the completion of the document.

- h) *Relevant documentation on any other projects proposed in the property, buffer zone or wider setting that may have a potential negative impact on the OUV, such as the projects proposed on the Sveti Marko Island and the projects located on either side of the entrance to Kotor Bay;*

All projects originating in the area are communicated to UNESCO through Heritage Impact Assessments (HIAs) or in accordance with Article 172 of the Operational Guidelines. This is the practice which will continue.

5. *Further expresses concern about quarries which were recently permitted in the buffer zone of the property, and about plans for future quarries, requests the State Party to provide as a matter of urgency to the World Heritage Centre precise maps indicating the exact location of these quarries, as well as the relevant sections of the adopted Spatial Urban Plan of the Municipality of Kotor with reference to quarries, and advises the State Party to immediately halt any further projects until an Impact Assessment has been completed and submitted to the World Heritage Centre for review by the Advisory Bodies;*

Individual Heritage Impact Assessments (HIAs) for quarries have been drafted and adopted by the Administration for the Protection of Cultural Properties, in accordance with the legal provisions of the Law on Protection of the Natural and Culturo-Historic Region of Kotor. Despite their close proximity, these assessments were separated into three distinct HIAs due to the submission of Conservation Requirements requests for three individual projects. These quarries are situated outside the core zone, within the wider setting, and in the buffer zone.

The HIAs were prepared based on the Draft Urban Planning Technical Requirements, aligning with the Kotor Municipality Spatial Plan. However, due to potential impacts, the Environment Protection Agency of Montenegro, in the process of assessing their environmental impact, declined to issue approval until the opinion of the World Heritage Committee (WHC) was obtained.

Even though the HIAs were approved by the Administration for the Protection of Cultural Properties, translated, and submitted to UNESCO separately, the Ministry of Culture has opted to lead efforts in enhancing the Administration's capacities concerning the proper placement of HIA within the Montenegrin system. Consequently, the Ministry planned and has managed to resubmit the documents jointly to UNESCO. This approach is consistent with considering the "cumulative aspects" of the projects and their impacts. While they are not a unified whole, the individual Heritage Impact Assessments (HIAs) for quarries have been treated as separate documents that are juxtaposed due to their shared focus on the same area.

Upon receiving feedback, the Ministry of Culture will take appropriate actions, investing additional efforts to further refine the proposed documents or to reconsider suggested projects, depending on the conclusions of the Report to be shared.

6. *Further requests that the planning for the property, its buffer zone and wider setting be carried out in the light of the State Party's commitment to protecting the property's OUV and be informed by a strategic approach to impact assessment that considers the potential cumulative impacts of proposed projects; and requests furthermore that decisions to authorise new developments should only be taken where it is clear that negative impacts on OUV will be avoided;*

Montenegro is committed to enhancing the integration of Heritage Impact Assessments (HIAs) into the legal system and advancing expert knowledge on this specific tool. Special attention will be devoted to addressing the cumulative impacts of projects, recognizing this as an emerging issue that requires timely consideration. All pertinent documents will persist in being shared with UNESCO prior to final approval.

Consistent with past practices, only those with positive conclusions will proceed towards formal adoption.

[Note: The State(s) Party(ies) is/are requested to address the most recent Decision of the World Heritage Committee for this property, paragraph by paragraph.]

If the property is inscribed on the List of World Heritage in Danger

Please also provide detailed information on the following:

- a) Progress achieved in implementing the corrective measures adopted by the World Heritage Committee

[Note: please address each corrective measure individually, providing factual information, including exact dates, figures, etc.]

If needed, please describe the success factors or difficulties in implementing each of the corrective measures identified

- b) Is the timeframe for implementing the corrective measures suitable? If not, please propose an alternative timeframe and an explanation why this alternative timeframe is required.
- c) Progress achieved towards the Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR)

7. *Other current conservation issues identified by the State(s) Party(ies) which may have an impact on the property's Outstanding Universal Value*

Due to Montenegro's legal system, which has incorporated Heritage Impact Assessment (HIA) as a standard procedure for the WH site, all conservation issues are communicated to UNESCO. This sharing is facilitated either through draft HIAs or in accordance with the provisions of Article 172 of the Operational Guidelines.

[Note: this includes conservation issues which are not mentioned in the Decision of the World Heritage Committee or in any information request from the World Heritage Centre]

8. *In conformity with Paragraph 172 of the Operational Guidelines, describe any potential major restorations, alterations and/or new construction(s) intended within the property, the buffer zone(s) and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.*

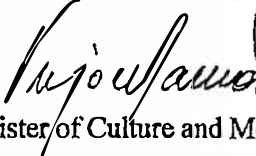
The Article 172 mechanism for exchanging information and documentation is commonly utilized by Montenegrin institutions. At this particular moment, there is no additional information beyond what has already been shared. Nevertheless, Montenegro remains committed to keeping UNESCO informed about any developments in accordance with this Article.


9. *Public access to the state of conservation report*

The State Party acknowledges and consents to providing public access to this report.

[Note: this report will be uploaded for public access on the World Heritage Centre's State of conservation Information System (<https://whc.unesco.org/en/soc>). Should your State Party request that the full report should not be uploaded, only the 1-page executive summary provided in point (1.) above will be uploaded for public access].

6. Signature of the Authority


Minister of Culture and Media of Montenegro



Ms Tamara Vujović